



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, May 6, 2014

6:30 PM

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

ROLL CALL

Present: 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
Lucas Dailey
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 1 - Steve King

Non Voting: 1 - Paul R. Soglin

SPEAKING GUIDELINES

Speaking Limits:

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

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

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

NOTIFIED ABSENCES: ALD. KING

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

HONORING RESOLUTIONS

RECONSIDERATION FOR #33710 REQUESTED BY ALD. SCHMIDT

1. [33710](#) Salute to the Wisconsin Badgers Basketball Team

Sponsors: 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, Steve King, Larry Palm, Matthew J. Phair, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

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

2. [33810](#) Recognizing and congratulating City of Madison Engineering Division, Madison Public Library, J. H. Findorff & Sons Construction and Meyer Scherer & Rockcastle on being named the 2014 Public Works Project of the Year by the American Public Works Association.

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

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

Enactment No: RES-14-00368

PETITIONS AND COMMUNICATIONS: None received by deadline.

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 ALCOHOL REVIEW COMMITTEE**

3. [33227](#) Public Hearing - New License
Hoops of Dane County Inc • dba Lagartos
802 Atlas Ave • Agent: Dale Beck • Estimated Capacity: 480
Class B Combination Liquor & Beer • 60% alcohol, 40% food
Aldermanic District 3 (Alder Cnare) • Police Sector 611
- The conditions are:
- 1) The capacity will be a maximum of 480 with the basement being limited to 168.
 - 2) The security plan provided by the applicant be a part of the license conditions with the following changes:
 - Item 2 shall be amended to read "...security in lot(s) at all times on nights ~~that are busy~~ entertainment is provided."
 - Item 3 shall be amended to read "...will go up as the night goes on up to \$15 then to \$20 or higher based ~~on what clientele is showing up late~~ on time."
 - 3) The premises shall at all times abide by the terms of the Security Plan approved by the Common Council (a copy of which shall be maintained on premises and available for inspection at all times and a copy of which shall be kept on file with the City Clerk's Office).
- A motion was made by Schmidt, seconded by DeMarb, to Grant with Condition(s) and Close the Public Hearing. The motion passed by voice vote/other.**
4. [33228](#) Public Hearing - New License
16 Bars LLC • dba Two Straws
1380 Williamson St • Agent: Joshua Michael Swentzel
Estimated Capacity: 50
Class B Combination Liquor & Beer • 80% alcohol, 20% food
Aldermanic District 6 (Alder Rummel) • Police Sector 410
- The conditions are:
- 1) Alcohol sales will cease 30 minutes prior to statutory closing time;
 - 2) There will be no outdoor seating;
 - 3) Food shall be available at least 90 minutes prior to closing;
 - 4) Music shall be kept at a reasonable level;
 - 5) The back door is used for emergency exit or ADA accessibility only and that the licensee make every effort possible to limit early morning and late night use of the back door for deliveries and refuse and recycling removal;
- A motion was made by Schmidt, seconded by DeMarb, to Grant with Condition(s) and Close the Public Hearing. The motion passed by voice vote/other.**

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

5. [33517](#) Public Hearing - New License
10 High Crossing LLC • dba GrandStay Residential Suites
5317 High Crossing Blvd • Agent: Samuel Russo • Estimated Capacity: 250
Class B Beer & Class C Wine • 2% alcohol, 0% food, 98% other
Aldermanic District 17 (Alder Clausius) • Police Sector 633

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

There was 1 registrant in support.

6. [33518](#) Public Hearing - New License
Cento Restaurant LLC • dba Cento
122 W Mifflin St • Agent: Michael Pruettt • Estimated Capacity: 202
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

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

7. [33519](#) Public Hearing - New License
Edgewater Management Company LLC • dba The Edgewater
1001 Wisconsin Pl • Agent: Ronald Morin • Estimated Capacity: 6000
Class B Combination Liquor & Beer • 15% alcohol, 25% food, 60% other
Aldermanic District 2 (Alder Zellers) • Police Sector 400 • Density Area

The conditions are:

- 1) Establishment must abide by all conditions under the PAMA as registered in the Dane County Register of Deeds on 11/12/2012 notwithstanding the agreement to not sell alcohol by way of points of sale or wait staff at the auto court and the cafe outdoor terrace as outlined in the site plan Appendix B (a copy of which will be kept on the license premises). The area depicted in Appendix B is indicative of surface area only and does not include any areas below surface level (i.e. the concession area below the auto court that serves the main terrace). It is possible that patrons may occupy these areas at times with alcohol if they have purchased the beverage from a different point on the property.
- 2) Applicant will appear before the Alcohol License Review Committee six months after opening for a status update.

