



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, April 8, 2014

6:30 PM

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

ROLL CALL

at 6:30 p.m. Mayor Soglin in the chair.

Present: 20 - Paul R. Soglin
Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

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 Schmidt, seconded by Clausius, to Suspend the Rules. The motion passed by voice vote/other.

PETITIONS AND COMMUNICATIONS**EARLY PUBLIC COMMENT****SPECIAL ORDER OF BUSINESS AT 6:45 PM****PRESENTATION OF CONSENT AGENDA**

A motion was made by Schmidt, seconded by Clausius, to Adopt the Consent Agenda. The motion passed by voice vote/other.

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**

1. [32101](#) Creating Section 28.022 -- 00090 of the Madison General Ordinances to change the zoning of properties located at 17-25 N. Webster Street and 201 E. Mifflin Street, 2nd Aldermanic District, from DR-1 (Downtown Residential 1) District to UMX (Urban Mixed Use) District to allow 2 two-family residences, a four-unit apartment building and a five-unit apartment building to be demolished and a 58-unit apartment building to be constructed.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

**1 Registrant in support not wishing to speak.
2 Registrants in support available to answer questions.**

Enactment No: ORD-14-00063

2. [32564](#) 2ND SUBSTITUTE Creating Section 28.06(2)(a)000098. of the Madison General Ordinances to change the zoning of property located at 5899-5901 Milwaukee Street, 3rd Aldermanic District from A (Agricultural) District and PD (Planned Development) District to TR-P (Traditional Residential-Planned) District; and creating Section 28.06(2)(a)000099 of the Madison General Ordinances to change the zoning of property located at 5899-5901 Milwaukee Street, 3rd Aldermanic District from A (Agricultural) District to TR-U1 (Traditional Residential - Urban 1) District to create 199 single-family lots, 8 lots for 4-unit residences, 15 lots for 2-family-twin residences, 1 lot for 100 future multi-family units, 10 outlots to be dedicated to the City for 2 parks, an alley, stormwater management and overhead water storage, and 1 outlot for future development.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

2 Registrants in support available to answer questions.

Enactment No: ORD-14-00064

3. [32797](#) Creating Section 28.022 -- 00102 of the Madison General Ordinances to change the zoning of property located at 710 East Mifflin Street and 124 North Livingston Street, 2nd Aldermanic District, from PD (Planned Development) and TE and (Traditional Employment) Districts to TR-U2 (Traditional Residential-Urban 2) District to allow demolition of an industrial building and future development of property with 196 multi-family dwelling units.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00067

4. [32826](#) Amending various sections of Chapter 28 of the Madison General Ordinances allow Mission Houses and Daytime Shelters as principal uses of land and to add a new definition for Daytime Shelter.

Sponsors: Planning Division and Marsha A. Rummel

A motion was made by Schmidt, seconded by Resnick, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

5. [32952](#) SUBSTITUTE. Creating Section 28.022 - 00103, Section 28.022 - 00104 and Section 28.022 - 00114 of the Madison General Ordinances to change the zoning of property located at 702 South Point Road, 9th Aldermanic District, from A (Agricultural), TR-C3 (Traditional Residential - Consistent 3) and PD (Planned Development) Districts to TR-P (Traditional Residential - Planned), TR-C3 (Traditional Residential - Consistent 3) and CN (Conservancy) Districts to provide zoning for 259 single-family lots, 11 lots for two-family-twin residences, and 9 outlots for public park and stormwater management and private open space on the plat of First Addition to 1000 Oaks.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

2 Registrants in support available to answer questions.

Enactment No: ORD-14-00065

6. [32961](#) SUBSTITUTE Amending Sections 28.061, 28.072, 28.082, 28.091, 28.151 and 28.211 and creating Section 28.127 of the Madison General Ordinances to create an Alcohol Overlay District in the zoning code, create "Restaurant-Nightclub" and "Nightclub" as uses of land in the zoning code, establish supplemental regulations for "Restaurant-Tavern," "Tavern," "Restaurant-Nightclub," and "Nightclub," to amend the definition for "Restaurant-Tavern," "Theater, Assembly hall," and "Outdoor stage, band shell, or amphitheater and to create definitions for Liquor Store and Accessory Retail Alcohol Sales.

Sponsors: Michael E. Verveer, Shiva Bidar-Sielaff and Scott J. Resnick

A motion was made by Schmidt, seconded by Resnick, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

4 Registrants in support wishing to speak.

1 Registrant neither support nor oppose wishing to speak.

1 Registrant in support available to answer questions.

1 Registrant in opposition wishing to speak.

Enactment No: ORD-14-00083

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

7. [33227](#) Public Hearing - New License
Hoops of Dane County Inc • dba Lagartos
802 Atlas Ave • Agent: Dale Beck • Estimated Capacity: 480
Class B Combination Liquor & Beer • 60% alcohol, 40% food
Aldermanic District 3 (Alder Cnare) • Police Sector 611

A motion was made by Schmidt, seconded by Clausius, to Re-refer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

8. [33228](#) Public Hearing - New License
16 Bars LLC • dba Two Straws
1380 Williamson St • Agent: Joshua Michael Swentzel
Estimated Capacity: 50
Class B Combination Liquor & Beer • 80% alcohol, 20% food
Aldermanic District 6 (Alder Rummel) • Police Sector 410

A motion was made by Schmidt, seconded by Clausius, to Re-refer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

9. [33230](#) Public Hearing - New License
LBR Northside LLC • dba The Spot Liquor
4521 Cottage Grove Rd • Agent: Larry Ring
Class A Liquor, Class A Beer
Aldermanic District 16 (Alder DeMarb) • Police Sector 614

A motion was made by Schmidt, seconded by Clausius, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

10. [33231](#) Public Hearing - New License
Ming Yang Enterprise LLC • dba World Buffet
499 D'onofrio Dr • Agent: James Min Jiang • Estimated Capacity: 300
Class B Beer & Class C Wine • 5% alcohol, 95% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 124

A motion was made by Schmidt, seconded by Clausius, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

REPORT OF PLAN COMMISSION

11. [33168](#) Amending Section 28.139(1) of the Madison General Ordinances to change the proximity to a park conditional use review trigger from 200 feet to "immediately adjacent" to the park.

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other with Alders Weier, Skidmore and Palm voting no.

Enactment No: ORD-14-00068

12. [33169](#) Creating Section 28.084(4)(d) of the Madison General Ordinances to create an exception to the site standards rule in the TE District which prohibits parking between a building and the street for buildings that abut 3 or more streets.

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00069

13. [33171](#) Creating Section 28.022 -- 00113 of the Madison General Ordinances to change the zoning of property located at 1801 Legacy Lane, 1st Aldermanic District, from TR-C4 (Traditional Residential - Consistent 4) District to SR-C3 (Suburban Residential - Consistent 3) District to correct a mapping error.

