



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, April 16, 2013

12:00 PM

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

NOON & 6:30 PM MEETING

ROLL CALL @ 12:00 PM

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 Bidar-Sielaff, seconded by Schmidt, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

1. [29742](#) Commending and thanking Alderperson Shiva Bidar-Sielaff for her dedicated and conscientious service during her tenure as President of the Madison Common Council.

Sponsors: Paul R. Soglin, Chris Schmidt, 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, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

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

Enactment No: RES-13-00227

2. [29743](#) Commending and thanking Alderperson Chris Schmidt for his dedicated and conscientious service during his tenure as President Pro Tem of the Madison Common Council.

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, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by King, seconded by Bidar-Sielaff, to Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00228

3. [29751](#) Commending and thanking Alderperson Bridget Maniaci for her dedicated service to the constituents in District 2 and to the City of Madison.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Jill Johnson, Steve King, Larry Palm, Matthew J. Phair, Scott J. Resnick, Satya V. Rhodes-Conway, Marsha A. Rummel, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00229

4. [29752](#) Commending and thanking Alderperson Brian Solomon for his dedicated service to the constituents in District 10 and to the City of Madison.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Common Council By Request, Sue Ellingson, Jill Johnson, Steve King, Bridget R. Maniaci, Larry Palm, Matthew J. Phair, Scott J. Resnick, Satya V. Rhodes-Conway, Marsha A. Rummel, Paul E. Skidmore, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00230

5. [29753](#) Commending and thanking Alderperson Satya Rhodes-Conway for her dedicated service to the constituents in District 12 and to the City of Madison.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, 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, Marsha A. Rummel, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by Bidar-Sielaff, seconded by Schmidt, to Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00231

6. [29754](#) Commending and thanking Alderperson Timothy V. Bruer for his dedicated service to the constituents in District 14 and to the City of Madison.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, 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, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by Schmidt, seconded by Bidar-Sielaff, to Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00232

7. [29755](#) Commending and thanking Alderperson Jill Johnson for her dedicated service to the constituents in District 16 and to the City of Madison.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Steve King, Bridget R. Maniaci, Larry Palm, Matthew J. Phair, Scott J. Resnick, Satya V. Rhodes-Conway, Marsha A. Rummel, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by Schmidt, seconded by Bidar-Sielaff, to Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00233

8. [29784](#) Commending and thanking Alderperson Larry Palm for his dedicated service to the constituents in District 15 and to the City of Madison.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Jill Johnson, Steve King, Bridget R. Maniaci, Matthew J. Phair, Scott J. Resnick, Satya V. Rhodes-Conway, Marsha A. Rummel, Paul E. Skidmore, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

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

Enactment No: RES-13-00234

REFER ALL UNFINISHED BUSINESS TO THE ORGANIZATIONAL MEETING

This was Reconvene

ADJOURN SINE DIE @ 2:18PM

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

SWEARING IN OF NEWLY-ELECTED AND RE-ELECTED ALDERPERSONS

CONVENE ORGANIZATIONAL MEETING - APRIL 16, 2013

CONVENE AS COMMITTEE OF THE WHOLE

- Present:** 15 - Lisa Subeck
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Chris Schmidt
Sue Ellingson
Larry Palm
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
- Excused:** 6 - Paul R. Soglin
Bridget R. Maniaci
Brian L. Solomon
Satya V. Rhodes-Conway
Tim Bruer
Jill Johnson

9. [29808](#) Election of Common Council President, 2013

Ald. King nominated Ald. Schmidt for Common Council President, seconded by Ald. Clausius.

Ald. Palm was nominated by Ald. Subeck.

Ald. Schmidt was voted in as Common Council President by a vote of 12-8.

- 10. [29809](#) Election of Common Council President Pro Tem, 2013

**Ald. Schmidt nominated Ald. Resnick for Common Council President Pro Tem.
Ald. Subeck nominated Ald. Palm for Common Council President Pro Tem.**

Ald. Resnick was voted in as Common Council President Pro Tem by a vote of 13-6 and 1 abstention.

ADJOURN COMMITTEE OF THE WHOLE @ 2:48PM

RECESS MEETING TO 6:30 PM, APRIL 16, 2013

A motion was made by Schmidt, seconded by King, to Take A Recess. The motion passed by voice vote/other.

APRIL 16, 2013, 6:30 PM RECESSED COMMON COUNCIL MEETING AGENDA

****SUSPENSION OF THE RULES REMAINS IN EFFECT****

HONORING RESOLUTIONS

- 11. [29640](#) Proclaiming April 2013 as Child Abuse Prevention Month in the City of Madison.

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

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-13-00235

12. [29721](#) Honoring the life and images captured by photographer Phil Ejercito.

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

A motion was made by Rummel, seconded by Schmidt, 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-13-00236

13. [29793](#) Declaring the week of April 14 - 20, 2013 as “National Telecommunicators Week”.

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

A motion was made by Skidmore, seconded by Schmidt, 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-13-00237

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

14. [26487](#) SUBSTITUTE Creating Section 28.06(2)(a)3613. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District; creating Section 28.022--00034 of the Madison General Ordinances rezoning property from PD(SIP) Planned Development (Specific Implementation Plan) District to Amended PD(GDP) Planned Development (General Development Plan) District; creating Section 28.06(2)(a)3614. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District; and creating Section 28.022--00035 of the Madison General Ordinances rezoning property from Amended PD(GDP) Planned Development (General Development Plan) District to Amended PD(SIP) Planned Development Plan (Specific Implementation Plan) District. Proposed Use: Construct 42-unit apartment building and remove an owner-occupancy restriction for an existing 16-unit building; 7th Aldermanic District: 6717-6733 Fairhaven Road.
- Sponsors:** Planning Division

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

Enactment No: ORD-13-00038

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

15. [29256](#) Public Hearing - New License
Mann LLC • dba TBD
6640 Mineral Point Rd • Agent: Lakhvir Kaur
Class A Combination Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 112

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

16. [29261](#) Public Hearing - New License
Crescendo LLC • dba Crescendo Espresso Bar & Music Cafe
1859 Monroe St • Agent: Caitlin Shanahan • Estimated Capacity: 49
Class B Beer & Class C Wine • 15% alcohol, 35% food, 50% other
Aldermanic District 13 (Alder Ellingson) • Police Sector 303

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.

17. [29262](#) Public Hearing - New License
Bonta LLC • dba Bonta
8452 Old Sauk Rd • Agent: Nicholas Mattioli
Estimated Capacity: 45 indoor, 8-10 Outdoor
Class B Beer & Class C Wine • 15% alcohol, 85% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 127

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

18. [29263](#) Public Hearing - New License
Hy-Vee Restaurants 2 LLC • dba Hy-Vee Market Grille
675 S Whitney Way • Agent: Robert Budd III • Estimated Capacity: 175
Class B Beer & Class C Wine • 15% alcohol, 75% food, 10% other
Aldermanic District 10 (Alder Cheeks) • Police Sector 107

A motion was made by Schmidt, seconded by Resnick, to Place On File Without Prejudice. The motion passed by voice vote/other.

