



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, November 9, 2010

6:30 PM

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

ROLL CALL

06:40 PM, Mayor Cieslewicz IN THE CHAIR.

Present: 19 -

Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Excused: 1 -

Satya V. Rhodes-Conway

Non Voting: 1 -

David J. Cieslewicz

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: Ald. Rhodes-Conway.

OPENING REMARKS

ITEMS REFERRED FROM 10-19-2010 COMMON COUNCIL MEETING

- 1. [20073](#) Approving the Community Development Division's HUD required 2011 Action Plan.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-10-00878

- 2. [19335](#) Creating Section 33.01(9)(f) of the Madison General Ordinances to require all sub-units to include an agenda item at each meeting for ethics disclosures and recusals.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

Enactment No: ORD-10-00104

- 3. [19916](#) Creating Section 3.35(6)(i) of the Madison General Ordinances to establish conditions and procedures for a third party to pay for incumbent's permitted expenses.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer to the ETHICS BOARD. The motion passed by voice vote/other.

- 4. [19922](#) Amending Section 3.35(5)(a)2. of the Madison General Ordinances to allow an incumbent to solicit funds under certain provisions.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

Enactment No: ORD-10-00105

- [19922](#) SUBSTITUTE Amending Section 3.35(5)(a)2. of the Madison General Ordinances to allow an incumbent to solicit funds under certain provisions.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-10-00105

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. Clear, seconded by Ald. Cnare, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

5. [20335](#) Proclaiming November 2010 as "Energy Awareness Month" in the City of Madison.

Sponsors: Satya V. Rhodes-Conway, Bridget R. Maniaci, Judy Compton, Joseph R. Clausius, Chris Schmidt, Shiva Bidar-Sielaff, Larry Palm, Steve King, Michael E. Verveer, David J. Cieslewicz, Brian L. Solomon, Tim Bruer, Mark Clear, Lauren Cnare, Bryon A. Eagon, Julia S. Kerr, Thuy Pham-Remmele, Marsha A. Rummel, Jed Sanborn, Michael Schumacher and Paul E. Skidmore

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

Enactment No: RES-10-00879

6. [20413](#) Declaring September 2010 through August 2011 as the University of Wisconsin-Madison Year of the Arts.

Sponsors: David J. Cieslewicz and Marsha A. Rummel

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

Enactment No: RES-10-00880

PETITIONS AND COMMUNICATIONS**PETITIONS**

7. [20337](#) Petition received in the Madison City Clerk's Office October 27, 2010, regarding attachment from the Town of Madison to the City of Madison.
Refer to Common Council meeting of 11-30-10 to Accept.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Accept to the COMMON COUNCIL and should be returned by 11/30/2010. 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

- 8. [19986](#) 2011 Executive Operating Budget And Amendments.

Sponsors: David J. Cieslewicz

Refer to the Common Council Special Budget meeting on 11-16-10.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the COMMON COUNCIL and should be returned by 11/16/2010. The motion passed by voice vote/other.

REPORT OF PLAN COMMISSION

- 9. [19379](#) Creating Section 28.06(2)(a)3498. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: General Development Plan to Allow Future Construction of Mixed-Use Development; 19th Aldermanic District: 5105-5117 University Avenue and 610-702 North Whitney Way.

Sponsors: Common Council By Request

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer to the PLAN COMMISSION and should be returned by 11/30/2010. The motion passed by voice vote/other.

AGENDA NOTE: The applicant requested referral of this matter from the November 8, 2010 Plan Commission meeting to the November 22, 2010 meeting. The matter is now tentatively scheduled to be heard at the November 30, 2010 Common Council meeting.

PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

10. [20087](#) Public Hearing - New License
Madison Club House Corporation • dba The Madison Club
5 E Wilson St • Agent: Mary Gaffney Ward • Estimated Capacity: 600
Class B Combination Liquor & Beer • 72% alcohol, 25% food, 3% other
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

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

11. [20088](#) Public Hearing - New License
InterMarket LLC • dba InterMarket
5317 Old Middleton Rd Ste 101 • Agent: Ekaterina Pronina
Class A Liquor, Class A Beer
Aldermanic District 19 (Alder Clear) • Police Sector 111

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

12. [20089](#) Public Hearing - New License
Bullzels LLC • dba Bella Vita Italian Grill & Pizzeria
420 Gammon Pl • Agent: Roy Vivian • Estimated Capacity: 150
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

13. [20090](#) Public Hearing - New License
GVCGD LLC • dba Great Dane Pub
876 Jupiter Dr • Agent: Theodore Peterson • Estimated Capacity: 272
Class B Combination Liquor & Beer • 30% alcohol, 68% food, 2% other
Aldermanic District 3 (Alder Cnare) • Police Sector 627

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

14. [20091](#) AMENDED Public Hearing - New License
 Umami Dumpling & Ramen Bar LLC • dba Umami Dumpling & Ramen Bar
 923 Williamson St • Agent: Randy Ng • Estimated Capacity: 50
 Class B Combination Liquor & Beer • 50% alcohol, 50% food
 Aldermanic District 6 (Alder Rummel) • Police Sector 408 • Density Area
With the following condition: Establishment must meet the definition of a restaurant as defined by MGO section 38.02.

