



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://www.cityofmadison.com)

## Proceedings - Approved COMMON COUNCIL

*This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at [www.madisoncitychannel.tv](http://www.madisoncitychannel.tv).*

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Tuesday, July 17, 2012

6:30 PM

215 Martin Luther King, Jr. Blvd.  
Room 260 (Madison Municipal Building)

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### ROLL CALL

#### 6:30PM, MAYOR PAUL R. SOGLIN IN THE CHAIR

**Present:** 21 - Paul R. Soglin  
Lisa Subeck  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Jill Johnson  
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 Bidar-Sielaff, seconded by Schmidt, to Suspend the Rules. The motion passed by voice vote/other.**

#### HONORING RESOLUTIONS

1. [27046](#) Honoring and congratulating the Wisconsin AIDS Ride on the occasion of its 10th anniversary.

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

**A motion was made by Bidar-Sielaff, seconded by Schmidt, 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-12-00557

#### PETITIONS AND COMMUNICATIONS

#### EARLY PUBLIC COMMENT

#### SPECIAL ORDER OF BUSINESS AT 6:45 PM

#### PRESENTATION OF CONSENT AGENDA

**A motion was made by Bidar-Sielaff, seconded by Schmidt, 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

2. [26309](#) Creating Section 28.06(2)(a)3610. of the Madison General Ordinances rezoning property from Temp A (Agriculture) District to R2 (Single-Family Residence) District and creating Section 28.06(2)(a)3611. of the Madison General Ordinances rezoning property from Temp A (Agriculture) District to R4 (General Residence) District and creating Section 28.06(2)(a)3612. of the Madison General Ordinances rezoning property from Temp A (Agriculture) District to R5 (General Residence) District.  
Proposed Use: 44 Single-Family Lots, 4 Multi-Family Lots and 1 Outlot. 1st Aldermanic District; 901, 951 & 1001 Sugar Maple Lane.

**Sponsors:** Planning Division

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

3. [26763](#) Approving Plans, Specifications, And Schedule Of Assessments For Mohican Pass Storm Assessment District - 2012.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00561

## **PUBLIC HEARINGS - BEGIN AT 6:45 PM**

4. [26486](#) Creating Section 28.06(2)(a)3615 of the Madison General Ordinances rezoning property from C3 Highway Commercial District to M1 Limited Manufacturing District. Proposed Use: Construction of mini-storage warehouses; 12th Aldermanic District; 1321-1331 Everett Street.

**Sponsors:** Planning Division

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

5. [26487](#) Creating Section 28.06(2)(a)3613. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3614. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Construct 51-unit apartment building; 7th Aldermanic District; 6717-6733 Fairhaven Road.

**Sponsors:** Planning Division

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

6. [26628](#) Amending Section 28.07(6)(e) of the Madison General Ordinances to allow additional bulk requirements in the Downtown Design Zones.
- Sponsors:** Paul R. Soglin, Joseph R. Clausius, Scott J. Resnick, Brian L. Solomon, Paul E. Skidmore and Michael E. Verveer
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-12-00095
7. [26657](#) Creating Subchapter 28E, Downtown and Urban Districts of Chapter 28 of the Madison General Ordinances to update the City's ordinances pertaining to zoning and planning.
- Sponsors:** Paul R. Soglin
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

#### END OF PUBLIC HEARINGS

#### BUSINESS PRESENTED BY THE MAYOR

#### APPOINTMENTS

8. [26880](#) Report of the Mayor submitting citizen committee appointments (introduction 7-3-2012; action 7-17-2012).
- Sponsors:** Paul R. Soglin
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Confirm. The motion passed by voice vote/other.**
9. [27054](#) Report of the Mayor submitting a citizen committee appointment to the Community Services Committee.
- Sponsors:** Paul R. Soglin
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Confirm Under Suspension of Rules 2.04, 2.05, 2.24 & 2.25. The motion passed by voice vote/other.**
10. [27020](#) Report of the Mayor designating emergency interim successors.
- Sponsors:** Paul R. Soglin
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Accept. The motion passed by voice vote/other.**

11. [27055](#) Report of the Mayor submitting citizen committee appointments (introduction 7-17-2012; action 8-7-2012).