19. [29264](#) Public Hearing - New License
Hy-Vee Inc • dba Hy-Vee Madison #2
675 S Whitney Way • Agent: Robert Budd III •
Class A Combination Liquor & Beer
Aldermanic District 10 (Alder Cheeks) • Police Sector 107

A motion was made by Schmidt, seconded by Resnick, to Place On File Without Prejudice. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

20. [29445](#) Approving Plans and Specifications for Brentwood Parkway, Monterey Drive, Trailsway, Wyldewood Drive and Wyldewood Circle Assessment District - 2013 (AD 12)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00238
21. [29502](#) Approving Plans and Specifications for Wheeler Rd, Delaware Blvd and Northland Dr Resurfacing Assessment District - 2013 (AD 18)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00239
22. [29575](#) Approving Plans, Specifications and Schedule of Assessments for Keyes Avenue Reconstruction Assessment District - 2013
- Sponsors:** Sue Ellingson
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00240
23. [29609](#) Approving Plans, Specifications and Schedule of Assessments for Baltzell Street and Cross Street Reconstruction Assessment District-2013
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00241
24. [29621](#) Approving Plans, Specifications and Schedule of Assessments for Jeffy Trail Sanitary Sewer Assessment District.
- 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: RES-13-00242

REPORT OF PLAN COMMISSION

25. [29212](#) Creating Section 28.022 -- 00031 of the Madison General Ordinances rezoning property from CC-T (Commercial Corridor - Transitional) District to TSS (Traditional Shopping Street) District. Proposed Use: Demolish a restaurant/tavern to allow construction of mixed-use building with approximately 7,900 square feet of retail space and 72 apartments; 5th Aldermanic District; 1419 Monroe Street

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Adopt with the Recommendation(s). The motion passed by voice vote/other.

Enactment No: ORD-13-00039

26. [29213](#) Creating Section 28.022 -- 00032 of the Madison General Ordinances rezoning property from PD(GDP) Planned Development (General Development Plan) District to TR-C3 (Traditional Residential - Consistent District 3) District. Proposed Use: Rezone 8 PD-zoned lots to single-family zoning and Woodstone Replat No. 3, replatting 6 two-family and multi-family lots into 36 single-family lots; 9th Aldermanic District; 203 Bear Claw Way, et al.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Adopt with the Recommendation(s). The motion passed by voice vote/other.

Enactment No: ORD-13-00040

27. [29363](#) Creating Section 28.022 -- 00033 of the Madison General Ordinances rezoning property from A (Agricultural) District to CC (Commercial Center) District. 16th Aldermanic District; 6303 Millpond Road.

Sponsors: Planning Division

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

Enactment No: ORD-13-00041

28. [29365](#) Creating Section 28.022 -- 00034 of the Madison General Ordinances rezoning property from PD (Planned Development) District to TR-C1 (Traditional Residential - Consistent District 1) District to provide zoning under the new Zoning Code for lands included in a now-expired PUD. 15th Aldermanic District; 3533 Furey Avenue and 513 Jacobson Avenue.

Sponsors: Planning Division

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

Enactment No: ORD-13-00042

29. [29422](#) Creating Section 28.022 - 00046 of the Madison General Ordinances rezoning property from Temp A (Temporary Agriculture) and SR-C1 (Suburban Residential - Consistent District 1) District to TR-C3 (Traditional Residential - Consistent District 3) District; and creating Section 28.022 - 00047 of the Madison General Ordinances rezoning property from Temp A (Temporary Agriculture), TR-C3 (Traditional Residential - Consistent District 3) and SR-C2 (Suburban Residential - Consistent District 2) District to CN (Conservancy District). 1st Aldermanic District; 7960 Raymond Road

Sponsors: Planning Division

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

30. [29423](#) Creating Section 28.022 -- 00045 of the Madison General Ordinances rezoning property from SE (Suburban Employment) District to CC-T (Commercial Corridor - Transitional) District. 19th Aldermanic District; 5739 Tokay Boulevard.

Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt

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

Enactment No: ORD-13-00043

31. [29424](#) Creating Section 28.022 -- 00044 of the Madison General Ordinances rezoning property from CI (Campus Institutional) District to TSS (Traditional Shopping Street) District. 5th Aldermanic District; 1403 University Avenue and 320 North Randall Avenue.

Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt

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

Enactment No: ORD-13-00044

32. [29425](#) Creating Section 28.022 -- 00043 of the Madison General Ordinances rezoning property from TR-V2 (Traditional Residential - Varied District 2) District to TSS (Traditional Shopping Street) District. 6th Aldermanic District; 1119 Williamson Street.

Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt

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

Enactment No: ORD-13-00045

33. [29426](#) Creating Section 28.022 -- 00042 of the Madison General Ordinances rezoning property from DR1 (Downtown Residential 1) District to UOR (Urban Office Residential) District. 2nd Aldermanic District; 223 East Mifflin Street.

Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt

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

Enactment No: ORD-13-00046

34. [29427](#) Creating Section 28.022 -- 00041 of the Madison General Ordinances rezoning property from DR1 (Downtown Residential 1) District to UOR (Urban Office Residential) District. 2nd Aldermanic District; 116 East Dayton Street.

Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt

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

Enactment No: ORD-13-00047

35. [29428](#) Creating Section 28.022 -- 00040 of the Madison General Ordinances rezoning property from DR1 (Downtown Residential 1) District to UOR (Urban Office Residential) District. 2nd Aldermanic District; 214 N. Hamilton Street.

Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt

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

Enactment No: ORD-13-00048

36. [29429](#) Creating Section 28.022 -- 00039 of the Madison General Ordinances rezoning property from DR1 (Downtown Residential 1) District to UOR (Urban Office Residential) District.
2nd Aldermanic District; 122 East Johnson Street.
Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
Enactment No: ORD-13-00049
37. [29430](#) Creating Section 28.022 -- 00038 of the Madison General Ordinances rezoning property from DR1 (Downtown Residential 1) District to UOR (Urban Office Residential) District.
2nd Aldermanic District; 151 East Gorham Street.
Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
Enactment No: ORD-13-00050
38. [29431](#) Creating Section 28.022 -- 00037 of the Madison General Ordinances rezoning property from PD (Planned Development) District to UMX (Urban Mixed Use) District.
6th Aldermanic District; 414 East Wilson Street.
Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
Enactment No: ORD-13-00051
39. [29433](#) Creating Section 28.022 -- 00036 of the Madison General Ordinances rezoning property from PD (Planned Development) District to DR1 (Downtown Residential 1) District.
2nd Aldermanic District; 119, 121, and 125 North Butler Street; and 120 and 124 North Hancock Street.
Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
Enactment No: ORD-13-00052

40. [29434](#) Creating Section 28.022 -- 00048 of the Madison General Ordinances rezoning property from PD (Planned Development) District to TE (Traditional Employment) District.
6th Aldermanic District; 2048 and 2100 Winnebago Street; 95 Sutherland Court.

Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt

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

Enactment No: ORD-13-00053

41. [29464](#) Creating Section 28.022 -- 00049 of the Madison General Ordinances rezoning property from PD(GDP) Planned Development (General Development Plan) District to SE (Suburban Employment) District. Proposed Use: BioAg Gateway Replat, creating 4 lots for future office/employment uses; 1 outlot for future development and converting existing private streets to public streets; 16th Aldermanic District; 5202-5402 Graham Place; 5402-5502 Fen Oak.

Sponsors: Planning Division

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

42. [29531](#) Amending Sections 28.032, 28.061, 28.072, 28.082, 28.091 28.151, 28.206, and 28.211 of the Madison General Ordinances to add Community Event to the Zoning Code.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-13-00054

43. [29532](#) Amending Sections 28.082 and 28.211 of the Madison General Ordinances to allow machinery equipment sales and services to be a permitted land use in the Industrial Limited and Industrial General zoning districts.

Sponsors: Joseph R. Clausius

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

Enactment No: ORD-13-00055

END OF PUBLIC HEARINGS**ITEM FOR RECONSIDERATION**

44. [29164](#) Authorizing the Grant of License to Galactic Winds LLC for the installation and maintenance of private underground electric line facilities in City of Madison public rights-of-way and storm water utility parcels.

Sponsors: Paul E. Skidmore

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

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

BUSINESS PRESENTED BY THE MAYOR

45. [29478](#) Report of the Mayor submitting citizen committee appointments (introduction 3-19-2013; action 4-16-2013).

Sponsors: Paul R. Soglin

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

46. [29737](#) 2013 Board of Assessors Appointments

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

47. [29763](#) Report of the Mayor submitting citizen committee appointments (introduction 4-16-2013; action 4-30-2013).

