



City of Madison

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

Meeting Minutes - Approved COMMON COUNCIL ORGANIZATIONAL COMMITTEE

Tuesday, May 7, 2013

4:00 PM

210 Martin Luther King, Jr. Blvd.
Room 103A (City-County Building)
City Clerk's Conference Room

CALL TO ORDER / ROLL CALL

Present: 4 -

Chris Schmidt; David Ahrens; Anita Weier and Shiva Bidar-Sielaff

Excused: 4 -

Scott J. Resnick; Paul E. Skidmore; Marsha A. Rummel and Matthew J. Phair

Others in Attendance: Supv. Jenni Dye, Supv. John Hendrick, Joshua Wescott, Heather Allen, Anne Monks, Sally Miley, Paul Kronberger, City Attorney Michael May, Assistant City Attorney Lara Mainella, Ald. Mark Clear, Ald. Larry Palm, Ald. Ledell Zelelrs, Ald. Denise DeMarb, Ald. Mike Verveer

Ald. Chris Schmidt, Chair, called the meeting to order at 4:05 p.m.

APPROVAL OF MINUTES

A motion was made by Ald. Shiva Bidar-Sielaff, seconded by Ald. Anita Weier, to approve the minutes from the March 5, 2013 CCOC meeting. The motion passed by voice vote/other.

PUBLIC COMMENT

There was no public comment.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals from the members present.

Ald. Scott Resnick arrived at 4:06 p.m., Ald. Marsha Rummel arrived at 4:10 p.m. and Ald. Matt Phair arrived at 4:17 p.m.

Present: 7 -

Chris Schmidt; Scott J. Resnick; Marsha A. Rummel; David Ahrens; Anita Weier; Matthew J. Phair and Shiva Bidar-Sielaff

Excused: 1 -

Paul E. Skidmore

Ald. Scott Resnick left the meeting at 4:18 p.m.

- Present:** 6 -
Chris Schmidt; Marsha A. Rummel; David Ahrens; Anita Weier; Matthew J. Phair and Shiva Bidar-Sielaff
- Excused:** 2 -
Scott J. Resnick and Paul E. Skidmore

DISCUSSION/ACTION ITEM

29193

Adopt Rules of Procedure for when the CCOC acts as the Administrative Review Board under MGO 9.49 and set date for first meeting date.

Attachments: [DRAFT Administrative Review Board Procedures CCOC 2013.pdf 24226.pdf](#)

Assistant City Attorney Lara Mainella was present for discussion on this item. Ordinance, Leg. File No. 24226 was adopted 11/19/11 to appoint members of the CCOC to the Administrative Review Board. State law requires that the city have an administrative review process for appeals that do not have a process in place (e.g. court review, committee review, etc.).

Ald. David Ahrens asked for an examples of what type of appeal would be before the ARB. ACA Mainella stated it would cover an appeal of an agency administrative decision (e.g. Building Inspection decision).

ACA Mainella reviewed the draft rules that were before the CCOC for approval.

The following changes were requested by the CCOC:

1. B. 3. - Appellant must provide at least 10 COPIES (vs. 1 copy), and;
2. Add language regarding avoiding ex parte communications (e.g. communications with city representative involving the appeal)

A motion was made by Ald. Shiva Bidar-Sielaff, seconded by Ald. Anita Weier, to approve with amendment(s) the Rules for the Administrative Review Board. The motion passed by voice vote/other.

A motion was made by Ald. Matt Phair, seconded by Ald. Anita Weier, to set the date of the hearing for:

Tuesday, May 21, 2013

4:30 p.m.

Room Location: To be determined

The motion passed by voice vote/other.

Ald. Scott Resnick returned to the meeting at 4:26 p.m.

- Present:** 7 -
Chris Schmidt; Scott J. Resnick; Marsha A. Rummel; David Ahrens; Anita Weier; Matthew J. Phair and Shiva Bidar-Sielaff
- Excused:** 1 -
Paul E. Skidmore

REFERRALS FROM COMMON COUNCIL

[29554](#)

Resolution In Support of Balanced Municipal Representation on the Madison Metropolitan Sewerage District

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

Attachments: [MMSD population estimate.pdf](#)

Ald. Shiva Bidar-Sielaff moved to take Leg. File #29544 out of order on the agenda, seconded by Ald. Scott Resnick. Motion was approved.

Dane County Supv. Jenni Dye spoke in opposition to the resolution. Supv. Dye stated that making changes to the Madison Metropolitan Sewerage District makeup now could open the door for the State Legislature to make changes negatively impacting the phosphorus rules currently in place.

