



City of Madison

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

Meeting Minutes - 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, August 4, 2015

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: 18 - Paul R. Soglin; Barbara Harrington-McKinney; Ledell Zellers; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Chris Schmidt; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Rebecca Kemble; Mark Clear and Matthew J. Phair

Excused: 3 - Amanda Hall; Michael E. Verveer and Shiva Bidar-Sielaff

NOTIFIED ABSENCES: ALD. BIDAR-SIELAFF, ALD. HALL, ALD. VERVEER, ALD. HARRINGTON-MCKINNEY AT 7:30 PM

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 DeMarb, seconded by Cheeks, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

1. [38309](#) Celebrating Nakoma on its centennial and saluting all who created, nurtured and maintained it through these past hundred years and beyond.

Sponsors: Maurice S. Cheeks, David Ahrens, Samba Baldeh, Shiva Bidar-Sielaff, Sheri Carter, Mark Clear, Denise DeMarb, Sara Eskrich, Amanda Hall, Barbara Harrington-McKinney, Rebecca Kemble, Steve King, Larry Palm, Matthew J. Phair, Marsha A. Rummel, Chris Schmidt, Paul E. Skidmore, Paul R. Soglin, Michael E. Verveer, Zach Wood and Ledell Zellers

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

Three registrations in support.

Enactment No: RES-15-00642

- 2. [39520](#) Recognizing the week of August 2, 2015, as National Farmers' Market Week

Sponsors: Paul R. Soglin, Barbara Harrington-McKinney, Ledell Zellers, Amanda Hall, Michael E. Verveer, Shiva Bidar-Sielaff, Marsha A. Rummel, Steve King, Zach Wood, Paul E. Skidmore, Maurice S. Cheeks, Chris Schmidt, Larry Palm, Sara Eskrich, Sheri Carter, David Ahrens, Denise DeMarb, Samba Baldeh, Rebecca Kemble, Mark Clear and Matthew J. Phair

A motion was made by DeMarb, seconded by Cheeks, 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-15-00643

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. 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

- 3. [38743](#) Creating Section 28.022 -- 00170 of the Madison General Ordinances rezoning property located at 501 Welch Avenue, 6th Aldermanic District, from TR-C2 (Traditional Residential - Consistent 2) District to TR-C3 (Traditional Residential - Consistent 3) District.

Sponsors: Planning Division

A motion was made by DeMarb, seconded by Cheeks, to Adopt with Conditions and Close the Public Hearing. The motion passed by the following vote:

**12 Registrants in support.
5 Registrants in opposition.**

Ayes: 16 - Ledell Zellers; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Chris Schmidt; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Rebecca Kemble; Mark Clear and Matthew J. Phair

Excused: 4 - Barbara Harrington-McKinney; Amanda Hall; Michael E. Verveer and Shiva Bidar-Sielaff

Non Voting: 1 - Paul R. Soglin

Enactment No: ORD-15-00076

4. [38876](#) Creating Section 28.022 - 00172 and Section 28.022 - 00173 of the Madison General Ordinances to change the zoning of property generally addressed as 109 South Fair Oaks Avenue, 6th Aldermanic District, from TE (Traditional Employment) District to PD(GDP)SIP (Planned Development (General Development Plan) Specific Implementation Plan) District.

Sponsors: Planning Division

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

Two registrants in support.

Two registrants available to answer questions.

Enactment No: ORD-15-00077

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

5. [38595](#) Public Hearing - New License
620 University LLC • dba The Corner Tap
322 W Gorham St • Agent: William Rudy • Estimated Capacity: 314
Class B Combination Liquor & Beer • 100% alcohol, 0% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403

A motion was made by DeMarb, seconded by Cheeks, to Place On File Without Prejudice. The motion passed by voice vote/other.

6. [39098](#) Public Hearing - New License
Manuel Cortez • dba Tienda Los Gemelos
6713 Odana Rd Suite 8 • Estimated Capacity: 50
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

7. [39099](#) Public Hearing - New License
RSSG Group LLC • dba Best Western West Towne Suites
650 Grand Canyon Dr • Agent: Randee Talwar • Estimated Capacity: 200
Class B Beer & Class C Wine • 1% alcohol, 1% food, 98% other
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

REPORT OF PLAN COMMISSION

8. [39049](#) Creating Section 28.022-00174 of the Madison General Ordinances to change the zoning of property located at 101 South Mills Street, 13th Aldermanic District, from TR-V1 (Traditional Residential - Varied 1) District to TR-U1 (Traditional Residential - Urban 1) District.