Sponsors: Lisa Subeck

A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00070

14. [33172](#) Creating Section 28.022 -- 00112 of the Madison General Ordinances to change the zoning of property located at 1722 Legacy Lane, 1st Aldermanic District, from TR-C4 (Traditional Residential - Consistent 4) District to SR-C3 (Suburban Residential - Consistent 3) District to correct a mapping error.

Sponsors: Lisa Subeck

A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00071

15. [33173](#) Creating Section 28.022 -- 00111 of the Madison General Ordinances to change the zoning of properties located at 1721-1723 Southern Ridge Trail, 1st Aldermanic District, from TR-C4 (Traditional Residential - Consistent 4) District to SR-C3 (Suburban Residential - Consistent 3) District to correct a mapping error.

Sponsors: Lisa Subeck

A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00072

16. [33187](#) Creating Section 28.022 -- 00108 of the Madison General Ordinances to change the zoning of properties located at 1801-1803 Southern Ridge Trail, 1st Aldermanic District, from TR-C4 (Traditional Residential - Consistent 4) District to SR-C3 (Suburban Residential - Consistent 3) District to correct a mapping error.

Sponsors: Lisa Subeck

A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00073

17. [33191](#) Creating Section 28.022 -- 00109 of the Madison General Ordinances to change the zoning of property located at 1721 Legacy Lane/1734 Sawtooth Lane, 1st Aldermanic District, from TR-C4 (Traditional Residential - Consistent 4) District to SR-C3 (Suburban Residential - Consistent 3) District to correct a mapping error.

Sponsors: Lisa Subeck

A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00074

18. [33192](#) Creating Section 28.022 -- 00110 of the Madison General Ordinances to change the zoning of property located at 1802 Legacy Lane, 1st Aldermanic District, from TR-C4 (Traditional Residential - Consistent 4) District to SR-C3 (Suburban Residential - Consistent 3) District to correct a mapping error.

Sponsors: Lisa Subeck

A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00075

19. [33193](#) Creating Section 28.022 -- 00105 of the Madison General Ordinances to change the zoning of property located at 4801 Waukesha Street, 11th Aldermanic District, from CN (Conservancy) District to SR-C1 (Suburban Residential - Consistent 1) District to correct a mapping error.
- Sponsors:** Planning Division
- A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-14-00076
20. [33194](#) Creating Section 28.022 -- 00107 of the Madison General Ordinances to change the zoning of properties located at 3302 and 3310 Monroe Street, 13th Aldermanic District, from TSS (Traditional Shopping Street) District to TR-V1 (Traditional Residential - Varied 1) District to correct a mapping error.
- Sponsors:** Sue Ellingson and Chris Schmidt
- A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-14-00077
21. [33195](#) Creating Section 28.022 -- 00106 of the Madison General Ordinances to change the zoning of property located at 2602 Arbor Drive, 13th Aldermanic District, from TSS (Traditional Shopping Street) District to TR-U1 (Traditional Residential - Urban 1) District to correct a mapping error.
- Sponsors:** Sue Ellingson and Chris Schmidt
- A motion was made by Schmidt, seconded by Clausius, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-14-00078
22. [33434](#) Creating Section 28.022 -- 00117 of the Madison General Ordinances to adopt a Campus-Institutional (CI) District Master Plan for Edgewood College, Edgewood High School and Edgewood Campus School, generally addressed as 2219 Monroe Street and 829-1000 Edgewood College Drive, 13th Aldermanic District, as an integral part of the Zoning Code.
- Sponsors:** Planning Division
- A motion was made by Schmidt, seconded by Clausius, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.**
- 2 Registrants in support available to answer questions.**
- Enactment No: ORD-14-00082

23. [33437](#) Creating Section 28.022 - 00118 of the Madison General Ordinances to change the zoning of property located at 300 S. Bedford Street and 302-304 Dow Court, 4th Aldermanic District, from UMX (Urban Mixed-Use) District and PD (Planned Development) District to PD (Planned Development) District to allow construction of an addition to an existing office building and separate 80-unit apartment building with shared parking following demolition of a single-family residence.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

2 Registrants in support available to answer questions.

Enactment No: ORD-14-00079

ITEMS REFERRED TO THIS MEETING

APPEALS

24. [33275](#) Appeal of Denial of Certificate of Appropriateness for New Development
121-127 W. Gilman St.
Aldermanic District 2 (Ald. Zellers)

A motion was made by Schmidt, seconded by Resnick, as follows: The Council reverses the action of the Landmarks Commission as to the certificate of appropriateness for construction, and grants the certificate. The Council finds that owing to special conditions pertaining to the specific pieces of property, failure to grant the certificate of appropriateness will cause serious hardship for the owner, and the hardship was not self-created. The motion failed by the following vote:

**12 Registrants in support wishing to speak.
27 Registrants in opposition wishing to speak.
16 Registrants in support not wishing to speak.
12 Registrants in opposition not wishing to speak.
1 Registrant neither support nor oppose wishing to speak.
1 Registrant in support available to answer questions.**

Ayes: 6 - Scott J. Resnick
Paul E. Skidmore
John Strasser
Joseph R. Clausius
Mark Clear
Matthew J. Phair

Noes: 13 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Maurice S. Cheeks
Chris Schmidt
Larry Palm
David Ahrens
Denise DeMarb
Anita Weier

Non Voting: 2 - Paul R. Soglin
Sue Ellingson

AGENDA NOTE for 33275: A 2/3 vote is necessary to reverse or modify the action of the Landmarks Commission.

RECESS

Take A Recess at 9:20 p.m.

RECONVENE

Reconvene at 9:33 p.m.

Present: 20 - Paul R. Soglin
Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

25. [33474](#) Petition for appeal for Failure to Act on two demolition permits 123, 127 W Gilman St. Aldermanic District 2 (Ald. Zellers)

A motion was made by Resnick, seconded by Clausius, to Receive and Place On File without Prejudice. The motion passed by voice vote/other.

6 Registrants in support wishing to speak.

15 Registrants in opposition wishing to speak.

16 Registrants in support not wishing to speak.

8 Registrants in opposition not wishing to speak.

2 Registrants neither support nor oppose wishing to speak.

AGENDA NOTE for 33474: A 2/3 vote is necessary to reverse or modify the action of the Landmarks Commission.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

26. [33586](#) Report of the Mayor submitting alder committee appointments.

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Confirm. The motion passed by voice vote/other.

27. [33588](#) Report of the Mayor submitting citizen committee appointments (introduction 4-8-2014; action 4-29-2014).

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Refer to a future Meeting to Confirm to the COMMON COUNCIL. The motion passed by voice vote/other.

RESOLUTIONS

28. [33625](#) Authorizing outside fundraising in support of a Mayor's Bike Summit - 2015.