With the following condition: Establishment must meet the definition of a restaurant as defined by MGO section 38.02.

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

15. [20092](#) Public Hearing - New License
 The New Old Town Pub LLC • dba The New Old Town Pub
 724 S Gammon Rd • Agent: Lori Zenz • Estimated Capacity: 89
 Class B Combination Liquor & Beer • 40% alcohol, 50% food, 10% other
 Aldermanic District 1 (Alder Sanborn) • Police Sector 123

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

16. [20093](#) AMENDED Public Hearing - New License
 Walgreen Co • dba Walgreens #04240
 3710 E Washington Ave • Agent: Ricky Loger
 Class A Liquor, Class A Beer
 Aldermanic District 17 (Alder Clausius) • Police Sector 516
With the following condition: Liquor sales will be limited to wine only.

With the following condition: Liquor sales will be limited to wine only.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant with Condition(s): Liquor sales will be limited to wine only; and Close the Public Hearing . The motion passed by the following vote:

Excused: 1 -
 Satya V. Rhodes-Conway

Ayes: 16 -
 Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer;
 Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt;
 Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius;
 Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Noes: 3 -
 Shiva Bidar-Sielaff; Marsha A. Rummel and Steve King

Non Voting: 1 -
 David J. Cieslewicz

REPORT OF BOARD OF PUBLIC WORKS

17. [20125](#) Approving Plans, Specifications, And Schedule Of Assessments For South Point Road Assessment District - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00881

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

CONFIRMATION HEARING

- 18. [20007](#) Confirming the renewed appointment of Thomas L. Schlenker, M.D. to the position of Unified Public Health Director subject to the execution of an Addendum to the Employment Services Agreement with Dane County.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00882

APPOINTMENTS

- 19. [20149](#) Report of the Mayor submitting citizen committee appointments (introduced 11-9-2010; action 11-30-2010).

Sponsors: David J. Cieslewicz

Confirm at 11-30-10 Common Council meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 11/30/2010. The motion passed by voice vote/other.

- 20. [20208](#) Report of the Mayor submitting citizen committee appointments (introduced 10-19-2010; action 11-9-2010).

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Confirm. The motion passed by the following vote:

Excused: 1 -
Satya V. Rhodes-Conway

Ayes: 18 -
Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Noes: 1 -
Marsha A. Rummel

Non Voting: 1 -
David J. Cieslewicz

21. [20438](#) Report of the Mayor submitting an Alder committee appointment.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Confirm . The motion passed by the following vote:

Excused: 1 -
Satya V. Rhodes-Conway

Ayes: 18 -
Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Mark Clear

Noes: 1 -
Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

REPORTS OF OFFICERS

REPORT OF ADA TRANSIT SUBCOMMITTEE TO THE TRANSIT AND PARKING COMMISSION

22. [19380](#) Creating new Section 10.28(4) and renumbering current Section 10.28(3) to (4) of the Madison General Ordinances to define "sidewalk" to include bus stops.

Sponsors: Chris Schmidt and Paul E. Skidmore

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File. The motion passed by voice vote/other.

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

23. [19154](#) AMENDED Operator License Application
Gerard Geraths - Establishment where employed: Kelly's Market

With the following condition: Applicant will provide City Clerk's Office with a recent letter from his Probation Agent.

With the following condition: Applicant will provide City Clerk's Office with a recent letter from his Probation Agent.

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

24. [19807](#) 18+ Center for Visual & Performing Arts License
Hoops of Dane County Inc • dba Bayou New Orleans Style Tavern
Capacity:104
117 S Butler St • Agent: Dale Beck
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 6 (Alder Rummel) • Police Sector 406

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

25. [20230](#) Change of Licensed Premise
Omar Cortez • dba Los Gemelos • Capacity: 62
244 W Gilman St
Class B Beer • 15% alcohol, 85% food
Aldermanic District 8 (Alder Eagon) • Police Sector 403
Request to add sidewalk cafe to licensed premise.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

26. [20231](#) 21+ Entertainment License
TGRM LLC • dba T C Katz • Capacity: 240
303 N Henry St • Agent: Ted Gervasi
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

27. [20232](#) 21+ Entertainment License
Madison Club House Corp • dba The Madison Club • Capacity: 600
5 E Wilson St • Agent: Mary Gaffney Ward
Class B Combination Liquor & Beer • 72% alcohol, 26% food, 2% other
Aldermanic District 4 (Alder Verveer) • Police Sector 405

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

28. [20233](#) Change of Corporate Control
CEC Entertainment Inc • dba Chuck E Cheese's
438 Grand Canyon Dr • Agent: Mark T Carlson
Class B Beer • 1% alcohol, 65% food, 34% other
Aldermanic District 19 (Alder Clear) • Police Sector 113
1 new officer

