



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, October 19, 2010

6:30 PM

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

ROLL CALL

6:35PM, ALDER CLEAR IN THE CHAIR

Present: 17 - Jed Sanborn
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Mark Clear
Thuy Pham-Remmele

Excused: 4 - David J. Cieslewicz
Shiva Bidar-Sielaff
Julia S. Kerr
Michael Schumacher

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: Mayor Cieslewicz, Ald. Bidar-Sielaff and Ald. Schumacher

OPENING REMARKS

SUSPENSION OF RULES

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

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

PETITIONS AND COMMUNICATIONS

PETITIONS

- 1. [19982](#) Petition received in the Madison City Clerk's Office September 13, 2010 from Diane Marie Sturdevant, regarding immediate attachment from the Town of Burke, Dane County to the City of Madison.

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Accept . The motion passed by voice vote/other.

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

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

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

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF ESTIMATES

- 2. [19986](#) 2011 Executive Operating Budget And Amendments.

Sponsors: David J. Cieslewicz

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

REPORT OF BOARD OF PUBLIC WORKS

- 3. [19842](#) Approving Plans, Specifications, and Schedule of Assessments for Lake Street and Mendota Court Reconstruction Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00840

REPORT OF PLAN COMMISSION

- 4. [19608](#) Creating Sec. 28.085(2)(c)10. of the Madison General Ordinances to allow adult day care facilities as a permitted use in the O-1 District.

Sponsors: Joseph R. Clausius

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

Enactment No: ORD-10-00097

- 5. [19788](#) SUBSTITUTE Creating Section 28.06(2)(a)3499. of the Madison General Ordinances rezoning property from Temp R1 Single Family Residence District to Amended R1 Single Family Residence District. Proposed Use: Requesting permanent zoning to allow remodeling and addition of existing house; 19th Aldermanic District; 6901 Old Sauk Court.

Sponsors: PLAN COMMISSION

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

Enactment No: ORD-10-00098

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

6. [20076](#) SUBSTITUTE - Report of the Mayor submitting citizen committee appointments (introduced 10-5-2010; action 10-19-2010. Note changes to the Committee on Sweatfree Purchases)

Sponsors: David J. Cieslewicz

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Confirm . The motion passed by the following vote:

Ayes: 16 - Jed Sanborn
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Mark Clear

Abstentions: 1 - Thuy Pham-Remmele

Excused: 4 - Shiva Bidar-Sielaff
Julia S. Kerr
Michael Schumacher
David J. Cieslewicz

7. [20208](#) Report of the Mayor submitting citizen committee appointments (introduced 10-19-2010; action 11-9-2010).

Sponsors: David J. Cieslewicz

Confirm 11/9/2010.

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL and should be returned by 11/9/2010. The motion passed by voice vote/other.

Ayes: 16 - Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Mark Clear
Jed Sanborn

Abstentions: 1 - Thuy Pham-Remmele

Excused: 4 - Shiva Bidar-Sielaff
Julia S. Kerr
Michael Schumacher
David J. Cieslewicz

8. [20249](#) Report of the Mayor submitting an Alder committee appointment.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Confirm . The motion passed by the following vote:

Ayes: 16 - Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Mark Clear
Jed Sanborn

Abstentions: 1 - Thuy Pham-Remmele

Excused: 4 - Shiva Bidar-Sielaff
Julia S. Kerr
Michael Schumacher
David J. Cieslewicz

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

9. [20225](#) AMENDED Amending the 2010 Operating Budget to appropriate \$25,000 from the Contingent Reserve to Miscellaneous Appropriations to hire The North Group, Incorporated for \$22,500 to conduct the independent review of the proposed operating model ("Focus Model") for the Overture Center and advise on performance standards and James Undercofler, Professor of Performing Arts and Arts Administration at Drexel University for \$2,500 to design recommendations for the private, non-profit board selection and composition.

Sponsors: Lauren Cnare, Shiva Bidar-Sielaff, Michael E. Verveer, Mark Clear, Larry Palm, Marsha A. Rummel, Joseph R. Clausius and Steve King

A motion was made by Ald. Compton, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 11/9/2010. The motion FAILED by voice vote/other.