Sponsors: Planning Division

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

One registrant in support.

Enactment No: ORD-15-00078

9. [39124](#) Amending Section 28.151 of the Madison General Ordinances to allow the adaptive reuse of buildings originally constructed as places of worship.

Sponsors: Marsha A. Rummel

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

Enactment No: ORD-15-00079

10. [39125](#) Amending Sections 28.151 and 28.082 of the Madison General Ordinances to allow the keeping of honeybees in employment districts.

Sponsors: Steve King and Ledell Zellers

A motion was made by DeMarb, seconded by Cheeks to adopt and close the public hearing.

One registrant in support.

Enactment No: ORD-15-00080

- [39125](#) SUBSTITUTE. Amending Sections 28.151, 28.082 and 28.091 of the Madison General Ordinances to allow the keeping of honeybees in the Airport District and all Employment Districts and to clarify the number of hives allowed on zoning lots where honeybees are allowed.
- Sponsors:** Ledell Zellers and Steve King
- A motion was made by Zellers, seconded by DeMarb, to Adopt Substitute. The motion passed by voice vote/other.**
- Enactment No: ORD-15-00080
- A vote was taken on the motion to adopt as substituted. The motion passed by voice vote/other.**
- Enactment No: ORD-15-00080
11. [39126](#) Amending Sections 28.151 and 28.032 of the Madison General Ordinances to update use status for adult family homes and community living arrangements.
- Sponsors:** Steve King and Ledell Zellers
- A motion was made by DeMarb, seconded by Cheeks, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-15-00081
12. [39127](#) Creating Section 28.132(2)(f) and renumbering current Section 28.132(2)(f) to (g) of the Madison General Ordinances to require window wells to be built up at least six inches above the adjoining ground to prevent flooding in residences.
- Sponsors:** Steve King and Ledell Zellers
- A motion was made by DeMarb, seconded by Cheeks, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-15-00082
13. [39131](#) Amending Section 28.098(6) of the Madison General Ordinances to allow the Director of Planning and Economic Development to refer any request for alteration to the Urban Design Commission.
- Sponsors:** Steve King and Ledell Zellers
- A motion was made by DeMarb, seconded by Cheeks, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-15-00083

14. [39158](#) Creating Section 28.098(2)(i) of the Madison General Ordinances to allow the reduction or elimination of stepback requirements in Planned Development Districts.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-15-00084

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

15. [39323](#) Report of the Mayor submitting citizen committee appointments (introduction 7-21-2015; action 8-4-2015).

Sponsors: Paul R. Soglin

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

16. [39458](#) Correcting the 2015 SEED Grant awarded to Dane County Pantry Brigade

Sponsors: Paul R. Soglin

A motion was made by DeMarb, seconded by Cheeks, 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-15-00644

17. [39529](#) Report of the Mayor submitting citizen committee appointments (introduction 8-4-2015; action 9-1-2015).

Sponsors: Paul R. Soglin

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

18. [39531](#) Report of the Mayor submitting alder committee appointments.

Sponsors: Paul R. Soglin

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

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

- 19. [39527](#) Amending the 2015 Adopted Capital Budget to reallocate funding from several Water Utility capital projects to the Paterson Street Operations Center Reconstruction.

Sponsors: David Ahrens

A motion was made by DeMarb, seconded by Cheeks, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

Enactment No: RES-15-00645

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 20. [38141](#) Amending Section 33.02 of the Madison General Ordinances to revise the composition of the Alcohol License Review Committee.

Sponsors: Paul R. Soglin

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

- 21. [38784](#) Change of Licensed Premise
608 LLC • dba 608 • Capacity: 85
212 State St • Agent: Jonathan Enriquez
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406
Add outdoor sidewalk cafe with capacity of 12.

The condition is:

Prior to August 4, 2015 Common Council Meeting, applicant will submit percentages of food and alcohol sales from January 2015 - June 2015 to verify establishment meets the definition of restaurant .

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

The condition is:

Prior to August 4, 2015 Common Council Meeting, applicant will submit percentages of food and alcohol sales from January 2015 - June 2015 to verify establishment meets the definition of restaurant .

