



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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

Tuesday, October 29, 2013

6:30 PM

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

ROLL CALL

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

Present: 21 - Paul R. Soglin
Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
Sue Ellingson
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

SPEAKING GUIDELINES

Speaking Limits:

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

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

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

NOTIFIED ABSENCES: None.

OPENING REMARKS

SUSPENSION OF RULES

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

A motion was made by Schmidt, seconded by Resnick, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

1. [31879](#) Declaring the month of November 2013 as “Pancreatic Cancer Awareness Month” in the city of Madison.

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

A motion was made by Weier, seconded by Strasser, 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-13-00825

2. [31898](#) Expressing appreciation and honor for the contributions and sacrifices veterans and their families have made for our country and our community.

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

A motion was made by Verveer, seconded by Rummel, 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-13-00826

48. [31867](#) Thanking members of the local music and entertainment industry for bringing BandSwap to Madison and Sexy Ester for representing Madison.

Sponsors: Marsha A. Rummel

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

There was 1 registration neither supporting nor opposing.

Enactment No: RES-13-00820

PETITIONS AND COMMUNICATIONS

PETITIONS REFERRED TO THIS MEETING

3. [31808](#) Petition received in the Madison City Clerk's Office October 3, 2013 from Scott A Zimmerman and Gary F Timmerman regarding attachment from the Town of Blooming Grove to the City of Madison.

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

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

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

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

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF ESTIMATES

4. [31643](#) 2014 Executive Operating Budget

Adopt at Common Council Meeting 11-5-13

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

There were 10 registrations in support and 2 registrations neither supporting nor opposing.

REPORT OF ALCOHOL REVIEW COMMITTEE

5. [30704](#) Public Hearing - New License
Lake Management LLC • dba BP Gas Station
2801 Atwood Ave • Agent: Shariff Syed
Class A Beer
Aldermanic District 6 (Alder Rummel) • Police Sector 602

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

6. [31399](#) Public Hearing - New License
East Washington Liquor Inc • dba East Washington Liquor
3517 E Washington Ave • Agent: Gurpreet Ghuman
Class A Beer & Class A Liquor
Aldermanic District Ahrens (Alder 15) • Police Sector 604

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

7. [31415](#) Public Hearing - New License
Jalapeno Mexican Grill Ltd • dba Jalapeno Mexican Grill
1821 S Park St • Agent: Vilma Rodriguez-Morales
Estimated Capacity: 100
Class B Combination Liquor & Beer • 10% alcohol, 88% food, 2% other
Aldermanic District 14 (Alder Strasser) • Police Sector 310

A motion was made by Schmidt, seconded by Resnick, to Grant with Condition(s) and Close the Public Hearing. The conditions are: 1) Closing times shall be 10 pm Sunday-Thursday and 11 pm Friday and Saturday. The motion passed by voice vote/other.

REPORT OF PLAN COMMISSION

8. [31136](#) SUBSTITUTE. Amending Sections 28.032, 28.061, 28.072, 28.082, 28.091, 28.151, and 28.211 of the Madison General Ordinances to add Tourist Rooming House to the Zoning Code.

Sponsors: Mark Clear, Shiva Bidar-Sielaff, Matthew J. Phair and Sue Ellingson

A motion was made by Clear, seconded by Bidar-Sielaff, to Amend the Amendment with the attached Amendment B. The motion passed by voice vote/other.

There were 2 registrations in opposition and 1 registration neither supporting nor opposing.

Enactment No: ORD-13-00185

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

Enactment No: ORD-13-00185

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

9. [31837](#) Public Hearing - New License
VIP Japanese & Chinese Restaurant • dba VIP Restaurant
6718 Odana Rd • Agent: Xiu Feng Zheng • Estimated Capacity: 120
Class B Combination Liquor & Beer • 7% alcohol, 80% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

10. [31838](#) Public Hearing - New License
Sol's LLC • dba Sol's on the Square
117 E Mifflin St • Agent: Hansol Yun • Estimated Capacity: 48
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406

A motion was made by Resnick, seconded by Clausius, to Grant with Condition(s) and Close the Public Hearing. The condition is: 1) Establishment must meet the definition of a restaurant under section 38.02 MGO. The motion passed by voice vote/other.