Excused: 4 - David J. Cieslewicz
Shiva Bidar-Sielaff
Julia S. Kerr
Michael Schumacher

The motion FAILED by the following vote:

Ayes: Clausius, Clear, Cnare, Eagon, King, Maniaci, Palm, Rhodes-Conway, Rummel, Sandborn, Schmidt, Skidmore, Solomon and Verveer.

Noes: Bruer, Compton and Pham-Remmele

Excused: Bidar-Sielaff, Kerr and Schumacher.

A motion was made by Ald. Solomon, seconded by Ald. Rhodes-Conway, to Adopt with the following Friendly Ammendments: Paragraph 1:Please assess public ownership of the facility with private management of the operations, including the uniqueness of the structure, the likelihood of success in terms of financial viability and community relations, and the current lack of community support, and propose critical tenets that must be included in a management agreement; Paragraph 3: Should the city explore other models? How do these models compare and what are their relative advantages and disadvantages?; Paragraph 4: (new paragraph): Should the city consider any long term requirements in Board membership of the non-profit operator to increase the likelihood of the long term success of Overture? The motion FAILED by the following vote:

Ayes: Clausius, Clear, Cnare, Eagon, King, Maniaci, Palm, Rhodes-Conway, Rummel, Sandborn, Schmidt, Skidmore, Solomon and Verveer.

Noes: Bruer, Compton and Pham-Remmele

Excused: Bidar-Sielaff, Kerr and Schumacher.

Excused: 4 - David J. Cieslewicz
Shiva Bidar-Sielaff
Julia S. Kerr
Michael Schumacher

- 10. [20247](#) ALTERNATE - Amending the 2010 Operating Budget to appropriate \$25,000 from the Contingent Reserve to Miscellaneous Appropriations to hire ~~XXXXXXXX~~ **Mortenson Construction** to conduct an independent review of the building conditions, building needs and the structural integrity of the Overture Center.

Sponsors: Chris Schmidt

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, The motion PASSED by the following vote:

Ayes: Bruer, Clausius, Clear, Cnare, Eagon, King, Maniaci, Palm, Rhodes-Conway, Rummel, Sandborn, Schmidt, Skidmore, Solomon and Verveer

Noes: Pham-Remmele

Absent: Compton

Excused: 4 - David J. Cieslewicz
 Shiva Bidar-Sielaff
 Julia S. Kerr
 Michael Schumacher

Enactment No: RES-10-00841

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 11. [20254](#) Alcohol License Review Committee Report of Operator License Applications October 13, 2010. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

- 12. [19348](#) SUBSTITUTE - Approve the request from Independent Living, Inc. to provide up to \$432,000 in CDBG, HOME Match, Acq/Rehab funds and Scattered Site Funds to acquire and construct 42 units of senior rental housing on the north side of Madison.

Sponsors: Tim Bruer

To adopt at the 11/9/10 Common Council Meeting.

A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 11/9/2010. The motion passed by voice vote/other.

13. [19908](#) A Resolution Authorizing the City to Retain the Law Firm of Quarles & Brady, LLP to Provide Legal Services in Securing and Structuring New Market Tax Credits Financing for the Proposed New Central Library.

Sponsors: David J. Cieslewicz, Michael E. Verveer and Larry Palm

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

Enactment No: RES-10-00842

14. [19995](#) Authorizing the execution of a Real Estate Contract with M&I Regional Properties, LLC for the purchase by the City of properties located at 2507, 2504 and 2340 Winnebago Street (Union Corners) and authorizing the use of Land Banking Funds for the acquisition.

Sponsors: David J. Cieslewicz, Marsha A. Rummel and Mark Clear

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

Enactment No: RES-10-00877

15. [20005](#) Authorizing the execution of a lease for space in The Village on Park located at 2300 South Park Street for use by Public Health - Madison and Dane County for office/clinical purposes.