22. [38804](#) 21+ Entertainment License
Blair Street BBQ LLC • dba Blair Street BBQ • Capacity: 90
605 E Washington Ave • Agent: Clifford Fisher
Class B Combination Liquor & Beer • 20% alcohol, 75% food, 5% other
Aldermanic District 6 (Alder Rummel) • Police Sector 408

The conditions are:

1. Indoor entertainment will be restricted to Thursdays through Saturdays and will end by midnight .
2. Outdoor entertainment will be restricted to four non-profit fundraising events per year and will end by 11 PM.

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

The conditions are:

1. Indoor entertainment will be restricted to Thursdays through Saturdays and will end by midnight.
2. Outdoor entertainment will be restricted to four non-profit fundraising events per year and will end by 11 PM.

23. [38890](#) Temporary Class B Retailer License
Schenk's Corner Society & Tenant Resource Center
Event Location: 1900 Block of Atwood Ave
Event Date: August 15, 2015
Aldermanic District 6 (Alder Rummel)
Police District 410
Schenk's Corner Block Party

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

24. [39077](#) Temporary Class B Retailer License
Concurrent with Street Use Permit
Madison Homebrewers and Tasters Guild
Event Location: Olin Park, 1156 Olin-Turville Ct
Event Date: August 8, 2015
Aldermanic District 14 (Alder Carter)
Police District 313
Great Taste of the Midwest

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

25. [39097](#) Public Hearing - New License
FlyHigh4vr LLC • dba That BBQ Joint
901 Williamson St • Agent: Maureen White • Estimated Capacity: 50
Class B Beer • 10% alcohol, 90% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408

A motion was made by DeMarb, seconded by Cheeks, to Grant with Condition(s) and Close the Public Hearing. The motion passed by voice vote/other.

The condition is: There is no outdoor seating.

26. [39207](#) Change of Agent
Ultimate Mart LLC • dba Cops #8178
2508 Shopko Dr
New Agent: Dan Kuball
Class A Liquor & Class A Beer
Aldermanic District 12 (Alder Palm)

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

27. [39208](#) Temporary Class B Retailer License
Concurrent with Street Use Permit
Madison Parks Foundation
Event Location: 202 S Ingersoll St
Event Date: August 23, 2015
Aldermanic District 6 (Alder Rummel)
Police District 408
Yum Yum Fest

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

28. [39209](#) Change of Licensed Premise
Ale Asylum LLC • dba Ale Asylum
Capacity: 164 indoor/136 outdoor
2002 Pankratz St • Agent: Otto Dilba
Class B Combination Liquor & Beer • 55% alcohol, 45% food
Aldermanic District 12 (Alder Palm) • Police Sector 513
Request for outdoor space for festival.

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

29. [39210](#) Change of Licensed Premise
Madison Turners Inc • dba Madison Turners Inc • Capacity: 400
3001 S Stoughton Rd • Agent: Richard Blatter
Class B Combination Liquor & Beer • 60% alcohol, 40% food
Aldermanic District 16 (Alder DeMarb) • Police Sector 619
Request to use outdoor space.

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

30. [39212](#) Change of Licensed Premise
Karben4 Brewing LLC • dba Karben4 • Capacity: 99 indoor/48 outdoor
3698 Kinsman Blvd • Agent: Alex Evans
Class B Combination Liquor & Beer • 85% alcohol, 14% food, 1% other
Aldermanic District 12 (Alder Palm) • Police Sector 514
Request to add two tents to side of patio.

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

31. [39213](#) Change of Licensed Premise
MMJ Inc • dba Players Sports Bar • Capacity: 99
2013 Winnebago St • Agent: Marilyn Guess
Class B Combination Liquor & Beer • 75% alcohol, 25% food
Aldermanic District 6 (Alder Rummel) • Police Sector 410
Request beer garden outside for annual golf outing.

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

32. [39318](#) Operator License Application
Austin M Jasurda

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

REPORT OF BOARD OF ESTIMATES

33. [38987](#) Authorizing the Mayor and City Clerk to execute a loan agreement to fund a \$90,000 (Park/Drake) Greenbush Housing Small Cap TIF #43 loan to Ryan & Kara O'Connor, Borrower(s) to purchase and renovate the property located at 1027-1029 Chandler Street, Madison and convert it from rental to owner-occupied housing.