**Sponsors:** Paul R. Soglin

*Confirm 8-7-2012*

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

12. [27063](#) Report of the Mayor submitting alder committee appointments.

**Sponsors:** Paul R. Soglin

**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Confirm Under Suspension of Rules 2.04, 2.05, 2.24 & 2.25**

#### CONFIRMATION HEARING

13. [26821](#) Submitting the appointment of Gregory P. Mickells for confirmation of a five-year term as the Library Director.

**Sponsors:** Larry Palm

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

Enactment No: RES-12-00538

#### BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

14. [26991](#) Dissolving Madison's sister city relationship with Bac Giang, Ha Bac, Vietnam.

**Sponsors:** Bridget R. Maniaci

**A motion was made by Bidar-Sielaff, seconded by Schmidt, 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-12-00539

#### ITEM FOR RECONSIDERATION

- 15. [26588](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 1 to the Professional Services Agreement with Black and Veatch Corporation of Kansas City, Missouri for professional engineering services in conjunction with the project titled "East Side Water Supply Planning and Project Development" (Multiple east side districts).

**Sponsors:** Lauren Cnare and Sue Ellingson

**A motion was made by Skidmore, seconded by Bidar-Sielaff, to Reconsider. The motion passed by the following vote:**

**Ayes:** 12 - Bridget R. Maniaci  
 Lauren Cnare  
 Michael E. Verveer  
 Shiva Bidar-Sielaff  
 Paul E. Skidmore  
 Chris Schmidt  
 Sue Ellingson  
 Tim Bruer  
 Larry Palm  
 Joseph R. Clausius  
 Mark Clear  
 Matthew J. Phair

**Noes:** 8 - Lisa Subeck  
 Marsha A. Rummel  
 Steve King  
 Scott J. Resnick  
 Brian L. Solomon  
 Satya V. Rhodes-Conway  
 Jill Johnson  
 Anita Weier

**Non Voting:** 1 - Paul R. Soglin

**A motion was made by Johnson, seconded by Bidar-Sielaff, to Refer to the Mayor's Office. The motion failed by voice vote/other.**

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

Enactment No: RES-12-00558

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 16. [26909](#) Alcohol License Review Committee Report of Operator License Applications June 28, 2012. See attached report for list of operators.

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

### REPORT OF BOARD OF ESTIMATES

17. [26332](#) A SUBSTITUTE accepting the Report of the Judge Doyle Square Staff Team dated March 20, 2012 and Directing Further Follow-up Actions.

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

**A motion was made by Clear, seconded by Cnare, to Adopt the following Amendment(s) to the Substitute. The motion failed by the following vote: 6-14.**

**The amendment to the Substitutue is attached to the legislative file.**

**Ayes:** 6 - Lisa Subeck  
Steve King  
Scott J. Resnick  
Jill Johnson  
Mark Clear  
Matthew J. Phair

**Noes:** 14 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Anita Weier

**Non Voting:** 1 - Paul R. Soglin

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

Enactment No: RES-12-00559

18. [26630](#) Creating Section 3.72 of the Madison General Ordinances to create an open data ordinance to allow greater public access to data regularly prepared by City of Madison agencies.

**Sponsors:** Scott J. Resnick, Mark Clear, Satya V. Rhodes-Conway, Chris Schmidt and Steve King

*Common Council 8-7-12 meeting*

**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Re-refer to the COMMON COUNCIL. The motion passed by voice vote/other.**

19. [26844](#) Authorizing the Mayor and City Clerk to execute development agreements to fund: 1) a \$2,019,000 Tax Incremental Finance (TIF) Loan to University Row Apartments, LLC to assist in the development of a 118-unit apartment building and 335-stall parking structure, and 2) a \$1,087,000 TIF Loan to University Crossing Office, LLC to assist in the development of approximately 62,000 gross square feet of commercial uses-both projects located within the University Crossing redevelopment project located on the southwest corner of the intersection of University Avenue and the Whitney Way in the TID #41 (University-Whitney).
- Sponsors:** Mark Clear
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00540
20. [26853](#) Authorizing the Mayor and Chief of Police to accept a grant totaling \$9,300 from Wisconsin Department of Transportation for a 2012 Pedestrian/Bicycle Ambassador Pilot Program
- Sponsors:** Sue Ellingson
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00541
21. [26857](#) Authorizing the Mayor, City Clerk and Chief of Police to accept an award from the State of Wisconsin Office of Justice Assistance in the amount of up to \$25,600 and to utilize these funds for development and implementation of an interface between the Records Management System and the District Attorney PROTECT system to allow law enforcement to electronically submit all criminal charging reports for review and charging electronically
- Sponsors:** Paul E. Skidmore
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00542
22. [26859](#) Increasing the full time equivalency of a Management Information Specialist (MIS2) position, currently occupied by C. Coats (#4317), from 0.75 FTE to 0.80 FTE, in the Police Department budget, effective September 2, 2012, through existing funding from the Regional Law Enforcement Records Management System (RMS) Consortium
- Sponsors:** Paul E. Skidmore
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00543