Sponsors: Paul R. Soglin

Confirm 4-30-2013

A motion was made by Schmidt, seconded by Resnick, to Refer to a future Meeting to Confirm to the COMMON COUNCIL meeting of 4-30-2013. The motion passed by voice vote/other.

48. [29764](#) Report of the Mayor submitting alder committee appointments.

Sponsors: Paul R. Soglin

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

Ayes: 13 - Lisa Subeck
Lauren Cnare
Michael E. Verveer
Marsha A. Rummel
Scott J. Resnick
Paul E. Skidmore
Chris Schmidt
Sue Ellingson
Larry Palm
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Noes: 2 - Shiva Bidar-Sielaff
Steve King

Excused: 6 - Paul R. Soglin
Bridget R. Maniaci
Brian L. Solomon
Satya V. Rhodes-Conway
Tim Bruer
Jill Johnson

CONFIRMATION HEARING

49. [29390](#) Submitting the appointment of David M. Gawenda for confirmation of a five-year term as the City Treasurer.

Sponsors: Paul R. Soglin

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

Enactment No: RES-13-00243

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

50. [29733](#) A Resolution amending Resolution RES-12-00816, Legistar No. 26949 to provide that once appointed by the Mayor and confirmed by the Council, as was accomplished by Legistar No. 28842, the members of the TIF Policy Review Ad Hoc Committee shall serve until the Committee completes its work or the alder's term expires.

Sponsors: Chris Schmidt, Paul R. Soglin and Shiva Bidar-Sielaff

A motion was made by Bidar-Sielaff, seconded by Schmidt, 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-13-00244

51. [29759](#) Urging the 113th Congress to enact comprehensive immigration reform as outlined in this resolution that keeps families together, upholds our values as a nation, promotes economic growth and creates a fair immigration system guided by respect for the human rights of all persons.

Sponsors: Shiva Bidar-Sielaff, Chris Schmidt, 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, Marsha A. Rummel, Paul E. Skidmore, Paul R. Soglin, John Strasser, Lisa Subeck, Anita Weier and Ledell Zellers

A motion was made by Bidar-Sielaff, seconded by Schmidt, 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-13-00245

52. [29771](#) Amending Section 2.05(6)(h) of the Madison General Ordinances to bring the ordinance language into compliance with current practice with respect to introducing certified survey maps and subdivision plats to the Council by the Planning Division.

Sponsors: Steve King, Marsha A. Rummel and Chris Schmidt

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: ORD-13-00056

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

53. [28766](#) Operator License Application
Curtis Frisinger - Establishment where employed: Antler's Tavern

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

54. [28990](#) Change of Agent
Tip Top Tap Inc • dba Tip Top Tap • 601 North Street
New Agent: Benjamin Altschul
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 502

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

55. [29150](#) Amending Section 38.10(1)(f) of the Madison General Ordinances to provide that any license revoked due to the license never being issued by the City Clerk or revoked for non-use due to the business not operating for a period of at least fifteen (15) consecutive days shall be eligible for reissue to a new applicant subject to the standard application process and Alcohol License Review Committee and Common Council approval and to delete the provision that allows suspension or revocation for not having a premise from which to conduct business as that is not a ground for suspension or revocation authorized by Wis. Stat. § 125.12.

Sponsors: Lisa Subeck and Michael E. Verveer

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

Enactment No: ORD-13-00057

56. [29232](#) Operator License Application
John Luckey - Establishment where employed: Lowell Center

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

57. [29243](#) SUBSTITUTE Creating new Sec. 38.05(3)(k)3. and renumbering current Secs. 38.05(3)(k)3. through 6. to Secs. 38.05(3)(k)4. through 7., respectively, of the Madison General Ordinances to require written notification to the City Clerk when a licensee changes their “doing business as” name or the establishment reorganizes the business entity.

Sponsors: Shiva Bidar-Sielaff and Michael E. Verveer

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

Enactment No: ORD-13-00058

58. [29245](#) Creating Section 38.06(11)(j)1. of the Madison General Ordinances to add a provision that if an application for a 21+ Entertainment License is denied by the Alcohol License Review Committee, the applicant is prohibited from reapplying for the same license for twelve (12) months from the date the application is denied.

Sponsors: Shiva Bidar-Sielaff and Michael E. Verveer

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

Enactment No: ORD-13-00059

59. [29246](#) Creating Section 38.06(12)(d)1.h. of the Madison General Ordinances to add a provision that if an application for an 18+ Centers For Visual and Performing Arts license is denied by the Alcohol License Review Committee, the applicant is prohibited from reapplying for the same license for twelve (12) months from the date the application is denied.

Sponsors: Shiva Bidar-Sielaff and Michael E. Verveer

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

Enactment No: ORD-13-00060

60. [29347](#) Change of Agent
Applicant Trek Hospitality Inc • dba Mansion Hill Inn • 424 N. Pinckney St.
New Agent: John Hardin
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 2 (Alder Maniaci) • Police Sector 406

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

61. [29361](#) Change of Licensed Premise
N43 Venture LLC • dba Sushi Muramoto
Capacity: 86 indoor, 16 outdoor
546 N Midvale Blvd • Agent: Shinji Muramoto
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 11 (Alder Schmidt) • Police Sector 108
Request to add new lounge/waiting area with new dining area approximately 900 sq. ft. New capacity will be 126 indoor, 24 outdoor.

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

62. [29369](#) Change of Licensed Premise
Edo Garden LLC • dba Soga Restaurant • Capacity: 220
508 State St. • Agent: Jing Xun Jiang
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 2 (Alder Maniaci) • Police Sector 403
Request to remove condition three only allowing background music.

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

63. [29371](#) Change of Agent
Ehring LLC • dba Baldwin Street Grille • 1304 E Washington Ave
New Agent: Ryan Schultz
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 2 (Alder Maniaci) • Police Sector 409

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

64. [29522](#) Temporary Class B concurrent with Street Use Permit
Tenant Resource Center • Capacity: 4000
100 Block of King Street
Event Dates: July 19 & 27, August 16 & 23, and September 20, 2013
Aldermanic District 4 (Ald. Verveer) • Police Sector 405
Live on King Street 2013

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

65. [29626](#) Alcohol License Review Committee Report of Operator License Applications submitted April 16, 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

66. [29171](#) Authorizing the City of Madison, through the Madison Senior Center, to accept a 12 month OASIS Institute grant, funded by the WellPoint Foundation to implement CATCH Healthy Habits program in Madison, WI, and amending the 2013 Adopted Operating Budget of the Community Development Division to recognize additional grant revenues and associated expenditures.

Sponsors: Lauren Cnare 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-13-00246

67. [29183](#) Authorizing the execution of farm leases on lands dedicated to the City of Madison located in undeveloped plats.

Sponsors: Paul E. Skidmore, Mark Clear and Joseph R. Clausius

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

Enactment No: RES-13-00247

68. [29292](#) Authorizing the execution of two leases with MLG Capital Meadowood LLC for the relocation and expansion of the Meadowridge Branch Library and the Meadowood Neighborhood Center, which are both located at the Meadowood Shopping Center on Raymond Road.

Sponsors: Matthew J. Phair and Larry Palm

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

Enactment No: RES-13-00248

69. [29414](#) Amending Traffic Engineering's 2013 Operating Budget; increasing the agency's budget authority by \$115,000, the total cost of the University Traffic Study; and appropriating \$38,334 from the Contingency Reserve for the City's share of the study's costs as agreed upon under an intergovernmental agreement.

