



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, October 18, 2011

6:30 PM

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

ROLL CALL @ 6:32 p.m.

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

Non Voting: 1 - Paul R. Soglin

SPEAKING GUIDELINES

Speaking Limits:

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

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

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

NOTIFIED ABSENCES: None.

OPENING REMARKS

SUSPENSION OF RULES

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

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

HONORING RESOLUTIONS

- 1. [24252](#) Proclaiming October 2011 as “Comprehensive Women's Health Month” in the City of Madison and recognizing that women in our city deserve the best healthcare available.

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

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

Enactment No: RES-11-00879

PETITIONS AND COMMUNICATIONS

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

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

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

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF ESTIMATES

- 2. [23675](#) 2012 Executive Operating Budget

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Re-refer for Recessed Public Hearing to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

REPORT OF PLAN COMMISSION

- 3. [23690](#) Creating Section 28.06(2)(a)3560. 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: Allow construction of daycare facility for Meriter Hospital. 13th Aldermanic District; 113 South Mills Street and 1022 Mound Street.

Sponsors: Planning Division

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

- 4. [23691](#) Creating Section 28.06(2)(a)3558. 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)3559. 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 addition to Attic Angels Place Health Center and Assisted Living Facility. 9th Aldermanic District; 8301 Old Sauk Road

Sponsors: Planning Division

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

Enactment No: ORD-11-00136

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

5. [24049](#) Report of the Mayor submitting committee appointments (introduction 10-4-2011; action 10-18-2011).

Sponsors: Paul R. Soglin

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

6. [24222](#) Report of the Mayor submitting Alder committee appointments.

Sponsors: Paul R. Soglin

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

7. [24225](#) Report of the Mayor submitting citizen appointments (introduction 10-18-2011; action 11-1-2011).

Sponsors: Paul R. Soglin

Confirm 11-1-2011

This Appointment was Referred to a future Meeting to Confirm to the COMMON COUNCIL due back on 11/1/2011

REPORTS OF OFFICERS

REPORT OF AFFIRMATIVE ACTION COMMISSION

8. [22641](#) Amending Section 39.02(9)(a)2.g. of the Madison General Ordinances to clarify the meaning of "municipality" for purposes of the exception to affirmative action contracting requirements.

Sponsors: Joseph R. Clausius

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

Enactment No: ORD-11-00137

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

9. [24158](#) Alcohol License Review Committee Report of Operator License Applications October 18, 2011. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

10. [23920](#) Approving the Community Development Division's HUD required 2012 Action Plan.

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

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

Enactment No: RES-11-00880

11. [23989](#) Recreate the position (#1862) of Engineer 2 as a Water Construction Supervisor in the Water Utility budget, and reallocate the incumbent (T. Buss) to the new position.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00881

12. [23990](#) Recreate the positions (#624 and #3656) of Planning GIS Specialist, currently in CG18, Range 7, in CG18, Range 9 in the Planning Division budget, and reallocate the incumbents (W. Lanier and D. Seidensticker) to the new positions.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00882

13. [23991](#) Recreating an Administrative Clerk 1 (CG20/09) position (#2598-occupied by W. Jackson) in the Police Department budget as a Program Assistant 1 (20/11), and reallocating the incumbent to the new position.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00883

- 14. [24020](#) Adopting and confirming the Labor Agreement between the City of Madison and Local 311, I.A.F.F. for the period January 1, 2012 through December 31, 2015.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-11-00138

- 15. [24021](#) To adjust the Child Care Assistance income guidelines to keep them in line with the poverty guidelines published by the U.S. Department of Health and Human Services and adopted by the State and to reflect inflationary increases.