11. [31840](#) Public Hearing - New License
Machu Picchu Restaurant LLC • dba Surco
515 Cottage Grove Rd • Agent: Victor Villacrez • Estimated Capacity: 40
Class B Beer • 10% alcohol, 80% food, 10% Other
Aldermanic District 15 (Alder Ahrens) • Police Sector 613

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

- 12. [31841](#) Public Hearing - New License
Brews Brothers Pub II LLC • dba Brews Brothers II
610 Junction Rd • Agent: Steven Day • Estimated Capacity: 55
Class B Beer, Class C Wine • 40% alcohol, 60% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 128

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

REPORT OF PLAN COMMISSION

- 13. [31423](#) Creating Section 28.022 -- 00077 of the Madison General Ordinances rezoning property from TR-C2 (Traditional Residential - Consistent District 2) District to TR-C3 (Traditional Residential - Consistent District 3) District. Proposed Use: Demolish single-family residence and construct new residence in TR-C3 zoning. 13th Aldermanic District; 801 Erin Street
Sponsors: Planning Division

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

- 14. [31424](#) Creating Section 28.022 - 00078 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan and creating Section 28.022 - 00079 to amend a Planned Development District to approve an Amended Specific Implementation Plan for 702 N. Midvale Boulevard, 11th Aldermanic District, to allow the redevelopment of the "north wing" of Hilldale Shopping Center to convert enclosed retail spaces into open air spaces.
Sponsors: Planning Division

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

There were 4 registrations in support.
Enactment No: ORD-13-00182

15. [31573](#) Amending 28.061(1) of the Madison General Ordinances to allow a Community Living Arrangement with more than 15 residents in the TSS and CCT districts.

Sponsors: John Strasser

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

Enactment No: ORD-13-00183

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

16. [31835](#) Report of the Mayor submitting citizen committee appointments (introduction 10-15-2013; action 10-29-2013).

Sponsors: Paul R. Soglin

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

17. [31977](#) Report of the Mayor submitting citizen committee appointments (introduction 10-29-2013; action 11-19-2013).

Sponsors: Paul R. Soglin

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

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

18. [31944](#) Adopting and confirming Revision No. 284 of the Madison General Ordinances as of September 15, 2013 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: Common Council By Request

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

Enactment No: ORD-13-00179

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

19. [31506](#) Operator License Application
Aubrey G. Day - Establishment where employed: Forequarter

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

20. [31846](#) Change of Agent
WDS Inc • dba Rockys Liquor • 4429 Milwaukee St
New Agent: Bill O'Connor
Class A Liquor & Beer
Aldermanic District 3 (Alder Cnare) • Police Sector 611

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

21. [31847](#) Change of Agent
A La Brasa, LLC • dba A La Brasa
15 N Broom St
New Agent: Alejandra Gonzalez
Class B Beer, Class B Liquor
Aldermanic District 4 (Alder Verveer) • Police Sector 405

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

There was 1 registration in opposition.

22. [31849](#) Entity Reorganization
WDS Inc • dba Rockys Liquor • 4429 Milwaukee St
Agent: Jim Budeau
Class A Liquor & Beer
Aldermanic District 3 (Alder Cnare) • Police Sector 611
Add one and delete one corporate officer.

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

23. [31850](#) Entity Reorganization
A La Brasa, LLC • dba A La Brasa
15 N Broom St
Agent: Milagros Mato
Class B Beer, Class B Liquor
Aldermanic District 4 (Alder Verveer) • Police Sector 405
Add two and delete one corporate officer

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

REPORT OF BOARD OF ESTIMATES

24. [31758](#) Resolution authorizing a double-fill of the position of Police Chief due to the retirement of Noble Wray.

Sponsors: Paul R. Soglin

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

Enactment No: RES-13-00806

25. [31760](#) Seeking Common Council approval of the 2013 Art in Public Places funding awards as recommended by the Madison Arts Commission.

