



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Proceedings - Approved COMMON COUNCIL

This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at www.madisoncitychannel.tv.

Tuesday, December 13, 2011

6:30 PM

210 Martin Luther King, Jr. Blvd.
Room 201 (City-County Building)

ROLL CALL at 6:31 PM

A motion was made by Bidar-Sielaff, seconded by Verveer, to Adjourn at 8:28 PM. The motion passed by voice vote/other.

SPEAKING GUIDELINES

Speaking Limits:

Public Hearing - 5 Minutes, Information Hearing - 5 Minutes, Other Items - 3 minutes.

You must register before your item is considered by the Council.

The use of audible cell phone ringers and active use and response to cellular phone technology by the governing body, staff and members of the public is discouraged in the Council Chambers while the Council is in session.

NOTIFIED ABSENCES: None.

OPENING REMARKS

SUSPENSION OF RULES

Suspend Rules 2.04 (order of business), 2.05 (introduction of business), 2.24 (ordinances), and 2.25 (resolutions) for items so designated on the agenda.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

- 1. [24546](#) Commending Fire Chief Debra H. Amesqua on her retirement from the City of Madison after over 16 years of service
Sponsors: Paul R. Soglin, Paul E. Skidmore, Lauren Cnare, Satya V. Rhodes-Conway, Shiva Bidar-Sielaff, Lisa Subeck, Chris Schmidt, Joseph R. Clausius, Mark Clear, Marsha A. Rummel, Matthew J. Phair, Michael E. Verveer, Tim Bruer, Sue Ellingson, Jill Johnson, Steve King, Bridget R. Maniaci, Larry Palm, Scott J. Resnick, Brian L. Solomon and Anita Weier

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-00985

- 2. [24607](#) Commending and congratulating Madison LaFollette High School graduate Nick Jensen on being the recipient of a State AP Scholar of the Year Award.
Sponsors: Jill Johnson, Paul R. Soglin, Shiva Bidar-Sielaff, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Steve King, Bridget R. Maniaci, Larry Palm, Matthew J. Phair, Scott J. Resnick, Satya V. Rhodes-Conway, Marsha A. Rummel, Chris Schmidt, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by Ald. Johnson, seconded by Ald. Cnare, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00986

- 3. [24640](#) Awarding the Fifth Annual Jeffrey Clay Erlanger Civility in Public Discourse Award to Alice Fike.
Sponsors: Lauren Cnare, Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, Lisa Subeck, Paul E. Skidmore, Joseph R. Clausius, Satya V. Rhodes-Conway, Mark Clear, Matthew J. Phair, Michael E. Verveer, Tim Bruer, Sue Ellingson, Jill Johnson, Steve King, Bridget R. Maniaci, Larry Palm, Scott J. Resnick, Marsha A. Rummel, Brian L. Solomon and Anita Weier

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00987

PETITIONS AND COMMUNICATIONS

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT:

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote and are not included on the consent agenda by unanimous consent. 3) items which alderperson(s) have separated out for discussion/debate purposes.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 4. [24045](#) Public Hearing - New License
300 CGR LLC • Chief's Tavern
300 Cottage Grove Road • Agent: Brian Mason • Estimated Capacity: 149
Class B Combination Liquor & Beer • 60% alcohol, 30% food, 10% Other
Aldermanic District 15 (Alder Palm) • Police Sector 610

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

- 5. [24237](#) Public Hearing - New License
Maria I Chavez • dba La Joya Mexican Restaurant
3737 Milwaukee Street • Estimated Capacity: 80
Class B Beer, Class C Wine • 25% alcohol, 75% food
Aldermanic District 15 (Alder Palm) • Police Sector 610

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

REPORT OF PLAN COMMISSION

[24776](#) 2nd SUBSTITUTE Amending Sections. 16.25(5)(h)3., 4., 18.10(1)(a), 18.10(2), 19.14(1)(a)1., 19.14(1)(b)1., 28.12(13)(a)1., 2., 5., 7., 29.07(3)(a), (d), 30.01(10), 33.24(6)(a), creating Sec. 28.12(13)(a)8., and renumbering current Secs. 28.12(13)(a)8.-11. to 9.-12. of the Madison General Ordinances to increase certain fees approved in the 2012 budget.