Sponsors: Sara Eskrich

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

Enactment No: RES-15-00646

34. [39270](#) Create a 1.0 FTE Librarian Supervisor (CG18-10) position within the Library budget to be posted and filled through an internal competitive process, and effective at the completion of the competitive process, the underlying vacancy will be deleted.

Sponsors: Paul R. Soglin

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

Enactment No: RES-15-00647

35. [39274](#) Reclassification of one vacant Custodial Worker 2 position (#673) in the Engineering Division to Maintenance Mechanic 2.

Sponsors: Paul R. Soglin

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

Enactment No: RES-15-00648

36. [39304](#) Approving plans and specifications for Felland Road Resurfacing - 2015, authorizing the Board of Public Works to advertise and receive bids, Authorizing the Mayor and City Clerk to enter into a cost sharing agreement with the Town of Burke and amending the 2015 Engineering- Major Streets Capital Budget.

Sponsors: Amanda Hall

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

Enactment No: RES-15-00649

37. [39275](#) Delete the classification of "Police Property Clerk" in CG16, R07, and create the classification of "Police Property Clerk 1" in CG16, R07. Recreate position #2600 of 1.0 FTE "Police Property Clerk" in CG16/R07 as a "Police Property Clerk 1" in CG16/R07, in the MPD budget; and reallocate the incumbent, S. Patterson, to the new position.

Create the classification of "Police Property Clerk 2" in CG16, R08. Recreate 1.0 FTE positions: #2538, currently occupied by B. Zemp, #2566, currently occupied by M. Jorenby, #2558, currently occupied by R. Rude, and #2582, currently occupied by B. Pottinger, of "Police Property Clerk" in CG16/R07 as "Police Property Clerk 2" in CG16/R08, in the permanent salary detail of the Madison Police Department budget; and reallocate the incumbents to the new positions.

Sponsors: Paul R. Soglin

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

Enactment No: RES-15-00650

38. [39277](#) Recreate the 1.0 FTE position #856 of "Administrative Clerk 1" (currently occupied by D. Nettum) as "Program Assistant 1" in the Human Resources budget and reallocate the incumbent to the new position.

Sponsors: Paul R. Soglin

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

Enactment No: RES-15-00651

39. [39279](#) Delete the classification of Water Utility Operations Manager in CG 18, R14 and recreate it in CG18, R15. Recreate the 1.0 FTE position #1788 of Water Utility Operations Manager, currently in Range 14, at the Water Utility as a 1.0 FTE Water Utility Operations Manager position in Range 15, and reallocate the current incumbent, D. Rodefled, to the new position.

Sponsors: Paul R. Soglin

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

Enactment No: RES-15-00652

40. [39324](#) Initial Resolution Authorizing Not to Exceed \$12,650,000 Bonds of the City of Madison for various street and sidewalk projects.

Sponsors: Paul R. Soglin

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

Enactment No: RES-15-00653

41. [39333](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to enter into a grant agreement with the Wisconsin Department of Natural Resources for reimbursement of expenses incurred for the development of the Central Park Skatepark and potentially other capital improvement projects in Central Park and amending the Parks Capital Budget accordingly

Sponsors: Paul R. Soglin, Marsha A. Rummel, Mark Clear and Samba Baldeh

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

Enactment No: RES-15-00654

42. [39339](#) Adopting and confirming the Labor Agreement between the City of Madison and Teamsters Union Local 695 for the period March 10, 2014 to December 31, 2018.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-15-00075

43. [39373](#) Resolution to amend the Project for Public Spaces Contract for the Madison Public Market Business Plan

Sponsors: Paul R. Soglin, Larry Palm and Marsha A. Rummel

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

Enactment No: RES-15-00656

REPORT OF BOARD OF PUBLIC WORKS

44. [39081](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of a bike and pedestrian path between the West Beltline Highway and Tree Lane. (9th AD)

