



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://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](http://www.madisoncitychannel.tv).*

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Tuesday, November 1, 2011

6:30 PM

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

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ROLL CALL at 6:35pm

### ROLL CALL, MAYOR SOGLIN IN THE CHAIR

**Present:** 20 - 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  
Larry Palm  
Jill Johnson  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair

**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: None.**

### OPENING REMARKS

**SUSPENSION OF RULES**

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

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

**HONORING RESOLUTIONS**

- 1. [24331](#) Expressing appreciation and honor for the contributions and sacrifices veterans and their families have made for our country and our community.  
**Sponsors:** Lauren Cnare, Shiva Bidar-Sielaff, Michael E. Verveer, Paul E. Skidmore, Anita Weier, Satya V. Rhodes-Conway, Scott J. Resnick, Sue Ellingson, Chris Schmidt, Joseph R. Clausius, Tim Bruer, Paul R. Soglin, Marsha A. Rummel, Jill Johnson, Matthew J. Phair and Steve King

**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-11-00911

**PETITIONS AND COMMUNICATIONS**

**EARLY PUBLIC COMMENT**

**SPECIAL ORDER OF BUSINESS AT 6:45 PM**

**PRESENTATION OF CONSENT AGENDA**

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

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

**RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM**

**REPORT OF BOARD OF ESTIMATES**

2. [23675](#) 2012 Executive Operating Budget

**Sponsors:** Paul R. Soglin

Re-refer to the Board of Estimates Special Meeting on 11-7-2011

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Re-refer for Recessed Public Hearing to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

## **PUBLIC HEARINGS - BEGIN AT 6:45 PM**

### **REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

3. [23873](#) Public Hearing - New License  
Rosemary Corporation • dba BP Deon's  
2301 Commercial Ave • Agent:Dinar Shrestha  
Class A Beer  
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 501

**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.**

4. [23952](#) Public Hearing - New License  
LQ Management, LLC • dba La Quinta Inn & Suites  
5217 E Terrace Dr • Agent: Lynn Hegge • Estimated Capacity: 70  
Class B Combination Liquor & Beer • 90% alcohol, 10% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 520

**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. [24044](#) Public Hearing - New License  
Little Manhattan LLC • dba Little Manhattan  
6718 Odana Rd • Agent: Xiao Liu • Estimated Capacity: 125  
Class B Beer, Class C Wine • 20% alcohol, 50% food, 30% Other  
Aldermanic District 19 (Alder Clear) • Police Sector 113

**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. [24045](#) Public Hearing - New License  
300 CGR LLC • Chief's Tavern  
300 Cottage Grove Road • Agent: Brian Mason • Estimated Capacity: 149  
Class B Combination Liquor & Beer • 60% alcohol, 30% food, 10% Other  
Aldermanic District 15 (Alder Palm) • Police Sector 610  
Re-refer to the Alcohol License Review Committee meeting on 11-9-11.
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Re-refer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
7. [24046](#) Public Hearing - New License  
Kelly M Underwood LLC • dba The Froth House  
11 N. Allen St • Agent:Eric Stinson • Estimated Capacity: 60  
Class B Beer, Class C Wine • 5% alcohol, 94% food, 1% other  
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant with Condition(s): 1) No wine or beer will be displayed or served until 4:30pm on days the MMSD is in session; 2) Wine and beer will cease being served at 10pm; 3) Any outdoor activities will cease at 10pm. No entertainment outside.; 4) Deliveries will not take place before 9:30am or between 3:30pm and 5:00pm. and Close the Public Hearing. The motion passed by voice vote/other.**
8. [24047](#) Public Hearing - New License  
Provisions & Mercantile LLC • dba The Old Fashioned Tavern & Restaurant  
23&25 N Pinckney St • Agent:Tami Lax • Estimated Capacity: 200  
Wholesale Beer • 35% alcohol, 65% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 406 • Density Area
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Place On File Without Prejudice and Close the Public Hearing. The motion passed by voice vote/other.**
9. [24072](#) Public Hearing - New License  
Maurer's Foods, LLC • dba Fresh Madison Market  
703 University Avenue • Agent: Jeff Maurer:  
Class B Beer and Class C Wine • 1% alcohol, 99% food  
Aldermanic District 8 (Alder Resnick) • Police Sector 402  
Current Class A Liquor and Class A Beer licenses to be surrendered upon issuance
- 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.**