23. [26864](#) Amending the 2012 Police Operating Budget by appropriating \$57,500 from the Contingent Reserve and allocating \$50,000 for overtime and associated benefits to allow for increased citywide safety initiatives, and \$7,500 to purchase bicycles and equipment for increased police bicycle patrol in various neighborhoods.

**Sponsors:** Paul R. Soglin, Michael E. Verveer, Scott J. Resnick and Steve King

**A motion was made by Rummel, seconded by Subeck, to Adopt the Following Amendment(s). The motion passed by voice vote/other.**

**Add the language "and 19 actual confirmed shots" to the second Whereas paragraph between the words "incidents" and "from."**

**Add the word "Alders" to the twelfth Whereas before the word "community."**

**A motion was made by Rummel, seconded by Subeck, to Adopt - 15 Votes Required. The motion passed by the following vote:**

**Ayes:** 20 - Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Jill Johnson  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair  
Lisa Subeck  
Lauren Cnare  
Bridget R. Maniaci  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel

**Non Voting:** 1 - Paul R. Soglin

Enactment No: RES-12-00562

24. [26867](#) Amending the 2012 Facilities Management Capital Budget and Transferring \$100,000 from City-County Building Improvements (810621) to General Building Improvements (810595) to allow for the upgrade of the electrical panels at the Madison Municipal Building.

**Sponsors:** Paul R. Soglin

**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt - 15 Votes Required. The motion passed by voice vote/other.**

Enactment No: RES-12-00544

25. [26870](#) Authorizing the Mayor and City Clerk to enter into an agreement with Eppstein Uhen Architects to provide professional architectural and engineering design consultant services for tenant improvements of Fire Administration Office Building within the Hovde Properties building and remodeling of Fire Station No.1 in the amount of \$396,000, and authorizing expenditures of up to \$15,000 related to sale of the current Fire Administration site. (4th AD)

**Sponsors:** Paul R. Soglin and Michael E. Verveer

**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt - 15 Votes Required. The motion passed by the following vote:**

**Ayes:** 20 - Lisa Subeck  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Jill Johnson  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair

**Non Voting:** 1 - Paul R. Soglin

Enactment No: RES-12-00545

26. [26871](#) Amending the 2012 Facilities Management Capital Budget and Transferring \$100,000 from City-County Building Improvements (810621) to General Building Improvements (810595) to allow for the hiring of consulting services to develop schematic designs and cost estimates for the renovation on Madison Municipal Building.

**Sponsors:** Paul R. Soglin

**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt - 15 Votes Required. The motion passed by voice vote/other.**

**Ayes:** 20 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Jill Johnson  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair  
Lisa Subeck

**Non Voting:** 1 - Paul R. Soglin

Enactment No: RES-12-00546

27. [26897](#) Establishing the University Hill Farms Steering Committee and authorizing staff to contract with a consultant to assist in the preparation of neighborhood plan.

**Sponsors:** Chris Schmidt

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

Enactment No: RES-12-00560

28. [26921](#) SUBSTITUTE Authorizing the Mayor and City Clerk to execute a loan agreement to fund a \$68,828 Mansion Hill-James Madison Park Neighborhood Small Cap TIF Loan to Joan Lin ("Borrower") to purchase and renovate the property located at 322 E. Mifflin Street and convert it from a rental to owner-occupied housing.