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

29. [20234](#) Change of Agent
Aldi Inc • dba Aldi #21 • 3925 Lien Rd
New Agent: Julie Koch
Class A Liquor, Class A Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 605

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

30. [20235](#) Change of Agent
WHG Real Estate South LLC • dba Applebee's Neighborhood Grill & Bar
4710 East Towne Blvd
New Agent: Gary Akridge
Class B Combination Liquor & Beer • 11% alcohol, 89% food
Aldermanic District 17 (Alder Clausius) • Police Sector 517

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

31. [20440](#) Alcohol License Review Committee Report of Operator License Applications
November 2, 2010. See attached report for list of operators.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

REPORT OF BOARD OF ESTIMATES

32. [20121](#) Authorizing the expenditure of up to \$10,000 from Traffic Engineering for Safe Routes to School grants to Madison Metropolitan School District schools.

Sponsors: Satya V. Rhodes-Conway

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

Enactment No: RES-10-00883

- [20216](#) To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2009/10 Maintenance Charges.

Sponsors: Michael E. Verveer

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

Enactment No: RES-10-00884

33. [20178](#) Adopting and confirming the Labor Agreement between the City of Madison and City Employees Local 236, L.I.U.N.A., AFL-CIO for the period January 1, 2010 to December 31, 2011.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-10-00106

34. [20179](#) Adopting and confirming the Labor Agreement between the City of Madison and Building and the Construction Trades Council of South Central Wisconsin, and its Appropriate Affiliated Locals for the period January 1, 2010 to December 31, 2011.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-10-00107

35. [20202](#) Authorizing the Mayor and City Clerk to execute an amendment to the 2005 Tax Incremental Financing Loan and Regulatory Agreement between the City and Monroe Neighbors, LLC

Sponsors: Brian L. Solomon

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

Enactment No: RES-10-00885

REPORT OF THE COMMUNITY DEVELOPMENT AUTHORITY

36. [20281](#) 2010 CDA Annual Work Plan

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Accept. The motion passed by voice vote/other.

REPORT OF THE HOUSING COMMITTEE

37. [15526](#) SUBSTITUTE Amending Secs. 32.05(3), 32.07(7)(b), 32.14(1) and 1.08(3) (a) of the Madison General Ordinances to require that tenants be informed in a notice of a specific font of their right to inspect photographic evidence and increasing various penalties.

Sponsors: Bryon A. Eagon, Tim Bruer, Shiva Bidar-Sielaff, Marsha A. Rummel, Judy Compton and Bridget R. Maniaci

Approval of Item 2 only. Items 1, 3 and 4 are removed in their entirety.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt with Recommendation(s). The motion passed by voice vote/other.

Enactment No: ORD-10-00108

REPORT OF PLAN COMMISSION

38. [19055](#) Adopting the *Greenbush-Vilas Neighborhood Housing Revitalization Strategy Report* as a supplement to the Greenbush Neighborhood Plan.

Sponsors: David J. Cieslewicz and Julia S. Kerr

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

Enactment No: RES-10-00886

39. [20237](#) Authorizing the Mayor and City Clerk to enter into an Early Attachment and Revenue Sharing Agreement with the Town of Madison to facilitate the attachment and future development of four parcels located in the Town at 2155-2165 Rimrock Road and 250 West Bellline Highway.

Sponsors: David J. Cieslewicz and Tim Bruer

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

Enactment No: RES-10-00887

REPORT OF BOARD OF PUBLIC WORKS

40. [20031](#) Amending Sections 8.15(1)(a), (3) and (4) to clarify the requirements of this section, and amending Sec. 1.08(4) of the Madison General Ordinances to provide the Parks Division with enforcement authority over violations thereof.

Sponsors: Paul E. Skidmore and Joseph R. Clausius

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

Enactment No: ORD-10-00109

41. [20083](#) Awarding Public Works Contract No. 6418, North Fair Oaks Avenue Reconstruction Assessment District - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00888

42. [20117](#) Improvements accepted for Northeast Neighborhood Sewer Interceptor Extension - 2008, Contract No. 6164.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00889

43. [20188](#) Improvements Accepted for Cannonball Run Pipeline - 2009, Contract No. 6382. (10th & 14th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00890

44. [20191](#) Declaring the City of Madison's intention to exercise its police powers establishing the Curb and Gutter in Conjunction with Resurfacing - 2011 Assessment District. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00891

45. [20195](#) Improvements accepted for Starkweather Creek Bank Improvement, Contract No. 6338.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00892

46. [20196](#) Improvements accepted for Bike Paths - 2007, Contract No. 5806.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00893

47. [20197](#) Improvements accepted for Parks Office Expansion Remodel, Contract No. 6407.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00894

48. [20198](#) Improvements accepted for Felland Road Neighborhood Sewer Assessment District - Phase 1, Contract No. 5836.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00895

49. [20199](#) Improvements accepted for East Main Street & North Dickinson Street Reconstruction Assessment District - 2008, Contract No. 6123.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00896

50. [20200](#) Improvements accepted for Waubesa Street Reconstruction District 2008, Contract No. 6088.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00897

51. [20201](#) Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between the City of Madison and Short Elliott Hendrickson, Inc., for additional design engineering services for the Lien Road Design Contract. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00898

52. 20203 Substitute: ~~Authorizing the City to enter~~ Entering into an attachment agreement with Diane M. Sturdevant, ~~934 Eagle Crest Drive, Town of Burke,~~ for the purposes of allowing the connection of her Town of Burke property to City of Madison water and sanitary sewer facilities.