- 10. [24077](#) Public Hearing - New License  
Fourth Wave Project LLC • dba Fourth Wave Project LLC  
1252 Williamson Street • Agent: Scott M Spilger • Estimated Capacity: 62  
Class B Combination Liquor & Beer • 20% alcohol, 80% food  
Aldermanic District 6 (Alder Rummel) • Police Sector 408

**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.**

**REPORT OF PLAN COMMISSION**

- 11. [23715](#) Creating Section 28.06(2)(a)3561. 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: Construct 86 apartment units in three buildings; 3rd Aldermanic District; 6854 Stockbridge Drive.

**Sponsors:** Planning Division

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

Enactment No: ORD-11-00156

**END OF PUBLIC HEARINGS**

**BUSINESS PRESENTED BY THE MAYOR**

**APPOINTMENTS**

- 12. [24225](#) Report of the Mayor submitting citizen appointments (introduction 10-18-2011; action 11-1-2011).

**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. [24365](#) Report of the Mayor submitting citizen committee appointments (introduction 11-1-2011; action 11-29-2011).

**Sponsors:** Paul R. Soglin

Confirm 11-29-2011.

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to the COMMON COUNCIL and should be returned by 11/29/2011. The motion passed by voice vote/other.**

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

14. [23530](#) 21+ Entertainment License  
Trinity LLC • Erin's Snug Irish Pub • Capacity: 300  
4601 American Parkway • Agent: Jerry Waller  
Class B Combination Liquor & Beer • 25% alcohol, 75% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 520

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

15. [23850](#) Operator License Application  
Brad Young - Establishment where employed: Rocky Rococo

**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.**

16. [24143](#) Change of Corporate Control  
Supervalu Holdings Inc • dba Apollo Liquors  
Address 7455 Mineral Point Rd • Agent: Bradley Nauman  
Class A Beer, Class A Liquor  
Aldermanic District 09 (Alder Skidmore) • Police Sector 124

Supervalu Holdings Inc • dba Apollo Liquors  
4141 Nakoosa Trl • Agent: Stephanie Whetsel  
Class A Beer, Class A Liquor  
Aldermanic District 03 (Alder Cnare) • Police Sector 607

Addition of two and removal of one officer

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

17. [24174](#) Change of Agent  
Whiskey River LLC • dba Rev Jim's Roadhouse • 6402 Millpond Rd  
New Agent: William Truman  
Class B Combination Liquor & Beer • 75% alcohol, 25% food  
Aldermanic District 16 (Alder Johnson) • Police Sector 621

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

18. [24221](#) Operator License Application  
Jason A Wells - Establishment where employed: My Buddies

**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.**

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

19. [24039](#) Amending Sec. 40.11(5) of the Madison General Ordinances to increase the fee for the permit to operate conveyances.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer, Lauren Cnare, Satya V.  
Rhodes-Conway and 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-11-00150

20. [24040](#) Amending Secs. 34.02(1)(a), (2)(d)2.a., (2)(d)3., creating Sec. 34.02(2)(d)8. and renumbering and amending Sec. 34.02(2)(d)9. of the Madison General Ordinances to establish fees for incomplete plan submittals and private fire service hydrants and to raise the fee for fire alarm control unit and create a fee for plan reviews not mentioned within the section.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer, Lauren Cnare, Satya V.  
Rhodes-Conway and 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-11-00151

21. [24041](#) Amending Section 34.507(1)(b) of the Madison General Ordinances to exempt private fire service mains from Madison Fire Department (MFD) plan review.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer, Lauren Cnare, Satya V. Rhodes-Conway and Paul E. Skidmore