**Sponsors:** Bridget R. Maniaci

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

Enactment No: RES-12-00547

## REPORT OF BOARD OF PARK COMMISSIONERS

29. [26449](#) SUBSTITUTE Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of Reindahl Park, located at 1818 Portage Road.
- Sponsors:** Joseph R. Clausius
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00548
30. [26600](#) Authorizing the execution of a Declaration of Public Bus Shelter Easement on lands located within Warner Park, at 1425 Troy Drive.
- Sponsors:** Satya V. Rhodes-Conway
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00549
31. [26822](#) Authorizing the execution of an Underground Gas Line Easement to Madison Gas and Electric Company across a portion of Brittingham Park, located at 622 North Shore Drive.
- Sponsors:** Michael E. Verveer
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00550
32. [26876](#) Amending Sections 8.18(2) and (5) and Section 1.08(3)(a) of the Madison General Ordinances regarding parking regulations in Brittingham Park and Henry Vilas Park.
- Sponsors:** Michael E. Verveer, Sue Ellingson, Paul R. Soglin, Mark Clear and Joseph R. Clausius
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-12-00094
33. [26892](#) Authorizing the Mayor and City Clerk to enter into an agreement to form a local chapter of Just Walk! Inc. to create a A Walk with a Doc program.
- Sponsors:** Mark Clear and Joseph R. Clausius
- A motion was made by Clear, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00563

## REPORT OF BOARD OF PUBLIC WORKS

34. [26912](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM adjacent to 800 Langdon Street.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00551
35. [26948](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Eastlawn Greenway Repair, Contract No. 6912. (3rd AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00552
36. [27041](#) Declaring the City of Madison's intention to exercise its police powers establishing the 633 W. Badger Road MMSD Sewer Area Charges Assessment District (14th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00553
37. [27044](#) Approving Schedule of Assessments for 633 W. Badger Road MMSD Sewer Area Charges Assessment District. (14th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00554

#### REPORT OF CITY CLERK

38. [26980](#) Secondhand Precious Metals License  
Ovens East Inc  
Rick's Old Gold  
1314 Williamson St
- A motion was made by Bidar-Sielaff, seconded by Schmidt, to Grant. The motion passed by voice vote/other.**

#### REPORT OF EQUAL OPPORTUNITIES COMMISSION

39. [26910](#) Creating Sec. 32.06(5) of the Madison General Ordinances to require landlords to provide a voter registration form to tenant at the time the tenant takes possession of the residence.

**Sponsors:** Bridget R. Maniaci, Scott J. Resnick, Shiva Bidar-Sielaff, Mark Clear, Sue Ellingson, Marsha A. Rummel, Chris Schmidt, Matthew J. Phair, Michael E. Verveer, Steve King, Brian L. Solomon and Satya V. Rhodes-Conway

**A motion was made by Maniaci, seconded by Rhodes-Conway, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-12-00096

#### REPORT OF PLAN COMMISSION

40. [24468](#) A SUBSTITUTE Resolution Adopting the Downtown Plan as a Supplement to the City of Madison Comprehensive Plan.

**Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Lauren Cnare, Bridget R. Maniaci, Scott J. Resnick, Marsha A. Rummel, Brian L. Solomon, Michael E. Verveer and Steve King

Enactment No: RES-12-00564

**The Common Council took a brief recess**

**The Common Council reconvened**

**Present:** 21 - Paul R. Soglin  
Lisa Subeck  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Jill Johnson  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair

[24468](#)

A SUBSTITUTE Resolution Adopting the Downtown Plan as a Supplement to the City of Madison Comprehensive Plan.

**Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Lauren Cnare, Bridget R. Maniaci, Scott J. Resnick, Marsha A. Rummel, Brian L. Solomon, Michael E. Verveer and Steve King

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

**The amendments to the substitute were:**

**1) Planning Division Staff Memorandum to Mayor Soglin and Members of the Common Council (dated July 17, 2012)- page 2, paragraph 3- add a new sentence 4:**

**"However, the Mifflin area should not be considered as a campus expansion opportunity for the University."**

**4) Planning Division Staff Memorandum to Mayor Soglin and Members of the Common Council (dated July 17, 2012)- page 5, paragraph 3, sentence 2 - change to read:**

