



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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

Tuesday, October 15, 2013

6:30 PM

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

5:00 PM AND 6:30 PM MEETING

SPEAKING GUIDELINES

Speaking Limits:

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

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

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

NOTIFIED ABSENCES: None

CONVENE AS COMMITTEE OF THE WHOLE

ROLL CALL @5:00 PM

This was Convene into Committee of the Whole

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

Absent: 1 - Michael E. Verveer

Excused: 1 - Paul R. Soglin

Speaking Guidelines: Public testimony will not be taken at the Committee of the Whole

NOTIFIED ABSENCES: None

1. [30834](#) Common Council Committee of the Whole: Discussion on possible Common Council 2014 Budget Amendments

Note: The Committee of the Whole may recess and reconvene after the conclusion of the regular Council meeting.

ADJOURN COMMITTEE OF THE WHOLE

A motion was made by King, seconded by Cnare, to Come out of Committee of the Whole at 6:11pm and Reconvene meeting. The motion passed by voice vote/other.

COMMON COUNCIL - RECONVENE AT 6:30 PM

This was Reconvene at 6:30PM, Mayor Paul R. Soglin in the chair.

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

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

HONORING RESOLUTIONS

2. [30759](#) Congratulating Access to Independence on their 35th Anniversary and their work in empowering, advocating and providing services for people with any type of disability, and of any age, to achieve or maintain their independence

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

A motion was made by Clear, seconded by 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-13-00779

3. [31768](#) Proclaiming October 17, 2013 as "Lights On Afterschool Day".

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, Sue Ellingson, 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 Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00780

4. [31855](#) Commending the City of Madison Human Resources Department on winning the International Personnel Management Association (IPMA-HR) Award for Agency Excellence for 2013.

Sponsors: Paul R. Soglin

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

Enactment No: RES-13-00781

PETITIONS AND COMMUNICATIONS

PETITIONS

5. [31808](#) Petition received in the Madison City Clerk's Office October 3, 2013 from Scott A Zimmerman and Gary F Timmerman regarding attachment from the Town of Blooming Grove to the City of Madison.

10-29-2013 Common Council Meeting to Accept

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

There was 1 registrations in support, 0 in opposition, and 0 neither supporting nor opposing.

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 PLAN COMMISSION

6. [30729](#) SUBSTITUTE. Creating Section 28.022 -- 00063 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-V1 (Traditional Residential-Varied 1) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 2802 Monroe Street.

Sponsors: Sue Ellingson

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: ORD-13-00167

7. [30730](#) SUBSTITUTE. Creating Section 28.022 -- 00064 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-V1 (Traditional Residential - Varied 1) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 666 Crandall Street.

Sponsors: Sue Ellingson

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: ORD-13-00168

8. [30731](#) SUBSTITUTE. Creating Section 28.022 -- 00065 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-V1 (Traditional Residential - Varied 1) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 2820 Monroe Street.

Sponsors: Sue Ellingson

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: ORD-13-00169

9. [30736](#) SUBSTITUTE. Creating Section 28.022 -- 00066 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C2 (Traditional Residential - Consistent 2) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 668 Pickford Street.

Sponsors: Sue Ellingson

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: ORD-13-00170

- 10. [30737](#) SUBSTITUTE. Creating Section 28.022 -- 00067 of the Madison General Ordinances rezoning property from TSS (Traditional Shopping Street) District to TR-C2 (Traditional Residential-Consistent 2) District. Proposed Use: No Change; Map Correction; 13th Aldermanic District; 2902 Monroe Street.