Sponsors: Chris Schmidt and Michael E. Verveer

6. [24239](#) Public Hearing - New License
Madison Oil LLC • dba Madison Oil
4611 Verona Road • Agent: Lakhvir Kaur
Class A Liquor & Class A Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 104

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to DENY BECAUSE OF THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY and close the Public Hearing. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

7. [24528](#) Approving Plans, Specifications, and Schedule Of Assessments For Camden Road Street Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Rhodes-Conway, seconded by Ald. Cnare, to Adopt the Following Amendment(s): That the special assessments will be collected in fifteen installments instead of eight installments. The motion passed by voice vote/other.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt With Amendment(s) and close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-11-00988

8. [24529](#) Approving Plans, Specifications, and Schedule Of Assessments For North Orchard Street and Spring Street Reconstruction Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-11-00989

9. [24530](#) AMENDED Approving Plans, Specifications, and Schedule Of Assessments For South Fairchild Street, West Doty Street & South Carroll Street Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Verveer, seconded by Ald. Cnare, to Adopt the Following Amendment(s): That the special assessments will be collected in fifteen installments instead of eight installments. The motion passed by voice vote/other.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt With Amendment(s) and close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-11-00990

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

- 10. [24626](#) Report of the Mayor submitting citizen committee appointments (introduction 11-29-2011; action 12-13-2011).

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Confirm. The motion passed by voice vote/other.

- 11. [24813](#) 2012-2013 Election Official Appointments

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Confirm. The motion passed by voice vote/other.

- 12. [24766](#) Report of the Mayor submitting citizen committee appointments (introduction 12-13-2011; action 1-3-2012).

Sponsors: Paul R. Soglin

Confirm at the Common Council meeting on 1/3/12.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to a future Meeting to Confirm to the COMMON COUNCIL and should be returned by 1/3/2012. The motion passed by voice vote/other.

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

13. [24789](#) Approving services and programs to be administered by the Community Development Division during 2012, as recommended by the Community Services and CDBG Committees as part of their joint 2011-2012 funding process, and for which aggregate Division funding was previously approved by Council as part of the City's 2012 Adopted Operating Budget; and authorizing the Mayor and City Clerk to execute all requisite agreements with the designated community agencies.

Sponsors: Lauren Cnare

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00991

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

14. [22771](#) Operator License Application
Bradford E Wingham - Establishment where employed: Applebee's

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Place On File Without Prejudice. The motion passed by voice vote/other.

15. [24363](#) Change of Licensed Premise
Porta Bella Inc • dba Porta Bella • Capacity: Curr. 250/48 Prop. 411/48
425 N Frances • Agent: Edward Shinnick
Class B Combination Liquor & Beer • 29.2% alcohol, 70.8% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403
Convert dining, office, and storage area into banquet facility

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant. The motion passed by voice vote/other.

16. [24799](#) Alcohol License Review Committee Report of Operator License Applications December 13, 2011. See attached report for list of operators.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant. The motion passed by voice vote/other.

REPORT OF BOARD OF ESTIMATES

17. [22180](#) SUBSTITUTE Approving a Stipulation and Settlement Agreement with Adams Outdoor Advertising, and authorizing the City Attorney to execute the same.

Sponsors: Paul R. Soglin

A motion was made by Cnare, seconded by Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

18. [24569](#) Authorizing and Providing for the Sale and Issuance of \$19,370,000 Water Utility Revenue Bonds, Series 2011, and all related details.

Sponsors: Lauren Cnare

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Unanimously. The motion passed by voice vote/other.

Enactment No: RES-11-00993

19. [24570](#) Authorizing the Mayor and City Clerk to execute maintenance contracts as needed for software support and maintenance services from sole-source providers.

Sponsors: Lauren Cnare

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-00994

20. [24582](#) Resolution authorizing the City to enter into an Agreement with the Madison Public Library Foundation, Inc., for the transfer of funds raised by the Foundation for the purpose of the rebuilding of the Madison Central Library, and authorizing the Mayor and City Clerk to sign the Agreement.

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-00995

21. [24597](#) To authorize the Mayor and City Clerk to enter into a grant agreement with the Wisconsin Department of Natural Resources for reimbursement of expenses incurred for parkland acquisition (Esther Beach).

Sponsors: Tim Bruer, Mark Clear and Joseph R. Clausius

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-00996

22. [24602](#) Seeking Common Council approval of the 2011 Signature Art Grant award as recommended by the Madison Arts Commission.