**"Of particular importance to this character is the grand appearance created by the consistent building setbacks, wide terraces and large canopy trees, and these features should be maintained as public amenities as redevelopment occurs. Driveway openings along this frontage should be minimized and use of the terrace for vehicle pull-outs or other private activities should not be allowed."**

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

**The amendment to the substitute was:**

**2) Planning Division Staff Memorandum to Mayor Soglin and Members of the Common Council (dated July 17, 2012)- page 3, paragraph 2, sentence 4- change to read:**

**"Successful transformation of the Mifflin district into a truly engaging mixed-use neighborhood will depend heavily on the quality of design, and it is recommended that detailed planning for the future of this area include development of specific design standards addressing, at a minimum, setbacks and setbacks."**

**A motion was made by Verveer, seconded by Bidar-Sielaff, to Adopt the following Amendment(s) to the Substitute. The motion passed by the following vote: 11-10.**

**The amendment to the substitute was:**

**3) Planning Division Staff Memorandum to Mayor Soglin and Members of the Common Council (dated July 17, 2012)- page 5, paragraph 2, sentence 5- change to read:**

**"Buildings up to four stories in height are recommended along both sides of West Washington Avenue, with the potential for two additional stories if there is a noticeable setback."**

**Ayes:** 11 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Scott J. Resnick  
Paul E. Skidmore  
Brian L. Solomon  
Satya V. Rhodes-Conway  
Jill Johnson  
Paul R. Soglin

**Noes:** 10 - Lisa Subeck  
Steve King  
Chris Schmidt  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair

**A motion was made by Verveer, seconded by Bidar-Sielaff, to Adopt the following Amendment(s) to the Substitute. The motion passed by the following vote: 11-10**

**The amendment to the substitute was:**

**5) Planning Division Staff Memorandum to Mayor Soglin and Members of the Common Council (dated July 17, 2012) page 5, Recommendation 78 - change to read:**

**"Recommendation 78: Establish a minimum two-story and maximum four-story building height on the West Washington Avenue frontage, with up to two additional stories allowed if there is a noticeable setback."**



**Ayes:** 11 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Scott J. Resnick  
Paul E. Skidmore  
Brian L. Solomon  
Satya V. Rhodes-Conway  
Jill Johnson  
Paul R. Soglin

**Noes:** 10 - Steve King  
Chris Schmidt  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair  
Lisa Subeck

**A motion was made by Verveer, seconded by Bidar-Sielaff, to Adopt the following Amendment(s) to the Substitute. The motion failed by the following vote: 10-11**

**The amendments to the substitute were:**

**6) Planning Division Staff Memorandum 6 to the Plan Commission (dated June 18, 2012) - page 10, row 1 - change to read:**

**"Recommendation 44: Establish maximum building heights as shown on the Maximum Building Heights Map and incorporate them into the Zoning Ordinance to provide variety and reflect and enhance the varied topography of the Downtown. Maximum building heights may be exceeded through the planned development process. In bonus areas, the conditional use process may be used to approve uUp to two additional stories may be allowed in areas designated in Appendix C if approved by the Common Council. The processes and standards for exceeding the heights designated on the Maximum Building Heights Map will be developed as part of the Downtown Zoning Districts."**

**7) The proposed change to Recommendation44 will require that Appendix C, as proposed in Memorandum 6, be revised to remove specific references to the conditional use process.**

**Ayes:** 10 - Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Scott J. Resnick  
Brian L. Solomon  
Satya V. Rhodes-Conway  
Sue Ellingson  
Jill Johnson  
Bridget R. Maniaci

**Noes:** 11 - Steve King  
Paul E. Skidmore  
Chris Schmidt  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair  
Lisa Subeck  
Paul R. Soglin

**A motion was made by Verveer, seconded by Bidar-Sielaff, to Adopt the following Amendment(s) to the Substitute. The motion failed by the following vote: 10-10**

**The amendment to the substitute was:**

**8) Planning Division Staff Memorandum 6 to the Plan Commission (dated June 18, 2012)- page 10, row 2- add the following paragraph:**

**"The ability to propose buildings taller than shown on the Maximum Building Heights Map should be used as a tool to encourage buildings of truly exceptional design that respond to the specific context of their location and accomplish specific objectives defined for the area. It is intended to provide additional design flexibility to address unique circumstances and to create an incentive for projects that go beyond what is otherwise required to help achieve other objectives of this plan."**