Sponsors: Sue Ellingson

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: ORD-13-00171

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 11. [31399](#) Public Hearing - New License
East Washington Liquor Inc • dba East Washington Liquor
3517 E Washington Ave • Agent: Gurpreet Ghuman
Class A Beer & Class A Liquor
Aldermanic District Ahrens (Alder 15) • Police Sector 604

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

- 12. [31400](#) Public Hearing - New License
Ignacio Sobrevilla • dba United Indoor Soccer
5018 Blazing Star Dr • Agent: Ignacio Sobrevilla • Estimated Capacity: 300
Class B Beer • 10% alcohol, 10% food, 80% other
Aldermanic District 16 (Alder DeMarb) • Police Sector 619

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

13. [31415](#) Public Hearing - New License
Jalapeno Mexican Grill Ltd • dba Jalapeno Mexican Grill
1821 S Park St • Agent: Vilma Rodriguez-Morales
Estimated Capacity: 100
Class B Combination Liquor & Beer • 10% alcohol, 88% food, 2% other
Aldermanic District 14 (Alder Strasser) • Police Sector 310

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

14. [31417](#) Public Hearing - New License
Underground Catering LLC
dba Underground Food Collective - Underground Catering
201 W Mifflin St • Agent: Melinda Trudeau • Estimated Capacity: 1575
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

REPORT OF BOARD OF ESTIMATES

15. [31643](#) 2014 Executive Operating Budget

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

REPORT OF PLAN COMMISSION

16. [31425](#) Creating Section 28.022 -- 00072 of the Madison General Ordinances to amend a Planned Development District to approve an Amended Specific Implementation Plan to allow demolition of 6 residential structures and construction of a new apartment building with 74 units at 105-113 S. Mills Street and 1020-1022 Mound Street; 13th Aldermanic District.

Sponsors: Planning Division

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

There were 4 registrations in support, 4 in opposition, and 2 neither supporting nor opposing.

Enactment No: ORD-13-00172

17. [31426](#) Creating Section 28.06(2)(a)00075. of the Madison General Ordinances rezoning property from TR-C4 (Traditional Residential - Consistent District 4) District to PD(Planned Development) District and approving a general development plan and specific implementation plan to allow 3 new single-family residences to be constructed along St. James Court in the rear yards of existing Mound Street residences at 1220-1236 Mound Street; 13th Aldermanic District

Sponsors: Planning Division

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

Enactment No: ORD-13-00173

18. [31453](#) Amending Sections 28.151 and 28.211 of the Madison General Ordinances to allow overnight sleeping in tents or in other temporary portable shelters as an accessory use of a religious institution or a nonprofit organization in specific districts.

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

A motion was made by DeMarb, seconded by Ellingson, to Referr to the COMMON COUNCIL. The motion failed by the following vote:

Ayes: 8 - Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Sue Ellingson
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier

Noes: 12 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Chris Schmidt
Larry Palm
John Strasser
Mark Clear
Matthew J. Phair

Abstentions: 1 - Paul R. Soglin

A motion was made by Weier, seconded by Cnare, to Adopt the Following Amendment:

Replace section 28.032 (4)(e) "Property owner shall obtain a campground permit pursuant to Wis. Admin Code § 178.05 and Wis. Stat. § 254.47 if there are four (4) or more units" with "Limit the number of temporary portable shelters on a church or nonprofit site to three." The motion failed by the following vote:

Ayes: 6 - Lauren Cnare
Sue Ellingson
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier

Noes: 14 - Lisa Subeck
Ledell Zellers
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
Mark Clear
Matthew J. Phair

Abstentions: 1 - Paul R. Soglin

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

There were 24 registrations in support, 0 in opposition, and 1 neither supporting nor opposing.

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

Noes: 2 - Paul E. Skidmore
Anita Weier

Abstentions: 1 - Paul R. Soglin

Enactment No: ORD-13-00177

19. [31481](#)

Amending Sections 28.135(2) and 28.211 of the Madison General Ordinances to provide an exception to the street frontage rule for lots adjacent to a park

Sponsors: Lisa Subeck and Paul E. Skidmore

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

Enactment No: ORD-13-00176

- 20. [31483](#) Amending Chapter 28 Zoning Districts - Site Standards to allow outdoor cooking as a permitted accessory use to a location that prepares food and creating a definition in Sec. 28.211 of the Madison General Ordinances for outdoor cooking operation.

Sponsors: Mark Clear, Ledell Zellers, Chris Schmidt and Scott J. Resnick

A motion was made by Ahrens, seconded by Zellers, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. This motion failed voice vote/other.