Sponsors: Satya V. Rhodes-Conway

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-00997

23. [24613](#) Approval to accept Homeland Security Metropolitan Medical Response System Grant 2010-HS-20-9231 awarded by the Wisconsin Office of Justice Assistance for \$301,548.

Sponsors: Paul R. Soglin, Paul E. Skidmore and Lauren Cnare

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-00998

24. [24618](#) Authorizing the Board of Health for Madison and Dane County on behalf of Public Health - Madison and Dane County to execute an amendment to the lease with International Properties LLP for office space located at 2701 International Lane.

Sponsors: Joseph R. Clausius and Matthew J. Phair

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-00999

25. [24624](#) Accepting 2011 Assistance to Firefighters Grants if awarded from the Federal Emergency Management Agency, Department of Homeland Security (DHS).

Sponsors: Paul R. Soglin, Paul E. Skidmore and Lauren Cnare

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01000

26. [24625](#) SUBSTITUTE-Appropriating ~~\$5,995,800~~ \$6,188,100 from the General Fund balance to agency budgets and the Workers Compensation Fund to cover various unbudgeted expenditures in 2011.

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Unanimously. The motion passed by voice vote/other.

Enactment No: RES-11-01001

27. [24635](#) Amending various provisions of Chapters 35 and 37 of the Madison General Ordinances to establish 2012 Sewer Utility and Public Stormwater System Rates (including Landfill Remediation Fees), creating a sanitary sewer credit meter fee, and making minor changes to the stormwater and erosion control ordinance.

Sponsors: Paul E. Skidmore and Anita Weier

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-11-00169

28. [24638](#) Amending the 2011 adopted budget of the Community Development Division to present separately expenses and funding for the Community Development Block Grant office.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Matthew J. Phair

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01002

29. [24643](#) Amending Project No. 6 of the 2011 Department of Planning & Community & Economic Development Capital Budget to authorize \$59,000 to be redirected to reimburse Madison Development Corporation for BioLink project costs.

Sponsors: Jill Johnson

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Unanimously. The motion passed by voice vote/other.

Enactment No: RES-11-01003

- 30. [24650](#) SUBSTITUTE Authorizing the execution of a Space Use Agreement with Porchlight, Inc. allowing for the operation of a daytime resource center for homeless individuals and families at the City-owned building located at 754 East Washington Avenue.

Sponsors: Bridget R. Maniaci

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01004

REPORT OF PERSONNEL BOARD

- 31. [23994](#) Adopting updates to the City of Madison Personnel Rules.

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01005

REPORT OF BOARD OF PUBLIC WORKS

- 32. [24294](#) Awarding Public Works Contract No. 6624, Server Room & Police Storage Remodel - 2012.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01006

- 33. [24353](#) Approving plans and specifications for public improvements necessary for the project known as Ice Age Junction Path and approving Addendum No. 1 for 8001 Raymond Road-CSM, Private Contract No. 2176. (7th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01007

34. [24387](#) Improvements Accepted for water main improvements on Commercial Ave / N Thompson Dr - Contract #6373 (3rd AD).

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01008

35. [24411](#) Authorizing the Mayor and City Clerk to sign a Distributed Generation Interconnection Agreement with Madison Gas and Electric Company and authorizing indemnification of MG&E, for PVG sites at East Streets Maintenance Facility on 4602 Sycamore Ave

Sponsors: Joseph R. Clausius

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01009

36. [24463](#) Authorizing the Mayor and City Clerk to execute a Cooperative Agreement 2012 Renewal with the Capital Area Regional Planning Commission for the investigation of water resources within the City of Madison through the Dane County Cooperative Water Resources Monitoring Program. Said Agreement renewal covers the period of 1/1/12 thru 12/31/12.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01010

37. [24467](#) Authorizing an amendment to the contract between the City of Madison and Angus Young Associates, Inc., in the amount of \$101,300 for additional architectural and engineering design services for Phase No. 3 Auditorium/Classrooms/Tactical Training Remodel at Femrite Drive Madison Police Department Training Center.