Sponsors: Anita Weier

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

Enactment No: RES-11-00884

- 16. [24023](#) Adopting and confirming the Agreement between the City of Madison and the Madison Professional Police Officers Association (MPPOA) from January 1, 2012 through December 31, 2015.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-11-00139

- 17. [24033](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of Water Construction Supervisor in Compensation Group 18, Range 09.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-11-00140

18. [24034](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Planning GIS Specialist in Compensation Group 18, Range 07 and recreating said classification in Compensation Group 18, Range 09.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-11-00141

19. [24036](#) Adopting and confirming Revision No. 276 of the Madison General Ordinances as of September 15, 2011 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: Common Council By Request

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

Enactment No: ORD-11-00142

20. [24038](#) Adopting and confirming the Agreement between the City of Madison and the Association of Madison Police Supervisors (AMPS) for the period January 1, 2012 through December 31, 2015.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-11-00143

21. [24068](#) Transferring \$15,000 from Permanent Salaries to Supplies (Furniture) in the 2011 Mayor's Office Adopted Budget.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00885

22. [24147](#) Authorizing the acceptance of a loan in the amount of \$1.5 million from the Wisconsin Department of Natural Resources and the issuance of a general obligation promissory note for the purpose of assisting in the remediation and demolition of the former Royster Clark property, and authorizing the loaning of such funds to RDC Development, LLC.

Sponsors: Larry Palm

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

Enactment No: RES-11-00886

REPORT OF BOARD OF PUBLIC WORKS

23. [23790](#) Vacating all of the High Street public street right-of-way segment from Midland Street to Fish Hatchery Road, which was originally dedicated by the subdivision plat of Grand View Addition to South Madison, located adjacent to and reversion rights to, Block One (1) and Block Six (6), said Grand View addition to South Madison, being located in part Southeast ¼ of the Northwest ¼ of Section 26, Town 07 North, Range 09 East, City of Madison, Dane County, Wisconsin. (13th Ald. Dist.)

Sponsors: Sue Ellingson

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

Enactment No: RES-11-00887

24. [23899](#) Authorizing the execution of a release of the platted access restriction affecting property located at 6613-6637 Mineral Point Road and execution of a new access restriction agreement with the property owner, Grand Canyon Collection, LLC.

Sponsors: Mark Clear

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

Enactment No: RES-11-00888

25. [23971](#) Declaring the City of Madison's intention to exercise its police powers establishing the Elderberry Road Assessment District - 2013.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00889

26. [23972](#) Declaring the City of Madison's intention to exercise its police powers establishing the Elderberry Road, Pleasant View Road and Samuel Drive Assessment District - 2012.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00890
27. [23974](#) Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between the City of Madison and KL Engineering, Inc., for additional design engineering services for University Avenue from Allen Boulevard to Segoe Road (11th & 19th AD).
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00891
28. [23987](#) Authorizing the Mayor and the City Clerk to enter into an agreement(s) with Dane County for cost sharing for the design engineering contract with HNTB for Mineral Point Road & South Junction Road. (9th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00892
29. [23993](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6769, Water and Sanitary Sewer on East Washington Avenue from Thierer Road to East Springs Drive. (17th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00893

30. [23999](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Waste Transfer Lighting Upgrade - 2012. (13th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00894
31. [24002](#) Improvements accepted for Metro Maintenance Lighting Retrofit, Contract No. 6460. (6th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00895
32. [24003](#) Reapproving Plans for Wisconsin Energy Institute, Project Number 53B2262, to allow for terrace treatment and pavers in the right of way. Plans and Specifications and authorization to enter into a maintenance agreement previously approved under RES-11-00028, ID No. 20815.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00896
33. [24004](#) Improvements accepted for Merry Street Reconstruction Assessment District - 2010, Contract No. 6420.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00897
34. [24005](#) Improvements accepted for MMB Elevator Modernization, Contract No. 6569.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-11-00898

35. [24010](#) Awarding Public Works Contract No. 6685, Hawks Landing Pond Dredging - Maintenance.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00899

36. [24012](#) Awarding Public Works Contract No. 6773, MCCA Culvert - 2110 Pearson Street.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00900