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, 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-14-00273

29. [33664](#)

Authorizing the City of Madison to apply to the US Department of Transportation's TIGER grant program and amending the 2014 Capital Budget to allocate up to \$250,000 in matching funds.

Sponsors: Paul R. Soglin

**A motion was made by Resnick, seconded by Ahrens, to Adopt Unanimously.
The motion passed by the following vote:**

Ayes: 19 - Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Lisa Subeck

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-14-00274

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

RESOLUTIONS

- 30. [32795](#) Urging the United States Congress to pass the Preservation of Antibiotics for Medical Treatment Act (PAMTA), H.R. 965, and the Preventing of Antibiotic Resistance Act (PARA), S. 1256 and supporting a statewide and national ban on nontherapeutic uses of antibiotics in livestock production.

Sponsors: Shiva Bidar-Sielaff, Scott J. Resnick, Ledell Zellers, David Ahrens, Anita Weier, Lisa Subeck, Michael E. Verveer, John Strasser and Denise DeMarb

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

**7 Registrants in support wishing to speak.
1 Registrant in opposition wishing to speak.
6 Registrants in support not wishing to speak.**

Enactment No: RES-14-00230

- 31. [33572](#) Authorizing the filling of the vacant District 13 Aldermanic seat by Common Council appointment.

Sponsors: Chris Schmidt and Scott J. Resnick

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

1 Registrant neither support nor oppose wishing to speak.

Enactment No: RES-14-00231

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

32. [33010](#) Temporary Class B Retailer license concurrent with Street Use Permit
Madison Festivals, Inc.
Event Location: John Nolen Dr.
Event Date: June 28, 2014
Aldermanic Districts 4, 13 & 14 (Alds. Verveer, Ellingson & Strasser)
Police District: 300
Rhythm & Booms

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

33. [33328](#) Change of Agent
GMRI Inc • The Olive Garden Italian Restaurant #1300
4320 East Towne Blvd.
New Agent: J D Duncan
Class B Combination Liquor & Beer
Aldermanic District 17 (Alder Clausius)

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

34. [33329](#) Change of Agent
Aldi Inc • Aldi #22 • 8222 Watts Rd
New Agent: Monica Engel
Class A Liquor, Class A Beer
Aldermanic District 9 (Alder Skidmore)

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

35. [33330](#) Change of Agent
Hy-Vee Inc • Hy-Vee Madison #2 • 675 S Whitney Way
New Agent: Carl Haidar
Class B Combination Liquor & Beer
Aldermanic District 10 (Alder Cheeks)

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

36. [33331](#) Change of Agent
A La Brasa LLC • A La Brasa Mexican Grill
15 N Broom St
New Agent: Jose Zecua Mendez
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer)

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

37. [33332](#) Change of Agent
Wal-Mart Stores East LP • Walmart #1138
7202 Watts Rd
New Agent: James Sherman
Class A Liquor, Class A Beer
Aldermanic District 1 (Alder Subeck)

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

38. [33333](#) Change of Agent
Johnson Market Inc • Market Basket
312 E Mifflin St
New Agent: John Johnson
Class A Liquor, Class A Beer
Aldermanic District 2 (Alder Zellers)

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

39. [33335](#) Entity Reorganization & Business Name Change
Jalapeno Mexican Grill, LTD • dba Jalapeno Mexican Grill
New dba: Sol Azteca Mexican Grill
1821 S Park St
Class B Combination Liquor & Beer
Aldermanic District 14 (Alder Strasser)
1 new officer

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

40. [33336](#) Entity Reorganization
A La Brasa LLC • dba A La Brasa Mexican Grill
15 N Broom
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer)
Remove one officer

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

41. [33338](#) 21+ Entertainment License
Tip Top Tap Inc • Tip Top Tavern • Capacity: 80
601 North St • Agent: Benjamin Altschul
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 12 (Alder Palm) • Police Sector 500

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

42. [33339](#) Change of Licensed Premise
Tip Top Tap Inc • Tip Top Tavern • Capacity: 80
601 North St • Agent: Benjamin Altschul
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 12 (Alder Palm) • Police Sector 502
Request to add outdoor patio space, with an additional capacity of 60

A motion was made by Schmidt, seconded by Clausius, to Grant With Condition(s). The motion passed by voice vote/other.

The condition is: The net occupancy (inside and outside) will remain at 80 persons.

43. [33340](#) Change of Licensed Premise
Hy-Vee, Inc • Hy-Vee Madison #2 • Capacity: 175
675 S Whitney Way • Agent: Carl Haider
Class B Combination Liquor & Beer • 15% alcohol, 75% food
Aldermanic District 10 (Alder Cheeks) • Police Sector 107
Request to add patio area for outside dining, add 30 to capacity (outdoor)

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

44. [33527](#) Alcohol License Review Committee Report of Operator License Applications
April 8, 2014. See attached report for list of operators.

A motion was made by Schmidt, seconded by Clausius, to Grant. The motion passed by voice vote/other.

REPORT OF BOARD OF ESTIMATES

45. [33238](#) Authorizing the Mayor and City Clerk to execute a Second Amendment to Definitive Agreement regarding the future branch public library at Grandview Commons.

Sponsors: Lauren Cnare

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00234

46. [33282](#) Recreating 2 0.5 FTE Administrative Clerk 1s (position #1556 & 4098) as 0.8 FTE Administrative Clerk 1s within the Parks Division budget.

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00235

47. [33354](#) Authorizing the Mayor and City Clerk to execute a Fourth Amendment to Sublease pertaining to the City's sublease of space to Dane County Parent Council, Inc. (a/k/a Head Start) within the South Madison Health & Family Center located within The Village on Park.

Sponsors: John Strasser

A motion was made by Schmidt, seconded by Clausius, to Place On File. The motion passed by voice vote/other.

48. [33364](#) Authorizing the Mayor and City Clerk to enter into a contract with Circle B Incorporated to compost the leaves and yard waste collected by the Streets Division in 2014.

Sponsors: Paul R. Soglin, Denise DeMarb, Steve King and Paul E. Skidmore

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00236

49. [33370](#) Authorizing the Police Department to move the start date of its fall Academy from October 6, 2014 to September 15, 2014

Sponsors: Paul R. Soglin, Joseph R. Clausius, Scott J. Resnick, Shiva Bidar-Sielaff and Chris Schmidt

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00237

50. [33371](#) Amending the 2014 Capital Budget to move \$60,000 in GO Borrowing from the Police Department Training Facility Project to the Police Department In-Car Video Project

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Adopt Unanimously. The motion passed by the following vote:

Ayes: 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-14-00238

51. [33372](#) Establishing a voluntary handgun purchase program to allow Police commissioned employees to purchase a department-approved Glock firearm for duty use, utilize the Department's bulk purchasing power to order the handguns, and establish a repayment mechanism by which the cost of the firearm would be recovered through thirteen (13) equal deductions taken from the employee's paychecks

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00239

52. [33385](#) Authorizing the Mayor and City Clerk to amend the contracts with Vandewalle & Associates and The Hiebing Group for consultation services to implement the East Washington Avenue Capitol Gateway Corridor Plan and related projects within the Capitol East District ("District"), and authorizing the DPCED Director to hire additional outside consultant(s) to complete District-related work, with a recognition that all of the aforementioned contracts and contract amendments shall not exceed \$100,000 and are approved through December 31, 2014.