Sponsors: Paul E. Skidmore and Jill Johnson

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01011

38. [24474](#) Termination of the Declaration of Public Works Emergency per Section 62.15(1b) of the Wisconsin Statutes Proclaiming an Emergency for the timely lateral installation to 1301 East Washington Ave (formerly Marquip building). (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01012

39. [24527](#) Authorizing the Mayor and City Clerk to execute a Permit agreement between the City of Madison and State of Wisconsin Department of Transportation for the Marsh View Bike Path crossing of the WisDOT rail corridor near Highway 30, including indemnification of the railroad operator, currently Wisconsin & Southern Railroad (WSOR), from liability associated with use of the bike path. (15th AD)

Sponsors: Larry Palm

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01013

40. [24531](#) Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between the City of Madison and KL Engineering, Inc., for additional design engineering services for University Avenue from Allen Boulevard to Segoe Road. (11th & 19th ADs)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01014

41. [24585](#) Approving plans and specifications for public improvements necessary for the project known as 1001 University Avenue PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2293. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01015

42. [24599](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Monona Terrace Community and Convention Center Operable Partition Repair and Fabric Replacement, Contract No. 6838.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01016

43. [24622](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Warner Parking Lot Reconstruction - Phase 3, Contract No. 6810. (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01017

44. [24623](#) Awarding Public Works Contract No. 6124, Pavement Rehab of Atwood Avenue and South Fair Oaks Avenue Intersection Assessment District - 2010.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01018

45. [24627](#) Authorizing the Mayor and City Clerk to execute an Addendum to a purchase order agreement with the University of Wisconsin-College of Engineering (ID # 14904) to complete a lake response model for Lake Wingra.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01019

46. [24664](#) Declaring the City of Madison's intention to exercise its police powers establishing the Atwood Avenue Sanitary Sewer Lateral Assessment District - 2011. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt.
The motion passed by voice vote/other.**

Enactment No: RES-11-01020

47. [24665](#) Declaring the City of Madison's intention to exercise its police powers establishing the North Frances Street (Langdon Street - north) Storm Sewer Assessment District - 2011. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt.
The motion passed by voice vote/other.**

Enactment No: RES-11-01021

REPORT OF CITY CLERK

48. [24737](#) Secondhand Jewelry Dealer License: Gold into Cash Inc, dba Gold into Cash, 3868 E Washington Ave

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**

REPORT OF COMMISSION ON PEOPLE WITH DISABILITIES

49. [22859](#) Accessible Housing Resolution

Sponsors: Mark Clear

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt.
The motion passed by voice vote/other.**

Enactment No: RES-11-01022

REPORT OF PLAN COMMISSION

50. [23614](#) Approving a Certified Survey Map of property owned by Badger Mill Creek, LLC generally located at 2653 Jeffy Trail and 2414 Trevor Way; 1st Ald. Dist., creating two deep residential lots.

Sponsors: Common Council By Request

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-01023

REPORT OF RISK MANAGER

51. [24391](#) M. Martin, 2501 Greenway View, Madison, 53713; PO Box 44811, Madison, 53744 - personal injury - \$391.16.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Disallow. The motion passed by voice vote/other.

52. [24420](#) K. Losby, 542 Charles Ln., 53711 - property damage - \$395.03.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Disallow. The motion passed by voice vote/other.

53. [24421](#) Anthony Varda, DeWitt Ross & Stevens, atty for D. Kruse, 5547 McNichols Dr., Milton, 53563 - vehicle damage - \$11,349.09.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Disallow. The motion passed by voice vote/other.

54. [24471](#) K. Roberts, 2910 King James Way, # 3, Madison, 53719 - property loss - \$4.00.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Disallow. The motion passed by voice vote/other.

55. [24473](#) Ellen Schroeder, Afni Insurance Services, P.O. Box 3068, Bloomington, IL 61702-3068 for R. Saul, 638 Anthony Ln., Madison, 53711 - property damage - \$5,000.00.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Disallow. The motion passed by voice vote/other.

58. [24369](#) SUBSTITUTE: Authorizing the Mayor and City Clerk to sign ~~a~~contracts with Itron, Inc and NorthStar Utilities Solutions (a division of N. Harris Computer Corporation) not to exceed \$11,935,500 for the purchase, ~~and~~ implementation, and maintenance of an Advanced Metering Infrastructure (AMI) system for the Madison Water Utility (City-wide).

Sponsors: Lauren Cnare and Tim Bruer

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-12-00407

- [24368](#) 2ND SUBSTITUTE: Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with AECOM ~~a consultant~~ for the completion of a study of the source of the VOC contamination at Unit Well 15 (17th AD).