Sponsors: Paul E. Skidmore

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

Enactment No: RES-15-00655

45. [39136](#) Authorizing the execution of an Amendment to Easement pertaining to the Public Utility Easement from the City of Madison to Mt. Vernon Telephone Company located within the Engineering Stormwater Utility parcel at 7437 East Pass (Outlot 2, The Crossing).
- Sponsors:** Steve King
- A motion was made by DeMarb, seconded by Cheeks, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-15-00657
46. [39288](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on West Lakeside Street east of the intersection of West Lakeside Street and Lake Court. (13th AD)
- Sponsors:** Sara Eskrich
- A motion was made by DeMarb, seconded by Cheeks, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-15-00658
47. [39292](#) Authorizing an amendment to the contract between the City of Madison and Eppstein Uhen Architects, in the amount of \$37,420 for additional architectural and engineering design services for the Fire Administration Office Building Tenant Improvements and Fire Station No. 1 Remodel project.
- Sponsors:** Michael E. Verveer and Paul E. Skidmore
- A motion was made by DeMarb, seconded by Cheeks, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-15-00659
48. [39311](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Ice Age Junction Path - Tree Lane Segment and East Mendota-Pheasant Branch Greenway - Mineral Point Section Regrading. (9th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by DeMarb, seconded by Cheeks, 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-15-00660

- 49. [39345](#) Awarding Public Works Contract No. 7526, Owl Creek Park Improvements - Phase 2.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by DeMarb, seconded by Cheeks, 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-15-00661

- 50. [39346](#) Awarding Public Works Contract No. 7529, Reconstruction of the Madison Water Utility Operations Center, 110 S. Paterson Street.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by DeMarb, seconded by Cheeks, 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-15-00662

- 51. [39347](#) Awarding Public Works Contract No. 7537, North Ave. Water Main Extension.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by DeMarb, seconded by Cheeks, 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-15-00663

REPORT OF CITY CLERK

- 52. [39287](#) Report of Operator License Applications August 4, 2015. See attached report for list of operators.

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

REPORT OF COMMISSION ON PEOPLE WITH DISABILITIES

53. [39379](#) SUBSTITUTE Amending Section 39.04 of the Madison General Ordinances to change the name of Commission on People with Disabilities to Disability Rights Commission.

Sponsors: Mark Clear

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

Enactment No: ORD-15-00086

Note: Common Council Organizational Committee meets 8/4/15 and will make a recommendation from the floor on Legislative File No. 39379

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

54. [39367](#) Establishing rules and procedures for Common Council deliberations on the City of Madison's 2016 Capital and Operating Budgets.

Sponsors: Denise DeMarb

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

Enactment No: RES-15-00664

Note: Common Council Organizational Committee meets 8/4/15 and will make a recommendation from the floor on Legislative File No. 39367

REPORT OF PLAN COMMISSION

55. [39090](#) Approving a Certified Survey Map of property owned by the City of Madison and located at 109 S. Fair Oaks Avenue; 6th Ald. Dist.

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

Two registrants in support.

Two registrants available to answer questions.

Enactment No: RES-15-00665

56. [39303](#) Authorizing the City of Madison Planning Division to prepare the Yahara Hills Neighborhood Development Plan.

Sponsors: Denise DeMarb

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

Enactment No: RES-15-00666

57. [39319](#) Creating Section 15.01(597) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" detaching from the Eleventh Aldermanic District the Hong Kong Metro Realty Company property.

Sponsors: Paul R. Soglin

A motion was made by DeMarb, seconded by Cheeks, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

Enactment No: ORD-15-00085

REPORT OF RISK MANAGER

58. [39074](#) M. Smail - property damage - \$4,753.48.

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

59. [39075](#) D. Severson - vehicle damage - \$8,402.60.

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

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

60. [39032](#) Resolution altering the membership of a Subcommittee of the Transit and Parking Commission and approving Mayoral appointments thereto.

Sponsors: Paul R. Soglin and Michael E. Verveer

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

Enactment No: RES-15-00667

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

61. [39296](#) Creating Section 28.022-00177 of the Madison General Ordinances to change the zoning of property located at 5902 Tranquility Trail, 17th Aldermanic District, from TR-C3 (Traditional Residential - Consistent 3) District to CN (Conservancy) District.

Sponsors: Planning Division

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

62. [39297](#) Creating Section 28.022-00181 of the Madison General Ordinances to change the zoning of property located at 5922 Lien Road, 17th Aldermanic District, from TR-P (Traditional Residential - Planned) District to CC-T (Commercial Corridor - Transitional) District

Sponsors: Planning Division

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

63. [39298](#) Creating Section 28.022-00178 of the Madison General Ordinances to change the zoning of property located at 1702 Autumn Lake Parkway, 17th Aldermanic District, from TR-P (Traditional Residential - Planned) District to CC-T (Commercial Corridor - Transitional) District.