Sponsors: Matthew J. Phair and Marsha A. Rummel

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

Enactment No: RES-13-00807

26. [31832](#) Approval to accept Homeland Security Metropolitan Medical Response System grant (2011-HSW-20 10312) awarded by the Wisconsin Department of Military Affairs Homeland Security program for \$267,609.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-13-00808

27. [31833](#) Amending the 2013 Fire Operating budget to purchase two patient power loading cots from the EMS FAP funds.

Sponsors: Paul E. Skidmore

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

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

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-13-00827

28. [31834](#) Approving a contract with the Dean Clinic Health System for occupational medical services.

Sponsors: Paul E. Skidmore

A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other with Alder King recusing himself.

Enactment No: RES-13-00809

29. [31843](#) Authorizing the execution of a contract with Image Trend, Inc for the Fire Department incident reporting system.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-13-00810

- 30. [31852](#) Amending Section 3.54(7)(a) of the Madison General Ordinances to eliminate the salary cap for new appointments of Police or Fire Chief.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-13-00180

- 31. [31861](#) To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2012/13 Maintenance Charges.

Sponsors: Michael E. Verveer, Scott J. Resnick and Ledell Zellers

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

Enactment No: RES-13-00811

- 32. [31865](#) Authorizing the City’s Purchasing Agent to execute a maintenance contract, on a recurring annual basis for the useful life of the software, for software support and maintenance services from NetMotion Wireless, Inc.

Sponsors: Scott J. Resnick

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

Enactment No: RES-13-00812

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

- 33. [31054](#) Declaring the City of Madison’s intention to adopt an Equity Impact Model.

Sponsors: Denise DeMarb, Scott J. Resnick, Chris Schmidt, Matthew J. Phair, Shiva Bidar-Sielaff, Lauren Cnare, Marsha A. Rummel, Maurice S. Cheeks, Sue Ellingson, Joseph R. Clausius, Lisa Subeck, Michael E. Verveer and Steve King

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

There was 1 registration in support.

Enactment No: RES-13-00828

REPORT OF BOARD OF PUBLIC WORKS

34. [31762](#) Awarding Public Works Contract No. 7185, Well 24 Roof Repair.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00813

35. [31763](#) Awarding Public Works Contract No. 7191, Monona Terrace Carpet Replacement.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00814

36. [31764](#) Awarding Public Works Contract No. 7194, Owen Park Drainage Channel Stabilization - 2013.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, to Award the contract to R G Huston Company Inc in the amount of \$482,472.90. The motion passed by voice vote/other.

There were 2 registrations in opposition and 1 registration neither supporting nor opposing.

Enactment No: RES-13-00829

The low bidder on Contract No. 7194, Owen Park Drainage Channel Stabilization - 2013, failed to provide a complete bid bond. The City Attorney has determined that under State law, the bid is non-responsive and the contract cannot be awarded to a non-responsive bid. Therefore, the City Attorney and City Engineer recommend that the bid of R G Huston Company Inc be awarded the contract in the amount of \$482,472.90.

37. [31854](#) Declaring the City of Madison's intention to exercise its police powers establishing the Resurfacing 2014 - Assessment District. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00815

38. [31864](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Meadowridge Branch Library/Meadowood Neighborhood Center Remodeling.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00816

39. [31875](#) Amending RES-12-00766 for Authorizing the Mayor and City Clerk to execute agreements with MG&E and AT&T to install conduit for the undergrounding of overhead utilities on Ingersoll Street. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00817

40. [31892](#) Authorizing the Mayor and City Clerk to enter into an Incentive Agreement with Focus on Energy for the Fire Station No. 13 design assistance program and accepting incentives from Focus on Energy in the amount of around \$43,554.00. (3rd AD)

Sponsors: Lauren Cnare

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

Enactment No: RES-13-00818

REPORT OF CITY ATTORNEY

41. [31725](#) SUBSTITUTE. Declaring the City of Madison's Opposition to the Trans-Pacific Partnership (TPP).
- Sponsors:** Scott J. Resnick, Marsha A. Rummel, Ledell Zellers, Denise DeMarb, Shiva Bidar-Sielaff, Michael E. Verveer, Chris Schmidt, David Ahrens, John Strasser, Sue Ellingson, Steve King, Joseph R. Clausius, Lisa Subeck and Larry Palm

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

There were 2 registrations in support.