**Ayes:** 10 - Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Brian L. Solomon  
Satya V. Rhodes-Conway  
Sue Ellingson  
Larry Palm  
Jill Johnson  
Lauren Cnare  
Bridget R. Maniaci

**Noes:** 10 - Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Chris Schmidt  
Tim Bruer  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair  
Lisa Subeck

**Abstentions:** 1 - Paul R. Soglin

**A motion was made by Maniaci, seconded by Cnare, to Adopt the following Amendment(s) to the Substitute. The motion passed by the following vote: 13-6**

**The amendment to the substitute was:**

**Remove Recommendation 150 from the Downtown Plan and corresponding map.**

**Ayes:** 13 - Shiva Bidar-Sielaff  
Marsha A. Rummel  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Sue Ellingson  
Tim Bruer  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Lauren Cnare  
Michael E. Verveer  
Bridget R. Maniaci

**Noes:** 6 - Steve King  
Satya V. Rhodes-Conway  
Larry Palm  
Jill Johnson  
Matthew J. Phair  
Lisa Subeck

**Abstentions:** 1 - Scott J. Resnick

**Non Voting:** 1 - Paul R. Soglin

**A motion was made by Rummel, seconded by Weier, to Adopt the following Amendment(s) to the Substitute. The motion passed by the following vote:**

**The amendment to the substitute was:**

**1. In recommendation 1 (p.13), delete the phrase "including limited funding to expand the shoreline"**

**2. Delete paragraph 2 of Lane Park text on pp.14-15 and assorted diagrams and remove references to lake fill elsewhere in the plan. Replace paragraph 2 with the text:**

**"Lane Park should undergo a master plan process which would address the need to connect downtown to Lake Monona, and such planning should be done in conjunction with redesign of the John Nolen/Blair/Williamson St. intersection."**

**Ayes:** 12 - Marsha A. Rummel  
Scott J. Resnick  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Sue Ellingson  
Larry Palm  
Joseph R. Clausius  
Anita Weier  
Lisa Subeck  
Lauren Cnare  
Shiva Bidar-Sielaff

**Noes:** 8 - Steve King  
Paul E. Skidmore  
Tim Bruer  
Jill Johnson  
Mark Clear  
Matthew J. Phair  
Bridget R. Maniaci  
Michael E. Verveer

**Non Voting:** 1 - Paul R. Soglin

**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt Substitute As Amended. The motion passed by voice vote/other.**

**Ayes:** 21 - Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Sue Ellingson  
Tim Bruer  
Larry Palm  
Jill Johnson  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair  
Lisa Subeck  
Paul R. Soglin  
Lauren Cnare  
Bridget R. Maniaci  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel

Enactment No: RES-12-00564

**REPORT OF PUBLIC SAFETY REVIEW COMMITTEE**

41. [26604](#) SUBSTITUTE Amending Section 24.12 of the Madison General Ordinances to prohibit panhandling within 150 feet of a licensed alcohol establishment and in the State Street Mall Concourse.

**Sponsors:** Paul R. Soglin and Michael E. Verveer

*Common Council 8-7-12.*

**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Re-refer to the COMMON COUNCIL. The motion passed by voice vote/other.**

42. [26693](#) Amending Sections 9.24 (2)(d), (3), (4)(c), (7)(b), (7)(c)7., and (2)(a) of the Madison General Ordinances to clarify definitions and recordkeeping requirements for secondhand dealers.

**Sponsors:** Michael E. Verveer

*Common Council meeting of 8-7-2012*

**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Re-refer to the COMMON COUNCIL. The motion passed by voice vote/other.**

#### REPORT OF RISK MANAGER

43. [26823](#) R. Herrick, 1210 Monica Ln., Madison, 53704 - non-motor vehicle accident - \$487.50.

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

44. [26841](#) R. James, 439 Fargo Tr., Middleton, 53562 - personal injury - \$6,516.00.

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

#### ITEMS REFERRED TO THIS MEETING

#### RESOLUTIONS

45. [26874](#) Authorizing the Mayor and City Clerk to execute a one-year contract with Capital Newspapers for publication services.