37. [24013](#) Awarding Public Works Contract No. 6812, Fairchild Storm Upgrade - Central Library.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00901

38. [24019](#) Approving plans and specifications for public improvements necessary for the project known as Cannonball Bike Trail Lighting. (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00902

39. [24025](#) Authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for the design of the Milwaukee Street Bridge and Approaches over the East Branch of the Starkweather Creek.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00903

40. [24029](#) Approving plans and specifications for public improvements necessary for the project known as Wingra Clinic - Bancroft Dairy Redevelopment and authorizing construction to be undertaken by the Developer, Private Contract No. 2290. (13th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00904

41. [24037](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Monona Drive (5700) block and Regent Street (1500 block). (16th & 13th ADs)

Sponsors: Jill Johnson and Sue Ellingson

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

Enactment No: RES-11-00905

42. [24095](#) Awarding Public Works Contract No. 6322, B. B. Clarke Shoreline Restoration.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00906

43. [24139](#) Approving Addendum No. 2 to the Contract for the Construction of Public Improvements that will be Accepted by the City for Tradesmen Commerce Park, Contract No. 2189. (16th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00907

REPORT OF COMMITTEE ON SWEATFREE PURCHASES

44. [23331](#) Amending Sections 4.25(5)(b) and (6)(d) of the Madison General Ordinances, Procurement of Items of Apparel, to authorize the Committee on Sweatfree Purchases to establish procedures to rank bidders compliance with the bidder disclosure statement requirement.

Sponsors: Satya V. Rhodes-Conway

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

Enactment No: ORD-11-00144

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

45. [23641](#) Amending Section 23.29(4) of the Madison General Ordinances to authorize the Mayor or the Superintendent of Streets to appoint the Weed Commissioners.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-11-00145

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

46. [24102](#) Approving a Certified Survey Map of property owned by the University Commission of the Episcopal Church-Wisconsin located at 1001 University Avenue. 8th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-11-00908

REPORT OF POLICE DEPARTMENT

47. [24150](#) SUBSTITUTE Adopting a policy that all buildings owned or leased by the City of Madison will be free of firearms and weapons and posted accordingly and authorizing the sale of said signs.

Sponsors: Paul R. Soglin and Steve King

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

Enactment No: RES-11-00909

AGENDA NOTE: Public Safety Review Committee will be meeting on 10-13-2011 and a recommendation will be made from the floor.

REPORT OF PUBLIC SAFETY REVIEW COMMITTEE

48. [23910](#) Creating Section 9.06 and amending Section 1.08(3)(a) of the Madison General Ordinances to establish a violation for individuals that are carrying a concealed weapon but fail to have the statutory required documentation with them and to create a bail deposit for violation thereof.

Sponsors: Matthew J. Phair, Paul E. Skidmore, Paul R. Soglin and Steve King

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

Enactment No: ORD-11-00146

AGENDA NOTE: Public Safety Review Committee will be meeting on 10-13-2011 and a recommendation will be made from the floor.

49. [23911](#) Creating Section 23.59 and amending Section 1.08(3)(a) of the Madison General Ordinances to create several unlawful trespass violations when an individual is carrying a weapon and enters onto a property of another after having been notified that the carrying of weapons is not permitted on that property and to create a bail deposit for violation thereof.

Sponsors: Matthew J. Phair, Paul E. Skidmore, Paul R. Soglin and Steve King

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

Enactment No: ORD-11-00147

AGENDA NOTE: Public Safety Review Committee will be meeting on 10-13-2011 and a recommendation will be made from the floor.

50. [23912](#) Creating Section 24.02(4) of the Madison General Ordinances to create an exception to the disorderly conduct ordinance for a concealed weapon.

Sponsors: Matthew J. Phair, Paul E. Skidmore, Paul R. Soglin and Steve King

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

Enactment No: ORD-11-00148

AGENDA NOTE: Public Safety Review Committee will be meeting on 10-13-2011 and a recommendation will be made from the floor.