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

There were 3 registrants in support.

8. [33520](#) Public Hearing - New License
Graduate Madison Lessee LLC • dba Varsity Club/Chancellor's Club
601 Langdon St • Agent: William Wellman • Estimated Capacity: 58
Class B Combination Liquor & Beer • 1.6% alcohol, 0.1% food, 98.3% other
Aldermanic District 8 (Alder Resnick) • Police Sector 403 • Density Area

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

2 registrants in support.

9. [33602](#) Public Hearing - New License
Madison Petroleum LLC • dba Deon's
2301 Commercial Ave • Agent: Harminder Basra
Class A Beer
Aldermanic District 12 (Alder Palm) • Police Sector 501

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

10. [33603](#) Public Hearing - New License
Sabaidee Thailand WI LLC • dba Monsoon Siam 2
2045 Atwood Ave • Agent: Dutdao Wonglaka • Estimated Capacity: 60
Class B Beer, Class C Wine • 15% alcohol, 80% food, 5% other
Aldermanic District 6 (Alder Rummel) • Police Sector 601

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

1 registrant in support.

REPORT OF PLAN COMMISSION

11. [33390](#) AMENDED Creating Section 28.022 -- 00116 of the Madison General Ordinances to change the zoning of property located at 2046-2050 East Johnson Street, 12th Aldermanic District, from NMX (Neighborhood Mixed-Use) District to PD (Planned Development) District to convert an auto repair facility into a "tiny house" workshop and residential community for 9 units, with retail space and accessory gardens and greenhouse.

Sponsors: Planning Division and Marsha A. Rummel

A motion was made by Palm, seconded by Rummel, to Adopt the Following Amendment(s): Amend the actions of the Plan Commission to include the following additional definitions and conditions:

1. That all references to "tiny house" be revised to say "portable shelters", and that all references to "residential cooperative village" be revised to say "portable shelter communities", with the following definitions:

"Portable Shelter. Any movable living quarters, no more than 150 square feet in area, used as an individual's permanent place of habitation. For purposes of this definition, a permanent place of habitation is established when an individual lives in a portable shelter for four (4) consecutive months."

"Portable Shelter Community. Any site, lot, parcel, or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than three (3) portable shelters and shall include all buildings included or intended for use as part of the Portable Shelter Community. A "portable shelter community" shall not include a "portable shelter mission."

2. The applicant shall work with the Urban Design Commission (UDC) to add additional landscaping, including trees, shade and evergreen, to the residential area of the project and where possible reduce paving surface.

3. The applicant shall comply with all future city ordinances regulating portable shelter communities, including obtaining any necessary licenses and permits required to own or operate a portable shelter or portable shelter community.

4. The applicant shall allow any public official presenting proper identification to conduct lawful inspections of the portable shelter community and the manufacturing facility.

5. The portable shelters shall have address unit numbers as assigned by City Engineering.

6. The portable shelters shall have a standard 32" x 78" door.

7. No open flame cooking devices are permitted within the portable shelter.

8. If wired, all portable shelters constructed at the subject site shall be wired in a method/manner consistent with Chapter 3 of the National Electrical Code.

9. All woodworking, metal work and related fabrication activities shall occur within completely enclosed buildings and outdoor work shall be limited to attach the roof and final assembly and finishing activities that follow attachment of the roof.

. The motion passed by voice vote/other.

68 registrants in support.

17 registrants in opposition.

1 registrant neither in support nor opposition.

A motion was made by Schmidt, seconded by DeMarb, to Adopt As Amended. The motion passed by the following vote:

Ayes: 18 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Scott J. Resnick
Maurice S. Cheeks
Chris Schmidt
Larry Palm
Lucas Dailey
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 2 - Steve King
Paul E. Skidmore

Non Voting: 1 - Paul R. Soglin

Enactment No: ORD-14-00093

12. [33394](#) Creating Section 28.022 -- 00115 of the Madison General Ordinances to change the zoning of property located at 617 North Segoe Road, 11th Aldermanic District, from NMX (Neighborhood Mixed-Use) District to PD (Planned Development) District to demolish an office building to allow construction of a 115-unit apartment building.

Sponsors: Planning Division

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

13. [33535](#) Amending Sec. 28.211 of the Madison General Ordinances to change the definition of Brewpub in order to allow the manufacture of up to 10,000 barrels of fermented malt beverages per year on premises and to allow the machine-capping of containers.