Sponsors: Chris Schmidt and Shiva Bidar-Sielaff

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

Ayes: 15 - Lisa Subeck
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Chris Schmidt
Sue Ellingson
Larry Palm
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 6 - Bridget R. Maniaci
Brian L. Solomon
Satya V. Rhodes-Conway
Tim Bruer
Jill Johnson
Paul R. Soglin

Enactment No: RES-13-00249

70. [29415](#) Authorizing the Mayor, City Clerk and Chief of Police to sign an inter-governmental agreement to collaborate with various other Dane County law enforcement agencies in a multi-jurisdiction public safety grant from the Wisconsin Department of Transportation, administered by the Village of DeForest, for traffic safety efforts related to impaired driving, and accepting up to \$5,000 for overtime for this initiative

Sponsors: Paul R. Soglin, Paul E. Skidmore and Joseph R. Clausius

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

Enactment No: RES-13-00250

71. [29421](#) Authorizing the Mayor and City Clerk to execute an Investment Education Services Agreement with Lincoln Financial Advisors Corporation and Alliance Benefit Group of Illinois, Inc. and a Retirement Plan Investment Consulting and Non-Discretionary Advisory Agreement with Alliance Benefit Group of Illinois, Inc.

Sponsors: Paul R. Soglin

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

Enactment No: RES-13-00251

72. [29441](#) Adopting and confirming the Labor Agreement between the City of Madison and the Association of Madison Fire Supervisors (AMFS) for the period March 10, 2011 through March 9, 2014.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-13-00061

73. [29443](#) Adopting and confirming the Labor Agreements between the City of Madison and City Employees Local No. 236, Laborers International Union of North America, AFL-CIO, for the period March 16, 2014 through December 31, 2014 and January 1, 2015 through December 31, 2015.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-13-00062

74. [29452](#) Authorizing City Engineer Rob Phillips to enter into an agreement with the Wisconsin Division of Emergency Management (WEM) to accept a Hazard Mitigation Grant of \$1,176,158 from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) and a WEM Hazard Mitigation Grant of \$196,026 for construction of a safe room in the Highland Manor Manufactured Home Community ("Highland Manor").

Sponsors: Tim Bruer, Paul R. Soglin, 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-13-00252

75. [29467](#) Authorizing the grant of a permanent limited easement to American Transmission Company for an overhead electric transmission line within a portion of the City's Stormwater Utility Parcel 533, located at 409 Commerce Drive.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-13-00253

76. [29480](#) Authorizing the Mayor and City Clerk to enter into an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display at Elver Park.

Sponsors: 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-13-00254

77. [29492](#) Approving the 2013 Neighborhood Grant Program recommendations made by the Staff Review Team and authorizing the Planning Division Director, Finance Director and City Attorney to execute grant agreements on behalf of the City.

Sponsors: Paul R. Soglin

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

Enactment No: RES-13-00255

78. [29497](#) Report on the Feasibility of Providing Parking Security Using City Staff

Sponsors: Paul R. Soglin

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

REPORT OF BOARD OF PARK COMMISSIONERS

79. [29474](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Madison Fireworks Fund, Inc. and/or Madison Festivals, Inc. to provide for the 2013 Rhythm & Booms Independence Day firework celebration at Warner Park.

Sponsors: Paul R. Soglin, Satya V. Rhodes-Conway and Anita Weier

A motion was made by Schmidt, seconded by Resnick, to Adopt with the Recommendation(s). The motion passed by voice vote/other.

Amendments to the recommendations:

1. The Committee ***strongly*** recommends moving the event from the island in Warner Park to the Warner Park parking lot in order to protect wildlife and habitat and to allow for easier cleanup.
2. The Committee requests better clean up following the event: clean up should include collection of all visible debris, better dud disposal, and an expansion of the clean up area beyond the limits of Warner Park.
3. The Committee requests a report following the event that includes the following: number and/or pounds of fireworks released, chemical composition of fireworks, and weather conditions (wind speed and direction) on the day of the event.
4. The Committee recommends the use of no or low-perchlorate fireworks.
5. In future years, the Committee requests that a representative from the Committee on the Environment have a seat on the Planning Team for the event in order to address possible environmental impacts.

Enactment No: RES-13-00297

80. [29476](#) SUBSTITUTE Authorizing the Mayor and City Clerk to execute a lease with Community Action Coalition of South Central Wisconsin, Inc. for a portion of Brittingham Park located at 801 West Washington Avenue for use as community gardens.

Sponsors: Sue Ellingson, Joseph R. Clausius, Mark Clear and Satya V. Rhodes-Conway

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

Enactment No: RES-13-00256

81. [29490](#) To commemorate the 43rd anniversary of Earth Day on April 22, 2013, to proclaim April 26, 2013 and April 27, 2013 as Earth Day Challenge Days and endorsing and encouraging citizen participation in the clean-up events at City of Madison Parks. (All ADs)

Sponsors: Paul R. Soglin, Joseph R. Clausius, Mark Clear, Shiva Bidar-Sielaff, Tim Bruer, 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 Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-13-00257

82. [29491](#) To Declare the Week of April 21 through April 27 Arbor Week 2013 and to commemorate the City of Madison's 24th anniversary as a Tree City USA

Sponsors: Paul R. Soglin, Joseph R. Clausius, Mark Clear, Shiva Bidar-Sielaff, Tim Bruer, 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 Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-13-00258

REPORT OF BOARD OF PUBLIC WORKS

83. [29247](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract #7071, Highland Ave Water Main Replacement (5th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00259

84. [29331](#) Declaring the City of Madison's intention to exercise its police powers establishing the 3505 - 3507 Marcy Road Permanent Patch Assessment District. (18th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00260
85. [29359](#) Improvements accepted for Water Mains constructed by private contract in Linden Park - Phase 9 (1st AD).
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00261
86. [29360](#) Improvements accepted for water mains constructed by private contract in The Meadowlands - Phase 5 (3rd AD).
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00262
87. [29391](#) Accepting improvements and assessing benefits for 700 W. Badger Road Streetlight Improvement District. (14th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00263
88. [29392](#) Accepting improvements and assessing benefits for Betty's Lane Streetlight Improvement District. (20th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00264

89. [29395](#) Accepting improvements and assessing benefits for Park Ridge Drive-Park Edge Drive Streetlight Improvement District. (1st AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00265

90. [29442](#) Establishing assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00266

91. [29449](#) Approving plans and specifications for public improvements required to serve Phase 10 of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2311, and rescinding RES-12-00461, File No. 26547 (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00267

92. [29450](#) Approving plans and specifications for public improvements required to serve Phase 9 of the Subdivision known as Secret Places at Siggelkow Preserve and authorizing construction to be undertaken by the Developer, Private Contract No. 2350 (16th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00268

93. [29451](#) Approving public works improvement plans for the project known as 4817 and 4902-4908 Hammersley Road (Pacific Cycle) and authorizing construction to be undertaken by the Developer, Private Contract No. 2340. (10th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00269

94. [29457](#) Approving plans and specifications for public improvements necessary for the project known as 313-315 N. Frances Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2332. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Verveer, seconded by Bidar-Sielaff, to Refer to the COMMON COUNCIL meeting of 4-30-2013. The motion passed by voice vote/other.

95. [29459](#) Approving plans and specifications for public improvements necessary for the project known as 2701 S. Stoughton Road Sanitary Relocation, construction to be undertaken by the Developer, Private Contract No. 2349 (16th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00270

96. [29460](#) Approving plans and specifications for public improvements necessary for the project known as 202-210 N. Bassett Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2333. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Verveer, seconded by Bidar-Sielaff, to Refer to the COMMON COUNCIL meeting of 4-30-2013. The motion passed by voice vote/other.