Sponsors: Joseph R. Clausius

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

Enactment No: RES-10-00899

53. [20207](#) Assessing Benefits - Union Corners Reconstruction Assessment District - 2006.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00900

54. [20209](#) 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. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00901

55. [20215](#) Authorizing the Mayor and the City Clerk to execute an agreement with MSA Professional Services for design engineering services for CTH M, Prairie Hill Road to Cross Country Road, and authorizing the Mayor and the City Clerk to enter into an agreement(s) with Dane County and the City of Verona for cost sharing on the project.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00902

56. [20222](#) Authorizing the Mayor and City Clerk to execute agreements with MG&E, Charter Communications, AT&T, and US Signal to install conduit for the future under grounding of overhead utilities on Williamson Street. (6th AD)

Sponsors: Marsha A. Rummel

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

Enactment No: RES-10-00903

REPORT OF PEDESTRIAN/BIKE/MOTOR VEHICLE COMMISSION

57. [19729](#) Authorizing the creation of a buffered bicycle lane and removal of a traffic lane in each direction of S. Segoe Rd, from Mineral Point Rd to Regent St. (11th AD)

Sponsors: Chris Schmidt

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

Absent: 1 -
Julia S. Kerr

Excused: 1 -
Satya V. Rhodes-Conway

Ayes: 17 -
Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Jed Sanborn

Noes: 1 -
Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

Enactment No: RES-10-00904

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

58. [20426](#) Approving a Certified Survey Map of property owned by Richard P. and Barbara M. Day located at 1634 Baker Avenue. 19th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-10-00905

59. [20427](#) Approving a Certified Survey Map of property owned by Settlement Place, LLC located at 525 East Main Street. 6th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-10-00906

AGENDA NOTE: The Plan Commission will consider ID# 20237 at their 11/08/10 meeting. Recommendation will be made from the Council floor.

REPORT OF PUBLIC SAFETY REVIEW COMMITTEE

60. [19809](#) Amending Section 12.325 of the Madison General Ordinances banning solicitation in the streets to create an exception for activities otherwise authorized under the ordinances.

Sponsors: Paul E. Skidmore and Shiva Bidar-Sielaff

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

Excused: 1 -
Satya V. Rhodes-Conway

Ayes: 18 -
Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Thuy Pham-Remmele and Jed Sanborn

Noes: 1 -
Mark Clear

Non Voting: 1 -
David J. Cieslewicz

Enactment No: ORD-10-00103

61. [19843](#) Authorizing Fire Fighters employed by the City of Madison to participate in the partnership between the International Association of Fire Fighters and the Muscular Dystrophy Association by soliciting for donations during the annual "Fill the Boot" campaign.

Sponsors: Paul E. Skidmore and Shiva Bidar-Sielaff

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

Enactment No: RES-10-00907

62. [19893](#) Creating Section 24.01 of the Madison General Ordinances to prohibit the calling of "911" when no emergency exists and amending Sec. 1.08 to establish bail deposits for violations.

Sponsors: Paul E. Skidmore and Michael E. Verveer

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

Enactment No: ORD-10-00110

REPORT OF RISK MANAGER

63. [20170](#) R. Williams, 2129 Magnolia St., Rockford, IL 61104 - damage, injury, humiliation, embarrassment, emotional and physical distress, expenses - \$25,600,000.00.

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

64. [20172](#) G. Ward, 6637 Broad Creek Blvd., Madison, 53718 - vehicle damage - \$884.30.

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

65. [20238](#) Preston Tripplett, Progressive, P.O. Box 89440, Cleveland, OH 44101 for A. Vaccaro, 207 Westcott St., # 3, Pardeeville, 53954-9195 - vehicle damage - \$4,473.91.

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

REPORT OF TRANSIT/ PARKING COMMISSION

66. [19578](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Meriter Health Services, Inc. for the provision of unlimited ride passes to its employees and volunteers for Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for employee and volunteer trips for the period December 1, 2010 through November 30, 2011 with one automatic renewal for the period December 1, 2011 through November 30, 2012.