Sponsors: Ledell Zellers and Marsha A. Rummel

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00240

53. [33406](#) SUBSTITUTE: Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with Baxter Woodman for pre-design planning, public participation support, the preparation of final construction drawings and specifications, permitting, bidding, and construction administration for the upgrade of Booster Pumping Station 115 (17th AD).

Sponsors: Lauren Cnare and Joseph R. Clausius

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00241

54. [33408](#) Authorizing the Director of Public Health of Madison and Dane County to issue a Request for Proposals (“RFP”) for a City of Madison and Dane County Electronic Benefits Transfer (“EBT”) program for FoodShare participants at all farmers’ markets, authorizing a subcommittee of the Madison Food Policy Council, in consultation with the Dane County Food Council, to evaluate the RFP’s and select an operator, and authorizing the City to execute a contract with the selected operator(s) for the administration of a program in an amount not to exceed \$25,000 and amending the 2014 adopted operating budgets for Miscellaneous Appropriations and the Public Health agency as appropriate.

Sponsors: Paul R. Soglin, Ledell Zellers, Shiva Bidar-Sielaff and Matthew J. Phair

A motion was made by Schmidt, seconded by Clausius, to Adopt Substitute unanimously. The motion passed by the following vote:

Ayes: 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-14-00275

55. [33412](#) Authorizing and appropriating funds for settlements with the Internal Revenue Service and the Wisconsin Department of Revenue, including professional services engagements, for a total amount not to exceed \$900,000, to resolve long-term underreporting of employee wage income for prior tax years and authorizing the Mayor and Clerk to sign Closing Agreements with those agencies.

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Adopt Unanimously. The motion passed by the following vote:

Ayes: 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-14-00242

56. [33419](#) Authorizing an amendment to the March 24, 2011 Contract for the Purchase of Services with Sustain Dane that releases all intellectual property rights the City has over the MPower Champions Program.

Sponsors: Michael E. Verveer, Marsha A. Rummel, Scott J. Resnick, David Ahrens, Paul R. Soglin and Denise DeMarb

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00243

REPORT OF BOARD OF PUBLIC WORKS

57. [33137](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of the Irwin A. and Robert D. Goodman Path, a new multi-purpose (bicycle and pedestrian) path and on-street bike route from the Capital City path at Marquette Street to the Marsh View path at Highway 30. (6th and 15th AD)

Sponsors: Marsha A. Rummel and David Ahrens

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00244

58. [33139](#) SUBSTITUTE - Discontinuing/Vacating of a portion of Dow Court from W. Wilson Street southeasterly to the current southerly terminus, being part of Dow Replat located in the Northwest 1/4 of the Southeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (4th AD)

Sponsors: Paul E. Skidmore and Michael E. Verveer

A motion was made by Schmidt, seconded by Resnick, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-14-00245

59. [33223](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of public sidewalk improvements along the south side of Mineral Point Road from the existing sidewalk west of the intersection of Big Sky Drive with Mineral Point Road, going west to the West Beltline Highway. (9th AD)

Sponsors: Paul E. Skidmore

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00246

60. [33260](#) SUBSTITUTE. Approving the Negotiated Agreement Relating to the Second Rodefild Landfill Expansion, the Sale and Lease of City Owned Land to Dane County, and the Execution of a Landfill Expansion and Solid Waste Agreement with Dane County.

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00247

61. [33356](#) Accepting improvements and assessing benefits for Grandview Commons Phase 8, 10-12 Streetlight Improvement District. (3rd AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00248

62. [33357](#) Accepting improvements and assessing benefits for Hawk Street Streetlight Improvement District. (6th AD)
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Clausius, 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-14-00249
63. [33358](#) Authorizing the execution of a quit claim deed to AnchorBank, fsb to clear title to Lot 29 of Nelson's Addition to Rustic Acres, located at 6426 Driscoll Drive.
Sponsors: Lauren Cnare
- A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-14-00250
64. [33359](#) Accepting improvements and assessing benefits for O'Brien Court Streetlight Improvement District. (3rd AD)
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Clausius, 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-14-00251
65. [33373](#) Awarding Public Works Contract No. 6999, Oakridge Avenue, Ohio Avenue and Miller Avenue Resurfacing Assessment District - 2013.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Clausius, 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-14-00252

66. [33376](#) Awarding Public Works Contract No. 7243, North Henry Street and West Mifflin Street Assessment District - 2014.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00253

67. [33377](#) Awarding Public Works Contract No. 7244, Utility Replacement with Resurfacing 2014 Assessment District.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00254

68. [33378](#) Awarding Public Works Contract No. 7266, Tenney Park Concrete Bridge Historic Restoration - 2014.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00255

69. [33383](#) Declaring the City of Madison's intention to exercise its police powers establishing the Pinecrest Drive and Burke Avenue Assessment District - 2014

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00256

70. [33387](#) Amending Sections 10.33(10)(c)3.a. and 31.046(4)(a)1. of the Madison General Ordinances to allow a larger single-faced poster board sign on a City-sponsored bicycle-sharing facility.
- Sponsors:** Paul R. Soglin, Scott J. Resnick, Chris Schmidt, Shiva Bidar-Sielaff, Ledell Zellers, Mark Clear and Michael E. Verveer

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-14-00066

71. [33402](#) Declaring the City of Madison's intention to exercise its police powers establishing the Lowell Street Alley Reconstruction Assessment District-2014.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00257

72. [33405](#) Establishing assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived)

Sponsors: Common Council By Request

A motion was made by Schmidt, seconded by 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-14-00258

73. [33432](#) Approving plans and specifications for public improvements required to serve Phase 8 of the Subdivision known as Eighth Addition to Blackhawk Subdivision and authorizing construction to be undertaken by the Developer, Private Contract No. 2386 (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00259

74. [33433](#) Approving plans and specifications for public improvements necessary for the project known as 802-854 E. Washington Avenue - Galaxie. and authorizing construction to be undertaken by the Developer, Private Contract No. 2371 (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00260

75. [33440](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Local Road Traffic Calming & Arterial Pedestrian Enhancements-2014

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00261

76. [33471](#) Approving Addendum No. 1 to University Research Park - Pioneer Grading (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Schmidt, seconded by Clausius, 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-14-00262

REPORT OF DIGITAL TECHNOLOGY COMMITTEE

77. [33292](#) Urging the FCC to reclassify Broadband Internet Service as a Telecommunications Service and establishing a basis for Net Neutrality.