A motion was made by Clear, seconded by King, to Adopt the Following Amendment:

(c) Outdoor cooking operations in residential districts are limited to two (2) days in duration not more than five (5) times a month unless approved as a conditional use.

This motion failed by voice vote/other.

A motion was made by Schmidt, seconded by Bidar-Sielaff, to Adopt the Substitute with the recommendations of the Plan Commission. The motion passed by voice vote/other.

There were 2 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: ORD-13-00178

REPORT OF BOARD OF PUBLIC WORKS

- 21. [31174](#) Approving Plans, Specifications, And Schedule Of Assessments For 2013 School Road Assessable Drainage Improvement Project.

Sponsors: BOARD OF PUBLIC WORKS

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing

Enactment No: RES-13-00802

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

- 22. [31727](#) Report of the Mayor submitting citizen committee appointments (introduction 10-1-2013; action 10-15-2013).

Sponsors: Paul R. Soglin

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

- 23. [31835](#) Report of the Mayor submitting citizen committee appointments (introduction 10-15-2013; action 10-29-2013).

Sponsors: Paul R. Soglin

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

- 24. [30834](#) Common Council Committee of the Whole: Discussion on possible Common Council 2014 Budget Amendments

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 25. [31505](#) Operator License Application
Michelle L. Roatch - Establishment where employed: Madison Turners

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

- 26. [31507](#) Operator License Application
Shawn T. Murray - Establishment where employed: Vintage Brewing Co.

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

27. [31845](#) Alcohol License Review Committee Report of Operator License Applications October 15, 2013. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

28. [31647](#) Authorizing the double fill of a Legal Secretary 2 position in the Office of the City Attorney from December 1, 2013 thru December 31, 2013

Sponsors: Paul R. Soglin

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

Enactment No: RES-13-00782

29. [31691](#) Approving the Community Development Division's HUD required 2014 Action Plan.

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

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

Enactment No: RES-13-00803

30. [31693](#) Approving the reallocation of up to \$44,500 in previously approved but unutilized 2013 Operating Budget funds to fund five proposals received during the 2013 Emerging Opportunities Program funding process, and authorizing the Mayor and the City Clerk to enter into agreements with the associated agencies to implement the designated projects.

Sponsors: Paul R. Soglin, Maurice S. Cheeks, Matthew J. Phair, Shiva Bidar-Sielaff, Denise DeMarb, Lisa Subeck, Michael E. Verveer and Chris Schmidt

A motion was made by Schmidt, seconded by Resnick, to Adopt. There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing. The motion passed by the following vote:

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

Abstentions: 1 - Paul R. Soglin

Enactment No: RES-13-00783

31. [31695](#) Authorizing the use of Housing Development Reserves funds in an amount not to exceed \$100,000 to provide additional down payment assistance to qualified lower income homebuyers as part of the City's American Dream Down payment (ADDI) program.

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

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: RES-13-00784

32. [31713](#) Authorizing an advance disbursement of tax increment cash balances in TID 25 to redeem the 1996 Block 89 Redevelopment Lease Revenue Bonds and authorizing the Mayor and City Clerk to execute all documents necessary to facilitate such redemption and conveyance of the first phase of the Block 89 parking ramp from the City and CDA to Block 89 Parking Limited Partnership

Sponsors: Michael E. Verveer

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: RES-13-00785

- 33. [31737](#) To authorize Mayor and City Clerk to enter into a two (2) year agreement with two optional one-year renewals on behalf of the City with Madison Area Radio Control Society (MARCS) for use of Kettle Field, City parkland. (AD 16)

Sponsors: Joseph R. Clausius and Mark Clear

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

Enactment No: RES-13-00786

- 34. [31740](#) To authorize the City to enter into an agreement with Madison Metropolitan School District for the non-exclusive use of city park land for recreational programs offered by the Madison School Community Recreation. (Various AD's)

Sponsors: Joseph R. Clausius and Mark Clear

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

There were 0 registrations in support, 1 in opposition, and 0 neither supporting nor opposing.

Enactment No: RES-13-00787

- 35. [31741](#) Approving the provision of up to \$200,000 in 2013 Emerging Opportunities Program (EOP) funds to agencies and authorizing the Mayor and the City Clerk to enter into agreements with those agencies to implement the designated projects.