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt with the following Recommendation(s): That private fire mains are exempt from Madison Fire Department Review. The motion passed by voice vote/other.**

Enactment No: ORD-11-00152

22. [24042](#) Creating new Sec. 34.507(1)(c) and renumbering current Secs. 34.507(1)(c) through (k) to Secs. 34.507(1)(d) through (l), respectively, of the Madison General Ordinances to require submission of GPS coordinates of private fire hydrants to the Madison Fire Department.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer, Lauren Cnare, Satya V. Rhodes-Conway and Paul E. Skidmore

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt with the following Recommendation(s): That GPS coordinates are provided for private hydrants. The motion passed by voice vote/other.**

Enactment No: ORD-11-00153

#### REPORT OF BOARD OF ESTIMATES

23. [23900](#) Accepting a proposal from Joe Lusson and Aleen Tierney for the purchase of the residential structure located at 640 East Gorham Street within James Madison Park and authorizing staff to negotiate final terms for the sale of the residential structure and a lease of the land beneath it to Joe Lusson and Aleen Tierney.

**Sponsors:** Bridget R. Maniaci, Mark Clear and 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: RES-11-00912



24. [24011](#) Create a new position of Community Development Specialist 4-LTE within the Community Development Division to be posted for internal promotion. Upon filling the position, the resulting vacancy will be deleted to aid in funding the new position.
- Sponsors:** Paul R. Soglin
- 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-11-00913
25. [24035](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classifications of Community Development Specialist 1 in Compensation Group 18, Range 06; Community Development Specialist 2 in Compensation Group 18, Range 08; Community Development Specialist 3 in Compensation Group 18, Range 10; and Community Development Specialist 4 in Compensation Group 18, Range 12.
- Sponsors:** Paul R. Soglin
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-11-00154
26. [24106](#) To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2010/11 Maintenance Charges.
- Sponsors:** Scott J. Resnick and Michael E. Verveer
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00914
27. [24200](#) Approving an agreement with Dane County for Hazardous Materials Team Response by the Fire Department.
- Sponsors:** Paul R. Soglin, Paul E. Skidmore and Lauren Cnare
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00915

28. [24215](#) Resolution authorizing the redemption prior to maturity of the City of Madison \$6,565,000 Sewer System Revenue Bonds, Series 2003-A.

**Sponsors:** Paul R. Soglin

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

Enactment No: RES-11-00916

29. [24218](#) Authorizing the Mayor and City Clerk to sign an Intergovernmental Agreement for use of space at the Dane County Law Enforcement Training center by City of Madison Police Department and use of space at the City of Madison Police Training Center by Dane County Sheriff Office.

**Sponsors:** Paul R. Soglin

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

Enactment No: RES-11-00917

30. [24223](#) Authorizing the Chief of Police to establish Training Center use fees and to execute Space Use Agreements with other law enforcement agencies, governmental organizations, or groups with law enforcement affiliations for use of the City of Madison Police Training Center located at 5702 Femrite Drive, for the purposes of training.

**Sponsors:** Paul R. Soglin

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

Enactment No: RES-11-00918

31. [24230](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$1,372,000 Tax Incremental Finance Loan to GI Clinic, LLC to assist in the development of the University Crossing commercial redevelopment project located on the southwest corner of the intersection of University Avenue and the Whitney Way in the proposed TID #41 (University-Whitney).

**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. Ald. Bidar-Sielaff recused herself from this item.**

Enactment No: RES-11-00919

32. [24234](#) Report of Chief of Police re: Police Overtime through the 3rd Quarter of 2011.

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

33. [24235](#) Approving a contract with the Department of Veterans Affairs for the Fire Department to provide services beginning October 1, 2011 to the William S. Middleton Veterans Hospital.