Sponsors: Scott J. Resnick

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

Enactment No: ORD-14-00094

14. [33559](#) Creating Section 28.186(4) of the Madison General Ordinances to establish a deadline for site and building plan compliance.

Sponsors: Steve King and Ledell Zellers

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

Enactment No: ORD-14-00095

15. [33591](#) Creating Section 28.022 - 00126 and 28.022 - 00127 of the Madison General Ordinances to change the zoning of property generally addressed as 7102 US Highway 12 & 18, 16th Aldermanic District, from Temp A (Agricultural) District, CN (Conservancy) District and PD (Planned Development) District to Amended PD (GDP-SIP) (Planned Development (General Development Plan-Specific Implementation Plan) District to allow expansion of the Dane County Rodefild Landfill

Sponsors: Planning Division

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

Enactment No: ORD-14-00096

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

16. [33928](#) Directing the City Human Resources Director and City Attorney to prepare a report and recommendation and any necessary ordinance or resolution for the Common Council regarding removal of questions regarding an applicant's criminal history from the City job applications, and whether such a policy should extend to any city contractors.

Sponsors: Paul R. Soglin, Maurice S. Cheeks, Marsha A. Rummel and Matthew J. Phair

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

Enactment No: RES-14-00369

17. [33855](#) Report of the Mayor submitting citizen committee appointments (introduction 4-29-2014; action 5-6-2014).

Sponsors: Paul R. Soglin

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

18. [33932](#) Report of the Mayor designating emergency interim successors.

Sponsors: Paul R. Soglin

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

19. [33934](#) Report of the Mayor submitting a citizen committee appointment.

Sponsors: Paul R. Soglin

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

20. [33937](#) Report of the Mayor submitting citizen committee appointments (introduction 5-6-2014; action 5-20-2014).

Sponsors: Paul R. Soglin

Confirm 5-20-14.

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

21. [33939](#) Report of the Mayor submitting alder committee appointments.

Sponsors: Paul R. Soglin

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

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

22. [33930](#) Accepting the Downtown Public Restrooms Staff Report on the construction and maintenance costs and placement strategies for public restrooms.

Sponsors: Chris Schmidt

Additional referrals: Downtown Coordinating Committee, BID Board

A motion was made by Schmidt, seconded by DeMarb, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.

23. [33931](#) Appointments to the Common Council Organizational Committee 2014-2015.

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

24. [33956](#) Appointments to the Ad Hoc Landmarks Ordinance Review Committee.

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

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

25. [33337](#) 21+ Entertainment License
Hoops of Dane County Inc • dba Lagartos • Capacity: 500
802 Atlas Ave • Agent: Dale Beck
Class B Combination Liquor & Beer • 60% alcohol, 40% food
Aldermanic District 3 (Alder Cnare) • Police Sector 611

The conditions are:

- 1) The security plan provided by the applicant be a part of the license conditions with the following changes:
 - Item 2 shall be amended to read "...security in lot(s) at all times on nights ~~that are busy~~ entertainment is provided."
 - Item 3 shall be amended to read "...will go up as the night goes on up to \$15 then to \$20 or higher based on what clientele is showing up late on time."
- 2) The premises shall at all times abide by the terms of the Security Plan approved by the Common Council (a copy of which shall be maintained on premises and available for inspection at all times and a copy of which shall be kept on file with the City Clerk's Office).

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

26. [33344](#) Change of Licensed Premise
Crescendo LLC • dba Crescendo Espresso Bar & Music Cafe • Capacity: 49
1859 Monroe St • Agent: Caitlin Shanahan
Class B Beer & Class C Wine • 15% alcohol, 35% food
Aldermanic District 13 • Police Sector 303
Request to extend closing time on license

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

27. [33763](#) Change of Licensed Premise
Woodman's Food Market, Inc • dba Woodman's Food Market #20
711 S Gammon Rd • Agent: Dale Martinson
Class A Liquor, Class A Beer
Aldermanic District 19 (Alder Clear) • Police Sector 114
Request to expand liquor department.

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

28. [33764](#) Change of Licensed Premise
Irish Heart Enterprises LLC • dba the Brass Ring Bar & Restaurant
Capacity: 220 indoor/72 outdoor
701 E Washington Ave • Agent: Lawrence Walsh
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408
Request to increase outdoor capacity to 900 on either Saturday or Sunday of Memorial Day weekend and the second Saturday in May.