Sponsors: Paul R. Soglin, Shiva Bidar-Sielaff, Denise DeMarb, Matthew J. Phair, Lisa Subeck, Michael E. Verveer, Lauren Cnare and Marsha A. Rummel

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

Enactment No: RES-13-00788

36. [31753](#) Amending the 2013 Capital Budget of the Stormwater Utility to Rebalance Budgeted Revenues to Actual Revenues and Transferring Budget Authority to Complete Projects in 2013

Sponsors: Paul E. Skidmore

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

Enactment No: RES-13-00789

37. [31765](#) Direct The Community Development Authority of the City of Madison ("CDA") to draft and issue a request for qualifications ("RFQ") for development services relating to the development and financing of housing for homeless adults.

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

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

Enactment No: RES-13-00804

REPORT OF BOARD OF PARK COMMISSIONERS

38. [31179](#) Authorizing the execution of an Underground Telecommunications Line Easement to Wisconsin Bell, Inc. d/b/a AT&T Wisconsin across a portion of Cypress Spray Park, located at 902 Magnolia Lane.

Sponsors: John Strasser

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

Enactment No: RES-13-00790

REPORT OF BOARD OF PUBLIC WORKS

39. [31674](#) Authorizing the Mayor and City Clerk to enter into a cost sharing agreement with the City of Fitchburg for the resurfacing of Carling Drive from Chalet gardens Road to the Verona Road Frontage Road.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00791

40. [31710](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for CIPP Rehab of Sanitary and Storm Sewers 2013 - East Side.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00792

41. [31714](#) Awarding Public Works Contract No. 7003, University Avenue Landscaping.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00793

42. [31715](#) Awarding Public Works Contract No. 7172, Traffic Engineering Electrical Upgrades - 2013.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00794

- 43. [31738](#) Approving plans and specifications for public improvements necessary for the project known as 2620 Monroe Street and authorizing construction to be undertaken by the Developer, Private Contract No. 2364. (13th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00795

REPORT OF PLAN COMMISSION

- 44. [31305](#) Approving the final plat of St. James Cottage Homes located at 1220-1236 Mound Street; 13th Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-13-00796

- 45. [31482](#) Amending 16.23(8)(d)2. of the Madison General Ordinances in the Land Subdivision Regulations to provide an exception to the street frontage rule for lots adjacent to a park.

Sponsors: Lisa Subeck and Paul E. Skidmore

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

Enactment No: ORD-13-00174

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

46. [31311](#) Approving a Certified Survey Map of property generally owned by Meriter Management Services, Inc. and HCP, Inc. located at 105-113 S. Mills Street and 1018-1022 Mound Street; 13th Ald. Dist.

Sponsors: Planning Division

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

There was 1 registration in support, 0 in opposition, and 0 neither supporting nor opposing.

Enactment No: RES-13-00797

47. [31701](#) Re-approving a Certified Survey Map of property owned by the Water Utility of the City of Madison located at 1224 Felland Road; 17th Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-13-00798

48. [31816](#) Approving a Certified Survey Map of property owned by Suzanna Cecchin and Dave Wahle located at 2322-2326 Lakeland Avenue; 6th Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-13-00799

REPORT OF TRANSIT/ PARKING COMMISSION

49. [31702](#) Relating to El Caballo Pedicab application for a Pedal Cab operator license.

Sponsors: Michael E. Verveer

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

Enactment No: RES-13-00800

ITEMS REFERRED TO THIS MEETING

50. [31064](#) Affirming and Supporting the “Statement of Principles for the Homeless”.
- Sponsors:** Anita Weier, Marsha A. Rummel, Shiva Bidar-Sielaff and Michael E. Verveer

A motion was made by Weier, seconded by Ellingson, to Adopt the Following Amendment: remove the words "from law enforcement officers." The motion passed by voice vote/other.