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

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

Enactment No: RES-11-00920

#### REPORT OF BOARD OF PARK COMMISSIONERS

34. [23943](#) Creating New Section 8.35(3) of the Madison General Ordinances and renumbering current Sections 8.35(3) through (6) to Sections 8.35(4) through (7), respectively, to exempt certain properties in James Madison Park from the shoreline parks referendum requirement.

**Sponsors:** Bridget R. Maniaci, Mark Clear and Joseph R. Clausius

**A motion was made by Ald. Rummel, seconded by Ald. Palm, to Adopt the Following Amendment: That this is just for address 640 Gorham. failed voice vote/other.**

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

Enactment No: ORD-11-00155

35. [24168](#) Creating Section 23.59 and amending Section 1.08(3)(a) of the Madison General Ordinances to create several unlawful trespass violations when an individual is carrying a weapon and enters onto a property of another after having been notified that the carrying of weapons are not permitted on that property and to create a bail deposit for violation thereof.

**Sponsors:** Mark Clear and Joseph R. Clausius

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

**REPORT OF BOARD OF PUBLIC WORKS**

36. [24159](#) Awarding Public Works Contract No. 6466, Kennedy School Storm Bypass & Merryturn Greenway.

**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-11-00921

37. [24161](#) Awarding Public Works Contract No. 6736, Boulevard/ROW/Landscaping - 2011.

**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-11-00922

38. [24162](#) Awarding Public Works Contract No. 6760, Fire Station 8 Lighting Retrofit - 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-11-00923

39. [24209](#) Declaring the City of Madison's intention to exercise its police powers establishing the Camden Road 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-11-00924

40. [24210](#) Declaring the City of Madison's intention to exercise its police powers establishing the North Orchard Street and Spring Street Reconstruction 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-11-00925

41. [24217](#) Declaring the City of Madison's intention to exercise its police powers establishing the South Fairchild Street, West Doty Street & South Carroll 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-11-00926

42. [24227](#) Authorizing the Mayor and City Clerk to execute all necessary documentation to enter into an agreement with the State of Wisconsin to receive the City of Madison's share of the Local Road Improvement Funds.

**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-11-00927

43. [24250](#) Authorizing the Mayor and City Clerk to enter into agreements with Dane County for the reconstruction of Fish Hatchery Road (CTH D) from Emil Street to Wingra Drive.

**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-11-00928

44. [24251](#) Authorizing the Mayor and City Clerk to enter into agreements with the State of Wisconsin Department of Transportation, Dane County, Village of Shorewood Hills and City of Middleton for the reconstruction of University Avenue (CTH MS) from Allen Boulevard to Segoe Road.

**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-11-00929

45. [24257](#) Declaring the City of Madison's intention to exercise its police powers establishing the 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. The motion passed by voice vote/other.**

Enactment No: RES-11-00930

#### REPORT OF CITY CLERK

46. [24360](#) Alcohol License Review Committee Report of Operator License Applications November 1, 2011. 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 MADISON ARTS COMMISSION

47. [24063](#) Establishing a Northport-Warner Park-Sherman Neighborhood Public Art Ad Hoc Selection Committee

**Sponsors:** Satya V. Rhodes-Conway 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-11-00931

#### REPORT OF MONONA TERRACE COMMUNITY AND CONVENTION CENTER BOARD

48. [23948](#) Authorizing the Mayor and City Clerk to execute a First Addendum to the Employment agreement with Gregg R. McManners, Monona Terrace Community and Convention Center Director;

**Sponsors:** Paul R. Soglin

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

Enactment No: RES-11-00932

#### REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

49. [24281](#) Approving a Certified Survey Map of property owned by Sauk Heights, LLC located at 652 Bear Claw Way. 9th 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-11-00933

50. [24282](#) Approving a Certified Survey Map of property owned by Dane County Regional Airport and Corbin Land Development, LLC located at 2002-2202 Pankratz Street. 12th 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-11-00934

51. [24283](#) Approving a Certified Survey Map of property owned by University of Wisconsin Hospitals and Clinics Authority located at 4602-4702 Eastpark Boulevard. 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. Ald. Bidar-Sielaff recused herself from this item.**

Enactment No: RES-11-00935

52. [24284](#) Approving a Certified Survey Map of property owned by Hayes Holdings, LLC located at 6854 Stockbridge Drive. 3rd 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-11-00936

53. [24297](#) Approving a Certified Survey Map of property owned by Tamarack Trails Community Services Association, Inc. located at 110 S. Westfield Road. 9th 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-11-00937

#### REPORT OF RISK MANAGER

54. [24098](#) S. Frikken, 1822 Helena St., Madison, 53704 - property damage - \$248.00.