The conditions are:

- 1) The premise shall be expanded to only include the parking lot for the dates listed.

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

29. [33765](#) Change of Licensed Premise
The Irwin A and Robert D Goodman Community Center • dba The Goodman Community Center
Capacity: 300
149 Waubesa St • Agent: Becky Steinhoff
Class B Combination Liquor & Beer • 5% alcohol, 95% food
Aldermanic District 6 (Alder Rummel) • Police Sector 602
Request to extend licensed premise to the Opportunity Wing on May 29th.
Increase capacity to 500.

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

30. [33766](#) Change of Licensed Premise
Blue Bandit Inc • dba Argus Bar and Grille • Capacity:180 indoor/48 outdoor
123 E Main St • Agent: Richard Brahmer
Class B Combination Liquor & Beer • 70% alcohol, 30% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406
Request to increase patio capacity to 78 and indoor capacity to 250.

The conditions are:

- 1) The combined indoor and outdoor capacity shall be 250, with the outdoor capacity set at 78.

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

1 registrant in support.

31. [33767](#) 21+ Entertainment License
Wood Dragon Inc • dba Amy's Cafe 7 Bar • Capacity: 80
414 W Gilam St • Agent: Richard Brahmer
Class B Combination Liquor & Beer • 45% alcohol, 55% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403

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

1 registrant in support.

32. [33768](#) 21+ Entertainment License
Graduate Madison Lessee LLC • dba Campus Inn Chancellor's Club •
Capacity: 58
Address 601 Langdon St • Agent: William Wellman
Class B Combination Liquor & Beer • 95.4% alcohol, 4.6% food
Aldermanic District 8 (Alder Resnick) • Police Sector 403

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

2 registrants in support.

33. [33769](#) 21+ Entertainment License
Edo Garden LLC • dba Osaka House • Capacity: 49
505 State St • Agent: Jing Xun Jiang
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403

A motion was made by Schmidt, seconded by DeMarb, to DENY BECAUSE OF THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY. The motion passed by voice vote/other.

REPORT OF PLAN COMMISSION

34. [32635](#) AMENDED Adopting the University Avenue Corridor Plan and the goals, recommendations, and implementation steps contained therein as a supplement to the City's *Comprehensive Plan*.

Sponsors: Shiva Bidar-Sielaff

A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt the Following Amendment(s):

1. Change Recommendation #1 on page 11 of staff report to revise Map 16 and associated narrative to reflect: bullet b) strike "exceeding 100 per units per acre" and replace with "up to 140 units per acre for area B and 104 units per acre in area C are supported" bullet c) strike "densities of 80 units per acre or above are supported" and replace with "densities of up to 00 units per acre are supported".
 2. Change Narrative of Figure 6 on page 9 of staff report to "6 stories" (for the area on the Northside of University Ave appearing in the map)
 3. Leave Recommendation #3 on page 11 of Staff Report as written by staff.
- The motion passed by voice vote/other.

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

5 registrants in support.

1 registrant neither in support nor opposition.

Enactment No: RES-14-00371

35. [33465](#) Approving the final plat of Ripp Addition to Linden Park on land addressed as 8839 Ancient Oak Lane; 1st Ald. Dist.

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

Enactment No: RES-14-00372

36. [33533](#) Amending Section 16.25(4) of the Madison General Ordinances to update the City of Madison's Official Map as defined by the current City of Madison corporate boundary legal description on file with the City Engineer, the extraterritorial jurisdiction limits provided by Wis. Stat. § 236.10 (1) (b) 2, and any and all agreements with adjacent towns, villages, cities, or the state.

Sponsors: David Ahrens and Paul E. Skidmore

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

Enactment No: ORD-14-00097

REPORT OF WATER UTILITY BOARD

37. [31663](#) 2012-2013 Water Utility Annual Report

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

38. [33382](#) Authorizing the Mayor and the City Clerk to execute an Intergovernmental Agreement between the City of Madison and the City of Fitchburg relating to providing Water Service within the City of Fitchburg in the Danville Drive area (Citywide).