Enactment No: RES-13-00830

REPORT OF CITY CLERK

42. [31909](#) Secondhand Article License
Best Buy Stores LP
Best Buy #208
7357 West Towne Way
Aldermanic District 9 (Ald. Skidmore)
Police Sector 124

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

43. [31910](#) Secondhand Article License
Best Buy Stores LP
Best Buy #59
2452 East Springs Drive
Aldermanic District 17 (Ald. Clausius)
Police Sector 632

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

44. [31947](#) Alcohol License Review Committee Report of Operator License Applications October 29, 2013. See attached report for list of operators.

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

REPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

45. [31315](#) Accepting the September 2013 'Analysis of Impediments to Fair Housing Choice' (AI) study.
- Sponsors:** Maurice S. Cheeks, Lauren Cnare, Matthew J. Phair and Marsha A. Rummel

A motion was made by Subeck, seconded by Cnare, to Amend the Report to include comments. The motion failed by the following vote:

Ayes: 9 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Paul E. Skidmore
David Ahrens
Denise DeMarb
Joseph R. Clausius
Mark Clear
Matthew J. Phair

Noes: 10 - Michael E. Verveer
Shiva Bidar-Sielaff
Steve King
Scott J. Resnick
Maurice S. Cheeks
Chris Schmidt
Larry Palm
Sue Ellingson
John Strasser
Anita Weier

Excused: 1 - Marsha A. Rummel

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-13-00831

A motion was made by Weier, seconded by Bidar-Sielaff, to amend the Report as follows: That the analysis of Impediments to Fair Housing Choice be revised to include segregation on the north and south sides of the City as a direct impediment to fair housing choice, and that specific measures be added to address this situation. The motion passed by voice vote/other.

Enactment No: RES-13-00831

A motion was made by Resnick, seconded by Clausius, to Accept the Report as Amended. The motion passed by voice vote/other.

Enactment No: RES-13-00831

REPORT OF LANDLORD AND TENANT ISSUES COMMITTEE

46. [31398](#) Repealing and recreating Section 32.08(5) of the Madison General Ordinances to require a lessor to provide written notice of denial of a residential tenancy.
- Sponsors:** Ledell Zellers, Lisa Subeck, Marsha A. Rummel, Michael E. Verveer and Scott J. Resnick

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

Enactment No: ORD-13-00181

REPORT OF MADISON ARTS COMMISSION

47. [31815](#) Authorizing City Staff to promote crowdsourcing and crowdfunding for placemaking projects.
- Sponsors:** Paul R. Soglin, Scott J. Resnick and Marsha A. Rummel

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

Enactment No: RES-13-00819

REPORT OF PLAN COMMISSION

49. [31687](#) Approving the final plat of The American Center-Hanson Second Addition generally located at 4698 Eastpark Boulevard; 17th Ald. Dist.
- Sponsors:** Planning Division

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

Enactment No: RES-13-00821

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

50. [31938](#) Approving a Certified Survey Map of property owned by Kandel, LLC located at 6717-6733 Fairhaven Road; 7th Ald. Dist.
- Sponsors:** Planning Division

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

Enactment No: RES-13-00822

51. [31939](#) Approving a Certified Survey Map of property owned by Meriter Hospital, Inc. located at 210 S. Brooks Street; 13th Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-13-00823

52. [31940](#) Approving a Certified Survey Map of property owned by the City of Madison, generally addressed as 802-854 E. Washington Avenue; 2nd Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-13-00824

REPORT OF PUBLIC SAFETY REVIEW COMMITTEE

53. [31585](#) Creating Section 36.06 and amending Section 1.08(3)(a) of the Madison General Ordinances to make theft of cable and satellite services enforceable as a violation in the City of Madison.