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

55. [24100](#) G. Fuerstenberg, 1426 Annen Ln., Madison, 53711 - vehicle damage - \$463.15.

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

56. [24144](#) A. Garcia, 2104 Keyes Ave., Madison, 53711 - property damage - \$65.00.

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

57. [24167](#) S. Wendt, 110 Ramlen Ct., Appleton, 54915 - property loss - \$224.00.

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

58. [24186](#) P. Schmelzer Woodward, W7068 County Rd. B, Rio, 53960 - vehicle damage - \$235.12.

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



59. [24212](#) State Farm for M. Lavoie, 3121 View Rd., Madison, 53711 - vehicle damage - \$663.19.

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

#### REPORT OF TRANSIT/ PARKING COMMISSION

60. [23210](#) Authorizing the Transit General Manager to enter into a Memorandum of Understanding with the City of Verona to continue to provide public transportation between Madison and Verona pursuant to the terms and conditions of the agreement executed between the Parties on August 31, 2005 and extended through December 31, 2007, except as modified by the Memorandum of Understanding and until a new agreement is executed.

**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-11-00938

61. [23616](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Maple Leaf, Inc. for the removal of snow and ice at the South, East and West Transfer Points, the North Transfer Point, including the Park and Ride connected with the North Transfer Point and the Dutch Mill Park and Ride. This contract will be for the 2011-12 season with four one-year options for renewal by mutual agreement of the Parties.

**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-11-00939

62. [23872](#) Authorizing the Mayor and the City Clerk to enter into a contract with Trapeze ITS U.S.A., LLC to provide software maintenance and support for the period 1/15/2011 - 12/31/2013 with two options to renew for an additional year period each for calendar years 2014 and 2015.

**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-11-00940

63. [23960](#) Authorizing the Transit General Manager to file an application for a public transit capital grant with Wisconsin Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with WISDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

**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-11-00941

64. [24000](#) Authorizing the Mayor and the City Clerk to accept sponsorship by MillerCoors, LLC for the New Year's Eve free rides program. MillerCoors is donating \$10,000 for 2011 to help offset the cost of providing free expanded transit service on New Year's Eve. The agreement includes an indemnification clause. The amount of the donation for each of the remaining two years of the contract will be agreed upon by the parties.

**Sponsors:** Lisa Subeck

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

Enactment No: RES-11-00942

#### REPORT OF WATER UTILITY BOARD

65. [24026](#) Authorizing the Mayor and the City Clerk to execute an emergency water system interconnection agreement with the City of Monona for the purpose of mutual aid and assistance in case of an emergency (Citywide).

**Sponsors:** Lauren Cnare

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

Enactment No: RES-11-00943

66. [24027](#) Authorizing the Mayor and the City Clerk to execute an amendment to the existing MOU with the Board of Regents of the University of Wisconsin for the purpose of continuing to promote drinking water research that will help to improve the water quality within the Madison water system, protect the public health, and improve system operations. The amendment shall be for the purpose of a no cost extension of the MOU to December 31, 2011 (Citywide).

**Sponsors:** Lauren Cnare

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

Enactment No: RES-11-00944

67. [24219](#) Authorizing the execution of an easement for water facility purposes in and between the properties at 807 Eagle Heights and 2402 Lake Mendota Drive (5th AD).

