



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, January 3, 2012

6:30 PM

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

ROLL CALL

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

Present: 19 - Paul R. Soglin
Lisa Subeck
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Sue Ellingson
Tim Bruer
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 2 - Larry Palm
Jill Johnson

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. Palm, Ald. Johnson

OPENING REMARKS

SUSPENSION OF RULES

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

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

HONORING RESOLUTIONS

1. [24836](#) Recognizing January 2012 as Human Trafficking Awareness and Prevention Month.

Sponsors: Shiva Bidar-Sielaff and Lisa Subeck

A motion was made by Ald. Bidar-Sielaff, 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-12-00001

2. [24888](#) Recognition of Italian Workmen's Club Month - January 2012

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

A motion was made by Ald. Resnick, 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-12-00002

PETITIONS AND COMMUNICATIONS**PETITIONS**

3. [24872](#) Petition received in the Madison City Clerk's Office 12/15/2011 from Guanming Shi, J&P International LLC, regarding attachment from the Town of Middleton to the City of Madison.

Accept

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the COMMON COUNCIL and should be returned by 1/17/2012. 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.

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

4. [24238](#) Public Hearing - New License
Xiu Pan • dba Happy Grill Restaurant
2810 E Washington Avenue • Estimated Capacity: 50
Class B Beer • 5% alcohol, 95% food
Aldermanic District 15 (Alder Palm) • Police Sector 502

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

5. [24541](#) Public Hearing - New License
Metcalf Foods - West, Inc. • dba Metcalfe's Market
7455 Mineral Point Rd • Agent: Jeffery Greenheck
Class A Liquor and Class A Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 124

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

6. [24542](#) Public Hearing - New License
Select Hotels Group, L.L.C. • dba Hyatt Place Madison
333 W Washington Ave • Agent: Mark Neubauer • Estimated Capacity:
120-1st Floor, 130-2nd Floor meeting space
Class B Combination Liquor & Beer • 1.8% alcohol, 2.9% food, 95.3% Other
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

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

7. [24544](#) Public Hearing - New License
Teddy Stevens • dba T. Sushi
301 W Johnson St • Estimated Capacity: 67
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant with Condition(s) 1. The establishment must meet the definition of a restaurant under Madison General Ordinances at all times of operation. 2. A full restaurant menu must be available during all hours of operation. 3. No use of the basement or upper floors of this license application may be used for serving alcohol, only for the storage of alcohol. 4. The first floor of the premises is the only area that may be used for service of alcohol and Close the Public Hearing. The motion passed by voice vote/other.

8. [24556](#) Public Hearing - New License
Irwin A and Robert D Goodman Community Center, Inc
dba Irwin A and Robert D Goodman Community Center
149 Waubesa St • Agent: Rebecca Steinhoff • Estimated Capacity: 250
Class B Combination Liquor & Beer • 5% alcohol, 95% food
Aldermanic District 6 (Alder Rummel) • Police Sector 602

A motion was made by Ald. Rummel, seconded by Ald. Bidar-Sielaff, to Re-refer for Recessed Public Hearing to the COMMON COUNCIL and should be returned by 1/17/2012. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

9. [24679](#) Approving Plans, Specifications, And Schedule Of Assessments For O'Sheridan Street, Lawrence Street and Bresland Court Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt with Conditions deleting the sidewalk along the park and only installing new sidewalk leading to the park and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-12-00003

10. [24680](#) Approving Plans, Specifications, And Schedule Of Assessments For Atwood Avenue Sanitary Sewer Lateral Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00004

11. [24681](#) Approving Schedule of Assessments for Resurfacing 2012 - Curb & Gutter Assessment District. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00005

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

12. [24766](#) Report of the Mayor submitting citizen committee appointments (introduction 12-13-2011; action 1-3-2012).

Sponsors: Paul R. Soglin

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

13. [24893](#) Report of the Mayor submitting citizen committee appointments (introduction 1-3-2012; action 1-17-2012).

Sponsors: Paul R. Soglin

Confirm at the Common Council meeting on 1/17/12

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to a future Meeting to Confirm to the COMMON COUNCIL and should be returned by 1/17/2012. The motion passed by voice vote/other.

14. [24917](#) Authorizing the Parks Superintendent to enter into Let's Play Spruce Grant agreements with KaBoom! to provide funding for park playground enhancements.