Sponsors: John Strasser

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

Ayes: 16 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Paul E. Skidmore
Chris Schmidt
Sue Ellingson
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Abstentions: 4 - Steve King
Scott J. Resnick
Maurice S. Cheeks
Larry Palm

Non Voting: 1 - Paul R. Soglin

Enactment No: ORD-13-00184

REPORT OF RISK MANAGER

54. [28218](#) Haley Palmersheim S.C., attorney for T. Benson, 2934 Muir Field Rd., Madison, 53719 - contract termination - \$329,000.00.

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

55. [28219](#) CLAIM: Haley Palmersheim S.C., attorney for R. Muranyi, 18 W. Copper Cir., Madison, 53717 - contract termination - \$357,000.00.

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

56. [28220](#) Haley Palmersheim S.C., attorney for M. Rechlicz, 5751 Timber View Ct., Fitchburg, 53711 - contract termination - \$615,000.00.

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

57. [28221](#) Haley Palmersheim S.C., attorney for W. Scheer, 21 Rustic Ridge Ct., Madison, 53716 - contract termination - \$358,000.00.

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

58. [30744](#) Ian A.J. Pitz, Michael, Best & Friedrich LLP, attorney for K. Mollenhoff and D. Cain - property damage - \$221,590.32.

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

59. [31749](#) J. Fisher - vehicle damage - \$3,788.89.

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

60. [31756](#) R. Kerska - vehicle damage - \$289.39.

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

61. [31781](#) J. Pulley - property damage - greater than \$1.00.

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

62. [31844](#) C. Chvala, Chvala Law Offices for J. Mitchell - personal injury - \$90,000.00.

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

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

63. [31897](#) Supporting Clean Energy Choice for Wisconsin.

Sponsors: David Ahrens, Sue Ellingson, Michael E. Verveer, Steve King, Scott J. Resnick, Ledell Zellers, Lisa Subeck, John Strasser, Shiva Bidar-Sielaff, Larry Palm, Marsha A. Rummel, Anita Weier, Denise DeMarb and Paul R. Soglin

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

There was 1 registrations in support.

Enactment No: RES-13-00832

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

64. [31942](#) Repealing and recreating Section 28.32(2) of the Madison General Ordinances to clarify the subsection outlining the City dog parks and applicable rules and adding two new off-leash dog park locations.

Sponsors: Joseph R. Clausius, Mark Clear, Maurice S. Cheeks, Paul E. Skidmore and Steve King

This Ordinance was Referred to the BOARD OF PARK COMMISSIONERS

- 65. [31954](#) Creating Section 15.01(590) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 16th Aldermanic District the Vondron Road - Terra Engineering Attachment; and assigning a temporary zoning classification of A Agriculture District; and creating Section 15.02(123) to add the attached property to Ward 123; and amending Section 15.03(1) to add Ward 123 to Aldermanic District 16.

Sponsors: Paul R. Soglin

Adopt at 12/03/2013.

This Ordinance was Referred to the COMMON COUNCIL

- 66. [31955](#) Creating Section 28.022-00088 of the Madison General Ordinances to change the zoning of a property located at 2401 Allied Drive, 10th Aldermanic District from PD (Planned Development District) to TR-C3 (Traditional Residential - Consistent District 3) to rezone Lots 4-28 of Mosaic Ridge for construction of planned single-family homes.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

- 67. [31958](#) Amending Sections 1.08(2), (3)(c) and (3)(d) of the Madison General Ordinances to allow for an increase in Municipal Court costs, consistent with any changes in State Statute, and clarify that payments made by the public are made payable to the Madison Municipal Court.

Sponsors: Michael E. Verveer

This Ordinance was Referred to the BOARD OF ESTIMATES

- 68. [31980](#) Amending Section 33.27(2)(b) of the Madison General Ordinances to revise the name of the Minority Affairs Committee to Multicultural Affairs Committee.

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

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

69. [31981](#) Amending Section 33.17(2) of the Madison General Ordinances to revise the composition of the Economic Development Committee.

Sponsors: Scott J. Resnick

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

70. [31987](#) Amending Section 28.060(2)(d)1. of the Madison General Ordinances to allow spandrel glass on up to 20% of the required building opening in mixed-use and commercial districts.