**Sponsors:** Lauren Cnare and Tim Bruer

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

Enactment No: RES-11-00945

68. [24259](#) Resolution authorizing the Mayor and the City Clerk to enter into an agreement with the Lenhart Company, Inc. for the installation of three monitoring wells at University Crossing (19th AD).

**Sponsors:** Lauren Cnare

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

Enactment No: RES-11-00946

## ITEMS REFERRED TO THIS MEETING

## ORDINANCES

- 69. [23785](#) 3rd SUBSTITUTE Amending Sections 9.24 and 1.08(3)(a) of the Madison General Ordinances to require secondhand dealers to compile and submit to the Police Department electronic records of transactions and creating penalties.

**Sponsors:** Michael E. Verveer, Paul E. Skidmore and Jill Johnson

Re-refer and adopt at the Common Council meeting on 11-29-11.

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Re-refer to the COMMON COUNCIL and should be returned by 11/29/2011. The motion passed by voice vote/other.**

**RESOLUTIONS**

- 70. [24277](#) Resolution Opposing 2011 Assembly Bill 286

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

Enactment No: RES-11-00947

**INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE**

**ORDINANCES**

- 71. [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

**This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

- 72. [24356](#) Adopting an amendment to the Generalized Future Land Use Plan Map in the City of Madison Comprehensive Plan.

**Sponsors:** Lauren Cnare

Additional Referral: Long Range Transportation Planning Committee

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION and the LONG RANGE TRANSPORTATION PLANNING COMMITTEE.**

- 73. [24358](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classifications of “Systems and Programming Manager” and “Data Center Manager” both in Compensation Group 18, Range 14, and creating the classifications of “IT Applications Development Manager” and “IT Technical Services Manager,” respectively, in Compensation Group 18, Range 14, thereof.

**Sponsors:** Paul R. Soglin

Additional Referral: Personnel Board.

**This Ordinance was Referred to the BOARD OF ESTIMATES and the PERSONNEL BOARD.**

- 74. [24372](#) Amending Section 12.145(1)(e) of the Madison General Ordinances to clarify that the operator of a vehicle parking at a multi-space meter need only display a receipt if required by the directions on the multi-space meter.

**Sponsors:** Chris Schmidt, Lisa Subeck and Bridget R. Maniaci

**This Ordinance was Referred to the TRANSIT AND PARKING COMMISSION**

**RESOLUTIONS**

- 75. [24310](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County for the purpose of providing the Transit Utility with State 85.21 funding given to Dane County for the provision of accessible transportation for eligible persons within Metro Transit’s service area in the calendar year 2011.

**Sponsors:** Lisa Subeck and Chris Schmidt

Additional Referral: Board of Estimates.

**This Resolution was Referred to the TRANSIT AND PARKING COMMISSION and BOARD OF ESTIMATES.**

- 76. [24311](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County Human Services to provide Volunteer Escort Services for the City of Madison for the calendar year 2011.

**Sponsors:** Lisa Subeck and Chris Schmidt

Additional Referral: Board of Estimates.

**This Resolution was Referred to the TRANSIT AND PARKING COMMISSION and BOARD OF ESTIMATES.**

77. [24314](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County to provide Group Access Service for the City of Madison for the calendar year 2011.

**Sponsors:** Lisa Subeck and Chris Schmidt

Additional Referral: Board of Estimates.

**This Resolution was Referred to the TRANSIT AND PARKING COMMISSION and BOARD OF ESTIMATES.**

78. [24323](#) Create the classification of "Conservation Technician" in CG16, Range 12; delete the classifications of "Conservation Maintenance Worker" in CG16, Range 9 and "Conservation Parks Leadworker" in CG20, Range 14; recreate position #1513 and position #1461 as Conservation Technicians, and increase position #1461 from 0.8 FTE to 1.0 FTE in the Parks Division budget.

**Sponsors:** Paul R. Soglin

Additional Referral to: Personnel Board.