Sponsors: Lauren Cnare

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

Enactment No: RES-10-00843

16. [20006](#) Reallocation of the incumbent of a Civil Technician 1 position (#4094) to a Civil Technician 2 in the Water Utility budget.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00844

17. [20049](#) Recreating the existing position (#1079) of Engineer 4 in the Engineering Division budget as a Principal Engineer 1 and reallocating the incumbent to the new position.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00845
18. [20054](#) Creating the classification of Police Records Section Manager in CG18, Range 12, recreating the current position (#4202) of Police Records Section Supervisor as a Police Records Section Manager in the Police Department budget, and reallocating the incumbent to the new classification.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00846
19. [20066](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Police Records Section Manager" in Compensation Group 18, Range 12, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
- Enactment No: ORD-10-00099
20. [20073](#) Approving the Community Development Division's HUD required 2011 Action Plan.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- This Resolution was Referred to the COMMON COUNCIL due back on 11/9/2010**
21. [20079](#) A Resolution Authorizing and Providing for the Sale and Issuance of \$13,250,000 [Taxable] Water Utility Revenue Bonds, Series 2010, and All Related Details
- Sponsors:** Lauren Cnare and Larry Palm
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt . The motion passed by the following vote:**

Ayes: 17 - Bridget R. Maniaci
 Lauren Cnare
 Michael E. Verveer
 Marsha A. Rummel
 Steve King
 Bryon A. Eagon
 Paul E. Skidmore
 Brian L. Solomon
 Chris Schmidt
 Satya V. Rhodes-Conway
 Tim Bruer
 Larry Palm
 Judy Compton
 Joseph R. Clausius
 Mark Clear
 Thuy Pham-Remmele
 Jed Sanborn

Excused: 4 - Shiva Bidar-Sielaff
 Julia S. Kerr
 Michael Schumacher
 David J. Cieslewicz

Enactment No: RES-10-00847

AGENDA NOTE: The Board of Estimates will consider ID# 20079 at their 10/19/10 special meeting. Recommendation will be made from the Council floor.

- 22. [20094](#) Approving the reapportionment of \$664,145 in previously-approved EECBG funds for the Community Development Division’s Business Energy Incentives Program (BEEP), and authorizing the Mayor and City Clerk to execute all requisite agreements with the designated recipient businesses and organizations.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer, Marsha A. Rummel and Satya V. Rhodes-Conway

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

Enactment No: RES-10-00848

- 23. [20096](#) Authorizing the Mayor and City Clerk to execute a ten (10) year Use Agreement with the Northwoods League, Inc. and the Madison Mallards LLC for nonexclusive use of Warner Park Stadium. (AD#12)

Sponsors: Satya V. Rhodes-Conway, Michael Schumacher, Joseph R. Clausius and Paul E. Skidmore

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

Enactment No: RES-10-00849

24. [20097](#) Authorizing the Mayor and City Clerk to execute an Agreement to Undertake Improvements to Warner Park Stadium Between the City of Madison and Madison Mallards LLC. (AD#12)

Sponsors: Michael Schumacher, Joseph R. Clausius and Paul E. Skidmore

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

Enactment No: RES-10-00850

REPORT OF BOARD OF PARK COMMISSIONERS

25. [20104](#) To authorize the Mayor and City Clerk to execute an agreement with Dudgeon-Monroe Neighborhood Association, Inc. for the planting and maintaining of an edible landscape to be located in Wingra Park. (AD 10)

Sponsors: Brian L. Solomon, Joseph R. Clausius and Paul E. Skidmore

A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt . The motion passed by the following vote:

Ayes: 16 - Lauren Cnare
Michael E. Verveer
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Mark Clear
Jed Sanborn
Bridget R. Maniaci

Noes: 1 - Thuy Pham-Remmele

Excused: 4 - Shiva Bidar-Sielaff
Julia S. Kerr
Michael Schumacher
David J. Cieslewicz

Enactment No: RES-10-00875

REPORT OF BOARD OF PUBLIC WORKS

26. [19724](#) Assessing Benefits - E. Washington Avenue Segment 4 Assessment District - 2008.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00851

27. [19793](#) Accepting an Offer to Purchase from Sara Herpolsheimer and Donald Kidd for a portion of the City-owned public walkway parcel located at 1313 Troy Drive.