Sponsors: Paul R. Soglin, Mark Clear, Joseph R. Clausius, Lauren Cnare, Shiva Bidar-Sielaff and Paul E. Skidmore

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

Enactment No: RES-12-00006

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

15. [24778](#) Creating Sections 39.07 and 33.07(7)(k)13. of the Madison General Ordinances to require contractors to provide benefits to employees with domestic partners that are equal to the benefits offered and provided to married employees.

Sponsors: Michael E. Verveer, Paul R. Soglin, Shiva Bidar-Sielaff, Lauren Cnare, Lisa Subeck, Matthew J. Phair, Scott J. Resnick, Marsha A. Rummel, Sue Ellingson, Satya V. Rhodes-Conway, Brian L. Solomon and Joseph R. Clausius

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the ECONOMIC DEVELOPMENT COMMITTEE. The motion passed by voice vote/other.

NOTE: Ald. Johnson requests that Economic Development Committee be added as a referral agency

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

16. [23713](#) Change of Licensed Premise
Echo on Main Inc • dba Echo on Main • Capacity: 145
554 W Main St • Agent: Patrick Rynes
Class B Combination Liquor & Beer • 60% alcohol, 35% food, 5% other
Aldermanic District 4 (Alder Verveer) • Police Sector 404
Expansion of premises to include parking lot during UW Badger home games

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

17. [24279](#) Operator License Application
Benjamin Pierson - Establishment where employed: Barriques Coffee Trader

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

18. [24373](#) 21+ Entertainment License
Gorham Enterprises LLC • dba Wisco • Capacity: 99
852 Williamson St • Agent: William Alexander
Class B Combination Liquor & Beer • 90% alcohol, 10% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant With Condition(s) 1. Soundproofing is to be added, such as a sound-absorbing curtain around the area music is being played and windows being closed while music is being performed. 2. Staff will frequently monitor the exterior of the premises. 3. No outdoor music except for six (6) special events per year with a ten (10) day notice to the neighborhood and these events are to cease by 10:00 pm. The motion passed by voice vote/other.

19. [24661](#) Operator License Application
Ruth Umlor - Establishments where employed: Come Back Inn & Essen Haus

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

20. [24794](#) 18+ Center for Visual & Performing Arts License
Wisconsin Ventures Inc • Segredo • Capacity: 605
624 University Ave • Agent: Michael Hierl
Class B Combination Liquor & Beer • 62% alcohol, 25% food, 13% Other
Aldermanic District 8 (Alder Resnick) • Police Sector 403

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

21. [24795](#) Change of Licensed Premise
Wisconsin Ventures Inc • dba Segredo • Capacity: 605
624 University Ave • Agent: Michael Hierl
Class B Combination Liquor & Beer • 62% alcohol, 25% food, Other 13%
Aldermanic District 8 (Alder Resnick) • Police Sector 403
Continue to cover the 4 bowling lanes for a dance floor; increase capacity to 720

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

22. [24796](#) Change of Licensed Premise
Tony Frank's LLC • dba Tony Frank's Tavern • Capacity: 73
1612 Seminole Hwy • Agent: James Frank
Class B Combination Liquor & Beer • 50% alcohol, 49% food, 1% Other
Aldermanic District 10 (Alder Solomon) • Police Sector 103
Install 16X16 Cooler/Freezer combo outside NW back of building

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

23. [24805](#) Change of Corporate Control
Tropical Cuisine LLC • dba Tropical Cuisine
15 N Broom St • Agent: Blanca Maldonado
Class B Beer Class C Wine • 20% alcohol, 80% food
Aldermanic District 4 (Alder Verveer) • Police Sector 405
One new officer, one new Board Member

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

24. [24806](#) Change of Agent
Madison East Beverage LLC • Staybridge Suites • 3301 City View Dr
New Agent: Ian Freeburg
Class C Wine • 0% alcohol, 0% food, 100% other
Aldermanic District 17 (Alder Clausius) • Police Sector 519

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

25. [24807](#) Change of Agent
Texas Roadhouse Holdings LLC • dba Texas Roadhouse
4841 Annamark Dr
New Agent: Dave Hess
Class B Combination Liquor & Beer • 12% alcohol, 88% food
Aldermanic District 17 (Alder Clausius) • Police Sector 600

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

26. [24808](#) Change of Agent
Ultra Mart Foods LLC • dba Copp's Food Center #8114
620 Whitney Way
New Agent: Richard Girga
Class A Liquor & Class A Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