Dane County Board Chair, Supv. John Hendrick spoke in opposition to the resolution. Supv. Hendrick stated that the commission has historically been made up of a majority of city of Madison appointments (60-80% Madison Residents currently and this proposal would reduce that number to 66%). He also noted that this proposal would change the chair to be a non-Madisonian (where the chair has been historically the city of Madison representative). Milwaukee should not be considered as a model; members are paid 8x as much as Madison commissioners, they levy property taxes. Supv. Hendrick believed that this model looked good to the mayors but should not look good to legislative bodies.

Ald. Shiva Bidar-Sielaff asked if Supv. Hendrick could respond to the criticisms that the meetings were not open. Supv. Hendrick stated that they were open meetings and are publicly noticed. He had not heard of anyone having issues with attending a meeting or accessing information about the MMSD.

Nick Zavos responded that he was skeptical about the statement that the State Legislature would impact the phosphorus rules that this legislature could have already made changes if they had wanted. He also noted that the MMSD also has the ability to levy property taxes now. The mayor still had an issue with the appointments: the city pays the bills and county makes the appointments and the mayor believes that the city should have more of a role in making those appointments.

Ald. Chris Schmidt asked why this was on the radar now for the mayor. Mr. Zavos stated that the mayor was concerned about the phosphorus rule recommendations imposing a heavier burden on city taxpayers (e.g. the \$1-2M water treatment plant).

Ald. Bidar-Sielaff asked what the results were of any conversation(s) between the Mayor and Dane County Executive. Mr. Zavos stated that the mayor had contacted the Dane County Executive twice about submitting Larry Nelson as an appointment to the MMSD (first time did not hear back and second time received a letter).

Joshua Wescott, Chief of Staff to Dane County Executive, spoke in opposition to the resolution. Mr. Wescott stated that the MMSD is an effectively managed and efficiently run operation both fiscally and in terms of innovation. Rates are 35% lower than counterparts around the United States. MMSD is the architect of the Adaptive Management Program that was derived directly from the Federal government requirements to address phosphorus in Dane County waterways. The State DNR, 21 - 22 communities, Clean Lakes Alliance, environmental groups, as well as the city, have signed onto the Memorandum of Understanding. The mayor's concerns regarding rates are merited but the Executive felt that the city of Madison is well-represented on the MMSD Commission.

A motion was made by Ald. Scott Resnick to approve (for discussion purposes), seconded by Ald. Shiva Bidar-Sielaff.

Ald. Resnick had concerns with the appointments and the length of service some of the members have on the commission. Ald. Bidar-Sielaff noted that the Dane County Executive is new and has had only one chance to make an appointment to this commission. From her perspective this was not the biggest issue the city and the county should be working on to address. Ald. David Ahrens stated that it was time for a change and supported the resolution. Ald. Matt Phair believed that this was a solution looking for a problem and did not support the resolution. Ald. Mark Clear stated that this had the potential of politicizing a body that was focused on technical issues.

Return to Lead with the Following Recommendation(s) to the BOARD OF PUBLIC WORKS. The motion FAILED by the following vote:

Ayes: 1 -

David Ahrens

Noes: 5 -

Chris Schmidt; Scott J. Resnick; Marsha A. Rummel; Anita Weier; Matthew J. Phair and Shiva Bidar-Sielaff

Excused: 1 -

Paul E. Skidmore

29473

SUBSTITUTE Creating Section 33.53 of the Madison General Ordinances establishing the Digital Technology Committee.

Sponsors: Paul R. Soglin, Scott J. Resnick and Mark Clear

Attachments: [Version 1](#)
[Version 2](#)

Ald. Matt Phair made a motion to take this item out of order, seconded by Ald. Scott Resnick. Motion passed by voice vote/other.

Paul Kronberger, City IT Director, was present for discussion on this item. He stated that this was the formation of a committee that would advise the Mayor and the Council on a number of technology issues, particularly broadband service to more residents and expanding outreach to technology-related businesses.

Ald. Mark Clear stated that it would be bring some policy guidance and outside expertise on technology issues. He also recommended reducing the number

of voting members from 9 to 7 and clarification- insert the word "city" before the word "deployment": "(4)....to the Mayor and Common Council on the city deployment..."

A motion was made by Ald. Shiva Bidar-Sielaff, seconded by Ald. Matt Phair, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. Ald. Mark Clear's requested changes were incorporated into the main motion and were considered friendly.