Sponsors: Satya V. Rhodes-Conway

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

Enactment No: RES-10-00852

28. [19853](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of South Point Road from Mineral Point Road to 2600 feet south - Engineering Project No. 53W0902. (9th AD)

Sponsors: Paul E. Skidmore

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

Enactment No: RES-10-00853

29. [19927](#) Awarding Public Works Contract No. 6569, MMB Elevator Modernization.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00854

30. [19928](#) Awarding Public Works Contract No. 6551, Debra Lane/Wheeler Road Drainage Assessment District.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00855

- 31. [20001](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Warner Park Bleacher Replacement, Contract No. 6302. (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00856

- 32. [20003](#) Improvements accepted for Install Direct Gas Fired HVAC Units - 2010, Contract No. 6474.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00857

- 33. [20004](#) Improvements accepted for Repaint South Transfer Point Structure - 2010, Contract No. 6473.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00858

- 34. [20040](#) Declaring the City of Madison's intention to exercise its police powers establishing the Mendota Street Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00859

- 35. [20041](#) Declaring the City of Madison's intention to exercise its police powers establishing the Sycamore Avenue Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00860

- 36. [20051](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Bagley Parkway Sewer Rehabilitation, Contract No. 6325. (11th & 2nd ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00861

- 37. [20065](#) Approving plans and specifications for public improvements necessary for the project known as 517-523 East Main Street and authorizing construction to be undertaken by the Developer, Private Contract No. 2264 (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00862

- 38. [20067](#) Declaring the City of Madison's intention to exercise its police powers establishing the Syene Road Assessment District - 2011. (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00863

- 39. [20068](#) Declaring the City of Madison's intention to exercise its police powers establishing the Langlois Street Assessment District - 2011. (19th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00864

- 40. [20075](#) Improvements accepted for Terry Place Reconstruction Assessment District - 2009, Contract No. 6299.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00865

- 41. [20077](#) Accepting sanitary sewer, storm sewer, and street improvements constructed by Private Contract In 21-35 N Park Street PUD, Private Contract No. 2003. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00866

- 42. [20080](#) Accepting storm sewer constructed by Private Contract In 303 N. Hamilton Street PUD, Private Contract No. 2191. (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00867

- 43. [20081](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 303 North Hamilton Street PUD, Private Contract No. 2191. (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00868

- 44. [20107](#) Declaring the City of Madison's intention to exercise its police powers establishing the University Avenue, Highland Avenue, Van Hise Avenue and Walnut Street Reconstruction Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00869

45. [20108](#) Declaring the City of Madison's intention to exercise its police powers establishing the University Avenue, Paunack Place and Forest Street Resurfacing Assessment District - 2011.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00870
46. [20112](#) Declaring the City of Madison's intention to exercise its police powers establishing the North Webster Street, East Dayton Street & North Pinckney Street Assessment District - 2011. (4th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00871

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

47. [19412](#) Amending Sec. 3.70(2)(b) of the Madison General Ordinances to require records custodians to review records before releasing and consult the City Attorney when a question arises whether to grant or deny a request.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
- Enactment No: ORD-10-00100
48. [19633](#) Creating Sec. 9.49(7) of the Madison General Ordinances to establish procedure for judicial review of decisions of the Administrative Review Board.
- Sponsors:** David J. Cieslewicz and Mark Clear
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
- Enactment No: ORD-10-00101

REPORT OF DOWNTOWN COORDINATING COMMITTEE

49. [19820](#) To approve the 2011 Operating Plan for Madison's Central Business Improvement District (#1).

Sponsors: Michael E. Verveer

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

Enactment No: RES-10-00872

REPORT OF ETHICS BOARD

50. [19335](#) Creating Section 33.01(9)(f) of the Madison General Ordinances to require all sub-units to include an agenda item at each meeting for ethics disclosures and recusals.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

This Ordinance was Referred to the COMMON COUNCIL due back on 11/9/2010

51. [19916](#) Creating Section 3.35(6)(i) of the Madison General Ordinances to establish conditions and procedures for a third party to pay for incumbent's permitted expenses.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

This Ordinance was Referred to the COMMON COUNCIL due back on 11/9/2010

52. [19922](#) SUBSTITUTE Amending Section 3.35(5)(a)2. of the Madison General Ordinances to allow an incumbent to solicit funds under certain provisions.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

This Ordinance was Referred to the COMMON COUNCIL due back on 11/9/2010

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

53. [20113](#) Approving a Certified Survey Map of property owned by Farm & Fleet of Madison, Inc. located at 2126-2202 South Stoughton Road. 16th Ald. Dist.