Sponsors: Chris Schmidt and Brian L. Solomon

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

Enactment No: RES-10-00908

67. [19581](#) Authorizing the Mayor and the City Clerk to enter into an agreement with SSM Health Care of Wisconsin, Inc., owning and operating St. Mary's Hospital Medical Center for the provision of unlimited ride passes to its employees and volunteers for Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for trips taken for the period January 1, 2011 through December 31, 2011 with an automatic renewal for one year from January 1, 2012 through December 31, 2012.

Sponsors: Chris Schmidt and Brian L. Solomon

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

Enactment No: RES-10-00909

68. [19785](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County for the following purposes in the calendar year 2010: (1) providing the Transit Utility with MA Waiver Community Integration Program (CIP) funding; (2) providing Dane County with State 85.20 funding by the Transit Utility for the County's provision of accessible transportation for persons unable to use the Transit Utility's paratransit services within its service area.

Sponsors: Brian L. Solomon and Chris Schmidt

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

Enactment No: RES-10-00910

69. [20071](#) Authorizing the Mayor and the City Clerk to enter into agreements with Abby Vans, Badger Bus Lines, and Transit Solutions Inc. for the purpose of providing Complementary Paratransit Services to Metro Transit for a term of 2½ years ending in June 2013 with two additional one-year options ending in June 2015 that may be executed by the Metro Transit General Manager.

Sponsors: Brian L. Solomon and Chris Schmidt

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

Enactment No: RES-10-00911

REPORT OF THE URBAN DESIGN COMMISSION

[20082](#) Repealing Sec. 31.041(1)(c) to eliminate the requirement of using permit tags on signs, amending Sec. 31.041(2) to correct an error and amending Sec. 31.046(2)(a) of the Madison General Ordinances to allow the display of portable signs on nonresidential uses on private property in all zoning districts and clarifying the criteria for such portable signs.

Sponsors: Thuy Pham-Remmele

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer to the URBAN DESIGN COMMISSION. The motion passed by voice vote/other.

RECONSIDERATION

70. [20225](#) Amending the 2010 Operating Budget to appropriate \$25,000 plus expenses not-to-exceed \$1,000 from the Contingent Reserve to Miscellaneous Appropriations to hire Professor James Undercofler, Professor of Performing Arts and Arts Administration at Drexel University to conduct an independent review of the proposed operating model ("Focus Model") for the Overture Center, advise on performance standards and provide recommendations for the private, non-profit board selection and composition.

Sponsors: Lauren Cnare, Shiva Bidar-Sielaff, Michael E. Verveer, Mark Clear, Larry Palm, Marsha A. Rummel, Joseph R. Clausius and Steve King

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

[20225](#) Amending the 2010 Operating Budget to appropriate \$25,000 plus expenses not-to-exceed ~~\$1,000~~ \$2,000 from the Contingent Reserve to Miscellaneous Appropriations to hire Professor James Undercofler, Professor of Performing Arts and Arts Administration at Drexel University to conduct an independent review of the proposed operating model ("Focus Model") for the Overture Center, advise on performance standards and provide recommendations for the private, non-profit board selection and composition.

Sponsors: Lauren Cnare, Shiva Bidar-Sielaff, Michael E. Verveer, Mark Clear, Larry Palm, Marsha A. Rummel, Joseph R. Clausius and Steve King

A motion was made by Ald. King, seconded by Ald. Rummel, to Adopt Friendly Ammdement(s): Adding the words "if at all feasible" to the end of Ald. Palm's Friendly Ammdement. The motion passed by the following vote:

Absent: 1 -
Marsha A. Rummel

Excused: 1 -
Satya V. Rhodes-Conway

Ayes: 12 -
Michael E. Verveer; Shiva Bidar-Sielaff; Steve King; Bryon A. Eagon; Brian L. Solomon; Chris Schmidt; Julia S. Kerr; Larry Palm; Mark Clear; Jed Sanborn; Bridget R. Maniaci and Lauren Cnare

Noes: 6 -

Paul E. Skidmore; Tim Bruer; Judy Compton; Joseph R. Clausius;
Michael Schumacher and Thuy Pham-Remmele

Non Voting: 1 -

David J. Cieslewicz

A motion was made by Ald. Palm, seconded by Ald. Rummel, to Adopt Friendly Ammendment(s): Add the language "If feasible, visit Madison before finalizing the report." The motion passed by the following vote:

Excused: 1 -

Satya V. Rhodes-Conway

Ayes: 15 -

Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King;
Bryon A. Eagon; Brian L. Solomon; Chris Schmidt; Julia S. Kerr; Tim
Bruer; Larry Palm; Joseph R. Clausius; Mark Clear; Jed Sanborn; Bridget
R. Maniaci and Lauren Cnare

Noes: 4 -

Paul E. Skidmore; Judy Compton; Michael Schumacher and Thuy
Pham-Remmele

Non Voting: 1 -

David J. Cieslewicz

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

Excused: 1 -

Satya V. Rhodes-Conway

Ayes: 16 -

Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A.
Rummel; Steve King; Bryon A. Eagon; Brian L. Solomon; Chris Schmidt;
Julia S. Kerr; Tim Bruer; Larry Palm; Joseph R. Clausius; Michael
Schumacher; Mark Clear; Jed Sanborn and Bridget R. Maniaci

Noes: 3 -

Paul E. Skidmore; Judy Compton and Thuy Pham-Remmele

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-10-00912

Reconsideration requested by Ald. Shiva Bidar-Sielaff, District 5.