**This Resolution was Referred to the BOARD OF ESTIMATES and PERSONNEL BOARD.**

79. [24332](#) Resolution authorizing the City Attorney to commence legal action against the State and its officers regarding the lapse or transfer of about \$400,000 in recycling grant funds.

**Sponsors:** Paul R. Soglin

**This Resolution was Referred to the BOARD OF ESTIMATES**

80. [24336](#) Authorizing the Mayor, City Clerk and Chief of Police to accept \$14,000 in overtime funds from the US Marshals Service in conjunction with our participation in their Joint Law Enforcement Fugitive Apprehension Squad.

**Sponsors:** Paul E. Skidmore

**This Resolution was Referred to the BOARD OF ESTIMATES**

81. [24337](#) Authorizing the Mayor, City Clerk and Chief of Police to accept six (6) public safety grants totaling \$213,702 from the Wisconsin Department of Transportation for the following activities in 2011/2012: Alcohol Enforcement (\$45,000), Speed Enforcement (\$45,000), Safety Belt Enforcement (\$35,000), Pedestrian Safety Enforcement (\$4,000), Bicycle Safety Enforcement (\$4,000), and Comprehensive Alcohol Risk Reduction (CARD) (\$80,702).

**Sponsors:** Paul E. Skidmore

**A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

82. [24348](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas Boykoff, his 2012 contract for professional services as Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.

**Sponsors:** Michael E. Verveer

**A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

83. [24349](#) Retitle position #831 of "Systems and Programming Manager" (currently occupied by D. Faust) as "IT Applications Development Manager" and position #821 of "Data Center Manager" (currently occupied by R. Beadles) as "IT Technical Services Manager" in the Information Technology budget.

**Sponsors:** Paul R. Soglin

Additional Referral to: Personnel Board.

**A motion was made to Referred to the BOARD OF ESTIMATES and PERSONNEL BOARD. The motion passed by voice vote/other.**

84. [24350](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas LaFleur, his 2012 contract for professional services as Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.

**Sponsors:** Michael E. Verveer

**This Resolution was Referred to the BOARD OF ESTIMATES**

85. [24357](#) Amending the Sprecher Neighborhood Development Plan to revise the land use recommendations for lands located within and adjacent to the Grandview Commons Neighborhood Center Mixed Use District.
- Sponsors:** Lauren Cnare
- Additional Referral: Long Range Transportation Planning Committee, Pedestrian/Bicycle/Motor Vehicle Commission.
- This Resolution was Referred to the PLAN COMMISSION, LONG RANGE TRANSPORTATION PLANNING COMMITTEE, PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION.**
86. [24359](#) Authorizing the execution of an Offer to Sell Real Estate between the City of Madison and the Mary K. Margetis Trust for the purchase of a lot located at 5100 Spring Court for the expansion of Merrill Springs Park and authorizing the amendment of the 2011 Parks Capital Budget for the acquisition.
- Sponsors:** Mark Clear
- Additional Referrals: Plan Commission, Board of Park Commissioners.
- A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
87. [24364](#) Authorizing the subordination of previously approved loans to Common Wealth Development and authorizing the Mayor and City Clerk to sign agreements to subordinate the loans.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Matthew J. Phair
- Additional Referral: Community Development Block Grant Committee.
- This Resolution was Referred to the BOARD OF ESTIMATES and COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE.**
88. [24368](#) Authorizing the Mayor and the City Clerk to execute an amendment to the Professional Services Agreement with Montgomery Associates Resource Solutions LLC for the completion of a study of the source of the VOC contamination at Unit Well 15 (17th AD).
- Sponsors:** Joseph R. Clausius, Lauren Cnare and Tim Bruer
- Water Utility Board to make recommendation 11/22/11.
- This Resolution was Referred to the WATER UTILITY BOARD**
89. [24369](#) **SUBSTITUTE:** Authorizing the Mayor and City Clerk to sign ~~a-contracts~~ with Itron, Inc ~~and NorthStar Utilities Solutions (a division of N. Harris Computer Corporation)~~ not to exceed \$11,935,500 for the purchase, ~~and~~ implementation, ~~and maintenance~~ of an Advanced Metering Infrastructure (AMI) system for the Madison Water Utility (City-wide).
- Sponsors:** Lauren Cnare and Tim Bruer
- This Resolution was Referred to the WATER UTILITY BOARD**



**PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON**

**CLAIMS - REFER TO RISK MANAGER**

90.     24258           P. Niemuth, 609 Mohawk Cir, Horicon, 53032 - vehicle damage - \$919.32.