97. [29461](#) Approving plans and specifications for public improvements required to serve Phase 2 of the Subdivision known as Woodstone and authorizing construction to be undertaken by the Developer, Private Contract No. 2325 (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00271

98. [29469](#) Approving plans and specifications for public improvements necessary for the project known as 1033 High Street (Wingra Point) and authorizing construction to be undertaken by the Developer, Private Contract No. 2348. (13th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00272

99. [29493](#) Approving plans and specifications for public improvements necessary for the project known as Memorial Union - Phase I and authorizing construction to be undertaken by the Developer, Private Contract No. 2297, and Rescinding Resolution RES-12-00422, File No. 26324 (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00273

100. [29482](#) Vacation/Discontinuance of South Side Way (formerly Raywood Road) from the existing southern right-of-way line of Moorland Road / Raywood Road to the south terminus of said South Side Way (formerly Raywood Road) as dedicated by Certified Survey Maps 668, 1635 and 1698, being located in part of the Northeast one-quarter (1/4) of the Northeast one-quarter (1/4), and the Northwest one-quarter (1/4) of the Northeast one-quarter (1/4), and the Northwest one-quarter (1/4) of the Northeast one-quarter (1/4) of Section 31, Town 7 North, Range 10 East, City of Madison (formerly Town of Blooming Grove), Dane County, Wisconsin. (14th AD)

And authorizing the Mayor and City Clerk to execute Release of Right-of-Way Reservation documents administered by Office of Real Estate Services staff, reference Real Estate Project #10058, for various portions of reserved right-of-way for South Side Way per CSM 1635 at the Raywood Road intersection, right-of-way reservation for South Side Way continuation south to E. Clayton Road and Larsen Road and an un-named E-W right-of-way reservation connection to USH 14 / McCoy Road.

Sponsors: Paul R. Soglin and Tim Bruer

Common Council Public Hearing 4-30-2013

A motion was made by Schmidt, seconded by Resnick, to Refer For Public Hearing to the COMMON COUNCIL meeting of 4-30-2013. The motion passed by voice vote/other.

101. [29481](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for drilling Madison Water Utility Unit Well 31 at 4901 Tradewinds Parkway (16th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00274

102. [29494](#) Approving plans and specification and authorizing the Board of Public Works to advertise and receive bids for Rain Garden and Median Planting Contract - 2013, Contract No. 7062

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00275

103. [29533](#) Declaring the City of Madison's intention to exercise its police powers establishing the W. Wilson Street Underground Utility District
- 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-13-00276
104. [29583](#) Approving plans and specifications, authorizing the Board of Public Works to advertise and receive bids, and Authorizing the Mayor and City Clerk to enter into a cost sharing agreement with the Town of Blooming Grove for the resurfacing of Femrite Drive from 300 feet east of Meier Road to CTH AB.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00277
105. [29599](#) Approving plans and specifications for the Streets West - Cold Storage Roof Replacement
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00278
106. [29624](#) Awarding Public Works Contract No. 6971, Resurfacing 2013-Curb & Gutter and Castings with Storm Sewer
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00279
107. [29600](#) Awarding Public Works Contract No. 6992, East Dayton Street and North Brearly Street Assessment District-2013
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00280

108. [29601](#)

Awarding Public Works Contract No. 7016, Cherokee Drive Utilities with Resurfacing Assessment District-2013

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00281

109. [29602](#)

Awarding Public Works Contract No. 7020, Resurfacing 2013-Asphalt Pavement Pulverizing, Streets with Storm Sewer

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00282

110. [29603](#)

Awarding Public Works Contract No. 7021, Resurfacing 2013-Asphalt Pavement, Streets with Storm Sewer

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00283

111. [29605](#)

Awarding Public Works Contract No. 7035, Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Work Ordered (District 18) by the Common Council

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00284

112. [29625](#)

Declaring the City of Madison's intention to exercise its police powers establishing the World Dairy Campus Assessment District - 2013.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00285

113. [29641](#) Authorizing the Mayor and City Clerk to execute agreements with MG&E, Charter Communications and AT&T for the undergrounding of overhead utilities on W. Wilson Street.

Sponsors: Michael E. Verveer

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-13-00286

REPORT OF COMMITTEE ON SWEATFREE PURCHASES

114. [29513](#) 2012 Annual Report - Committee on Sweatfree Purchases

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

REPORT OF HUMAN RESOURCES DEPARTMENT

115. [29812](#) Report of Human Resources Department - Position Study Outcomes - 2011

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

REPORT OF MADISON ELECTION ADVISORY COMMITTEE

116. [29681](#) 2012 Madison Election Advisory Committee report to the Common Council

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

REPORT OF THE MADISON FOOD POLICY COUNCIL

117. [29178](#) 2nd SUBSTITUTE Creating Section 8.32 of the Madison General Ordinances to allow edible landscaping on City-owned land.
- Sponsors:** Satya V. Rhodes-Conway, Shiva Bidar-Sielaff, Larry Palm, Matthew J. Phair, Marsha A. Rummel and Michael E. Verveer

A motion was made by Schmidt, seconded by Resnick, to Adopt with the Recommendation(s). The motion passed by voice vote/other.

Recommendations are:

- 1)Section (5)(c) shall read “Evidence that the alderperson of the district and applicable neighborhood association, if any, has been notified in writing”.
- 2)In section (5)(d), remove “defend and indemnify”.

Enactment No: ORD-13-00063

118. [29241](#) Amending Section 10.25 of the Madison General Ordinances to create a terrace planting ordinance.
- Sponsors:** Satya V. Rhodes-Conway, Michael E. Verveer, Anita Weier, Scott J. Resnick, Marsha A. Rummel, Steve King, Matthew J. Phair, Lisa Subeck, Brian L. Solomon, Bridget R. Maniaci and Larry Palm

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

Enactment No: ORD-13-00064

REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

119. [29165](#) ALTERNATE Creating Section 27.05(2)(bb) of the Madison General Ordinances to regulate vision clearance at corners within the Minimum Housing Code.
- Sponsors:** Bridget R. Maniaci, Shiva Bidar-Sielaff and Chris Schmidt

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

Enactment No: ORD-13-00065

120. [29255](#) Creating Sections 12.89(1)76., 77., and 78. of the Madison General Ordinances to designate heavy traffic routes on portions of American Parkway, East Park Boulevard, and Hanson Road.
- Sponsors:** Joseph R. Clausius

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

Enactment No: ORD-13-00066

REPORT OF PLAN COMMISSION

121. [29225](#) Approving the preliminary plat and final plat of Woodstone Replat No. 3 generally located at 203 Bear Claw Way and 9403 Cobalt Street; 9th Ald. Dist.

Sponsors: Common Council By Request

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-13-00287

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

122. [29515](#) Re-approving a Certified Survey Map of property owned by Black & Green Madison, LLC located at 4641 Verona Road; 10th Ald. Dist.

Sponsors: Common Council By Request

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-13-00288

123. [29720](#) Authorizing Arts Administrator to Sign Licensing Agreements Related to Public Art Collection

Sponsors: Scott J. Resnick and Satya V. Rhodes-Conway

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-13-00289

124. [29802](#) Approving a Certified Survey Map of of property owned by Matthew Mitro and Michele Brogunier located at 617 Sprague 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-13-00290

REPORT OF RISK MANAGER

125. [29356](#) R. Roedner - vehicle damage - \$510.81.

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

126. [29357](#) M. Wimmler - vehicle damage - \$1,000.00.

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

127. [29408](#) I. Graebel - property damage - \$560.00.

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

128. [29446](#) J. Mancera - vehicle damage - \$3,629.75.

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

129. [29448](#) J. Saba, Progressive Insurance for G. Lacy - vehicle damage - \$124.93.

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

130. [29483](#) J. and V. Lanzendorf - property damage - \$5,339.41.

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

REPORT OF TRANSIT/ PARKING COMMISSION

131. [28992](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County to provide Volunteer Driver Escort Services for the City of Madison for the calendar year 2013.

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

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

Enactment No: RES-13-00291

132. [28997](#) Authorizing the Mayor and the City Clerk to enter in to an agreement with Dane County for the purpose of providing the Metro 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 2013.

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

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

Enactment No: RES-13-00292

133. [28998](#) Authorizing the Mayor and the City Clerk to enter in to an agreement with Dane County to provide Group Access Service for the City of Madison for the calendar year 2013.