Sponsors: Paul R. Soglin, Shiva Bidar-Sielaff, John Strasser, Lauren Cnare, Matthew J. Phair, Lisa Subeck, Scott J. Resnick, Michael E. Verveer and Ledell Zellers

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00263

REPORT OF EQUAL OPPORTUNITIES COMMISSION

78. [33019](#) Declaring Madison, Wisconsin a "Welcoming City" for immigrants and newcomers from all over the world.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Larry Palm, Michael E. Verveer, Lisa Subeck, Maurice S. Cheeks, Ledell Zellers, Marsha A. Rummel, Scott J. Resnick, David Ahrens, Anita Weier, Joseph R. Clausius, Steve King, Denise DeMarb, John Strasser, Chris Schmidt, Paul E. Skidmore, Matthew J. Phair, Mark Clear and Lauren Cnare

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

1 Registrant neither support nor oppose wishing to speak.

Enactment No: RES-14-00232

79. [33060](#) Calling on President Obama to impose moratorium on deportations that separate families from U.S. citizen or Dream Act eligible children.
- Sponsors:** Shiva Bidar-Sielaff, Chris Schmidt, John Strasser, Larry Palm, Matthew J. Phair, Michael E. Verveer, Lisa Subeck, Maurice S. Cheeks, Marsha A. Rummel, Scott J. Resnick, David Ahrens, Anita Weier, Joseph R. Clausius, Ledell Zellers, Denise DeMarb, Mark Clear, Lauren Cnare, Steve King, Paul E. Skidmore and Paul R. Soglin

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

1 Registrant neither support nor oppose wishing to speak.

2 Registrants in support not wishing to speak.

Enactment No: RES-14-00233

REPORT OF METRO TRANSIT

80. [33502](#) Authorizing the Metro General Transit Manager to extend the agreement with Badger Bus Lines, Inc. for provision of ADA paratransit services to Metro Transit in a Long-Term Assignment Program through August 31, 2014 (60 days) by executing an additional two (2) month option for services.

Sponsors: Chris Schmidt and Anita Weier

A motion was made by Schmidt, seconded by Clausius, 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-14-00264

REPORT OF PLAN COMMISSION

81. [32285](#) Approving the preliminary plat and final plat of North Addition to Grandview Commons located at 5899-5901 Milwaukee Street; 3rd Ald. Dist.

A motion was made by Schmidt, seconded by Clausius, 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-14-00265

82. [32916](#) Approving the preliminary plat and final plat of First Addition to 1000 Oaks generally located at 702 South Point Road; 9th Ald. Dist.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Clausius, 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-14-00266

83. [33456](#) Re-approving the preliminary plat and final plat of University Research Park-Pioneer First Addition generally located at 1004-1504 S. Pleasant View Road; 1st Ald. Dist.

A motion was made by Schmidt, seconded by Clausius, 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-14-00267

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

84. [33077](#) Approving a Certified Survey Map of property owned by J. H. Findorff & Son, Inc. generally located at 300 S. Bedford Street and 302-304 Dow Court; 4th Ald. Dist.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Clausius, 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-14-00268

85. [33219](#) Approving a Certified Survey Map of property owned by Madison Boardwalk, LLC located at 822-844 John Nolen Drive; 14th Ald. Dist.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Clausius, 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-14-00269

REPORT OF RISK MANAGER

86. [33240](#) K. Kilboy - vehicle damage - \$1,349.14.

A motion was made by Schmidt, seconded by Clausius, to Disallow. The motion passed by voice vote/other.

87. [33366](#) S. Wood, American Family Mutual Insurance Co. for M. Hamilton - property damage - \$3,932.26.

A motion was made by Schmidt, seconded by Clausius, to Disallow. The motion passed by voice vote/other.

REPORT OF WATER UTILITY BOARD

88. [33404](#) Approving a revised Citizen Advisory Process for the Madison Water Utility (Citywide).

Sponsors: Lauren Cnare and Anita Weier

A motion was made by Schmidt, seconded by Clausius, to Adopt with the Recommendation(s). The motion passed by voice vote/other.

Enactment No: RES-14-00270

89. [33416](#) Authorizing Madison Water Utility to host a fundraiser for Wisconsin Water for the World as part of its Drinking Water Week Open House Saturday, May 10 (citywide).

Sponsors: Lauren Cnare and Anita Weier

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00271

ITEMS REFERRED TO THIS MEETING**RESOLUTIONS**

90. [33384](#) Establishing a Glass-Free Zone for Langdon Street between North Park and North Lake Streets, and North Park Street between University Avenue and Observatory Drive, from 10:00 a.m. on May 3, 2014 to 2:00 a.m. on May 4, 2014.

Sponsors: Scott J. Resnick

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-14-00272

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE**ORDINANCES**

91. [33444](#) Amending Section 1.08(4) of the Madison General Ordinances to provide the Humane Officers of the Health Department with enforcement authority for Section 8.40(5).

Sponsors: Matthew J. Phair

This Ordinance was Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

92. [33523](#) Amending Section 33.27(2)(c) of the Madison General Ordinances to change the name of the Women's Issues Committee to the Women's Initiatives Committee.

Sponsors: Paul R. Soglin

Adopt 4-29-2014

This Ordinance was Referred to the COMMON COUNCIL

93. [33533](#) Amending Section 16.25(4) of the Madison General Ordinances to update the City of Madison's Official Map as defined by the current City of Madison corporate boundary legal description on file with the City Engineer, the extraterritorial jurisdiction limits provided by Wis. Stat. § 236.10 (1) (b) 2, and any and all agreements with adjacent towns, villages, cities, or the state.

Sponsors: David Ahrens and Paul E. Skidmore

This Ordinance was Referred to the PLAN COMMISSION

94. [33534](#) Renaming Section 2.01(6), creating Section 2.01(7), and renumbering Section 2.01(7) to 2.01(8) of the Madison General Ordinances to establish an automatic adjournment at 11:30 p.m. for Common Council meetings.
- Sponsors:** David Ahrens, Marsha A. Rummel, Maurice S. Cheeks and Ledell Zellers

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

95. [33535](#) Amending Sec. 28.211 of the Madison General Ordinances to change the definition of Brewpub in order to allow the manufacture of up to 10,000 barrels of fermented malt beverages per year on premises and to allow the machine-capping of containers.
- Sponsors:** Scott J. Resnick

This Ordinance was Referred to the PLAN COMMISSION

96. [33559](#) Creating Section 28.186(4) of the Madison General Ordinances to establish a deadline for site and building plan compliance.
- Sponsors:** Steve King and Ledell Zellers