Sponsors: Lauren Cnare, Matthew J. Phair and John Strasser

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

Enactment No: RES-14-00373

39. [33526](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the City of Madison to obtain the land interests required for the construction of the Hwy 151/Lancaster Water Main Crossing and Booster Station 115 Pipeline Improvements projects. The Hwy 151/Lancaster Water Main Crossing project is located within the Rattman's Neighborhood Development Plan between Hwy 151 and Eastpark Blvd located in part of the Northwest Quarter of the Southeast Quarter and also located in part of the Southwest Quarter of the Northeast Quarter of Section 22, Township 08 North, Range 10 East, City of Madison, Dane County, Wisconsin. The Booster Station 115 Pipeline Improvements project is located in the Hanson Road Neighborhood Development Plan north of Hayes Road between Portage Road and Interstate 90/94 in part of the Southwest Quarter of the Northwest Quarter and also in part of the Northwest Quarter of the Southwest Quarter of Section 22, Township 08 North, Range 10 East, in the City of Madison and the Town of Burke, Dane County, Wisconsin and the authority of the Mayor and City Clerk to sign all documents necessary to accomplish the acquisition of said land interests (17th AD).

Sponsors: Lauren Cnare and Anita Weier

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

Enactment No: RES-14-00374

40. [33853](#) Authorizing the Mayor and City Clerk to execute a temporary limited easement for sloping and grading purposes to the Town of Middleton for the resurfacing of a portion of Old Sauk Road.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-14-00375

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

41. [33692](#) Approving a Certified Survey Map of property owned by the District Council of Madison, Inc., Society of St. Vincent de Paul located at 1025-1109 Jonathon Drive; 14th Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-14-00376

42. [33693](#) Approving a Certified Survey Map of property owned by Beth Israel Center located at 1406 Mound Street and 116-120 S. Randall Avenue; 13th Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-14-00377

43. [33839](#) Re-approving a Certified Survey Map of property owned by Joseph McCormick - Lanes, LLC located at 448 S. Park Street and 914 Drake Street; 13th Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-14-00378

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

44. [33834](#) Accepting the Phase 1 report for a Madison Public Market business plan prepared by Project for Public Spaces, and authorizing the Madison Local Food Committee, City staff, and Project for Public Spaces to proceed with Phase 2 of the Madison Public Market business plan preparation.

Sponsors: Paul R. Soglin and Marsha A. Rummel

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

Enactment No: RES-14-00370

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

45. [33845](#) Creating Section 28.022 - 00128 of the Madison General Ordinances to change the zoning of property located at 504 West Main Street, 4th Aldermanic District, from DR-2 (Downtown Residential 2) District to UMX (Urban Mixed Use) District to construct a mixed-use building at 502 and 504 West Main Street containing 3,200 square feet of retail space and 18 apartments.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

46. [33847](#) Creating Section 28.022 -- 00130 of the Madison General Ordinances to change the zoning of properties located at 2052 Woods Road and 9603 Mid Town Road, 1st Aldermanic District, from A (Agricultural), SR-C1 (Suburban Residential-Consistent 1) and SR-C2 (Suburban Residential-Consistent 2) Districts to TR-C2 (Traditional Residential - Consistent 2) District.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

47. [33848](#) Creating Section 28.022 -- 00129 of the Madison General Ordinances to change the zoning at properties located at 301 and 302 Samuel Drive, 9th Aldermanic District, from Planned Development District (General Development Plan) to Planned Development District (Specific Implementation Plan) to allow construction of a 174-unit apartment building at 302 Samuel Drive and a two-family-twin residence at 301 Samuel Drive.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

48. [33918](#) Amending Sections 6.01, 6.02, and 6.03 of the Madison General Ordinances to remove unnecessary specific details regarding the composition, hours and salary of employees of the Fire Department.

Sponsors: Michael E. Verveer

This Ordinance was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

49. [33942](#) Amending Section 33.13(1) of the Madison General Ordinances to clarify the membership on the Common Council Organizational Committee when the Council President is elected to another term.

Sponsors: Chris Schmidt

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

RESOLUTIONS

50. [33849](#) Accepting the Near Westside Neighborhoods and University Avenue Transportation Study and the goals, and recommendations therein.

Sponsors: Shiva Bidar-Sielaff and Chris Schmidt

Additional referrals: Pedestrian/Bicycle/Motor Vehicle Commission, Long Range Transportation Planning Committee

This Resolution was Referred to the BOARD OF PUBLIC WORKS

51. [33868](#) Seeking Common Council approval of Art in Public Places funding award to the Bayview Foundation, Inc on behalf of the Monona Bay Neighborhood Association as recommended by the Madison Arts Commission.