Sponsors: Planning Division

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

64. [39299](#) Creating Section 28.022 -- 00179 of the Madison General Ordinances to change the zoning at property located at 6851 McKee Road, 7th Aldermanic District, from Planned Development (General Development Plan) District to Planned Development (Specific Implementation Plan) District.

Sponsors: Planning Division

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

65. [39300](#) Creating Section 28.022-00176 of the Madison General Ordinances to change the zoning of property located at 4525 Secret Garden Drive, 16th Aldermanic District, from SR-V2 (Suburban Residential - Varied 2) District to TR-P (Traditional Residential - Planned) District.

Sponsors: Planning Division

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

66. [39301](#) Creating Section 28.022 -- 00180 of the Madison General Ordinances to change the zoning of properties located at 115-117 South Bassett Street, 4th Aldermanic District, from PD(GDP-SIP) (Planned Development- General Development Plan-Specific Implementation Plan) District to Amended PD(GDP-SIP) Amended Planned Development (General Development Plan-Specific Implementation Plan) District.

Sponsors: Planning Division

A motion was made to Referred to the PLAN COMMISSION. The motion passed by voice vote/other.

67. [39444](#) Creating Sec. 10.31(3)(f)5. of the Madison General Ordinances to waive any privilege in street fees for bus shelters.

Sponsors: Chris Schmidt, David Ahrens and Rebecca Kemble

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

68. [39494](#) Creating Section 28.102(28) of the Madison General Ordinances to establish Wellhead Protection District No. 31.

Sponsors: David Ahrens

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

69. [39497](#) Amending Sections 28.042, 28.043, 28.044, 28.045, 28.047, 28.048, 28.050. 28.051 and 28.053 of the Madison General Ordinances to allow a maximum front yard setback of greater than 30 feet in the TR-C1, TR-C2, TR-C3, TR-C4, TR-V1, TR-V2, TR-U1, TR-U2 and TR-P Districts.

Sponsors: Mark Clear

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

70. [39500](#) Amending Sections 28.151, 28.211 and 28.061 of the Madison General Ordinances to allow limited production and processing as a conditional use in TSS, CC-T and the CC Districts.

Sponsors: Paul R. Soglin

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

71. [39502](#) Creating Section 23.60, renumbering current Section 23.60 to Section 23.70, and amending Section 1.08(3)(a) of the Madison General Ordinances to impose a time limit on use of public benches, to prohibit sitting or lying or lodging in the public sidewalks and rights of way and specified other public places, during specified hours in the Central Business District, and establish a bail deposit schedule for violations thereof, to be known as the Downtown Pedestrian Protection Ordinance.

Sponsors: Paul R. Soglin

A motion was made by DeMarb, seconded by Cheeks, to Refer to the PUBLIC SAFETY REVIEW COMMITTEE. The motion passed by voice vote/other, with Alder Clear voting no.

72. [39528](#) Amending Section 28.185(6) of the Madison General Ordinances to exempt from the demolition approval process single-family dwellings destroyed by fire where the bulk and placement of the replacement building meets certain requirements.

Sponsors: PLAN COMMISSION

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

73. [39538](#) Creating Section 15.01(597) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(135) of the Madison General Ordinances to assign the attached property to Ward 135, and amending Sec. 15.03(18) to assign the attached property to the Eighteenth Aldermanic District.

Sponsors: Paul R. Soglin

A motion was made by DeMarb, seconded by Cheeks, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

RESOLUTIONS

74. [38012](#) Amending the 2015 adopted operating budget of the Planning Division to accept grant monies not to exceed \$5,000 from the Wisconsin Historical Society's Certified Local Government Subgrant for Historic Preservation and authorizing the Department of Planning and Community and Economic Development to contract with a consultant or consultants.

Sponsors: Shiva Bidar-Sielaff and Chris Schmidt

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

75. [39374](#) Authorizing the Mayor and the City Clerk to execute a Release of Water Main Easement and the grant of a Water Main Easement over a portion of Lot 1 of CSM 9518, located at 4198 Nakoosa Trail.

Sponsors: David Ahrens

A motion was made by DeMarb, seconded by Cheeks, to Refer to the WATER UTILITY BOARD. The motion passed by voice vote/other.