This Ordinance was Referred to the PLAN COMMISSION

97. [33590](#) Creating Section 28.022 - 00124 and Section 28.022 - 00125 of the Madison General Ordinances to change the zoning of property generally addressed as 501-517 Commerce Drive, 9th Aldermanic District, from A (Agricultural) District and PD (Planned Development) District to Amended PD(GDP-SIP) (Planned Development (General Development Plan - Specific Implementation Plan) District to allow construction of Phase III of All Saints Campus, with 50 age-restricted apartments, 60-unit community based residential facility and common facilities.
- Sponsors:** Planning Division

Additional referral to Urban Design Commission

This Ordinance was Referred to the PLAN COMMISSION

98. [33591](#) Creating Section 28.022 - 00126 and 28.022 - 00127 of the Madison General Ordinances to change the zoning of property generally addressed as 7102 US Highway 12 & 18, 16th Aldermanic District, from Temp A (Agricultural) District, CN (Conservancy) District and PD (Planned Development) District to Amended PD (GDP-SIP) (Planned Development (General Development Plan-Specific Implementation Plan) District to allow expansion of the Dane County Rodefild Landfill

Sponsors: Planning Division

Additional referral to Urban Design Commission

This Ordinance was Referred to the PLAN COMMISSION

99. [33592](#) Creating Section 28.022 -- 00119 of the Madison General Ordinances to change the zoning of properties located at 403 and 404 Schewe Road, 9th Aldermanic District, from Temp A (Agricultural) District to SR-C2 (Suburban Residential - Consistent 2) District to provide zoning for future residential development

Sponsors: Planning Division

This Ordinance was Referred to the PLAN COMMISSION

100. [33594](#) Creating Section 28.022 - 00122 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan, and creating Section 28.022 - 00123 to amend a Planned Development District to approve an Amended Specific Implementation Plan to construct a roof-aging research farm at 6401 American Parkway, 17th Aldermanic District.

Sponsors: Planning Division

This Ordinance was Referred to the PLAN COMMISSION

101. [33596](#) Creating Section 28.022 -- 00120 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan, for properties located at 2304, 2504 and 2507 Winnebago Street - Union Corners, 6th Aldermanic District, to include various medical offices, retail, mixed-use and residential buildings

Sponsors: Planning Division

Additional referral to Urban Design Commission

This Ordinance was Referred to the PLAN COMMISSION

102. [33597](#) Creating Section 28.022 -- 00121 of the Madison General Ordinances to change the zoning of property located at 6313 Odana Road, 19th Aldermanic District, from SE (Suburban Employment) District to CC (Commercial Center) District to allow construction of an addition to a retail building at 6301 Odana Road

Sponsors: Planning Division

This Ordinance was Referred to the PLAN COMMISSION

RESOLUTIONS

103. [33484](#) Authorizing the Mayor and City Clerk to enter into an agreement with Dane County for the following purposes in the calendar year 2014: (1) providing the Transit Utility with MA Waiver Community Integration Program (CIP) funding; (2) providing Dane County with State 85.20 funding by the Transit Utility for the County's provision of accessible transportation for persons unable to use the Transit Utility's paratransit services within its service area.

Sponsors: Anita Weier and Chris Schmidt

Additional referral to Board of Estimates

This Resolution was Refer to the TRANSIT AND PARKING COMMISSION

104. [33489](#) Authorizing the Monona Terrace Community and Convention Center Board to accept a sponsorship from Great Dane Pub and Brewing Company, Inc. in the amount of \$10,000 to help offset the cost of the 2014 summer concerts at Monona Terrace and amending the Monona Terrace operating budget accordingly.

Sponsors: Michael E. Verveer

Additional referral to Monona Terrace Community Center Board of Directors

This Resolution was Referred to the BOARD OF ESTIMATES

105. [33490](#) Authorizing the Monona Terrace Community and Convention Center Board to accept a sponsorship from Mini of Madison in the amount of \$5,000 to help offset the cost of the 2014 summer concerts at Monona Terrace and amending the Monona Terrace operating budget accordingly.

Sponsors: Michael E. Verveer

Additional referral to Monona Terrace Community Center Board of Directors

This Resolution was Referred to the BOARD OF ESTIMATES

106. [33501](#) Submitting the appointment of Michael P. May for confirmation of a five-year term as the City Attorney.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

107. [33506](#) Amending the Metro Transit 2014 Operating Budget to allow for the increase of service frequency on Route 50 during the last third of 2014.

Sponsors: Chris Schmidt and Anita Weier

Additional referral to Board of Estimates

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

108. [33507](#) Reclassification of the Electrician (#1785) position at the Water Utility to an Electrician Foreperson; and reallocating the incumbent, Mark Heiss, to the new position

Sponsors: Paul R. Soglin

Additional referral to Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

109. [33513](#) Authorizing the Mayor and City Clerk to Execute a Contract with AVA Civic Enterprises, Inc. for Extended Project Director Services for the Judge Doyle Square Project

Sponsors: Paul R. Soglin, Michael E. Verveer and Shiva Bidar-Sielaff

This Resolution was Referred to the BOARD OF ESTIMATES

110. [33524](#) Authorizing the Facilities and Sustainability Manger to prepare and release a competitive Request for Proposals (RFP) for financial services for a residential solar loan and to recommend a cooperative agreement for City Council approval.

Sponsors: David Ahrens, Lisa Subeck, Shiva Bidar-Sielaff, Denise DeMarb, Michael E. Verveer and Marsha A. Rummel

This Resolution was Referred to the BOARD OF ESTIMATES

111. [33526](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the City of Madison to obtain the land interests required for the construction of the Hwy 151/Lancaster Water Main Crossing and Booster Station 115 Pipeline Improvements projects. The Hwy 151/Lancaster Water Main Crossing project is located within the Rattman's Neighborhood Development Plan between Hwy 151 and Eastpark Blvd located in part of the Northwest Quarter of the Southeast Quarter and also located in part of the Southwest Quarter of the Northeast Quarter of Section 22, Township 08 North, Range 10 East, City of Madison, Dane County, Wisconsin. The Booster Station 115 Pipeline Improvements project is located in the Hanson Road Neighborhood Development Plan north of Hayes Road between Portage Road and Interstate 90/94 in part of the Southwest Quarter of the Northwest Quarter and also in part of the Northwest Quarter of the Southwest Quarter of Section 22, Township 08 North, Range 10 East, in the City of Madison and the Town of Burke, Dane County, Wisconsin and the authority of the Mayor and City Clerk to sign all documents necessary to accomplish the acquisition of said land interests (17th AD).

Sponsors: Lauren Cnare and Anita Weier

Additional referrals to Board of Public Works, Plan Commission

This Resolution was Referred to the WATER UTILITY BOARD

112. [33537](#) Amending the 2014 adopted Parking Utility capital budget to provide additional expenditure authority, mainly for electrical system replacement and storm sewer upgrades at State Street Capitol garage, and for other system repairs.