Sponsors: Marsha A. Rummel

This Resolution was Referred to the BOARD OF ESTIMATES

52. [33886](#) Classify the 1.0 FTE position in the Library Budget, currently identified as "Planner (Construction Coord.)" as a Planner 2 in CG18, Range 08.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

53. [33887](#) Create a new position of Principal Planner (CG18, R15) in the Planning Division budget to be filled through an internal competitive process. Upon filling the position, the underlying vacancy will be deleted to fund the new position.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

54. [33888](#) Reclassification of a vacant 50% FTE Clerk 2 (#459) position at the Library to a 60% FTE Library Assistant 1.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

55. [33889](#) Reclassification of a vacant 100% FTE Administrative Clerk (#497) position at the Library to a 60% FTE Library Assistant 1; and increasing the FTE of Library Assistant 1(#435) from 60% to 80%.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

56. [33890](#) Reclassification of a vacant 95% FTE Clerk Typist (#516) position at the Library to a 90% FTE Library Assistant 1.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

57. [33891](#) Increase the FTE percentage of Librarian 2 (#428) to 100%.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

58. [33892](#) Related to the approval of Madtown Hopper LLC's application for one low-speed vehicle service license and two low-speed vehicle permits.

Sponsors: Scott J. Resnick

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

59. [33896](#) Seeking Common Council approval of the 2014-2015 Arts Grants awards funding as recommended by the Madison Arts Commission.

Sponsors: Marsha A. Rummel

This Resolution was Referred to the BOARD OF ESTIMATES

60. [33906](#) Accepting various conveyances, at no cost to the City of Madison, from the owners of six (6) properties located on Morrison Court, including warranty deeds dedicating land for public right-of-way, permanent limited easements for sloping and grading, and easement declarations for public utility purposes, for the properties located at 1241, 1242, 1244, 1245, 1252 Morrison Court and 802 South Baldwin Street.

Sponsors: Marsha A. Rummel

Additional referral: Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

61. [33924](#) Authorizing the Mayor and City Clerk to enter into an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display at Elver Park.

Sponsors: Lisa Subeck, Matthew J. Phair and Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

62. [33925](#) Amending the 2014 Parks Division Operating Budget and the 2014 Operating Budget Miscellaneous Appropriations to provide funding for the City sponsored Elver Fireworks event on July 3, 2014.

Sponsors: Paul R. Soglin, Matthew J. Phair and Lisa Subeck

This Resolution was Referred to the BOARD OF ESTIMATES

63. [33926](#) Authorizing the Parks Superintendent to enter into a cooperative agreement with the Wisconsin Department of Natural Resources for a Fishing in the Neighborhood (FIN) Fishing Coach Internship program.

Sponsors: Joseph R. Clausius, Larry Palm and Anita Weier

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

64. [33927](#) To authorize the City to enter into an agreement with Madison Ultimate Frisbee Association (MUFA) for the non-exclusive use of city park land for recreational Ultimate Frisbee leagues and practices. (Various AD's)

Sponsors: Joseph R. Clausius and Mark Clear

Additional referral: Board of Park Commissioners

This Resolution was Referred to the BOARD OF ESTIMATES

65. [33935](#) Authorizing the Mayor and City Clerk to sign a contract with Vision Government Systems, Inc. for software and implementation services for a new Property Assessment System for the City Assessor's Office.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

66. [33940](#) Approving the selection of Construction Training, Inc. and its collaborative partners to provide services in support of an apprenticeship program to help prepare low-income and disadvantaged persons for employment in the trades, and authorizing the Mayor and the City Clerk to enter into an agreement with Construction Training, Inc. to implement the program.

Sponsors: Paul R. Soglin, Denise DeMarb, Lauren Cnare, Marsha A. Rummel, Shiva Bidar-Sielaff and Maurice S. Cheeks

Additional referral: Community Development Conference Committee

This Resolution was Referred to the BOARD OF ESTIMATES

67. [33945](#) Supporting the application by the Madison Parks Foundation for a Dane County Partners for Recreation and Conservation (PARC) grant for development of two new splash parks, one in Reindahl Park and one in Elver Park.

Sponsors: Joseph R. Clausius

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

68. [33949](#) Urging the Congressional Delegation of Wisconsin, U.S. Congress, U.S. Department of Agriculture, and other governmental bodies and organizations to support policies and programs that encourage the development of diversified farming practices that promote a healthy, sustainable food production system.