REPORT OF RISK MANAGER

51. [23861](#) S. Kushner, QBE Claims, General Casualty Insurance, One General Dr., Sun Prairie, 53596 for Nickles Electric, 4269 Argosy Ct., Madison, 53714 - compensation for medical benefits - \$5,546.30.

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

52. [23953](#) S. Burke, 2501 Greenway View, Madison, 53713 - property damage - \$20.00.

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

53. [23955](#) L. Watson, 245 Swanton Rd., # 6, Madison, 53713 - vehicle damage - \$284.95.

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

54. [23996](#) H. Jansen, 409 E. Lakeview Ave., Madison, 53716 - vehicle damage - \$256.70.

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

55. [24051](#) D. Jones, 4502 Judy Ln., Madison, 53704 - property damage - \$229.17.

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

REPORT OF TRANSIT/ PARKING COMMISSION

56. [24089](#) Authorizing the Mayor and City Clerk to enter into an agreement with Walker Parking Consultants to provide Owner Representative services for the master planning of the Government East Parking Garage replacement project in the amount of \$56,000.

Sponsors: Lisa Subeck

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

Enactment No: RES-11-00910

ITEMS REFERRED TO THIS MEETING

ORDINANCES

- 57. [24001](#) Amending Sections 15.02(23) of the Madison General Ordinances to change the polling location for Ward 23.

Sponsors: Joseph R. Clausius

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

Enactment No: ORD-11-00149

RESOLUTIONS

- 58. [23947](#) Authorizing the Mayor and City Clerk to execute a First Addendum to the Employment Agreement with Steven R. Cover, Director of Planning & Community & Economic Development, ending his probationary period effective October 19, 2011.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00875

- 59. [23949](#) Authorizing the Mayor and City Clerk to execute a First Addendum to the Employment Agreement with Natalie L. Erdman, CDA Executive Director, ending her probationary period effective October 19, 2011.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00876

- 60. [23950](#) Authorizing the Mayor and City Clerk to execute a First Adeendum to the Employment Agreement with Robert F. Phillips, City Engineer, ending his probationary period effective October 19, 2011.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00877

61. [24018](#) Authorizing the Mayor and City Clerk to execute a first Addendum to the Employment Agreement with Paul A. Kronberger, Information Technology Director.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00878

62. [24063](#) Establishing a Northport-Warner Park-Sherman Neighborhood Public Art Ad Hoc Selection Committee

Sponsors: Satya V. Rhodes-Conway and Anita Weier

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Re-refer to the MADISON ARTS COMMISSION. The motion passed by voice vote/other.

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

63. [24165](#) Creating Section 15.01(581) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 1st Aldermanic District Mid Town Road Attachment and amending Section 15.06(142) of the Madison General Ordinances to assign the attached property to Ward 142 and creating Section 15.02(115) to assign the attached property to Ward 115 and amending Section 15.03(1) to add Ward 115 to Aldermanic District 1.

Sponsors: Paul R. Soglin

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

64. [24166](#) Creating Section 15.01(582) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 1st Aldermanic District Mid Town Road Attachment and creating Section 15.06(148) of the Madison General Ordinances to assign the attached property to Ward 148 and creating Section 15.02(116) to assign the attached property to Ward 116, amending Section 15.07(1) to add Ward 148 to Aldermanic District 1 and amending Section 15.03(1) to add Ward 116 to Aldermanic District 1.

Sponsors: Paul R. Soglin

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

65. [24226](#) Amending Section 9.49 of the Madison General Ordinances to replace citizen appointees on the Administrative Review Board with City employees and make procedural changes.

Sponsors: Paul R. Soglin

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

66. [24228](#) Creating Section 28.06(2)(a)3564. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3565. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Construct five-story mixed-use building containing 39 apartments and 5,300 square feet of first floor commercial space on Livingston Street frontage of property; 6th Aldermanic District; 722 Williamson Street.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

67. [24229](#) Creating Section 28.06(2)(a)3566. 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)3567. 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: Amended PUD to allow construction of 30-unit apartment building in place of previously approved mixed-use commercial/residential building; 1st Aldermanic District: 1 Hawks Landing Circle.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

RESOLUTIONS

68. [24106](#) To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2010/11 Maintenance Charges.