Sponsors: Chris Schmidt

Additional referral to Transit and Parking Commission

This Resolution was Referred to the BOARD OF ESTIMATES

113. [33538](#) Recreating the new position of Maintenance Mechanic 1 (#4469), identified in the Library Operating budget in CG15, Range 8, as a Maintenance Mechanic 2 in CG15, Range 9.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

114. [33557](#) Authorizing the Mayor and City Clerk to execute a lease with Teresa P. Ouabel and Rachid Ouabel for a portion of the City's East Rail Corridor located adjacent to 2302 Atwood Avenue.

Sponsors: Marsha A. Rummel

Additional referrals to Board of Public Works, Plan Commission

This Resolution was Referred to the BOARD OF ESTIMATES

115. [33571](#) Approving the provision of up to \$100,000 in 2014 Emerging Opportunities Program (EOP) funds to agencies and authorizing the Mayor and the City Clerk to enter into agreements with those agencies to implement the designated projects.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Lauren Cnare, Denise DeMarb, Matthew J. Phair, Marsha A. Rummel, Lisa Subeck and Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

1 Registrant in support not wishing to speak.

116. [33574](#) Amending Enactment No. RES-08-00057 and authorizing the Mayor and City Clerk to execute a partial releases of mortgage for CDA-owned lots in the Allied Drive area
- Sponsors:** Maurice S. Cheeks

This Resolution was Referred to the BOARD OF ESTIMATES

117. [33579](#) Approving the revised roadway geometry for the CTH M / CTH PD intersection. (1st AD)
- Sponsors:** Lisa Subeck, Paul E. Skidmore and Steve King
- Additional referrals to Long Range Transportation Planning Committee, Pedestrian Bicycle Motor Vehicle Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

118. [33581](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$150,000 Tax Incremental Finance Loan to Arbor Gate Development, LLC to assist in the development of 7,800 square foot child care facility at 2821 Todd Drive in TID #35 (Todd Drive) to be operated by Dane County Parent Council, Inc. and amending capital project No. 30 ("Tid 35 - Todd Drive/West Beltline") of the Planning and Community and Economic Development agency.
- Sponsors:** John Strasser

This Resolution was Referred to the BOARD OF ESTIMATES

119. [33582](#) A RESOLUTION granting Special Vending Approvals under MGO 9.13(6)(k) for 2014 Special Events as detailed on the accompanying special event resolution table.
- Sponsors:** Michael E. Verveer

This Resolution was Referred to the VENDING OVERSIGHT COMMITTEE

120. [33583](#) Approving the 2014 Neighborhood Grant Program recommendations made by the Staff Review Team and authorizing the Planning Division Director, Finance Director and City Attorney to execute grant agreements on behalf of the City.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

121. [33589](#) Authorizing the Mayor and City Clerk to enter into an Incentive Agreement with Focus on Energy for the Fire Administration Office Building Tenant Improvements and Fire Station No. 1 Remodel design assistance program and accepting incentives from Focus on Energy in the amount of around \$29,268. (4th AD)

Sponsors: Michael E. Verveer, Paul E. Skidmore, Lauren Cnare and David Ahrens

This Resolution was Referred to the BOARD OF ESTIMATES

122. [33598](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with _(to be recommended to the Water Utility Board)_ for pre-design planning, public participation support, the preparation of final construction drawings and specifications, permitting, bidding, and construction administration for the design and construction of Unit Well 31 including an iron and manganese filtration plant and an equipment storage facility at 4901 Tradewinds Parkway (16th AD).

Sponsors: Denise DeMarb and Lauren Cnare

Additional referral to Board of Estimates

This Resolution was Referred to the WATER UTILITY BOARD

123. [33599](#) Authorizing the City to execute a service contract for a 1 year term of service provided by Hiebing Inc. for marketing and advertising of Monona Terrace Community and Convention Center.

Sponsors: Michael E. Verveer

Additional referral to Monona Terrace Community and Convention Center Board of Directors

This Resolution was Referred to the BOARD OF ESTIMATES

124. [33600](#) Authorizing the City to execute a Steam Energy Utility Service contract for a 10 year term of service provided by the State of Wisconsin Department of Administration.

Sponsors: Michael E. Verveer

Additional referral to Monona Terrace Community and Convention Center Board of Directors

This Resolution was Referred to the BOARD OF ESTIMATES

125. [33601](#) Approving the provision of up to \$52,500 for the Madison Municipal Government Youth Internship program to two intermediary agencies, authorizing the Mayor and the City Clerk to enter into agreements with those agencies to implement the program, and amending the City's 2014 Adopted Operating Budget as appropriate.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

126. [33604](#) Authorizing the extension of funding through the 2015 program year for multiple previously approved 2014 CDD community agency contracts

Sponsors: Shiva Bidar-Sielaff, Maurice S. Cheeks, Lauren Chare, Denise DeMarb, Matthew J. Phair and Lisa Subeck

Additional referral to Community Development Division Conference Committee

This Resolution was Referred to the BOARD OF ESTIMATES

127. [33609](#) Approving the Amendment of the Project Plan for Tax Incremental District (TID) #35 (Todd Drive), City of Madison.

Sponsors: John Strasser

Additional referral to Plan Commission

This Resolution was Referred to the BOARD OF ESTIMATES

128. [33611](#) Authorizing an advance disbursement of tax increment cash balances in TID 25 to redeem the 2000 Block 89 Redevelopment Lease Revenue Refunding Bonds and authorizing the Mayor and City Clerk to execute all documents necessary to facilitate such redemption and conveyance of the second phase of the Block 89 parking ramp from the City and CDA to Block 89 Parking Limited Partnership.

Sponsors: Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

129. [33612](#) Proclaiming May 10, 2014 as International Migratory Bird Day in the City of Madison.

Sponsors: Joseph R. Clausius and Mark Clear

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

130. [33613](#) Supporting the grant application by the University of Wisconsin Foundation to the Dane County Partners for Recreation and Conservation Program grant for land management improvements on Grady Tract of the University of Wisconsin-Madison Arboretum property.

Sponsors: Joseph R. Clausius and Mark Clear

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

131. [33615](#) Authorizing [a vendor to be identified by April 14, 2014] to undertake an evaluation of the Community Development Division's funding allocation processes, formulate recommendations for their improvement, and help the Division plan for and implement appropriate changes.

Sponsors: Shiva Bidar-Sielaff and Lauren Cnare

Additional referral to Community Development Division Conference Committee

This Resolution was Referred to the BOARD OF ESTIMATES

132. [33616](#) Authorizing the Mayor and City Clerk to enter into a gift and naming right agreement with the Irwin A. and Robert D. Goodman Foundation for the Skate Park at Central Park. (6th AD)

Sponsors: Joseph R. Clausius, Mark Clear and Marsha A. Rummel

Additional referral to Board of Park Commissioners

This Resolution was Referred to the BOARD OF ESTIMATES

133. [33618](#) To authorize the Mayor and City Clerk to enter into Amendment #1 to the Operating Agreement between the City of Madison and Brittingham Boats, Inc. covering boat rental and concession operations utilizing certain lands and buildings at Brittingham Park and Olin Park for an eight year period. (ADs 4 & 13).