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

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

Enactment No: RES-13-00293

134. [29505](#) SUBSTITUTE - Authorizing the City of Madison ~~Parking Utility~~ to enter into a purchase of service contract for up to \$59,500 with Walker Parking Consultants and amending the 2013 adopted Parking Utility operating budget to provide additional expenditure authority.

Sponsors: Chris Schmidt

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

Enactment No: RES-13-00294

135. [29168](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to enter into a five year contract with the Gillig Corporation for the manufacture and delivery of up to eighty (80) coaches. The estimated cost of the first order of buses in January 2014 is ~~\$6,720,000~~ \$8,800,000.

Sponsors: Chris Schmidt

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

Enactment No: RES-13-00295

136. [29169](#) Authorizing the Transit General Manager to file an application for a Section 5307, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Chris Schmidt and Lisa Subeck

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

Enactment No: RES-13-00296

REPORT OF VENDING OVERSIGHT COMMITTEE

137. [29455](#) Amending Sections 9.13(2) and (6)(g), repealing and recreating Section 9.13(6)(k), amending Sections 9.54(13), 10.056(5)(b)4. and (7)(a) and creating Section 10.056(5)(b)6. of the Madison General Ordinances to reduce the number of resolutions required each year for special event vending approvals, and clarify the procedures for suspension of rules and invalidation of vending licenses and T, E and M permits for street use permitted events.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-13-00067

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

138. [29611](#) Amending Sections 18.50 and 19.20 of the Madison General Ordinances to update text in the Electrical and Plumbing Codes.

Sponsors: Michael E. Verveer

A motion was made by Schmidt, seconded by Resnick, to Referred to the BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD. The motion passed by voice vote/other.

139. [29613](#) Amending Section 24.09(6) of the Madison General Ordinances to conform to state vehicle noise statutes.

Sponsors: Michael E. Verveer

A motion was made by Schmidt, seconded by Resnick, to Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION. The motion passed by voice vote/other.

140. [29643](#) Creating Section 28.022 - 00052 of the Madison General Ordinances rezoning property from A (Agricultural) District to TE (Traditional Employment) District and creating Section 28.022 - 00053 of the Madison General Ordinances rezoning property from A (Agricultural) District to TR-U2 (Traditional Residential-Urban District 2) District and creating Section 28.022 - 00054. of the Madison General Ordinances rezoning property from A (Agricultural) District to TR-C3 (Traditional Residential - Consistent District 3) District. Proposed Use: Royster Clark Development, creating 53 residential lots, 3 retail/office lots, 1 lot for an existing utility use, 1 outlot for public stormwater management and 2 private outlots. 15th Aldermanic District; 310-402 Cottage Grove Road and 904 Dempsey Road.

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

141. [29644](#) Creating Section 28.022 -- 00050 of the Madison General Ordinances rezoning property from A (Agricultural) District to TR-U1 (Traditional Residential - Urban District 1) District.
9th Aldermanic District; 9601 Elderberry Road

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

142. [29645](#) Creating Section 28.022 -- 00051 of the Madison General Ordinances rezoning property from PD-SIP (Planned Development- Specific Implementation Plan) District to Amended PD-SIP (Amended Planned Development - Specific Implementation Plan) District. Proposed Use: Construct addition to Door Creek Church to include two 300-seat worship venues, meeting rooms, and office space, and construct additional parking. 3rd Aldermanic District; 6602 Dominion Drive

Sponsors: Planning Division

A motion was made by Schmidt, seconded by Resnick, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

143. [29670](#) Adopting and confirming Revision No. 282 of the Madison General Ordinances as of March 15, 2013 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: Common Council By Request

A motion was made by Schmidt, seconded by Resnick, to Refer to a future Meeting to Adopt to the COMMON COUNCIL meeting of 4-30-2013. The motion passed by voice vote/other.

144. [29671](#) Amending various sections of Chapter 28 of the Madison General Ordinances to comply with Wis. Admin. Code § NR 116.

Sponsors: Chris Schmidt and Steve King

A motion was made by Schmidt, seconded by Resnick, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

145. [29674](#) Amending various sections of Chapter 34 to adopt the 2012 International Fire Code and update the Fire Code sections to correlate with the 2012 IFC.

Sponsors: Shiva Bidar-Sielaff, Joseph R. Clausius, Lauren Cnare, Marsha A. Rummel, Paul E. Skidmore and Michael E. Verveer

A motion was made by Schmidt, seconded by Resnick, to Referred to the BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD. The motion passed by voice vote/other.

146. [29697](#) Creating Section 27.10 of the Madison General Ordinances to require persons asserting a collateral or other legal or equitable interest in a residential property to register such property with the City if the property is abandoned and to require said persons to inspect, maintain and secure such properties to promote public health, safety and welfare of the immediate neighborhood and the community.

Sponsors: Anita Weier, Lauren Cnare, Lisa Subeck, Scott J. Resnick, Matthew J. Phair, Michael E. Verveer, Jill Johnson, David Ahrens, Ledell Zellers, John Strasser and Sue Ellingson

Additional referral to: Housing Strategy Committee

A motion was made by Schmidt, seconded by Resnick, to Referred to the PUBLIC SAFETY REVIEW COMMITTEE. The motion passed by voice vote/other.

147. [29698](#) Amending Sections 39.02(1), 39.02(9)(b) and (e) of the Madison General Ordinances to add sexual orientation and gender identity as protected classes.
- Sponsors:** Michael E. Verveer, Marsha A. Rummel, Joseph R. Clausius, David Ahrens, Shiva Bidar-Sielaff, Mark Clear, Lauren Cnare, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Scott J. Resnick, Chris Schmidt, John Strasser, Lisa Subeck, Maurice S. Cheeks, Anita Weier and Ledell Zellers

A motion was made by Schmidt, seconded by Resnick, to Referred to the AFFIRMATIVE ACTION COMMISSION. The motion passed by voice vote/other.

148. [29705](#) Creating Section 34.307(5) of the Madison General Ordinances to permit bonfires if certain conditions are met.

Sponsors: Marsha A. Rummel

A motion was made by Schmidt, seconded by Resnick, to Referred to the BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD 5-21-2013 meeting. The motion passed by voice vote/other.

149. [29729](#) Amending Sections 9.13(4)(m) and (r), (6)(j)3., (6)(i)1., and (6)(j)2.c. and creating Section 9.13(5)(h) of the Madison General Ordinances to make the closing time for sidewalk cafés with alcohol beverage licenses consistent city-wide and amending the rules for furniture removal for sidewalk cafés.

Sponsors: Michael E. Verveer and Scott J. Resnick

Additional referral to Alcohol License Review Committee

A motion was made by Schmidt, seconded by Resnick, to Referred to the VENDING OVERSIGHT COMMITTEE. The motion passed by voice vote/other.

150. [29731](#) Amending various chapters of the Madison General Ordinances to update obsolete references to the Zoning Code.

Sponsors: Steve King and Chris Schmidt

A motion was made by Schmidt, seconded by Resnick, to Referred to the PLAN COMMISSION. The motion passed by voice vote/other.

151. [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 Schmidt, seconded by Resnick, to Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.

152. [29744](#) Amending Section 8.15(1)(a) of the Madison General Ordinances to permit landscape gardening on public land with a valid permit.

Sponsors: Marsha A. Rummel

Additional referral to Board of Park Commissioners

A motion was made by Schmidt, seconded by Resnick, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

153. [29765](#) Amending Section 9.13(6)(n)3.c. and creating Section 9.13(6)(n)3.d. of the Madison General Ordinances to modify the perimeter of the Broom Street Late Night Vending Area.

Sponsors: Michael E. Verveer and Scott J. Resnick

A motion was made by Schmidt, seconded by Resnick, to Referred to the VENDING OVERSIGHT COMMITTEE. The motion passed by voice vote/other.