ITEMS REFERRED TO THIS MEETING

REPORTS

71. [19944](#) City of Madison Staffing Study for the Overture Center: An Analysis of Various Operating Structures for the Overture Center - Brad Wirtz, Human Resources Director & Mike Lipski, Compensation & Benefits Manager

A motion was made by Ald. Cnare, seconded by Ald. Kerr, to Rerefer to the BOARD OF ESTIMATES and should be returned by 11/30/2010. The motion passed by voice vote/other.

72. [20227](#) Final Report of the Overture Ad Hoc Committee to the Mayor and Common Council - Mark D. Bugher, Chair

Additional Referral to: Madison Arts Commission.

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES, due back on 11/30/2010. The motion passed by voice vote/other.

AGENDA NOTE: CCOC will be meeting on 11/9/10 and recommendation will be made from the floor. Recommendation to re-refer to the Board of Estimates, Madison Arts Commission and the Common Council meeting of 11/30/10 will be made by Ald. Mark Clear, Common Council President.

73. [20248](#) Accepting a deed from Overture Development Corporation for the Overture Center located at 201 State Street; authorizing the Mayor and City Clerk to execute a Lease and Operating Agreement with 201 State Foundation, Inc., or its successor; authorizing the formation of a condominium at the Overture Center; and authorizing the Mayor and City Clerk to execute such other documents that may be deemed necessary by the City Attorney to implement the transaction

Sponsors: David J. Cieslewicz, Mark Clear, Lauren Cnare and Michael E. Verveer

Additional Referrals to: Common Council Organizational Committee

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES and should be returned by 11/30/2010. The motion passed by voice vote/other.

AGENDA NOTE: CCOC will be meeting on 11/9/10 and recommendation will be made from the floor. Recommendation to re-refer to the Board of Estimates and the Common Council meeting of 11/30/10 will be made by Ald. Mark Clear, Common Council President.

ORDINANCES

74. [20180](#) Adopting and confirming Revision No. 272 of the Madison General Ordinances as of September 15, 2010 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: Common Council By Request

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

Enactment No: ORD-10-00111

RESOLUTIONS

75. [19348](#) SUBSTITUTE - Approve the request from Independent Living, Inc. to provide up to \$432,000 in CDBG, HOME Match, Acq/Rehab funds and Scattered Site Funds to acquire and construct 42 units of senior rental housing on the north side of Madison.

Sponsors: Tim Bruer

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

Enactment No: RES-10-00913

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

76. [20279](#) Creating Section 12.1332(67) of the Madison General Ordinances to prohibit parking except for common motor carriers on a segment of the north side and south side of Balsam Road.

Sponsors: Thuy Pham-Remmele

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION. The motion passed by voice vote/other.

77. [20285](#) Creating Section 28.06(2)(a)3505. 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)3506. 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 Fourth Floor Addition to Existing Office Building to Create One Residential Unit and Additional Office Space: 13th Aldermanic District; 120 East Lakeside Street.

Sponsors: Common Council By Request

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the PLAN COMMISSION, due back on 12/6/2010. The motion passed by voice vote/other.

78. [20290](#) Amending Sec. 23.05(1), Sec. 23.05(3)(a) and creating Sec. 23.05(4)(e) of the Madison General Ordinances to include vehicular entrances to City parking ramps and prohibiting smoking in all stairwells of City parking ramps and within 10 feet of the entrance to a City parking ramp.

Sponsors: Chris Schmidt and Brian L. Solomon

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.

79. [20446](#) Amending Secs. 31.14(2)(b)5. and creating Sec. 31.043(3)(i) to allow the Urban Design Commission to approve Electronic Changeable Message sign at high schools located in residential, agricultural and conservancy districts, and amending Sec. 31.041(3)(d) of the Madison General Ordinances to clarify that "Additional Sign Code Approvals" by the UDC are subject to a \$300 application fee.

Sponsors: Judy Compton

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the URBAN DESIGN COMMISSION. The motion passed by voice vote/other.

80. [20467](#) Creating Section 28.06(2)(a)3507. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District and W Wetland District to C2 General Commercial District, and creating Section 28.06(2)(a)3508. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District and W Wetland District to W Wetland District. Proposed Use: Rezoning to Facilitate Future Residential Redevelopment; 3rd Aldermanic District: 4002 Nakoosa Trail.

Sponsors: Lauren Cnare

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred for Public Hearing to the PLAN COMMISSION, due back on 12/6/2010. The motion passed by voice vote/other.

81. [20472](#) Creating Section 15.01(576) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 14th Aldermanic District the Rimrock-Gateway Attachment and amending Section 15.01(54) of the Madison General Ordinances to assign the attached property to Ward 54.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 11/30/2010. The motion passed by voice vote/other.