Sponsors: Shiva Bidar-Sielaff

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

71. [31989](#) Amending and repealing various sections of the Madison General Ordinances to correct inconsistencies and improper references in the Madison General Ordinances, constituting the 2013 City Attorney Revisor's Ordinance.

Sponsors: CITY ATTORNEY

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

RESOLUTIONS

72. [31654](#) Accepting City Ownership of Artwork in the newly renovated Madison Central Library and affirming the value of involving artists in the design of capital projects

Sponsors: Larry Palm and Michael E. Verveer

This Resolution was Referred to the MADISON ARTS COMMISSION

73. [31870](#) Authorizing the Mayor and the City Clerk to execute an agreement with Greyhound Lines, Inc. to help defray maintenance costs for the Dutch Mill Park & Ride lot for a term of three years (October 1, 2013 - September 30, 2016), with an option for one three-year renewal (October 1, 2016 - September 30, 2019) to be exercised administratively by the Metro Transit General Manager.

Sponsors: Paul R. Soglin, Chris Schmidt, Anita Weier and Sue Ellingson

Additional referral to the Board of Estimates

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

- 74. [31934](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Near West Lakeside Sanitary Replacement 2014 along Lake Mendota from N Henry St to N Frances St. (2nd AD)

Sponsors: Ledell Zellers

Additional referral to the Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

- 75. [31941](#) Authorizing the carry-over of CDBG, HOME and other funds, and the extension of previously authorized projects within the Community Development program budget.

Sponsors: Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair

Additional referral to the Community Development Block Grant Committee

This Resolution was Referred to the BOARD OF ESTIMATES

- 76. [31951](#) Amending the Pioneer Neighborhood Development Plan to revise the land use recommendation for an approximately 81.3-acre parcel located on the south side of Mineral Point Road adjacent to Silicon Prairie Business Park from Low-Density Residential uses, Low- to Medium-Density Residential uses and Park, Drainage and Open Space uses to Low-Density Residential uses, Medium-Density Residential uses and Park, Drainage and Open Space uses.

Sponsors: Paul E. Skidmore

This Resolution was Referred to the PLAN COMMISSION

- 77. [31948](#) Recreate the 0.6 FTE position (#4416) of "Community Services Specialist 2" (CG18/R08) as a 1.0 FTE position in the Community Development Division budget.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

- 78. [31949](#) Create a new classification of Fleet Service Parts Leadworker in CG15, Range 8. Upon the filling of the Leadworker, delete the classification of Fleet Parts Project Technician in CG15, Range 7. Recreate position #3217 of Fleet Parts Project Technician as a Fleet Service Parts Leadworker in the Fleet Service budget to be filled through an internal competitive process.

Sponsors: Paul R. Soglin

Additional referral to the Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

79. [31952](#) Resolution directing the City Human Resources Director to report back to the Common Council with incentives designed to encourage City employees to establish and/or maintain residency within the City of Madison.

Sponsors: Paul R. Soglin

Adopt at 12/03/2013.

This Resolution was Referred to the COMMON COUNCIL

80. [31957](#) Authorizing the Mayor and City Clerk to execute a one-year contract with Capital Newspapers for publication services.

Sponsors: Common Council By Request

Common Council Meeting 11-19-13

This Resolution was Referred to the COMMON COUNCIL

81. [31959](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of the City Water Utility Reservoir #106 property, located at 126 Glenway Street.

Sponsors: Shiva Bidar-Sielaff

Additional referral to the Plan Commission

This Resolution was Referred to the WATER UTILITY BOARD

82. [31967](#) Amending the 2013 Engineering-Other Capital Budget and Transferring \$25,000 from the University Avenue Underpass Capital Project to allow for enhancements to the City's CAD (Computer Aided Drafting) System environment.

Sponsors: Paul E. Skidmore and David Ahrens

Additional referral to Board of Public Works

This Resolution was Referred to the BOARD OF ESTIMATES

83. [31976](#) Authorizing the Mayor and City Clerk to execute a lease for farming purposes with Larry Skaar for 16.8 acres of land located at 3310 County Highway AB in the Town of Blooming Grove.