76. [39399](#) Approving a Facade Improvement Grant to Buraka, LLC located at 1210 Williamson Street.

Sponsors: Marsha A. Rummel

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

77. [39421](#) Accepting the Greening America's Capitals: Brittingham - Triangle Green Project Report and authorizing staff to further study the concepts and actions contained in the Report during future planning and infrastructure activities within the project area.

Sponsors: Sara Eskrich

A motion was made by DeMarb, seconded by Cheeks, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

78. [39430](#) Recreate the positions #1062, #1076, #1082, #1117, #1123, #1134, #1138, #1141, #3247, #3609, #3875, #3876, #4315, and #4502, of "Sewer and Drainage Maintenance Technician 1" (CG15/R07) in the Engineering budget as "Sewer and Drainage Maintenance Technician 2".

Sponsors: Paul R. Soglin

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

79. [39431](#)

Resolution authorizing a double-fill of the position of Transit Service Manager due to the retirement of Ann Gullickson.

Sponsors: Paul R. Soglin

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

80. [39435](#)

Approving the Creation of and the Project Plan and Boundary for Tax Incremental District (TID) #46 (Research Park), City of Madison.

Sponsors: Mark Clear and Maurice S. Cheeks

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

81. [39460](#)

Relating to Madtownpedalcab LLC application for a Pedal Cab operator license.

Sponsors: Chris Schmidt

A motion was made by DeMarb, seconded by Cheeks, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.

82. [39462](#)

Authorizing the Mayor and City Clerk to execute a loan agreement to fund up to \$90,000 (Park/Drake) Greenbush Housing Small Cap TIF #43 loan to Randy Fields, Borrower(s) to renovate the property located at 1018 Vilas Avenue, Madison and convert it from rental to owner-occupied housing.

Sponsors: Sara Eskrich

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

83. [39472](#)

Resolution authorizing the execution of a contract with Advanced Utility Systems Corporation for the upgrade of Madison Water Utility's Customer Information System (CIS) Infinity Software.

Sponsors: David Ahrens and Sheri Carter

A motion was made by DeMarb, seconded by Cheeks, to Refer to the WATER UTILITY BOARD. The motion passed by voice vote/other.

84. [39473](#) Authorizing the execution of an assignable Private Driveway Access Easement Agreement with Madison Area Rehabilitation Centers, Inc. for a private driveway across City of Madison Fire Station No. 8 property, located at 3945 Lien Road.

Sponsors: Samba Baldeh

A motion was made by DeMarb, seconded by Cheeks, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

85. [39477](#) Authorizing the Water Utility General Manager to certify water and sewer bills, assessments, and charges to the 2015 tax rolls of other governmental units for delinquent accounts in those jurisdictions.

Sponsors: David Ahrens

A motion was made by DeMarb, seconded by Cheeks, to Refer to the WATER UTILITY BOARD. The motion passed by voice vote/other.

86. [39495](#) Authorizing Wisconsin Partnership for Housing Development (WPHD) to use returned Neighborhood Stabilization Program (NSP) program income in the amount of \$56,460.38, under the same terms as the original NSP contract between WPHD and the City of Madison's Community Development Division (CDD).

Sponsors: Samba Baldeh, Maurice S. Cheeks and Matthew J. Phair

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

87. [39496](#) Authorizing the City of Madison to accept a HUD Continuum of Care Homeless Assistance planning grant in the amount of \$38,739, amending the 2015 CDBG Operating Budget to reflect this additional revenue and commensurate expenditures, and authorizing the Mayor and City Clerk to enter into an agreement with the Corporation for Supportive Housing, Inc. for activities related to conducting a public process to update the Community Plan to Prevent and End Homelessness in Madison/Dane County.

Sponsors: Samba Baldeh, Maurice S. Cheeks and Matthew J. Phair

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

88. [39498](#) Amending a Promissory Note executed in 2000 between the City of Madison and Quaker Housing, in order to correct the Note's fair market value percentage and the calculation of the prorated share of the Community Development Division's investment.

Sponsors: Samba Baldeh, Sheri Carter, Maurice S. Cheeks and Matthew J. Phair

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

89. [39499](#) Authorizing the execution of a Purchase and Sale Agreement between the City of Madison and Reverend Larry V. Jackson and Katherine M. Jackson for the purchase of a parcel located at 2049 Baird Street.