Sponsors: Joseph R. Clausius, Lauren Cnare and Tim Bruer

56. [24532](#) Madison Locksmith, LLC, 2901 Curry Pkwy., # 23, Madison, 53713 - compensation for services - \$390.35.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Disallow. The motion passed by voice vote/other.

57. [24576](#) D. Huichan, 2711 Victoria Ln., 53704 - vehicle damage - \$601.88.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Disallow. The motion passed by voice vote/other.

REPORT OF WATER UTILITY BOARD

59. [24414](#) Amending Sections 13.07 and 13.21 of the Madison General Ordinances to create a residential water service connection requirement and to update the well operation permit and well abandonment procedures and requirements.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Lauren Cnare

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-11-00170

ITEMS REFERRED TO THIS MEETING

ORDINANCES

60. [23785](#) **AMENDED** 5th SUBSTITUTE Amending Sections 9.24 and 1.08(3)(a) of the Madison General Ordinances to require secondhand dealers to compile and submit to the Police Department electronic records of transactions and creating penalties.

Sponsors: Michael E. Verveer, Paul E. Skidmore and Jill Johnson

A motion was made by Ald. Verveer, seconded by Ald. Bidar-Sielaff, to Adopt the Following Amendment(s). The motion passed by voice vote/other.

A motion was made by Ald. Verveer, seconded by Ald. Cnare, to Adopt With Amendment(s). The motion passed by voice vote/other.

Enactment No: ORD-11-00171

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

61. [24673](#) Creating Section 28.06(2)(a)3573. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3574. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Construct Two-Story Mixed-Use Building with 3,400 Square Feet of Retail Space and 7 Apartments, and a Drive-Thru Window for a First-Floor Tenant; 13th Aldermanic District: 801 South Park Street.

Sponsors: Planning Division

Return to Common Council on 1/17/12

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

62. [24674](#) Creating Sec. 28.06(2)(a)3576. of the Madison General Ordinances rezoning property from R5 General Residence District, C3 Highway Commercial District & M1 Limited Manufacturing District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Future Demo of 2 Commercial Buildings to Allow Future Construction of 4- Story Mixed-Use Building with 22,000 Square Feet of Commercial Space & 65 Apartments; 6th Aldermanic District: 2048-2100 Winnebago Street.

Sponsors: Planning Division

Return to Common Council on 1/17/12

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

- 63. [24709](#) Amending Secs. 9.13(6)(j)1.a. and (h)3.a.iii. of the Madison General Ordinances to allow Merchant Vending in the State Street Mall/Capitol Concourse Vending area on all days when the business is open and increase the annual license fee for merchant vendors.

Sponsors: Michael E. Verveer

This Ordinance was Referred to the VENDING OVERSIGHT COMMITTEE

- 64. [24710](#) Amending Section 29.20(20) of the Madison General Ordinances to update the landfill zones of concerns and the required construction practices and safety precautions required therein.

Sponsors: Paul E. Skidmore

This Ordinance was Referred to the BOARD OF PUBLIC WORKS

- 65. [24755](#) Effectuating the settlement agreement and stipulation in Adams Outdoor Advertising v. City of Madison, Dane County Circuit Court Cases 2007 - CV - 2201, etc.

Sponsors: Paul R. Soglin

Additional Referral: Plan Commission.

This Ordinance was Referred to the BOARD OF ESTIMATES

- 66. [24756](#) Creating Sections 8.24(1)(cc) and (dd) of the Madison General Ordinances to prohibit alcohol beverages in the City-County Building and the Madison Municipal Building.

Sponsors: Paul R. Soglin, Shiva Bidar-Sielaff, Lauren Cnare and Scott J. Resnick

Return to Common Council 1/3/12

This Ordinance was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

- 67. [24764](#) Creating Section 9.53, and amending Sections 10.25, 1.08(3)(a), and 1.08(4) of the Madison General Ordinances to allow information tables and vending of expressive items on city sidewalks, creating permits and designated sites for the same, creating permits for mobile vending of expressive items, and establishing bail deposits for violations.