- [31064](#) AMENDED - Affirming and Supporting the “Statement of Principles for the Homeless”.
- Sponsors:** Anita Weier, Marsha A. Rummel, Shiva Bidar-Sielaff, Michael E. Verveer, David Ahrens, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Denise DeMarb, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Scott J. Resnick, Chris Schmidt, Lisa Subeck and Ledell Zellers

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

Enactment No: RES-13-00805

51. [31700](#) Authorizing amendments to the “Regulations Governing Vending on the State Street Mall/Capitol Concourse” to create a requirement for sidewalk cafes and merchant vendors to sweep the sidewalk before setting up their equipment
- Sponsors:** Scott J. Resnick and Michael E. Verveer

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

Enactment No: RES-13-00801

52. [31706](#) Creating Section 9.13(6)(l)6. of the Madison General Ordinances to require vendors to clear snow from their vending site and creating a “Street Vending Snow Day” during which vending cannot occur on the Mall/Concourse.
- Sponsors:** Michael E. Verveer and Scott J. Resnick

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

Enactment No: ORD-13-00175

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

- 53. [31820](#) Creating Section 28.06(2)(a)00086. of the Madison General Ordinances to rezone property from A (Agricultural) District to SR-C1 (Suburban Residential - Consistent 1) District; and creating Section 28.06(2)(a)00087 of the Madison General Ordinances to rezone property from A (Agricultural) District to TR-U1 (Traditional Residential - Urban 1) District to demolish 3 single-family residences and create 44 single-family lots, 2 lots for future multi-family development and 2 outlots for public stormwater management at 901-1001 Sugar Maple Lane, 1st Aldermanic District.

Sponsors: Planning Division

This Ordinance was Referred to the PLAN COMMISSION

- 54. [31852](#) Amending Section 3.54(7)(a) of the Madison General Ordinances to eliminate the salary cap for new appointments of Police or Fire Chief.

Sponsors: Paul R. Soglin

This Ordinance was Referred to the BOARD OF ESTIMATES

- 55. [31853](#) Amending Section 2.36 of the Madison General Ordinances to require the Clerk to submit the Common Council proceedings to the Mayor within 72 hours of the conclusion of a Council meeting.

Sponsors: Michael E. Verveer

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE.

- 56. [31878](#) ~~Repealing Sections 38.06(11) and (12), recreating as Section 38.06(11) of the Madison General Ordinance to eliminate the 21+ entertainment license and move its requirements into the 18+ Centers for the Visual and Performing Arts License, and creating Section 38.04(6) to provide requirements for identifying patrons over the age of twenty one (21) at times when patrons under the age of twenty one (21) are allowed on a licensed premise.~~

This Ordinance was Withdrawn

RESOLUTIONS

57. [31758](#) Resolution authorizing a double-fill of the position of Police Chief due to the retirement of Noble Wray.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

58. [31760](#) Seeking Common Council approval of the 2013 Art in Public Places funding awards as recommended by the Madison Arts Commission.

Sponsors: Matthew J. Phair and Marsha A. Rummel

Additional referral to the Madison Arts Commission

This Resolution was Referred to the BOARD OF ESTIMATES

59. [31777](#) Accepting a Permanent Easement for Fiber Optic Facilities from the Board of Regents of the University of Wisconsin System across property located at 451 South Pleasant View Road.

Sponsors: Paul E. Skidmore

Additional referral to Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

60. [31815](#) Authorizing City Staff to promote crowdsourcing and crowdfunding for placemaking projects.

Sponsors: Paul R. Soglin, Scott J. Resnick and Marsha A. Rummel

This Resolution was Referred to the MADISON ARTS COMMISSION

61. [31828](#) Accepting a Warranty Deed, at no cost to the City of Madison, from Joseph Donnino, Jr., Donald L. Jones and Thayer Properties, LLC, dedicating land for public right-of-way purposes, for the property located at 698 South Whitney Way.

Sponsors: Mark Clear

Additional referral to Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

62. [31832](#) Approval to accept Homeland Security Metropolitan Medical Response System grant (2011-HSW-20 10312) awarded by the Wisconsin Department of Military Affairs Homeland Security program for \$267,609.

Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

63. [31833](#) Amending the 2013 Fire Operating budget to purchase two patient power loading cots from the EMS FAP funds.

Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

64. [31834](#) Approving a contract with the Dean Clinic Health System for occupational medical services.

Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES with Alder King abstaining.

65. [31843](#) Authorizing the execution of a contract with Image Trend, Inc for the Fire Department incident reporting system.

Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

66. [31861](#) To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2012/13 Maintenance Charges.

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

Additional referral to Downtown Coordinating Committee

This Resolution was Referred to the BOARD OF ESTIMATES

67. [31862](#) Amending the Northport-Warner Park-Sherman Neighborhood Plan to recommend medium-density residential uses on the central portion of the approximately 19.46-acre Keller property located generally west of Packers Avenue and north of Tennyson Lane.

Sponsors: Larry Palm

This Resolution was Referred to the PLAN COMMISSION

68. [31865](#) Authorizing the City's Purchasing Agent to execute a maintenance contract, on a recurring annual basis for the useful life of the software, for software support and maintenance services from NetMotion Wireless, Inc.

Sponsors: Scott J. Resnick

This Resolution was Referred to the BOARD OF ESTIMATES

69. [31867](#) Thanking members of the local music and entertainment industry for bringing BandSwap to Madison and Sexy Ester for representing Madison.

Sponsors: Marsha A. Rummel

This Resolution was Referred to the MADISON ARTS COMMISSION

70. [31874](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of the Central Park, located at 202 South Ingersoll Street.

Sponsors: Marsha A. Rummel

Additional referral to Plan Commission

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

71. [31876](#) Authorizing the execution of a Space Use Agreement with Madison Public Library Foundation, Inc. for the Foundation's use of office space at the Central Library located at 201 W. Mifflin Street.

Sponsors: Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

LICENSES

72. [31837](#) Public Hearing - New License
VIP Japanese & Chinese Restaurant • dba VIP Restaurant
6718 Odana Rd • Agent:Xiu Feng Zheng • Estimated Capacity: 120
Class B Combination Liquor & Beer • 7% alcohol, 80% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

73. [31838](#) Public Hearing - New License
Sol's LLC • dba Sol's on the Square
117 E Mifflin St • Agent: Hansol Yun • Estimated Capacity: 48
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406

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

- 74. [31840](#) Public Hearing - New License
Machu Picchu Restaurant LLC • dba Surco
515 Cottage Grove Rd • Agent: Victor Villacrez • Estimated Capacity: 40
Class B Beer • 10% alcohol, 80% food, 10% Other
Aldermanic District 15 (Alder Ahrens) • Police Sector 613

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

- 75. [31841](#) Public Hearing - New License
Brews Brothers Pub II LLC • dba Brews Brothers II
610 Junction Rd • Agent: Steven Day • Estimated Capacity: 55
Class B Beer, Class C Wine • 40% alcohol, 60% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 128

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

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 76. [31749](#) J. Fisher - vehicle damage - \$3,788.89.

This Claim was Referred to the Risk Manager

- 77. [31756](#) R. Kerska - vehicle damage - \$289.39.

This Claim was Referred to the Risk Manager

- 78. [31778](#) J. Kenny - vehicle damage - \$391.28.

This Claim was Referred to the Risk Manager

- 79. [31781](#) J. Pulley - property damage - greater than \$1.00.

This Claim was Referred to the Risk Manager

80. [31839](#) C. Zink, Charter Communication - property damage - \$853.43.

This Claim was Referred to the Risk Manager

81. [31844](#) C. Chvala, Chvala Law Offices for J. Mitchell - personal injury - \$90,000.00.

This Claim was Referred to the Risk Manager

82. [31866](#) J. Schmit, American Family Mutual Insurance Company for R. Kerska - property damage - greater than \$1.00.

This Claim was Referred to the Risk Manager

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

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

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

Common Council 10-29-2013

A motion was made by Ahrens, seconded by Resnick, to Refer to the COMMON COUNCIL meeting of 10-29-2013. The motion passed by voice vote/other.

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

Sponsors: John Strasser

Additional referral to Economic Development Committee

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

ADJOURNMENT @ 9:55 PM

A motion was made by King, seconded by Resnick, to Adjourn at 9:55 PM. The motion passed by voice vote/other.