27. [24809](#) Change of Agent
SSP America, Inc • dba Cafe Ritazza • 4000 International Lane
New Agent: Dean McLaughlin
Class B Combination Liquor & Beer • 17% alcohol, 83% food
Aldermanic District 17 (Alder Clausius) • Police Sector 512

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

28. [24810](#) Change of Agent
SSP America, Inc • dba Great Dane • 4000 International Lane
New Agent: Dean McLaughlin
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 17 (Alder Clausius) • Police Sector 512

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

29. [24811](#) Change of Agent
SSP America, Inc • dba German Wurst Bar • 4000 International Lane
New Agent: Dean McLaughlin
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 17 (Alder Clausius) • Police Sector 512

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

30. [24812](#) Change of Agent
SSP America, Inc • dba Ancora Coffee• 4000 International Lane
New Agent: Dean McLaughlin
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 17 (Alder Clausius) • Police Sector 512

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

31. [24871](#) Alcohol License Review Committee Report of Operator License Applications
January 3, 2012. See attached report for list of operators.

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

REPORT OF BOARD OF BUILDING CODE, FIRE CODE, AND LICENSING APPEALS

32. [24043](#) 2nd SUBSTITUTE Creating Section 34.06 and amending Section 1.08(3)(a)
of the Madison General Ordinances to prohibit negligent or reckless behavior
that results in a fire and establishing a bail deposit in violation thereof.

Sponsors: Lauren Cnare and Paul E. Skidmore

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt
with the Recommendation: 34.06(1) should read, "It shall be unlawful for any
person who exhibits grossly negligent behavior or reckless disregard who sets
fire to any part of the building." The motion passed by voice vote/other.**

Enactment No: ORD-12-00001

REPORT OF BOARD OF ESTIMATES

33. [24631](#) 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, Tim Bruer and Matthew J. Phair

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

Enactment No: RES-12-00007

REPORT OF BOARD OF PUBLIC WORKS

34. [24296](#) Awarding Public Works Contract No. 6735, Madison Central Public Library - Remodel & Renovation - Hazardous Material Removal.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00008

35. [24346](#) Declaring the City of Madison's intention to exercise its police powers establishing the Rosa Road Resurfacing and Sidewalk Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00009

36. [24374](#) Awarding Public Works Contract No. 6437, Madison Central Public Library - Remodel & Renovation - General Construction.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Verveer, seconded by Ald. Bidar-Sielaff, to Place On File Without Prejudice. The motion passed by voice vote/other.

37. [24462](#) Amending the Master List of Street Names and Designations and amending the City Engineer's Street Numbering Map, referred to in Section 10.34(1), Madison General Ordinances

Changing the location of existing Willow Drive from Goodnight Hall to Observatory Drive which has been constructed by the University of Wisconsin, and removing the segment of Willow Drive from Goodnight Hall to Elm Drive that was obliterated by the University of Wisconsin.

Sponsors: Shiva Bidar-Sielaff

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

Enactment No: RES-12-00011

38. [24682](#) Declaring the City of Madison's intention to exercise its police powers establishing the South Ingersoll Street and Rutledge Street Assessment District - 2012.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00012
39. [24688](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for remodeling the Simulation Training Room space at the Police Training Center, Contract 6841.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00013
40. [24694](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Resurfacing 2012. (Various ADs)
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00014
41. [24695](#) Accepting bituminous surface improvements and thermal beds constructed by private contract in Heather Glenn Replat - Phase II, Private Contract No. 2100. (7th AD)
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00015

42. [24696](#) Accepting sanitary sewer, and street and terrace improvements constructed by Private Contract In 333 West Washington Avenue (Hyatt Place Hotel) PUD, Private Contract No. 2179. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00016

43. [24697](#) Accepting street and terrace improvements constructed by Private Contract In 1022 W Johnson Street PUD, Private Contract No. 2188. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00017

44. [24698](#) Accepting sanitary sewer, and street and terrace improvements constructed by Private Contract In WID/MIR - 1301 University Avenue PUD, Private Contract No. 2190. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00018

45. [24699](#) Accepting street and terrace improvements constructed by Private Contract in Park and Regent Redevelopment PUD Street PUD, Private Contract No. 2223. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00019

46. [24700](#) Accepting sanitary sewer, and street and terrace improvements constructed by Private Contract In 604-630 East Johnson Street PUD, Private Contract No. 2228. (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00020

47. [24701](#) Accepting sanitary sewer, and street and terrace improvements constructed by Private Contract In 2 S. Bedford PUD, Private Contract No. 2232. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00021

48. [24710](#) Amending Section 29.20(20) of the Madison General Ordinances to update the landfill zones of concerns and the required construction practices and safety precautions required therein.