Sponsors: Michael E. Verveer and Marsha A. Rummel

This Ordinance was Referred to the VENDING OVERSIGHT COMMITTEE

68. [24765](#) Adopting an amendment to the Generalized Future Land Use Plan Map in the City of Madison Comprehensive Plan.
- Sponsors:** Lisa Subeck
- Return to Common Council on 1/17/12
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**
69. [24767](#) Creating Section 28.06(2)(a)3577. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 719 West Badger Road to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment: 14th Aldermanic District;719 West Badger Road.
- Sponsors:** Planning Division
- Return to Common Council 1/17/12
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**
70. [24776](#) Amending Sections. 16.25(5)(h)3., 4., 18.10(1)(a), 18.10(2), 19.14(1)(a)1., 19.14(1)(b)1., 28.12(13)(a)1., 2., 5., 7., 29.07(3)(a), (d), 30.01(10), 33.24(6) (a), creating Sec. 28.12(13)(a)8., and renumbering current Secs. 28.12(13) (a)8.-11. to 9.-12. of the Madison General Ordinances to increase certain fees approved in the 2012 budget.
- Sponsors:** Chris Schmidt and Michael E. Verveer
- Return to Common Council 1/17/12
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**
71. [24778](#) Creating Sections 39.07 and 33.07(7)(k)13. of the Madison General Ordinances to require contractors to provide benefits to employees with domestic partners that are equal to the benefits offered and provided to married employees.
- Sponsors:** Michael E. Verveer, Paul R. Soglin, Shiva Bidar-Sielaff, Lauren Cnare, Lisa Subeck, Matthew J. Phair, Scott J. Resnick, Marsha A. Rummel, Sue Ellingson, Satya V. Rhodes-Conway, Brian L. Solomon and Joseph R. Clausius
- Additional Referrals: Affirmative Action Commission, Board of Public Works.
- This Ordinance was Referred to the BOARD OF ESTIMATES**
72. [24803](#) Amending Sections 15.02(25) and (26) of the Madison General Ordinances to change the polling locations for Wards 25 and 26.
- Sponsors:** Joseph R. Clausius
- Adopt at the Common Council Meeting on January 3, 2012.
- This Ordinance was Referred to the COMMON COUNCIL due back on 1/3/2012**

RESOLUTIONS

- 73. [24642](#) Authorizing the Mayor and City Clerk to enter into an agreement with the Capital Area Regional Planning Commission (CARPC) for the Madison Area Transportation Planning Board (TPB) to provide transportation planning work activities to the CARPC in calendar year 2012.

Sponsors: Chris Schmidt, Steve King and Mark Clear

This Resolution was Referred to the BOARD OF ESTIMATES

- 74. [24646](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County to provide \$19,300 in assistance to Metro Transit for transit information services, promotion efforts, and operations for calendar year 2012, and \$5,000 to the Madison Area Transportation Planning Board (a Metropolitan Planning Organization) to support the County Specialized Transportation coordination activities for the calendar year 2012.

Sponsors: Steve King, Chris Schmidt, Mark Clear, Lisa Subeck and Bridget R. Maniaci

Additional Referral: Board of Estimates.

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

- 75. [24672](#) Directing Engineering, Streets, and Planning to do a study on potential waste disposals and to issue and Request for Proposals for a consultant to assist with the study. City staff will report their findings to the Mayor and Common Council.

Sponsors: Steve King

This Resolution was Referred to the SOLID WASTE ADVISORY COMMITTEE

- 76. [24708](#) Authorizing the Mayor and City Clerk to execute a contract with Lazy Bones Laundry & Cleaning Services, Inc. for Fire Department Laundry Services

Sponsors: Paul E. Skidmore and Lauren Cnare

This Resolution was Referred to the BOARD OF ESTIMATES

- 77. [24718](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on University Avenue from North Segoe Road and Allen Boulevard. (11th & 19th ADs)

Sponsors: Mark Clear and Chris Schmidt

This Resolution was Referred to the BOARD OF PUBLIC WORKS

[25022](#) Amending the 2012 Public Health and Engineering Operating Budget to appropriate \$25,000 for a study to establish a baseline level of contamination for sediment, soil, vegetation and water at Warner Park and the Lagoons.

Sponsors: Anita Weier

78. [24719](#) Authorizing the Mayor and City Clerk to execute a long-term parking lease with Shine Advertising Co., LLC, for 35-50 parking stalls at Overture Center parking garage.

Sponsors: Chris Schmidt

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION. Ald. Resnick recuses himself from this item.