**Sponsors:** Common Council By Request

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

Enactment No: RES-12-00555

#### INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

#### ORDINANCES

46. [27029](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Madison Parks Foundation Coordinator" in Compensation Group 18, Range 08, thereof.

**Sponsors:** Paul R. Soglin

*Additional referral Personnel Board.*

**This Ordinance was Referred to the BOARD OF ESTIMATES**

47. [27030](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Streets/PW Strategic Initiatives Coordinator" in Compensation Group 18, Range 12, thereof.

**Sponsors:** Paul R. Soglin

*Additional referral to Personnel Board.*

**This Ordinance was Referred to the BOARD OF ESTIMATES**

48. [27034](#) Creating Section 28.06(2)(a)3623. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish 2 residences to allow construction of daycare facility for Meriter Hospital. 13th Aldermanic District: 201-205 South Mills Street.

**Sponsors:** Planning Division

**This Ordinance was Referred to the PLAN COMMISSION**

49. [27047](#) Creating Section 39.02(9)(a)12. of the Madison General Ordinances to expand the definition of Small Business Enterprise.

**Sponsors:** Paul R. Soglin and Joseph R. Clausius

**This Ordinance was Referred to the AFFIRMATIVE ACTION COMMISSION**

50. [27048](#) Creating Section 9.13(3)(a)3. and amending Section 9.13(6)(h) of the Madison General Ordinances to create a Community Service Rebate for mobile grocery store vendors and other street vendors' license fees.

**Sponsors:** Paul R. Soglin

**This Ordinance was Referred to the VENDING OVERSIGHT COMMITTEE**

## RESOLUTIONS

51. [26882](#) Approving an extension of the provisional appointment of Hickory Hurie until such time as the position of Community Development Division Director is filled on a permanent basis.
- Sponsors:** Paul R. Soglin
- Board of Estimates July 30, 2012, Common Council August 7, 2012 for Confirmation Hearing.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
52. [26922](#) Authorizing the Mayor and City Clerk to execute a Third 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:** Tim Bruer
- This Resolution was Referred to the BOARD OF ESTIMATES**
53. [26953](#) Resolution Urging Governor Walker To Implement the Affordable Care Act
- Sponsors:** Paul R. Soglin, Lisa Subeck and Sue Ellingson
- This Resolution was Referred to the COMMON COUNCIL**
54. [26967](#) Recreate the position (#1612) of Streets Public Information/Recycling Coordinator in the Streets Division budget as a Streets/PW Strategic Initiatives Coordinator in CG18, R12, and reallocate the incumbent, G. Dreckmann, to the new position.
- Sponsors:** Paul R. Soglin
- Additional Referral to Personnel Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
55. [26997](#) Create a new 1.0 FTE Limited Term position of Madison Parks Foundation Coordinator in the Parks Division Budget in CG18, Range 8.
- Sponsors:** Paul R. Soglin
- Additional Referral to Personnel Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
56. [27000](#) Classify the position in the CDA Redevelopment Budget, currently identified as "Housing Strategy Position" as a Housing Initiatives Specialist in CG18, Range 10.
- Sponsors:** Paul R. Soglin
- Additional Referral to Personnel Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**

57. [27001](#) Recreate the position (#3868) of “City Channel Cablecast Production Technician” (CG20/R13) as a “City Channel Engineer” (CG16/R14) and reallocate the incumbent (B. Johnson) to the new position. Upon filling the position, the “City Channel Cablecast Production Technician” classification will be deleted.
- Sponsors:** Paul R. Soglin
- Additional Referral to Personnel Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
58. [27027](#) Resolution to authorize a contract with Frank Productions, Inc. for Freakfest 2012 and to authorize gating and ticketing for entry into the event area.
- Sponsors:** Paul R. Soglin, Michael E. Verveer, Bridget R. Maniaci, Scott J. Resnick and Mark Clear
- This Resolution was Referred to the BOARD OF ESTIMATES**
59. [27032](#) Reallocating incumbent Kelly Miess to the budgeted level of Engineer 3 in the Water Utility Budget.
- Sponsors:** Paul R. Soglin
- Additional Referral to Personnel Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
60. [27039](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with (to be selected) for the preparation of drawings and specifications, permitting, bidding, and construction administration for the Utility’s reconstruction of Booster Pump Station No. 106 located on Glenway Street in Reservoir Park on the near west side of Madison (5th AD).
- Sponsors:** Lauren Cnare and Sue Ellingson
- Additional Referral to Water Utility Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
61. [27038](#) Initial Resolution Authorizing Not to Exceed \$15,210,000 Bonds of the City of Madison for the Purpose of Renovating the Madison Central Public Library
- Sponsors:** Paul R. Soglin, Michael E. Verveer and Larry Palm
- This Resolution was Referred to the BOARD OF ESTIMATES**