Sponsors: Paul E. Skidmore

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

Enactment No: ORD-12-00002

49. [24718](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on University Avenue from North Segoe Road and Allen Boulevard. (11th & 19th ADs)

Sponsors: Mark Clear and Chris Schmidt

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

Enactment No: RES-12-00022

50. [24793](#) Declaring the City of Madison's intention to exercise its police powers establishing the Langlois Street and Merrill Crest Drive Assessment District - 2012. (11th & 19th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00023

51. [24798](#) Accepting bituminous surface, detention and infiltration basin improvements constructed by private contract in Hawks Ridge Estates, Private Contract No. 2087. (1st AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00024

REPORT OF CITY CLERK

52. [24902](#) Secondhand Jewelry Dealer License: TQ Diamonds, Inc., dba TQ Diamonds, 7058 Mineral Point Rd.

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

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

53. [24293](#) Amending and repealing various sections of the Madison General Ordinances to correct inconsistencies and improper references in the Madison General Ordinances, constituting the 2011 City Attorney Reviser's Ordinance.

Sponsors: Common Council By Request

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

Enactment No: ORD-12-00003

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

54. [24883](#) Approving a Certified Survey Map of property owned by James M. Corcoran located at 2612 Arbor Drive. 13th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-12-00025

55. [24884](#) Approving a Certified Survey Map of property owned by Karl Lang located at 2528 Waunona Way. 14th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-12-00026

56. [24885](#) Approving a Certified Survey Map of property owned by LLS Enterprises, LLC located at 5422 Wayne Terrace. 17th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-12-00027

REPORT OF ENGINEERING DIVISION

57. [24891](#) Authorizing the Board of Public Works to re-advertise and receive bids for the Madison Central Public Library - Remodel & Renovation - General Construction, Contract No. 6437 and authorizing the rejection of all bids previously received. (4th AD)

Sponsors: Michael E. Verveer

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

Enactment No: RES-12-00010

REPORT OF RISK MANAGER

58. [24351](#) Lauren Bettencourt, Traveler's Property Casualty Insurance Co., for J. Petkus, 28098 Cty. Hwy. CC, Cazenovia, 53924 - vehicle damage - \$5,910.91.

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

59. [24662](#) C. Sonduck, 101 E. Mifflin St., # 606, Madison, 53703 - personal injury - \$625.00.

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

60. [24760](#) L. Beckett Jr., 912 N. Bequette St., Dodgeville, 53533 - vehicle damage - \$1,494.39.

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

61. [24762](#) Terri Waligursky, Ingenix, P.O. Box 13216, Green Bay, 54307 - insurance claim recovery - \$3,713.13.

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

REPORT OF SISTER CITY COLLABORATION COMMITTEE

62. [24840](#) To establish a sister city relationship between the City of Madison, Wisconsin, USA, and the City of Tepatitlán de Morelos, Jalisco Mexico.

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

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

Enactment No: RES-12-00028

REPORT OF TRANSIT/ PARKING COMMISSION

63. [24719](#) Authorizing the Mayor and City Clerk to execute a long-term parking lease with Shine Advertising Co., LLC, for 35-50 parking stalls at Overture Center parking garage.

Sponsors: Chris Schmidt

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

Enactment No: RES-12-00029

ITEMS REFERRED TO THIS MEETING

ORDINANCES

64. [24803](#) Amending Sections 15.02(25) and (26) of the Madison General Ordinances to change the polling locations for Wards 25 and 26.

Sponsors: Joseph R. Clausius

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

Enactment No: ORD-12-00004

RESOLUTIONS

65. [24612](#) Authorizing the Mayor and City Clerk to sign a Use Agreement with the Board of Regents of the University of Wisconsin System (UW) to install and maintain temperature/ humidity sensors on City facilities

Sponsors: Mark Clear and Anita Weier

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

Enactment No: RES-12-00030

66. [24768](#) SUBSTITUTE-Support of in-state tuition for children of ~~illegal~~undocumented immigrants

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

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

Enactment No: RES-12-00031

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

67. [24870](#) Creating Section 16.23(7)(d)1. of the Madison General Ordinances to allow creation of lots by CSM from existing lots in a condominium plat if certain conditions are met.

Sponsors: Paul E. Skidmore

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

68. [24881](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Library Media Coordinator" in Compensation Group 18, Range 10, thereof.