154. [29766](#) Amending Sections 9.13(1), 9.13(6)(e)1.b. and c. of the Madison General Ordinances to provide a 14-day grace period for food vendors to license an assistant.

Sponsors: Michael E. Verveer and Scott J. Resnick

A motion was made by Schmidt, seconded by Resnick, to Referred to the VENDING OVERSIGHT COMMITTEE. The motion passed by voice vote/other.

155. [29767](#) Amending Section 3.32(7)(a) of the Madison General Ordinances to provide vacation to those employees required to serve a probation period in excess of six months.

Sponsors: Paul R. Soglin

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

156. [29768](#) Repealing and recreating Chapter 31, Sign Control Ordinance, of the Madison General Ordinances to coincide with the new Madison Zoning Code (Chapter 28).

Sponsors: Marsha A. Rummel and Chris Schmidt

A motion was made by Schmidt, seconded by Resnick, to Referred to the URBAN DESIGN COMMISSION. The motion passed by voice vote/other.

157. [29769](#) Repealing and recreating Section 3.13 of the Madison General Ordinances to update the Human Resources Department section.

Sponsors: Paul R. Soglin

Adopt 4-30-2013

A motion was made by Schmidt, seconded by Resnick, to Refer to a future Meeting to Adopt to the COMMON COUNCIL meeting of 4-30-2013. The motion passed by voice vote/other.

158. [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 Schmidt, seconded by Resnick, to Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.

RESOLUTIONS

159. [29456](#) Submitting the appointment of Katherine K. Cornwell for confirmation of a five-year term as the Planning Division Director.

Sponsors: Paul R. Soglin

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

160. [29519](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of the Cypress Spray Park, located at 902 Magnolia Lane.

Sponsors: Shiva Bidar-Sielaff, Chris Schmidt and Tim Bruer

Additional referral to Plan Commission

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

161. [29542](#) Authorizing the Transit General Manager to file an application for a Section 5337 State of Good Repair Formula public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

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

Additional referral to Board of Public Works

A motion was made by Schmidt, seconded by Resnick, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.

162. [29550](#) Authorizing the execution of an Purchase and Sale Agreement between the City of Madison and Badger Mill Creek LLC for the purchase of Outlot 5 and 6, Second Addition to Hawk's Creek subdivision, located at 2554 - 2556 Jeffy Trail for expansion of open space and storm water management purposes.

Sponsors: Lisa Subeck

Additional referrals to: Board of Public Works, Plan Commission

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

163. [29554](#) Resolution In Support of Balanced Municipal Representation on the Madison Metropolitan Sewerage District

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

Additional referrals to: Committee on the Environment, Water Utility Board, Common Council Organizational Committee

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

164. [29555](#) Authorizing the Transit General Manager to file an application for a Section 5339 Bus and Bus Facilities Formula public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Chris Schmidt and Lisa Subeck

Additional referral to Board of Estimates

A motion was made by Schmidt, seconded by Resnick, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.

165. [29628](#) Authorizing the City of Madison to accept a grant from the State of Wisconsin Department of Administration- Division of Housing in the amount of \$310,000 to provide down payment and closing cost assistance to low and moderate-income homebuyers, amending the 2013 Community Development Operating Budget, and authorizing the mayor and the City Clerk to enter into agreements necessary to accept the funds and implement the program.

Sponsors: Tim Bruer, Lauren Cnare and Matthew J. Phair

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

166. [29654](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of the Monona Golf Course, located at 111 East Dean Avenue.
- Sponsors:** Larry Palm
- Additional referral to: Plan Commission
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.**
167. [29682](#) Submitting the appointment of Kevin Briski for confirmation of a five-year term as the Parks Superintendent.
- Sponsors:** Paul R. Soglin
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
168. [29707](#) Authorizing the execution of an Underground Gas and Electric Line Easement to Madison Gas and Electric Company across a portion of a City Water Utility parcel located at 4901 Tradewinds Parkway.
- Sponsors:** Jill Johnson, Shiva Bidar-Sielaff and Chris Schmidt
- Additional referral to: Plan Commission
- A motion was made by Schmidt, seconded by Resnick, to Refer to the WATER UTILITY BOARD. The motion passed by voice vote/other.**
169. [29709](#) Authorizing the execution of an Underground Gas Line Easement to Madison Gas and Electric Company across a portion of a City Engineering storm water retention parcel located at 1729 Sawtooth Lane.
- Sponsors:** Lisa Subeck
- Additional referral to: Plan Commission
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
170. [29717](#) Authorizing the Mayor and City Clerk to sign a Sec. 66.0301 Intergovernmental Agreement with the Wisconsin Department of Transportation (WISDOT) for the use of fiber optic communication strands.
- Sponsors:** Michael E. Verveer
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

171. [29719](#) Authorizing the Mayor and City Clerk to sign a Sec. 66.0301 Intergovernmental Agreement with the Board of Regents of the University of Wisconsin System (UW) for the use and installation of conduit in the City's right-of-way.

Sponsors: Michael E. Verveer

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

172. [29722](#) Recreate the 0.5 FTE position #760 of "Assistant Programming Coordinator" (CG20-10), currently occupied by T. Anderson, as a 0.6 FTE position of "Program Assistant 1" (CG20-11) in the Information Technology budget.

Sponsors: Paul R. Soglin

A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES meeting of 4-22-2013. The motion passed by voice vote/other.

173. [29726](#) Authorizing the execution of a Non-Exclusive Permanent Limited Easement for private sidewalk and fiber optic cable purposes to Dean Health Plan Inc. and Newcomb Properties, LLC across City Stormwater Utility Parcel 533 located at 8308 Excelsior Drive.

Sponsors: Paul E. Skidmore

Additional referral to: Plan Commission

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

174. [29739](#) Authorizing the purchase of Outlot 2 of World Dairy Campus from World Dairy Campus Owners Association, Inc. in conjunction with the replatting of said Outlot 2 pursuant to the proposed BioAg Gateway Replat.

Sponsors: Shiva Bidar-Sielaff, Chris Schmidt and Jill Johnson

Additional referrals to: Board of Public Works, Plan Commission

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

175. [29745](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to change the duration of the Fall Food Vending Review and to revise the method for tabulating final scores.

Sponsors: Michael E. Verveer and Scott J. Resnick

A motion was made by Schmidt, seconded by Resnick, to Refer to the VENDING OVERSIGHT COMMITTEE. The motion passed by voice vote/other.

176. [29746](#) Authorizing the Mayor and City Clerk to enter into an agreement between the City of Madison and the consultant selected through the RFP process to provide consulting engineering services for maintenance of City of Madison Parking Utility parking structures and other facilities.

Sponsors: Paul R. Soglin

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

177. [29756](#) Authorizing the City of Madison, through the Community Development Division, to amend various purchase of service contracts for the expansion of a youth employment initiatives to be implemented in June 2013 and amending the City operating budget as appropriate.

Sponsors: Paul R. Soglin, Lisa Subeck, Lauren Cnare, Scott J. Resnick, Matthew J. Phair and Steve King

Additional referral to: Board of Estimates

A motion was made by Schmidt, seconded by Resnick, to Refer to the COMMUNITY SERVICES COMMITTEE. The motion passed by voice vote/other.

178. [29770](#) Allocating funds appropriated in the 2013 Operating Budget for prior year encumbrances to match actual carry forward encumbrances in various departmental accounts and increasing the Contingent Reserve by \$11,712.

Sponsors: Paul R. Soglin

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

179. [29773](#) Authorizing the Mayor and City Clerk to enter into an agreement with Engberg Anderson to provide pre-design, conceptual design, and schematic design services for the interior improvements and expansion of the Meadowridge Branch Library and the Meadowood Neighborhood Center.

Sponsors: Larry Palm, Matthew J. Phair and Steve King

Additional referral to: Board of Public Works

A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES 4-22-2013 meeting. The motion passed by voice vote/other.