Sponsors: Sheri Carter

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

90. [39501](#) Authorizing the execution of a Lease between the City of Madison and Madison Golf & Development Group, LLC for space within two buildings located at 7613 Century Avenue, Middleton for the storage of Madison Metro Transit's buses serving the west side of the City. In connection with this Lease, the authorization to amend Madison Metro Transit's 2015 adopted operating budget by \$73,130.

Sponsors: Paul E. Skidmore and Chris Schmidt

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

91. [39537](#) A Resolution authorizing the Mayor and City Clerk to enter into an agreement with Extenet Systems, Inc. for a pilot project to place Distributed Antenna System (DAS) wireless attachments on two city-owned street light poles, one on Mineral Point Road and one on Gammon Road.

Sponsors: Paul R. Soglin and Paul E. Skidmore

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

LICENSES

92. [39450](#) Public Hearing - New License
Beebe Enterprises LLC • dba Mad City Frites
320 State St • Agent: Taylor S Beebe • Estimated Capacity: 56
Class B Beer • 20% alcohol, 80% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

93. [39459](#) Public Hearing - New License
Badgerfest Inc • dba Festival Foods
810 E Washington Ave • Agent: Paul Anderson
Class A Liquor & Beer
Aldermanic District 2 (Alder Zellers) • Police Sector 407

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

94. [39461](#) Public Hearing - New License
Red Sushi 2 LLC • dba IN Restaurant
846 E Washington Ave • Agent: Tatsiana Zhykharevich • Estimated Capacity:
150 indoor, 50 outdoor
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 2 (Alder Zellers) • Police Sector 407

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

95. [39463](#) Public Hearing - New License
Big Top Events LLC • dba Big Top Events
917 E Mifflin St • Agent: Conor Caloia • Estimated Capacity: 7,720
Class B Combination Liquor & Beer • 13% alcohol, 47% food, 40% other
Aldermanic District 2 (Alder Zellers) • Police Sector 407

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

96. [39464](#) Public Hearing - New License
Luckys 1313 Brew Pub LLC • dba Lucky's 1313 Brew Pub
1313 Regent St • Agent: Rodney J Ripley • Estimated Capacity: 716
Class B Combination Liquor & Beer • 68% alcohol, 30% food, 2% other
Aldermanic District 13 (Alder Eskrich) • Police Sector 303

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

97. [39465](#) Public Hearing - New License
The Crafty Project LLC • dba The Crafty Project
312 N 3rd St Suite 2 • Agent: Jennifer Gatzke • Estimated Capacity: 30
Class B Beer, Class C Wine • 5% alcohol, 95% other
Aldermanic District 12 (Alder Palm) • Police Sector 501

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

98. [39468](#) Public Hearing - New License
Stag and Stein LLC • dba Freiburg Gastropub
2616 Monroe St • Agent: Stephen Weber • Estimated Capacity: 99
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 13 (Alder Eskrich) • Police Sector 302

A motion was made by DeMarb, seconded by Cheeks, to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

99. [39375](#) J. Hartman - vehicle damage - \$714.49.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.

100. [39377](#) L. Wankerl - property loss - \$1,500.00.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.

101. [39378](#) NOTICE OF CLAIM: M. Steinhafel - property damage - amount to be determined.
- A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.**
102. [39400](#) P. Elvord - vehicle damage - \$1,342.93.
- A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.**
103. [39453](#) H. Eslinger, American Family Insurance for J. Eis-Kraemer - vehicle damage - \$1,326.15.
- A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.**
104. [39521](#) J. Flood, Afni, for E. Plautz - vehicle damage - \$1,164.93.
- A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.**
105. [39522](#) J. Moreno, Esurance Insurance Company, for T. Wonders-Tamez - vehicle damage - \$805.18.
- A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.**

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.

106. [39376](#) Directing the City Engineer to establish a Public/Private Voluntary Benchmarking Program.
- Sponsors:** Matthew J. Phair
107. [39386](#) Creating Section 8.125 and amending Section 1.08(3)(a) of the Madison General Ordinances to establish a library facility catering permit.
- Sponsors:** Barbara Harrington-McKinney

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT

A motion was made by DeMarb, seconded by King, to Adjourn. The motion passed by voice vote/other.