62. [27040](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 1 to a contract with SCS BT Squared (formerly BT Squared, Inc.) for engineering services for a well siting study for Madison Water Utility Pressure Zone 4 (16th AD).
- Sponsors:** Lauren Cnare, Sue Ellingson and Jill Johnson
- Additional Referral to Water Utility Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
63. [27043](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with Baxter Woodman (~~to be selected~~) for the preparation of drawings and specifications, permitting, bidding, and construction administration for the Utility's upgrade of Booster Pump Station No. 120 located at 2829 Prairie Road (20th AD).
- Sponsors:** Lauren Cnare and Sue Ellingson
- Additional Referral to Water Utility Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
64. [27045](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with (to be selected) for the preparation of drawings and specifications, permitting, bidding, and construction administration for the Utility's upgrade of Unit Well 26 located at 910 High Point Road (9th AD).
- Sponsors:** Lauren Cnare and Sue Ellingson
- Additional Referral to Water Utility Board.*
- This Resolution was Referred to the BOARD OF ESTIMATES**
65. [27056](#) SUBSTITUTE: Authorizing the submission of Madison Water Utility's smart meter opt-out policy to the Public Service Commission of Wisconsin (Citywide).
- Sponsors:** Lauren Cnare and Sue Ellingson
- This Resolution was Referred to the WATER UTILITY BOARD**

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

### CLAIMS - REFER TO RISK MANAGER

66. [26943](#) D. Dom, 6 Magnolia Cir., Madison, 53713 - vehicle damage - \$1,594.91.
- This Claim was Referred to the Risk Manager**
67. [26944](#) A. Smith, 154 Harding St., Madison, 53714 - vehicle damage - \$772.26.
- This Claim was Referred to the Risk Manager**

68. [26955](#) Michael Best & Friedrich, attorney for RDC Development LLC, 100 E. Wisconsin Ave., Ste. 3300, Milwaukee, 53202 - excessive assessment - \$19,527.64.  
**This Claim was Referred to the Attorney's Office**
69. [27057](#) R. Schroeder, 164 Pheasant Run, #3, Johnson Creek, 53038 - vehicle damage - \$1,527.54.  
**This Claim was Referred to the Risk Manager**
70. [27058](#) C. Johnson, 2346 E. Mifflin St., # 1, Madison, 53704 - vehicle damage - \$793.99.  
**This Claim was Referred to the Risk Manager**
71. [27059](#) S. McKenzie, 1013 Spruce St., Madison, 53715 - vehicle damage - \$3,681.42.  
**This Claim was Referred to the Risk Manager**
72. [27060](#) D. Griffiths for at&t, Risk Management Office, N17 W24300 Riverwood Dr., 3rd Flr., Waukesha, 53188 - property damage - \$679.36.  
**This Claim was Referred to the Risk Manager**

\*\*\*ADDENDUM\*\*\*

LATE ITEMS

73. [26875](#) Authorizing an Amendment to an Encroachment Agreement that accepted ownership from the Carpenter-Ridgeway Neighborhood Association of two "Little Libraries" located within the Lexington Avenue right-of-way and the Starkweather Creek bike path corridor, as well as a neighborhood entrance sign located within the Burke Avenue right of way.  
**Sponsors:** Larry Palm  
**A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-12-00556
74. [27076](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Blair Street near and at the intersection with Williamson and John Nolen Drive.  
**Sponsors:** Marsha A. Rummel  
**This Resolution was Referred to the BOARD OF PUBLIC WORKS**

**ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR**

**ADJOURNMENT @ 11:33 PM**

A motion was made by Clear, seconded by Bidar-Sielaff, to Adjourn at 11:33 PM. The motion passed by voice vote/other.