180. [29787](#) To authorize the Mayor and City Clerk to enter into an Operating Agreement between the City of Madison and Brittingham Boats, Inc. covering boat rental and concession operations utilizing certain lands and buildings at Brittingham Park for an eight year period. (ADs 4 & 13)

Sponsors: Sue Ellingson and Michael E. Verveer

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

181. [29804](#) Amending the 2013 Madison Central Public Library Capital Budget and authorizing amendments to existing contracts with Meyer, Scherer Rockcastle, Ltd. and Sustainable Engineering Group for costs related to a pipe break at the Central Library.

Sponsors: Larry Palm and Michael E. Verveer

Additional referral to: Board of Public Works

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

LICENSES

182. [29585](#) Public Hearing - New License
Road Ranger LLC • dba Road Ranger #129
4102 Commercial Ave • Agent: Adrianna Boyd
Class A Combination Liquor & Beer
Aldermanic District 15 (Alder Ahrens) • Police Sector 607

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

183. [29587](#) Public Hearing - New License
Capitol Petroleum LLC • dba CP Mart North
1101 N Sherman Ave • Agent: Farooq Shahzad
Class A Beer
Aldermanic District 12 (Alder Palm) • Police Sector 503

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

184. [29588](#) Public Hearing - New License
Chipotle Mexican Grill of Colorado LLC • dba Chipotle Mexican Grill #1106
4628 E Washington Ave • Agent: Brian J. Bushaw
Estimated Capacity: 42 indoor, 36 outdoor
Class B Combination Liquor & Beer • 2% alcohol, 98% food
Aldermanic District 17 (Alder Clausius) • Police Sector 518

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

185. [29590](#) Public Hearing - New License
Chipotle Mexican Grill of Colorado LLC • dba Chipotle Mexican Grill #533
8422 Old Sauk Rd • Agent: Brian J. Bushaw
Estimated Capacity: 55 indoor, 24 outdoor
Class B Combination Liquor & Beer • 2% alcohol, 98% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 127

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

186. [29591](#) Public Hearing - New License
Chipotle Mexican Grill of Colorado LLC • dba Chipotle Mexican Grill #312
658 State St • Agent: Brian J. Bushaw
Estimated Capacity: 114 indoor, 20 outdoor
Class B Combination Liquor & Beer • 2% alcohol, 98% food
Aldermanic District 8 (Alder Resnick) • Police Sector 403 • Density Area

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

187. [29592](#) Public Hearing - New License
Next Door Brewing LLC • dba Next Door Brewing Company
2439 Atwood Ave • Agent: Keith A Symonds
Estimated Capacity: 100 indoor, 30 outdoor
Class B Combination Liquor & Beer • 40% alcohol, 55% food, 5% other
Aldermanic District 6 (Alder Rummel) • Police Sector 601

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

188. [29594](#) Public Hearing - New License
The Spot Restaurant LLC • dba The Spot
827 E Johnson St • Agent: Joseph Tachovsky • Estimated Capacity: 60
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 2 (Alder Zellers) • Police Sector 407

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

189. [29595](#) Public Hearing - New License
Black Olive Inc • dba Black Olive Restaurant
751 N Hight Point Rd • Agent: Thomas Paras • Estimated Capacity: 125
Class B Combination Liquor & Beer • 25% alcohol, 70% food, 5% other
Aldermanic District 19 (Alder Clear) • Police Sector 126

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

190. [29596](#) Public Hearing - New License
Gilbert Altschul Corp • dba Grampa's Pizzeria
1374 Williamson St • Agent: Gilbert Altschul • Estimated Capacity: 60
Class B Beer & Class C Wine • 20% alcohol, 80% food
Aldermanic District 6 (Alder Rummel) • Police Sector 410

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

191. [29597](#) Public Hearing - New License
Fox and Bird LLC • dba The Heritage Fox
131 E Mifflin St • Agent: Daniel Fox • Estimated Capacity: 80
Class B Combination Liquor & Beer • 35% alcohol, 65% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406 • Density Area

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

192. [29730](#) Public Hearing - New License
Hy-Vee, Inc. • dba Hy-Vee Madison #2
675 S. Whitney Way • Agent: Robert Budd III • Estimated Capacity: 175
Class B Combination Liquor & Beer • 15% alcohol, 75% food, 15% other
Aldermanic District 10 (Alder Cheeks) • Police Sector 107

A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

193. 29512 J. Hanlon - vehicle damage - \$1,961.87.

This Claim was Referred to the Risk Manager

194. 29516 C. Cuesta - vehicle damage - \$1,590.73.

This Claim was Referred to the Risk Manager

195. [29517](#) S. Wood, American Family Ins. for J. & N. Risse Connolly - property damage - \$6,000.00.

This Claim was Referred to the Risk Manager

196. [29521](#) Wilber Ins. for USAA for C. Rink - vehicle damage - \$3,530.18.

This Claim was Referred to the Risk Manager

197. [29526](#) B. Doty - property loss - \$105.50.

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

198. [29527](#) Bell LLC for State Farm - vehicle damage - \$7,826.08.

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

199. [29529](#) B. Shortreed, Avid Risk Solutions, for Takara Japanese Restaurant - property damage - \$2,468.70.

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

200. 29534 C. Woolfolk, Progressive Universal Insurance, for M. Creason - vehicle damage - \$1,755.30.

This Claim was Referred to the Risk Manager

201. 29540 B. Bencriscutto-Kristan, American Family Insurance, for D. and J. Mcfarlin - vehicle damage - \$1,068.51.

This Claim was Referred to the Risk Manager

202. [29556](#) Senior Summer School - vehicle damage - \$2,131.64.

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

203. [29557](#) J. Cedzo - vehicle damage - \$772.63.

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

204. 29571 P. Merhemic - vehicle damage - \$2,229.10.

This Claim was Referred to the Risk Manager

205. 29572 S. Curran - vehicle damage - \$1,940.31.

This Claim was Referred to the Risk Manager

206. 29573 Wilber Insurance Services for State Farm Insurance for P. Champion - vehicle damage - \$535.68.

This Claim was Referred to the Risk Manager

207. 29574 J. Truitt - vehicle damage - \$3,883.83.

This Claim was Referred to the Risk Manager

208. [29593](#) R. Morales - vehicle damage - greater than \$1.00.

This Claim was Referred to the Risk Manager

209. 29607 D. Schumacher - vehicle damage - \$1,282.69.

This Claim was Referred to the Risk Manager

210. 29633 Enterprise Rent-A-Car - vehicle damage - \$590.02.

This Claim was Referred to the Risk Manager

211. 29636 A. Kaetterhenry, American Family Insurance, for P. and I. Alexander - property damage - \$1,649.95.

This Claim was Referred to the Risk Manager

212. 29639 State Farm for M. Geistlinger - vehicle damage - \$2,166.48.

This Claim was Referred to the Risk Manager

213. [29648](#) A. Peckham - vehicle damage - \$402.13.

This Claim was Referred to the Risk Manager

214. 29650 J. Saba, Progressive, for E. Ruizvoysey - vehicle damage - \$159.94.

This Claim was Referred to the Risk Manager

215. [29762](#) E. Gilbert - property damage - \$16,002.22.

This Claim was Referred to the Risk Manager

216. 29794 D. Griffiths for at&t - property damage - \$1,170.15.

This Claim was Referred to the Risk Manager

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

[29850](#) Amending Section 28.151 of the Madison General Ordinances to eliminate the zoning prohibition against street-facing automobile repair bays.

Sponsors: Joseph R. Clausius, Mark Clear and Paul E. Skidmore

A motion was made by Clear, seconded by Schmidt, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

ADJOURNMENT @ 8:12 PM

A motion was made by Schmidt, seconded by Resnick, to Adjourn at 8:12pm. The motion passed by voice vote/other.