Sponsors: Paul R. Soglin

This Resolution was Referred to the MADISON FOOD POLICY COUNCIL

LICENSES

69. [33941](#) Public Hearing - New License
Jellysideup LLC • dba Olivers
2540 University Ave • Agent: Robert Harriman • Estimated Capacity: 93
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301

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

70. [33943](#) Public Hearing - New License
LBR Eastside LLC • dba The Spot Liquor
4521 Cottage Grove Rd • Agent: Larry Ring
Class A Beer & Class A Liquor
Aldermanic District 16 (Alder DeMarb) • Police Sector 614

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

71. [33944](#) Public Hearing - New License
ENR Investment Inc • dba Northport Citgo
1423 Northport Drive • Agent: Mohammed Ehtashamuddin
Class A Beer
Aldermanic District 18 (Alder Weier) • Police Sector 505

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

72. [33946](#) Public Hearing - New License
Nirmal Corporation • dba Maharaja Restaurant
6713 Odana Road, Suite 12 • Agent: Rohit Lamba • Estimated Capacity: 99
Class B Combination Liquor & Beer • 5% alcohol, 95% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

73. [33947](#) Public Hearing - New License
Senor Peppers LLC • dba El Burrito Loco
745 N High Point Road • Agent: Magaly Richter • Estimated Capacity: 50
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 19 (Alder Clear) • Police Sector 126

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

74. [33948](#) Public Hearing - New License
Panchim LLC • dba TBD
3506 Packers Avenue • Agent: Lakhvir Kaur
Class A Beer & Class A Liquor
Aldermanic District 12 (Alder Palm) • Police Sector 511

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

75. [33950](#) To grant Class A Liquor, Class A Beer, Class B Beer, Class B Combination Liquor & Beer, Class C Wine 2014-2015 License Renewals with restrictions as previously approved and to include any change of corporate structure and amended conditions as set forth in the report.

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

76. [33952](#) Public Hearing - New License
Cambridge Winery LLC • dba Cambridge Winery
1001 S Whitney Way • Agent: Frank Peregrine • Estimated Capacity: 65
Class B Combination Liquor & Beer • 80% alcohol, 5% food, 15% other
Aldermanic District 10 (Alder Cheeks) • Police Sector 105

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

77. [33953](#) Public Hearing - New License
Segredo LLC • dba Segredo
624 University Avenue • Agent: Greg Kostis • Estimated Capacity: 720
Class B Combination Liquor & Beer • 60% alcohol, 1% food, 39% other
Aldermanic District 4 (Alder Verveer) • Police Sector 403 • Density Area

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

78. [33954](#) Public Hearing - New License
Madison Opera Inc • dba Madison Opera
335 W Mifflin Street • Agent: Jennifer Fenster • Estimated Capacity: 200
Class B Beer & Class C Wine • 1% alcohol, 1% food, 98% other
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

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

79. [33955](#) Public Hearing - New License
Halo of Madison LLC • dba Whiskey Jacks Saloon
552 State Street • Agent: Joshua Hurley • Estimated Capacity: 297
Class B Combination Liquor & Beer • 95% alcohol, 0% food, 5% other
Aldermanic District 2 (Alder Zellers) • Police Sector 403 • Density Area

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

80. [33957](#) Public Hearing - New License
One Barrel Brewing Company LLC • dba One Barrel Brewing Company
2001 Atwood Avenue • Agent: Peter Gentry • Estimated Capacity: 80
Class B Combination Liquor & Beer • 88% alcohol, 9% food, 3% other
Aldermanic District 6 (Alder Rummel) • Police Sector 410

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

81. [33958](#) Public Hearing - New License
Ultra Mart Foods LLC • dba Metro Market #6434
6010 Cottage Grove Road • Agent: Scott Gordon • Estimated Capacity: 300
Class B Combination Liquor & Beer • 1.1% alcohol, 82.8% food, 16.1 %
other
Aldermanic District 3 (Alder Cnare) • Police Sector 627

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

82. [33961](#) Public Hearing - New Licensed Location
Kabul Inc • dba Kabul Restaurant
540 State Street • Agent: Scott Haumersen • Estimated Capacity: 99
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 2 (Alder Zellers) • Police Sector 403 • Density Area
Move from 541 State St to 540 State St

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

REPORTS

83. [33923](#) Report of Police Chief: Police Overtime for 2013 & 1st Quarter 2014

This Report was Referred to the BOARD OF ESTIMATES

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

84. [33884](#) B. Shore - property damage - \$165.00.

This Claim was Referred to the Risk Manager

85. [33885](#) K. Kolarik, West Bend for C. and J. Dahl - vehicle damage - \$1,577.85.

This Claim was Referred to the Risk Manager

86. [33894](#) J. Voelz - vehicle damage - \$1675.51.