**This Claim was Referred to the Risk Manager**

91.     [24265](#)           M. Thome for High Point Woods Apartment Homes, One High Point Oaks Ln., Madison, 53719 - property damage - \$1,194.31.

**This Claim was Referred to the Risk Manager**

92.     24266           Debbie Griffiths, AT&T, 435 S. 95th St., Milwaukee, 53214-1226 - property damage - \$527.56.

**A motion was made to Referred to the Risk Manager. The motion passed by voice vote/other.**

93.     24274           D. Budyak, 2108 E. Main, #2, Madison - vehicle damage - \$2,787.78.

**This Claim was Referred to the Risk Manager**

94.     [24298](#)           J. Luebow, Madison Veterinary Clinic, Ltd., 2125 N. Stoughton Rd., 53704 - improper billing for water usage - \$1,510.40.

**This Claim was Referred to the Risk Manager**

95.     [24324](#)           F. Berryman, 5 Apostle Is., Madison, 53719 - property damage - \$6,533.15.

**This Claim was Referred to the Risk Manager**

96.     24325           M. Gartner, 1102 Monica Ln., Madison, 53704 - property damage - \$63.29.

**This Claim was Referred to the Risk Manager**

97. [24351](#) Lauren Bettencourt, Traveler's Property Casualty Insurance Co., for J. Petkus, 28098 Cty. Hwy. CC, Cazenovia, 53924 - vehicle damage - \$5,910.91.

**This Claim was Referred to the Risk Manager**

98. [24366](#) NOTICE OF CIRCUMSTANCES OF CLAIM: J.S. Olson, attorney for K. Flynn, 919 E. Johnson St., Madison, 53703 - personal injury - amount to be determined.

**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.

99. [24233](#) Adopting the Madison Cultural Plan

**Sponsors:** Michael E. Verveer

100. [24275](#) Creating Section 9.53 to provide for a license for keeping honeybees and amending portions of Chapter 28 of the Madison General Ordinances of the conservancy, agriculture, and residential districts to allow the keeping of honeybees as a permitted use.

**Sponsors:** Satya V. Rhodes-Conway, Marsha A. Rummel and Michael E. Verveer

#### **ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR**

- [24386](#) Amending Sections 33.24(15)(c), 33.24(15)(e)3., 33.24(15)(e)12.a., and 33.24(15)(e)12.b.i. of the Madison General Ordinances to change the maximum height for a portion of a block in Urban Design District 8.

**Sponsors:** Bridget R. Maniaci

Additional Referral: Urban Design Commission.

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

**24398**

Authorizing the Finance Director to write off uncollectable loans of CDBG funds made for the benefit of Genesis Development Corporation and authorizing the Mayor and City Clerk to execute any documents to effectuate such write off.

**Sponsors:** Paul R. Soglin

Additional Referral: Community Development Block Grant Committee

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

**24414**

Amending Sections 13.07 and 13.21 of the Madison General Ordinances to create a residential water service connection requirement and to update the well operation permit and well abandonment procedures and requirements.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Lauren Cnare

Additional Referrals: Board of Public Works, Board of Health for Madison and Dane County and to return to the Common Council on 12-14-11.

**This Ordinance was Refer to the WATER UTILITY BOARD, BOARD OF PUBLIC WORKS, BOARD OF PUBLIC HEALTH FOR MADISON AND DANE COUNTY.**

**ADJOURNMENT @ 7:52pm**

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adjourn at 7:52 PM. The motion passed by voice vote/other.**