RESOLUTIONS

82. [20239](#) Providing the Wisconsin Department of Transportation with the City of Madison's comments on the Supplemental Draft Environmental Impact Statement (SDEIS) for the Verona Road/USH 18/151 Project.
- Sponsors:** David J. Cieslewicz and Brian L. Solomon
- Additional referrals to Pedestrian/Bicycle/Motor Vehicle Commission, Transit and Parking Commission, Plan Commission, Board of Public Works, Economic Development Committee, and Board of Park Commissioners.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the LONG RANGE TRANSPORTATION PLANNING COMMITTEE. The motion passed by voice vote/other.**
83. [20302](#) Authorizing the sale of various properties owned by Movin' Out, Inc. to a separate entity called Movin' Out Homes in order to reduced the amount of the first mortgage loans on the properties and obtain grant funding from Wisconsin Housing and Economic Development Authority (WHEDA).
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
84. [20322](#) Creation of a new position of Water Utility Financial Manager in the Water Utility budget, and deleting the existing Accountant 4 position upon filling the new Water Utility Financial Manager.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
85. [20323](#) Recreation of Custodial Worker 2 positions (#1000 and 1019) (CG 16-07) as Housing Maintenance Worker (CG 16-10) in the CDA Housing Operations budget and reallocating the incumbents to the new positions.
- Sponsors:** David J. Cieslewicz
- Additional referral to Personnel Board.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

86. [20325](#) Recreation of a .5 FTE Clerk Typist 2 (CG20-06) position, currently occupied by D. Collingwood (#611), as a Graphics Assistant (CG20-09) within the PCED Office of Director budget.
- Sponsors:** David J. Cieslewicz
- Additional referral to Personnel Board.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
87. [20328](#) Release Funds from the Catherine M. Corscot Trust for Public Health Clinic Space.
- Sponsors:** Lauren Cnare
- Additional referral to Board of Health for Madison and Dane County.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
88. [20406](#) Approving Facade Improvement Grant to: 554 W. Main Street (Echo Tap & Grill) and 1221 Williamson Street (Willy Street Co-op).
- Sponsors:** Michael E. Verveer and Marsha A. Rummel
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
89. [20415](#) Determining a Public Purpose and Necessity and adopting Transportation Project Plat No. 5420-03-21-4.01 Amendment No. 1 - Relocation Order STH 113- (First Street to Knutson Drive) City of Madison for the acquisition of Plat of Land Interests required for the STH 113- (First Street to Knutson Drive) Engineering Project No. 53W0321 and authorizing the Mayor and City Clerk to execute all necessary documents relative to the acquisition of the necessary real estate interests to perform the improvements for STH 113- (First Street to Knutson Drive), WDOT Right-of-Way Transportation Project Plat No. 5420-03-21-4.01 Amendment No. 1.
- Sponsors:** Satya V. Rhodes-Conway
- Additional referrals to Plan Commission and Pedestrian/Bicycle/Motor Vehicle Commission.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
90. [20416](#) Amending the 2010 Capital Budget of the Streets Division to fund additional costs for the Streets Facility Upgrades Capital project.
- Sponsors:** Paul E. Skidmore
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

91. [20423](#) Authorizing the Mayor and City Clerk to execute an agreement to fund a Madison Capital Revolving Fund loan to TJ's Taylor's One Price Cleaners, Inc. to purchase machinery and equipment and renovate the property at 4522 Verona Road into 8,800 SF of commercial space.

Sponsors: Brian L. Solomon

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

92. [20430](#) Authorizing the carry-over of CDBG, HOME and other funds, and the extension of previously authorized projects within the Community Development program budget.

Sponsors: Shiva Bidar-Sielaff, Marsha A. Rummel and Tim Bruer

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

93. [20431](#) Authorizing the use of \$106,900 in Federal CDBG funds to implement two neighborhood revitalization projects which address objectives identified in the Northport-Warner Park-Sherman Neighborhood Plan; authorizing the Mayor and the City Clerk to enter into agreements with designated agencies to implement the projects; and amending the CDBG Office's 2010 Operating Budget and Metro Transit's 2010 Capital Budget as appropriate.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer, Marsha A. Rummel and Satya V. Rhodes-Conway

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

94. [20435](#) Authorizing the provision of \$99,000 in Scattered Site funds to Movin' Out Inc. for acquisition and rehabilitation of a 4-unit property located at 717 North Midvale Boulevard to be used as rental housing for low- and moderate-income City residents; and authorizing the Mayor and City Clerk to enter into agreements with Movin' Out, Inc. to implement the project.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

95. [20436](#) Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the future renovation and expansion of the University's Charter Street Heating Plant

And

Authorizing the Mayor and City Clerk to Enter into an Agreement with the University of Wisconsin-Madison for financing costs related to the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the renovation and expansion of the University's Charter Street Heating Plant

Sponsors: Michael E. Verveer and Bryon A. Eagon

Additional referrals to Plan Commission and Pedestrian/Bicycle/Motor Vehicle Commission.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

96. [20437](#) Authorizing the Mayor, Chief of Police and the City Clerk to accept a grant from the State of Wisconsin Department of Justice, Training and Standards Bureau, for the purpose of conducting leadership training for members of the Madison Police Department and to execute a contract with the International Association of Chiefs of Police (IACP) to train Leadership in Police Organizations (LPO) to members of the Madison Police Department.