Sponsors: Scott J. Resnick and Michael E. Verveer

Additional Referral: Downtown Vending Coordinating Committee

This Resolution was Referred to the BOARD OF ESTIMATES

69. [24200](#) Approving an agreement with Dane County for Hazardous Materials Team Response by the Fire Department.

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

This Resolution was Referred to the BOARD OF ESTIMATES

70. [24215](#) Resolution authorizing the redemption prior to maturity of the City of Madison \$6,565,000 Sewer System Revenue Bonds, Series 2003-A.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

71. [24218](#) Authorizing the Mayor and City Clerk to sign an Intergovernmental Agreement for use of space at the Dane County Law Enforcement Training center by City of Madison Police Department and use of space at the City of Madison Police Training Center by Dane County Sheriff Office.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

72. [24219](#) Authorizing the execution of an easement for water facility purposes in and between the properties at 807 Eagle Heights and 2402 Lake Mendota Drive (5th AD).

Sponsors: Lauren Cnare and Tim Bruer

This Resolution was Referred to the WATER UTILITY BOARD

73. [24223](#) Authorizing the Chief of Police to establish Training Center use fees and to execute Space Use Agreements with other law enforcement agencies, governmental organizations, or groups with law enforcement affiliations for use of the City of Madison Police Training Center located at 5702 Femrite Drive, for the purposes of training.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

74. [24230](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$1,372,000 Tax Incremental Finance Loan to GI Clinic, LLC to assist in the development of the University Crossing commercial redevelopment project located on the southwest corner of the intersection of University Avenue and the Whitney Way in the proposed TID #41 (University-Whitney).

Sponsors: Mark Clear and Chris Schmidt

This Resolution was Referred to the BOARD OF ESTIMATES

75. [24235](#) Approving a contract with the Department of Veterans Affairs for the Fire Department to provide services beginning October 1, 2011 to the William S. Middleton Veterans Hospital.

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

This Resolution was Referred to the BOARD OF ESTIMATES

76. [24259](#) Resolution authorizing the Mayor and the City Clerk to enter into an agreement with the Lenhart Company, Inc. for the installation of three monitoring wells at University Crossing (19th AD).

Sponsors: Lauren Cnare

This Resolution was Referred to the WATER UTILITY BOARD

LICENSES

77. [24237](#) Public Hearing - New License
Maria I Chavez • dba La Joya Mexican Restaurant
3737 Milwaukee Street • Estimated Capacity: 80
Class B Beer, Class C Wine • 25% alcohol, 75% food
Aldermanic District 15 (Alder Palm) • Police Sector 610

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

78. [24238](#) Public Hearing - New License
Xiu Pan • dba Happy Grill Restaurant
2810 E Washington Avenue • Estimated Capacity: 50
Class B Beer • 5% alcohol, 95% food
Aldermanic District 15 (Alder Palm) • Police Sector 502

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

- 79. [24239](#) Public Hearing - New License
Madison Oil LLC • dba Madison Oil
4611 Verona Road • Agent: Lakhvir Kaur
Class A Liquor & Class A Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 104

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

REPORTS

- 80. [24234](#) Report of Chief of Police re: Police Overtime through the 3rd Quarter of 2011.

This Report was Referred to the BOARD OF ESTIMATES

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 81. [24098](#) S. Frikken, 1822 Helena St., Madison, 53704 - property damage - \$248.00.

This Claim was Referred to the Risk Manager

- 82. [24099](#) NOTICE OF CLAIM: L. Meyers and G. Greenfield, 2018 Jefferson St., Madison, 53711 - property damage - amount to be determined.