Sponsors: Common Council By Request

A motion was made by Ald. Cnare, seconded by Ald. Verveer, 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-10-00873

54. [20114](#) Re-approving a Certified Survey Map of property owned by Cherokee Park, Inc. at 78-92 Golf Parkway. 18th Ald. Dist.

Sponsors: Common Council By Request

A motion was made by Ald. Cnare, seconded by Ald. Verveer, 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-10-00874

REPORT OF RISK MANAGER

55. [19350](#) State Farm Insurance for E. Brandt, P.O. Box 82613, Lincoln, NE, 68501-2613 - vehicle damage - \$8,059.50.

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

56. [20057](#) J. Limbach, 1051 Spaight St., Madison, 53703 - property damage - \$522.23.

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

57. [20074](#) K. Drew, 4150 Monona Dr., Madison, 53716 - vehicle damage - \$90.16.

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

ITEMS REFERRED TO THIS MEETING

ORDINANCES

58. [19997](#) Creating Section 15.01(575) of the Madison General Ordinances entitled "City Boundaries" attaching to the Sturdevant Attachment and assigning a temporary zoning classification of A Agriculture District.

Sponsors: Joseph R. Clausius

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

Enactment No: ORD-10-00102

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

59. [20138](#) Creating Section 28.06(2)(a)3504. of the Madison General Ordinances rezoning property from R3 Single-Family and Two-Family Residence District to C2 General Commercial District. Proposed Use: Demolish former school building and construct Resilience Research Center containing school, neighborhood center, office and retail with outdoor eating area and aquaculture; 14th Aldermanic District: 501 East Badger Road.

Sponsors: PLAN COMMISSION

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION due back on 11/30/2010

60. [20141](#) Creating Section 28.06(2)(a)3502. 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, and creating Section 28.06(2)(a)3503. 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. Proposed Use: Amend Kohl Center PUD to allow construction of an addition to Kohl Center and Nicholas Johnson Pavilion with an ice hockey arena, locker room facilities and athletic offices; 4th Aldermanic District; 601 West Dayton Street.

Sponsors: PLAN COMMISSION

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION due back on 11/30/2010

61. [20178](#) Adopting and confirming the Labor Agreement between the City of Madison and City Employees Local 236, L.I.U.N.A., AFL-CIO for the period January 1, 2010 to December 31, 2011.

Sponsors: David J. Cieslewicz

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

62. [20179](#) Adopting and confirming the Labor Agreement between the City of Madison and Building and the Construction Trades Council of South Central Wisconsin, and its Appropriate Affiliated Locals for the period January 1, 2010 to December 31, 2011.

Sponsors: David J. Cieslewicz

This Ordinance was Referred to the BOARD OF ESTIMATES

63. [20180](#) Adopting and confirming Revision No. 272 of the Madison General Ordinances as of September 15, 2010 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: Common Council By Request

To adopt at Common Council Meeting of 11/9/2010

This Ordinance was Referred to the COMMON COUNCIL due back on 11/9/2010

RESOLUTIONS

64. [20121](#) Authorizing the expenditure of up to \$10,000 from Traffic Engineering for Safe Routes to School grants to Madison Metropolitan School District schools.

Sponsors: Satya V. Rhodes-Conway

This Resolution was Referred to the BOARD OF ESTIMATES

65. [20131](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas LaFleur, his 2011 contract for professional services as Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.

Sponsors: Bridget R. Maniaci and Michael E. Verveer

This Resolution was Referred to the HOUSING COMMITTEE

66. [20132](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas Boykoff, his 2011 contract for professional services as Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.

Sponsors: Bridget R. Maniaci and Michael E. Verveer

This Resolution was Referred to the HOUSING COMMITTEE

67. [20202](#) Authorizing the Mayor and City Clerk to execute an amendment to the 2005 Tax Incremental Financing Loan and Regulatory Agreement between the City and Monroe Neighbors, LLC

Sponsors: Brian L. Solomon

This Resolution was Referred to the BOARD OF ESTIMATES

68. [20203](#) Entering into an attachment agreement with Diane M. Sturdevant, 934 Eagle Crest Drive, Town of Burke, for the purposes of allowing the connection of her property to City of Madison water and sanitary sewer facilities.