Sponsors: Paul R. Soglin

Additional referral: Personnel Board

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

69. [24886](#) Repealing Section 4.17 of the Madison General Ordinances to eliminate the requirement to hold a referendum on bond issues in excess of \$300,000.

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

70. [24913](#) Creating Section 28.06(2)(a)3578. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3579. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District.

Proposed Use: General Development Plan and Specific Implementation Plan for St. Paul's University Catholic Center including the construction of a new six-story building with church and student center, and the continuation of the existing uses until construction commences: 8th Aldermanic District; 723 State Street.

Sponsors: Planning Division

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

71. [24914](#) Creating Section 15.01(583) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 19th Aldermanic District the Watts Road Attachment and creating Section 15.02(117) to assign the attached property to Ward 117 and amending Section 15.03(19) to add Ward 117 to Aldermanic District 19.

Sponsors: Paul R. Soglin

Adopt 2-7-2012.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to a future Meeting to Adopt to the COMMON COUNCIL 2/7/12 meeting. The motion passed by voice vote/other.

RESOLUTIONS

72. [24550](#) Approving the double-fill of a Parking Operations Manager position due to the retirement of the current Parking Operations Manager, William Knobeloch.

Sponsors: Chris Schmidt

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

73. [24651](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$1,898,000 Tax Incremental Finance Loan to 1102 South Park Street, LLC to assist in the development of the Wingra Clinic commercial redevelopment project located at 1102 South Park Street on a portion of the former Bancroft Dairy in the proposed TID #42 (Wingra).

Sponsors: Sue Ellingson

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

74. [24837](#) Approval of an Intergovernmental Agreement relating to the Post Road Sanitary Sewer Extension and allowing certain properties within the City of Fitchburg to connect to the Madison Sewer Utility in accordance with MGO 35.02(4)(b).

Sponsors: Tim Bruer

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

75. [24875](#) Create a new 0.9 FTE position of Library Media Coordinator in the Library Budget to be posted and filled through an internal competitive process. Upon filling the position, the underlying vacancy will be deleted.
- Sponsors:** Paul R. Soglin
- Additional referral: Personnel Board
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
76. [24876](#) Recreate the 0.8 FTE position #3242 of Library Assistant 1 (CG32, R 05), currently occupied by J. Muzzall, as a 0.9 FTE Librarian 1 (CG33, R 01) within the Library Budget, and reallocate the incumbent to the new position.
- Sponsors:** Paul R. Soglin
- Additional referral: Personnel Board
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
77. [24878](#) Classify the position of Playground Technician in the Parks Division Budget in CG 16-14.
- Sponsors:** Paul R. Soglin
- Additional referral: Personnel Board
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
78. [24879](#) Recreation of a 1.0 FTE Engineer 2 (CG18-08) position, currently occupied by Y. Tao (#1236), as a Traffic Engineer 2 (CG18-12) within the Traffic Engineering Division budget and reallocation of the incumbent to the new position.
- Sponsors:** Paul R. Soglin
- Additional referral: Personnel Board
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
79. [24882](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with Strand Associates, Inc. for the preparation of engineering drawings and specifications, public participation, permitting, bidding, and construction administration for the Utility's proposed VOC Air Stripper at Unit Well 15 (17th AD).
- Sponsors:** Joseph R. Clausius, Lauren Cnare and Tim Bruer
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the WATER UTILITY BOARD. The motion passed by voice vote/other.**

80. [24901](#) Authorizing the application and acceptance of up to \$400,000 in Wisconsin Department of Natural Resources Ready for Reuse Grant funds to assist with brownfield remediation activities within the 800 North Block of East Washington Avenue, and committing up to \$88,000 as a local cost-share, and amending the 2012 capital budget of Planning and Community and Economic Development to recognize these additional grant revenues, plus \$400,000 in Federal EPA Brownfield Grant monies, and commensurate expense as appropriate.

Sponsors: Satya V. Rhodes-Conway, Marsha A. Rummel and Bridget R. Maniaci

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

81. [24906](#) Authorizing the Mayor and City Clerk to execute maintenance contracts as needed for Cisco hardware and software support and maintenance services.

Sponsors: Chris Schmidt

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

82. [24910](#) Authorizing the Mayor and City Clerk to amend the contracts with The Bower Group and Vandewalle & Associates / The Hiebing Group Inc. for consultation services to implement the East Washington Avenue Capitol Gateway Corridor Plan and related projects within the Capitol East District, for an amount not to exceed \$175,000 total for a term of the agreement through December 31, 2012.