Ald. Resnick preferred 9 members to capture a wider knowledge base on IT issues (e.g. fiber, Legistar, broadband). The friendly amendment request to change the number of members from 9 to 7 was removed from the main motion on a voice vote/other.

The main motion as amended passed by voice vote/other.

[29732](#)

Amending Section 33.32(1)(a) of the Madison General Ordinances to modify the composition of the Joint West Campus Area Committee.

Sponsors: Paul R. Soglin

A motion was made by Ald. Shiva Bidar-Sielaff, seconded by Ald. Scott Resnick, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

[29801](#)

Amending Section 33.32(2)(a) of the Madison General Ordinances to modify the composition of the Joint Southeast Campus Area Committee.

Sponsors: Paul R. Soglin

A motion was made by Ald. Shiva Bidar-Sielaff, seconded by Ald. Scott Resnick, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

[29903](#)

Repealing Section 7.01(1)(a) of the Madison General Ordinances to eliminate the Pest Management Advisory Committee.

Sponsors: Paul R. Soglin

Attachments: [Pest Management Advisory Subcommite Memo](#)

A motion was made by Ald. Shiva Bidar-Sielaff, seconded by Ald. Scott Resnick, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

[29913](#)

Amending Section 8.41 of the Madison General Ordinances to re-focus the charge of the Downtown Coordinating Committee.

Sponsors: Michael E. Verveer and Ledell Zellers

Ald. Marsha Rummel asked why this committee was being moved from being staffed by Parks to being staffed by Planning.

Anne Monks explained that the focus of the committee was moving away from only focusing on special events and looking at the larger issue of public spaces and promoting businesses necessitating a staffing be provided by

Planning staff vs. Parks staff.

A motion was made by Ald. Shiva Bidar-Sielaff, seconded by Ald. Scott Resnick, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

29916

Repealing Section 39.02(3)(b) and renumbering Sections 39.02(3)(c) and (d) to Sections 39.02(3)(b) and (c), respectively, of the Madison General Ordinances to eliminate the alternate member positions of the Affirmative Action Commission.

Sponsors: Paul R. Soglin

A motion was made by Ald. Shiva Bidar-Sielaff, seconded by Ald. Scott Resnick, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

DISCUSSION/ACTION ITEM

30064

\$5,000 Travel & Conference Account: Requests to Access Funding

Attachments: [CCOC Travel Funds Request NLC 2013 Weier.pdf](#)
[CCOC Travel Funds Request NLC 2013 Palm.pdf](#)
[CCOC Travel Funds Request NLC 2013 Strasser.pdf](#)
[CCOC Travel Funds Request NLC 2013 Clear.pdf](#)
[CCOC Travel Funds Request NLC 2013 Bidar Sielaff.pdf](#)
[\\$5,000 Travel & Conference Account Policy.pdf](#)

Ald. Shiva Bidar-Sielaff, Ald. Mark Clear and Ald. Larry Palm withdrew their requests.

A motion was made by Ald. David Ahrens, seconded by Ald. Scott Resnick, to approve allocating \$1,000 to Ald. John Strasser and \$1,000 to Ald. Anita Weier for the 2013 Annual NLC Conference in Seattle, Washington. The motion passed by voice vote/other.

UPDATES

30065

Update: Council Legislative Agenda Work Group: Demographic Change - Ald. Scott Resnick, Chair

A motion was made by Resnick, seconded by Bidar-Sielaff, to Re-refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE and should be returned by 6/4/2013. The motion passed by voice vote/other.

30066

Update: Council Legislative Agenda Work Group: Alternative Sources of Revenue - Ald. Mark Clear, Chair

A motion was made by Resnick, seconded by Bidar-Sielaff, to Re-refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE and should be returned by 6/4/2013. The motion passed by voice vote/other.

[30067](#)

Update: Heather Allen, Common Council Legislative Analyst

Attachments: [5/1/13 Legislative Analyst Project Updates.pdf](#)

A motion was made by Resnick, seconded by Bidar-Sielaff, to Re-refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE and should be returned by 6/4/2013. The motion passed by voice vote/other.

FUTURE AGENDA ITEMS

There were no future agenda items discussed.

ADJOURNMENT

A motion was made by Ald. Scott Resnick, seconded by Ald. Shiva Bidar-Sielaff, to adjourn. The motion passed by voice vote/other. Meeting adjourned at 5:17 p.m.