Sponsors: Paul E. Skidmore

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

97. [20445](#) Authorizing a contract between the City and the Madison Metropolitan School District for the provision of programming by Madison School and Community Recreation at Warner Park Community and Recreation Center for 2011. (AD#12)

Sponsors: Satya V. Rhodes-Conway, Paul E. Skidmore and Joseph R. Clausius

Additional referral to Board of Park Commissioners.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

98. [20460](#) Authorizing the execution of a Purchase and Sale Agreement with East Washington LLC and East Washington II, LLC (collectively the "Seller") for the purchase of properties owned by the Seller located in Blocks 133, 143 and 144 of the Original Plat of the City of Madison and authorizing the use of Land Banking Funds for the acquisition.

Sponsors: David J. Cieslewicz, Bridget R. Maniaci and Marsha A. Rummel

Additional referrals to Economic Development Committee and Plan Commission.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

99. [20461](#) Authorizing the execution of a Purchase and Sale Agreement with Perry J. Schappe 1987 Revocable Trust (the "Seller") for the purchase of property owned by the Seller located at 819 East Washington Avenue and authorizing the use of Land Banking Funds for the acquisition.

Sponsors: David J. Cieslewicz and Marsha A. Rummel

Additional referrals to Economic Development Committee and Plan Commission.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

LICENSES

100. [20466](#) Public Hearing - New License
Ehring LLC • dba Baldwin Bistro/Pub
1304 E Washington Ave • Agent: Scott Ehrlinger
Estimated Capacity: 75
Class B Combination Liquor & Beer • 60% alcohol, 40% food
Aldermanic District 2 (Alder Maniaci) • Police Sector 409

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

101. [20276](#) NOTICE OF CLAIM: S. DeLaRosa, 2364 Jackson St., #160, Stoughton, 53589 - personal injury - amount to be determined.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

102. [20277](#) M. Smith, 6605 Radford Dr., Madison, 53718 - personal injury - \$1,507.68.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

103. [20278](#) K. Bergs, Hovde Properties, 122 W. Washington Ave., Madison, 53703-2718 - property damage - \$2,078.53.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

104. [20294](#) NOTICE OF INJURY: L. Leis - personal injury - amount to be determined.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

105. [20295](#) American Family Mutual Insurance Company for B. and M. Roberts, 98 Kessel Ct. #33, Madison, 53711 - vehicle damage - \$5,766.49.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

106. [20297](#) K. Zimmerman, 3806 Sunbrook Rd., Madison, 53704 - vehicle damage - \$314.22.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

107. [20299](#) J. Simon, 1130 Risser Rd., Madison, 53705 - personal injury - \$65.75.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

108. [20315](#) NOTICE OF CLAIM: R. and C. McGovern, 9420 Lost Pine Tr., Verona, 53593 - property damage - amount to be determined.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

109. [20324](#) M. Schemberger, 140 Depot Dr., Verona, 53593 - vehicle damage - \$1,789.34.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

110. [20404](#) S. Diaz, 2221 Danbury St., Madison, 53711 - vehicle damage - \$1,511.34.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.**
111. [20414](#) J. Hannes, 1702 Hilton Head Dr., Madison, 53719 - personal injury - \$483.55.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.**
112. [20417](#) E. and M. Fassbender, 501 Shepard Terr., # 1, Madison, 53705 - Additional costs/Room rental - \$2,460.35.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.**

ADDENDUM

ITEMS REFERRED TO THIS MEETING

ORDINANCE

113. [16662](#) 4th SUBSTITUTE Amending Sections 32.12(8) and 32.12(9) of the Madison General Ordinances to modify the regulations for showing and re-renting rental premises.
- Sponsors:** Bridget R. Maniaci
- Adopt 12-14-10 Common Council meeting.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer to the COMMON COUNCIL, due back on 12/14/2010. The motion passed by voice vote/other.**

Note: Ald. Bridget Maniaci is requesting this item be re-referred to the 12/14/10 Common Council meeting.

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

REPORT

114. [20479](#) Mortenson Construction Building Condition Report and Capital Plan Report - Jeanne Hoffman, Facilities and Sustainability Manager, and Representative from Mortenson Construction.

Accept 11-30-10 Common Council meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Accept to the COMMON COUNCIL, due back on 11/24/2010. The motion passed by voice vote/other.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT at 11:47 PM

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adjourn at 11:47 pm. The motion passed by voice vote/other.