Sponsors: Satya V. Rhodes-Conway, Marsha A. Rummel and Bridget R. Maniaci

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

83. [24912](#) Approving the extension of the contract with the City for Fire Department Regional Hazardous Materials Response Team Services. The contract is with the State of Wisconsin, Department of Military Affairs, Division of Emergency Management.

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

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

84. [24915](#) Accepting a Homeland Security Grant if awarded by the Wisconsin Office of Justice to upgrade radios to operate on WISCOM.

Sponsors: Paul E. Skidmore and Lauren Cnare

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

85. [24916](#) Amending the Park Division's 2012 Operating Budget and authorizing the Parks Superintendent to apply for and enter into Partners for Fish and Wildlife Habitat Development Agreements with the United States Department of the Interior, Fish and Wildlife Service for in-kind supplies and materials to be utilized in City of Madison Parks. (Various ADs)

Sponsors: Mark Clear and Joseph R. Clausius

Additional referral: Board of Park Commissioners

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

86. [24919](#) Creating the Ad Hoc Committee on Moped Parking

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to a future Meeting to Adopt to the COMMON COUNCIL 1/17/12 meeting. The motion passed by voice vote/other.

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

87. [24830](#) Heath Straka, Gingras, Cates & Luebke, atty for P. Everson, 8150 Excelsior Dr., Madison, 53717 - personal injury - \$250,000.00.

This Claim was Referred to the Risk Manager

88. [24847](#) T. Hermsmeyer, State Farm Ins. for A. Markiewicz, 910 Lake Ct., Madison, 53715 - property damage - \$1,297.89.

This Claim was Referred to the Risk Manager

89. [24867](#) NOTICE OF CIRCUMSTANCES: Bradley Grell, Sperling Law Offices LLC, attorney for J. Duerst, 2114 Red Arrow Tr. #16, Fitchburg, 53713 - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

90. [24869](#) NOTICE OF CLAIM: B. Hasselberger, 13 Sage Cir., Madison, 53704 - vehicle damage - amount to be determined.

This Claim was Referred to the Risk Manager

91. [24877](#) D. Dean-Slaton, 705 Pulley Dr., Madison, 53714 - personal injury - \$10,000.00.

This Claim was Referred to the Risk Manager

92. [24887](#) The Travelers Home and Marine Insurance Company for Ronald Lingard, 13 Daffodil Ln., Madison, 53714-2142 - vehicle damage - \$2,188.09.

This Claim was Referred to the Risk Manager

93. [24894](#) S. Clair-Thomas, 1822 Northwestern Ave, Madison, 53704 - vehicle damage - \$846.11.

This Claim was Referred to the Risk Manager

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

94. [24840](#) To establish a sister city relationship between the City of Madison, Wisconsin, USA, and the City of Tepatitlán de Morelos, Jalisco Mexico.
- Sponsors:** Shiva Bidar-Sielaff, Bridget R. Maniaci, Paul R. Soglin, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellington, Jill Johnson, Steve King, Larry Palm, Matthew J. Phair, Scott J. Resnick, Satya V. Rhodes-Conway, Marsha A. Rummel, Chris Schmidt, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier
- Enactment No: RES-12-00028

NOTE: Agenda Item #94 also appears under the Report of the Sister City Collaboration Committee as Agenda Item #62 for Adoption

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

95. [24756](#) SUBSTITUTE Creating Sections 8.24(1)(cc) and (dd) of the Madison General Ordinances to prohibit alcohol beverages in the City-County Building and the Madison Municipal Building and surrounding property.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Lauren Cnare, Scott J. Resnick, Mark Clear and Michael E. Verveer

A motion was made to Refer to the CITY-COUNTY LIAISON COMMITTEE. The motion passed by voice vote/other.

NOTE: This is to add the City-County Liaison Committee as a referral agency

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

- [24964](#) Authorizing an amendment to the contract between the City of Madison and Meyer Scherer & Rockcastle, Ltd., in the amount not to exceed \$49,269.00 for additional architectural and engineering design services for Madison Central Public Library related to the rebidding of the Library Project.
- Sponsors:** BOARD OF PUBLIC WORKS, Michael E. Verveer and Larry Palm

A motion was made by Ald. Verveer, seconded by Ald. Bidar-Sielaff, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

ADJOURNMENT @ 7:16 PM

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adjourn at 7:16 PM. The motion passed by voice vote/other.