Sponsors: Denise DeMarb

Additional referrals to the Plan Commission and the Board of Estimates

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

84. [31990](#) Approve the use of up to \$2,663 in ESG funds to for the purpose of creating a Homeless Services Consortium website.

Sponsors: Maurice S. Cheeks, Lauren Cnare, Matthew J. Phair and Marsha A. Rummel

Additional referral to the Community Development Block Grant Committee

This Resolution was Referred to the BOARD OF ESTIMATES

- 85. [31991](#) Approve Common Wealth Development’s request to waive the 2013-2014 CDD Program Goals and Objectives loan-to-value ratio limit for 2013-2014 SW Rental Acquisition & Rehab projects.

Sponsors: Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair

Additional referral to the Community Development Block Grant Committee

This Resolution was Referred to the BOARD OF ESTIMATES

- 86. [31994](#) By Title Only - Creating a work group of representatives from Dane County, City of Madison, United Way of Dane County and Madison Metropolitan School District to review existing resources and areas of collaboration to ensure that children are ready for school.

Sponsors: Denise DeMarb

Additional referral to the Early Childhood Care and Education Committee

This Resolution was Referred to the EDUCATION COMMITTEE

REPORTS

- 87. [31896](#) Report of the Chief of Police: 3rd Quarter 2013 Overtime

This Report was Referred to the BOARD OF ESTIMATES

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 88. [31899](#) K. Langan - vehicle damage - \$399.80.

This Claim was Referred to the Risk Manager

- 89. [31900](#) V. Martin, Government Employees Insurance Company for S. Vandervort - vehicle damage - \$2,459.83.

This Claim was Referred to the Risk Manager

- 90. [31901](#) A. Wilson - vehicle damage - \$2,049.87.

This Claim was Referred to the Risk Manager

91. [31933](#) J. McFadden - property damage - \$3,594.50.

This Claim was Referred to the Risk Manager

92. [31960](#) B. and A. Farrow - property damage - \$3,507.00.

This Claim was Referred to the Risk Manager

93. [31962](#) D. Sundet - vehicle damage - \$445.18.

This Claim was Referred to the Risk Manager

94. [31972](#) S. Zannacker - property damage - \$2,350.00.

This Claim was Referred to the Risk Manager

95. [31973](#) NOTICE OF INJURY - T. Rymer, attorney for S. E. Tucker and E. Bridges - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

96. [31979](#) Madison Gas and Electric Company - property damage - \$2,420.04

This Claim was Referred to the Risk Manager

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

97. [31902](#) BY TITLE ONLY - Amending 2013 budget to provide a grant of \$150,000 from TID 35 for building improvements to 2821 Todd Drive

Sponsors: John Strasser

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

32009

Adopting a development plan for Phase II of the Allied Drive Neighborhood Redevelopment as required by Enacted No. RES-08-00057.

Sponsors: Maurice S. Cheeks

Additional referrals to the Housing Strategy Committee, Plan Commission, Allied Area Task Force

A motion was made by Cheeks, seconded by Verveer, to Refer to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE. The motion passed by voice vote/other.

32010

Direct The Community Development Authority of the City of Madison ("CDA") to draft and issue a request for qualifications ("RFQ") for property management, case management, and supportive services relating to housing for homeless adults.

Sponsors: Marsha A. Rummel and Michael E. Verveer

Adopt at Common Council Meeting 11-5-13

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

32029

Creating Section 28.022 -- 00089 of the Madison General Ordinances to change the zoning of properties located at 1146 and 1148 Williamson Street, 6th Aldermanic District, from TR-V2 (Traditional Residential - Varied 2) District to TSS (Traditional Shopping Street) District to correct a mapping error.

Sponsors: Marsha A. Rummel

A motion was made by Rummel, seconded by Bidar-Sielaff, to Refer for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

ADJOURNMENT @10:45 PM

A motion was made by King, seconded by Resnick, to Adjourn at 10:45 p.m. The motion passed by voice vote/other.