Sponsors: Joseph R. Clausius

This Resolution was Referred to the BOARD OF PUBLIC WORKS

69. [20216](#) To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2009/10 Maintenance Charges.

Sponsors: Michael E. Verveer

Additional referral to: Downtown Coordinating Committee

This Resolution was Referred to the BOARD OF ESTIMATES

70. [20237](#) Authorizing the Mayor and City Clerk to enter into an Early Attachment and Revenue Sharing Agreement with the Town of Madison to facilitate the attachment and future development of four parcels located in the Town at 2155-2165 Rimrock Road and 250 West Beltline Highway.

Sponsors: David J. Cieslewicz and Tim Bruer

Additional Referral to: Board of Estimates

This Resolution was Referred to the PLAN COMMISSION

71. [20248](#) Accepting a deed from Overture Development Corporation for the Overture Center located at 201 State Street; authorizing the Mayor and City Clerk to execute a Lease and Operating Agreement with 201 State Foundation, Inc., or its successor; authorizing the formation of a condominium at the Overture Center; and authorizing the Mayor and City Clerk to execute such other documents that may be deemed necessary by the City Attorney to implement the transaction

Sponsors: David J. Cieslewicz, Mark Clear, Lauren Cnare and Michael E. Verveer

Additional Referrals to: Board of Estimates, Common Council Organizational Committee

This Resolution was Referred to the COMMON COUNCIL due back on 11/9/2010

REPORTS

72. [20227](#) Final Report of the Overture Ad Hoc Committee to the Mayor and Common Council - Mark D. Bugher, Chair
Additional Referrals: Board of Estimates, Common Council Organizational Committee, Madison Arts Commission
This Report was Referred to the COMMON COUNCIL due back on 10/26/2010

73. [20245](#) Report of Chief of Police re: Police Overtime through the 3rd Quarter of 2010.

This Report was Referred to the BOARD OF ESTIMATES

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON**CLAIMS - REFER TO RISK MANAGER**

74. **20119** J. Krystofiak, Choles Floral, 1135 Regent St., Madison, 53715 - property damage - \$1,325.00.

This Claim was Referred to the Risk Manager

75. [20128](#) B. Griffin, 7126 Valhalla Tr., Madison, 53719 - vehicle damage - \$1,814.77.

This Claim was Referred to the Risk Manager

76. **20143** G. Miller, 1421 Loftsgordon Ave., Madison, 53704 - vehicle damage - \$4,452.00.

This Claim was Referred to the Risk Manager

77. [20144](#) M. Varvodic, 1004 E. Dayton St., #5, Madison, 53703 - property damage - \$130.00.

This Claim was Referred to the Risk Manager

78. [20170](#) R. Williams, 2129 Magnolia St., Rockford, IL 61104 - damage, injury, humiliation, embarrassment, emotional and physical distress, expenses - \$25,600,000.00.

This Claim was Referred to the Risk Manager

79. [20172](#) G. Ward, 6637 Broad Creek Blvd., Madison, 53718 - vehicle damage - \$884.30.

This Claim was Referred to the Risk Manager

80. [20173](#) S. McElwain, 1308 Joyce Rd., Monona, 53716 - vehicle damage - \$2,339.97.

This Claim was Referred to the Risk Manager

81. [20238](#) Preston Tripplett, Progressive, P.O. Box 89440, Cleveland, OH 44101 for A. Vaccaro, 207 Westcott St., # 3, Pardeeville, 53954-9195 - vehicle damage - \$4,473.91.

This Claim was Referred to the Risk Manager

LATE ITEMS

82. [19398](#) Establishing a Glass-Free Zone for the State Street area from 9:30 pm on October 29, 2010 to 5:00 am on October 30, 2010 and from 9:30 pm on October 30, 2010 to 5:00 am on October 31, 2010.

Sponsors: Michael E. Verveer

A motion was made to Adopt. The motion passed by the following vote:

Enactment No: RES-10-00839

83. [20258](#) Proclaiming Thursday, October 21, 2010 at "Lights on Afterschool" in Madison.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00876

ADDENDUM

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT @ 10:00 PM

A motion was made by Cnare, seconded by Verveer, to Adjourn at 10:00 PM.
The motion passed by voice vote/other.