This Claim was Referred to the Risk Manager

- 83. [24100](#) G. Fuerstenberg, 1426 Annen Ln., Madison, 53711 - vehicle damage - \$463.15.

This Claim was Referred to the Risk Manager

- 84. [24142](#) M. Bergum, Guardian Group LLC for H. Bloedorn, N5905 Ormsby Rd., Deerbrook, 54420 - vehicle damage - \$2542.94.

This Claim was Referred to the Risk Manager

- 85. [24144](#) A. Garcia, 2104 Keyes Ave., Madison, 53711 - property damage - \$65.00.

This Claim was Referred to the Risk Manager

86. [24167](#) S. Wendt, 110 Ramlen Ct., Appleton, 54915 - property loss - \$224.00.

This Claim was Referred to the Risk Manager

87. [24170](#) B. Chastain, 17 N. 1st St., Madison 53704 - vehicle damage - \$3,879.51.

This Claim was Referred to the Risk Manager

88. [24172](#) Don Brumm, Managing Agent, for Manchester Place, 2 E. Mifflin St., Madison 53703 - property damage - \$47,460.00.

This Claim was Referred to the Risk Manager

89. [24186](#) P. Schmelzer Woodward, W7068 County Rd. B, Rio, 53960 - vehicle damage - \$235.12.

This Claim was Referred to the Risk Manager

90. [24211](#) NOTICE OF INJURY: J. Ward Peck, 4322 De Volis Pky, Madison, 53711 - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

91. [24212](#) State Farm for M. Lavoie, 3121 View Rd., Madison, 53711 - vehicle damage - \$663.19.

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 OF ADDING ADDITIONAL REFERRALS.

92. [24063](#) Establishing a Northport-Warner Park-Sherman Neighborhood Public Art Ad Hoc Selection Committee

Sponsors: Satya V. Rhodes-Conway and Anita Weier

93. [24148](#) Amending Section 12.325(1) to remove the street-use permit exception to the prohibition against soliciting from the highway.

Sponsors: Paul R. Soglin

****ADDENDUM******LATE ITEM**

94. [23785](#) SUBSTITUTE Amending Sections 9.24 and 1.08(3)(a) of the Madison General Ordinances to require secondhand dealers to compile and submit to the police department electronic records of transactions and creating penalties.

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

Adopt 11-1-11 Common Council Meeting.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Re-refer to the COMMON COUNCIL and should be returned by 11/1/2011. The motion passed by voice vote/other.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

- [24233](#) Adopting the Madison Cultural Plan

Sponsors: Michael E. Verveer

Additional Referrals: Madison Arts Commission, Plan Commission, Landmarks Commission, Urban Design Commission, Sustainable Design and Energy Committee, Board of Park Commissioners, Community Services Services Committee, Board of Estimates.

A motion was made by Ald. Rhodes-Conway, seconded by Ald. Verveer, to Refer to the CULTURAL PLAN STEERING COMMITTEE. The motion passed by voice vote/other.

- [24275](#) Creating Section 9.53 to provide for a license for keeping honeybees and amending portions of Chapter 28 of the Madison General Ordinances of the conservancy, agriculture, and residential districts to allow the keeping of honeybees as a permitted use.

Sponsors: Satya V. Rhodes-Conway, Marsha A. Rummel and Michael E. Verveer

Additional Referrals: Sustainable Design and Energy, Community Gardens Committee, Board of Health for Madison and Dane County

A motion was made by Ald. Rhodes-Conway, seconded by Ald. Verveer, to Refer for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

[24277](#)

Resolution Opposing 2011 Assembly Bill 286

Sponsors:

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

Adopt at 11-1-11 Common Council Meeting.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 11/1/2011. The motion passed by voice vote/other.

ADJOURNMENT @ 7:03PM

A motion was made by Ald. Cnare, seconded by Ald. Rhodes-Conway, to Adjourn at 7:03 PM. The motion passed by voice vote/other.