Sponsors: Joseph R. Clausius, Mark Clear and Michael E. Verveer

Additional referral to Board of Park Commissioners

This Resolution was Referred to the BOARD OF ESTIMATES

LICENSES

134. [33517](#) Public Hearing - New License
10 High Crossing LLC • dba GrandStay Residential Suites
5317 High Crossing Blvd • Agent: Samuel Russo • Estimated Capacity: 250
Class B Beer & Class C Wine • 2% alcohol, 0% food, 98% other
Aldermanic District 17 (Alder Clausius) • Police Sector 633

This License was Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

135. [33518](#) Public Hearing - New License
Cento Restaurant LLC • dba Cento
122 W Mifflin St • Agent: Michael Pruetz • Estimated Capacity: 202
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

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

136. [33519](#) Public Hearing - New License
Edgewater Management Company LLC • dba The Edgewater
1001 Wisconsin Pl • Agent: Ronald Morin • Estimated Capacity: 6000
Class B Combination Liquor & Beer • 15% alcohol, 25% food, 60% other
Aldermanic District 2 (Alder Zellers) • Police Sector 400 • Density Area

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

137. [33520](#) Public Hearing - New License
Graduate Madison Lessee LLC • dba Varsity Club/Chancellor's Club
601 Langdon St • Agent: William Wellman • Estimated Capacity: 58
Class B Combination Liquor & Beer • 1.6% alcohol, 0.1% food, 98.3% other
Aldermanic District 8 (Alder Resnick) • Police Sector 403 • Density Area

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

138. [33602](#) Public Hearing - New License
Madison Petroleum LLC • dba Deon's
2301 Commercial Ave • Agent: Harminder Basra
Class A Beer
Aldermanic District 12 (Alder Palm) • Police Sector 501

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

139. [33603](#) Public Hearing - New License
Sabaidee Thailand WI LLC • dba Monsoon Siam 2
2045 Atwood Ave • Agent: Dutdao Wonglaka • Estimated Capacity: 60
Class B Beer, Class C Wine • 15% alcohol, 80% food, 5% other
Aldermanic District 6 (Alder Rummel) • Police Sector 601

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

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

140. [33468](#) M. Lawrence, Badger Basement Systems - vehicle damage - \$875.65.

This Claim was Referred to the Risk Manager

141. [33476](#) J. Bartnick - vehicle damage - \$954.34.

This Claim was Referred to the Risk Manager

142. [33477](#) G. Jacob - vehicle damage - \$198.87

This Claim was Referred to the Risk Manager

143. [33483](#) G. Bennett - property damage - \$75,000.00

This Claim was Referred to the Risk Manager

144. [33487](#) R. Severson - property damage - \$9,298.80.

This Claim was Referred to the Risk Manager

145. [33500](#) C. Turriffin, Progressive Insurance for R. Christen - vehicle damage - \$4,426.14.

This Claim was Referred to the Risk Manager

146. [33530](#) E. Niblack-Sykes and M. Sykes - property damage - \$382.85.

This Claim was Referred to the Risk Manager

147. [33573](#) E. Gill - vehicle damage - \$66.89.

This Claim was Referred to the Risk Manager

148. [33614](#) T. Strader - property damage - \$560.00.

This Claim was Referred to the Risk Manager

149. [33617](#) NOTICE OF CLAIM: J. McNally, Hausmann-McNally, SC, attorney for T. Willihnganz - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

THE FOLLOWING ITEMS WERE INTRODUCED FROM THE FLOOR AT THE LAST COMMON COUNCIL MEETING AND ARE ON THIS AGENDA PURSUANT TO SEC. 2.05(1)(B), MGO, SOLELY FOR THE PURPOSE OF ADDING ADDITIONAL REFERRALS.

150. [33454](#) Recommend cross-sections of North Gammon Road from Tree Lane to Stonefield Road and approving the resurfacing of North Gammon Road in 2014.

Sponsors: Mark Clear and Paul E. Skidmore

****ADDENDUM****

LATE ITEMS

151. [32844](#) Amending Sections 33.24(15)(c), 33.24(15)(e)3., and 33.24(15)(e)12.b. of the Madison General Ordinances to amend the regulations in Urban Design District 8 to increase the maximum building height from 8 to 10 stories, and to allow up to four (4) bonus stories on up to fifteen percent (15%) of the area of Block 3b.

Sponsors: Ledell Zellers and Marsha A. Rummel

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-14-00080

152. [33150](#) Amending Sections 33.24(15)(e)2.a.i. and 33.24(15)(e)3. of the Madison General Ordinances to allow flexibility in the building setback and upper level building setback requirements in Urban Design District 8.

Sponsors: Marsha A. Rummel and Ledell Zellers

A motion was made by Schmidt, seconded by Clausius, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-14-00081

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

[33667](#) ~~SUBSTITUTE - BY TITLE ONLY—Amending the Parks Division and Street Division capital and operating budgets to provide additional resources for Emerald Ash Borer mitigation for terrace trees.~~ Amending the 2014 Parks Division Operating Budget and the City Contingent Reserve Budget by appropriating \$365,000 from the contingent reserve to the Parks Division Operating Budget to provide additional resources for Emerald Ash Borer mitigation.

Sponsors: Paul R. Soglin

A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

[33668](#) BY TITLE ONLY - Amending the Parks Division capital and operating budgets to provide additional resources for replacement of ash trees in City parks.

Sponsors: Paul R. Soglin

A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

[33695](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$4,417,000 Tax Incremental Finance Loan to The Gebhardt Galaxie, LLC to assist in the development of a housing and commercial redevelopment project located at the north 800 Block of East Washington Avenue in TID #36 (Capitol Gateway).

Sponsors: Paul R. Soglin and Ledell Zellers

A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES meeting 4/14/14. The motion passed by voice vote/other.

[33697](#) Amending Contract for Subdivision Improvements Morgan Plat, Contract 1795. (17th AD)

Sponsors: Joseph R. Clausius

A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

33696

Amending Section 9.13(6)(n)4. of the Madison General Ordinances to correct typographical omissions.

Sponsors: Scott J. Resnick and Michael E. Verveer

Common Council Meeting 4/29/14

A motion was made by Resnick, seconded by Clausius, to Refer to the 4/29/14 COMMON COUNCIL meeting to Adopt. The motion passed by voice vote/other.

ADJOURNMENT @ 2:27 AM

A motion was made by Resnick, seconded by King, to Adjourn at 2:27a.m. The motion passed by voice vote/other.