This Claim was Referred to the Risk Manager

87. [33929](#) C. Castegnaro - property damage - \$81.12.

This Claim was Referred to the Risk Manager

88. [33933](#) T. Garza - vehicle damage - \$1,283.51.

This Claim was Referred to the Risk Manager

89. [33936](#) A. Tornai - property damage - \$199.88.

This Claim was Referred to the Risk Manager

90. [33938](#) E. Olsen, Eminent Domain Services, LLC, attorney for Milwaukee Street LLC - appraisal fee - \$3,300.00.

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.

91. [33899](#) Authorizing the Mayor and City Clerk to enter into agreements with Dane County for the resurfacing and jurisdictional transfer of CTH BW (E. Broadway from USH 51 to Dutch Mill Road). (16th AD)

Sponsors: Denise DeMarb

92. [33917](#) Amending Res-13-00639, Legistar No. 30748 to change the composition of the Sustainable Madison Transportation Master Plan Oversight Committee (see also Res-12-00648, Legistar No. 27220 - creating committee) to include an appointment by the Dane County Executive and a member of the Sustainable Madison Committee.

Sponsors: David Ahrens

93. [33995](#) Temporary Class B Retailer License
Concurrent with Street Use Permit
Back Porch Radio Broadcasting Inc
Event Location: 200 Block of Martin Luther King Jr Blvd
Event Date: 5/18/14
Aldermanic District 4 (Ald. Verveer)
Police District: 405
Event: 17th Annual WORT Block Party

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

3 registrants in support.

94. [33981](#) Secondhand Textbook Dealer License
Spencer's Books LLC
dba www.24-7buyback.com
515 University Ave
Madison, WI 53703
Aldermanic District 4 (Ald. Verveer)
Police Sector 403

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

95. [33982](#) Secondhand Textbook Dealer License
Spencer's Books LLC
dba www.24-7buyback.com
502 N Frances St
Madison, WI 53703
Aldermanic District 8 (Ald. Resnick)
Police Sector 403

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

ADDENDUM

96. [33922](#) Approving the selection of the Wisconsin Youth Company as the operator of the neighborhood center which is to be constructed in the Theresa Terrace neighborhood, authorizing the WYC to begin outreach and planning efforts with neighborhood residents in anticipation of the construction and opening of the center, and authorizing the Mayor and the City Clerk to enter into an agreement with the WYC to carry out these roles.

Sponsors: Paul R. Soglin, Matthew J. Phair, Lauren Cnare and Denise DeMarb

Additional referral: Community Development Division Conference Committee

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

97. [34001](#) Authorizing the Mayor and City Clerk to execute a Memorandum of Understanding with the representatives of the City of Tepatlán de Morelos, Jalisco Mexico confirming a sister city relationship with the City of Madison, Wisconsin USA.

Sponsors: Shiva Bidar-Sielaff

Adopt 5-20-14.

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

ADDENDUM

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

- [34004](#) Creating an Ad Hoc Downtown Public Restroom Committee.

Sponsors: Larry Palm, Michael E. Verveer, Scott J. Resnick, Marsha A. Rummel, Chris Schmidt and Ledell Zellers

Adopt 5-20-2014

A motion was made by Schmidt, seconded by DeMarb, to Refer to the COMMON COUNCIL. The motion passed by voice vote/other.

34016

Amending Sections 11.06(3), (4)(a), (5)(a), (7)(a), creating Sec. 11.06(7)(b), renumbering Secs. 11.06(7)(b) through (m) to Sec. 11.06(7)(c) through (7)(n), creating Sec. 11.06(7)(e)3., renumbering Secs. 11.06(7)(e)3. and 4. to Secs. 11.06(7)(e)4. and 5., amending Secs. 11.06(7)(f)1., 5. and 6., (9), (10)(a)2., creating Sec. 11.06(10)(c), renumbering Secs. 10.06(10)(c) through (g) to Secs. 11.06(10)(d) through (h), amending Secs. 11.06(10)(d)1. and (10)(f) of the Madison General Ordinances to permit the business of and outline the licensing requirements for Transportation Network Companies operating in the City of Madison.

Sponsors: Scott J. Resnick

Additional referrals: Public Safety Review Committee, ADA Transit Subcommittee to the Transit and Parking Commission, Equal Opportunities Commission

This Ordinance was Referred to the TRANSIT AND PARKING COMMISSION

ADJOURNMENT @ 11:18PM

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