79. [24768](#) Support of in-state tuition for children of illegal immigrants

Sponsors: Paul R. Soglin, Shiva Bidar-Sielaff, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Jill Johnson, Steve King, Bridget R. Maniaci, Larry Palm, Matthew J. Phair, Scott J. Resnick, Satya V. Rhodes-Conway, Marsha A. Rummel, Chris Schmidt, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

Referred to the Common Council meeting on 1/3/12 to adopt.

This Resolution was Referred to the COMMON COUNCIL due back on 1/3/2012

80. [24773](#) Authorizing the Mayor and Chief of Police to accept vehicles and other equipment from the Wisconsin 1033 Program.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

81. [24779](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the reconstruction and maintenance of existing public sanitary sewer improvements associated with the N. Frances Street Assessment District - 2011. (8th AD)

Sponsors: Scott J. Resnick

Additional Referral: Plan Commission.

This Resolution was Referred to the BOARD OF PUBLIC WORKS

LICENSES

- 82. [24770](#) Public Hearing - New License
Select Hotels Group, LLC • Hyatt Place Madison
333 W. Washington Ave • Agent: Mark Neubauer • Estimated Capacity:
120/130/420
Class B Combination Liquor & Beer • 1.8% alcohol, 2.9% food, 95.3% Other
Aldermanic District (Alder Verveer) • Police Sector 405 • Density Area

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

- 83. [24771](#) Public Hearing - New License
Naples 15, LLC • Naples 15
15 N Butler St • Agent:Erik Minton • Estimated Capacity: 83
Class B Combination Liquor & Beer • 20% alcohol, 75% food, 5% other
Aldermanic District 2 (Alder Maniaci) • Police Sector 406 • Density Area

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

- 84. [24772](#) Public Hearing - New License
Metcalfe Foods - West, Inc • dba Metcalfe's Market
7455 Mineral Point Road • Agent: Jeffrey J. Greenheck
Class A Beer & Class A Liquor
Aldermanic District 9 (Alder Skidmore) • Police Sector 124

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

- 85. [24784](#) Public Hearing - New License
Dickey's of Madison LLC • Dickey's Barbecue Pit
4833 Annamark Drive • Agent: Nick Ziegler • Estimated Capacity: 70
Class B Combination Liquor & Beer • 5% alcohol, 95% food
Aldermanic District 17 (Alder Clausius) • Police Sector 517

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

86. [24662](#) C. Sonduck, 101 E. Mifflin St., # 606, Madison, 53703 - personal injury - \$625.00.

This Claim was Referred to the Risk Manager

87. [24760](#) L. Beckett Jr., 912 N. Bequette St., Dodgeville, 53533 - vehicle damage - \$1,494.39.

This Claim was Referred to the Risk Manager

88. [24761](#) NOTICE OF CLAIM: R. Nelson, 425 W. Johnson St., Madison, 53703 - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

89. [24762](#) Terri Waligursky, Ingenix, P.O. Box 13216, Green Bay, 54307 - insurance claim recovery - \$3,713.13.

This Claim was Referred to the Risk Manager

90. [24780](#) R. Horton, 404 Algoma St., # 22, Madison, 53704 - vehicle damage - \$4,072.27.

This Claim was Referred to the Risk Manager

91. [24781](#) D. and P. Schaefer, 3809 Winnemac Ave., Madison, 53711 - property damage - \$1,693.37.

This Claim was Referred to the Risk Manager

****ADDENDUM****

LATE ITEM

REPORT OF OFFICER

[24630](#)

A Resolution authorizing the Board of Health for Madison and Dane County to enter into a contract for purchase of services with Safe Community Coalition of Madison and Dane County, Inc. to coordinate the Poisoning/Opiates Initiative

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-11-01025

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

[24840](#)

To establish a sister city relationship between the City of Madison, Wisconsin, USA, and the City of Tepatitlán de Morelos, Jalisco Mexico.

Sponsors: Shiva Bidar-Sielaff, Bridget R. Maniaci, Paul R. Soglin, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Jill Johnson, Steve King, Larry Palm, Matthew J. Phair, Scott J. Resnick, Satya V. Rhodes-Conway, Marsha A. Rummel, Chris Schmidt, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

This Resolution was Referred to the SISTER CITY COLLABORATION COMMITTEE

ADJOURNMENT @ 8:28 PM