



City of Madison

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

Meeting Minutes - Approved COMMON COUNCIL

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

*This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse Channel
99 or at www.madisoncitychannel.tv.*

Tuesday, March 16, 2021

6:30 PM

Via Virtual Meeting

ROLL CALL

At 6:32pm, Mayor Rhodes-Conway in the chair.

Present: 21 - Satya V. Rhodes-Conway; Barbara Harrington-McKinney; Patrick W. Heck; Lindsay Lemmer; Michael E. Verveer; Shiva Bidar; Marsha A. Rummel; Paul E. Skidmore; Zachary Henak; Arvina Martin; Syed Abbas; Tag Evers; Sheri Carter; Grant Foster; Michael J. Tierney; Samba Baldeh; Rebecca Kemble; Keith Furman; Christian A. Albouras; Max Prestigiacomo and Nasra Wehelie

The City of Madison is holding the Common Council meeting virtually to help protect our community from the Coronavirus (COVID-19) pandemic.

1. Written Comments: You can send comments on agenda items to allalders@cityofmadison.com

2. Register but Do Not Speak: You can register your support or opposition to an agenda item at <https://www.cityofmadison.com/MeetingRegistration>

3. Register to Speak or to Answer Questions: If you wish to speak at the virtual meeting on an agenda item, you must register. You can register at <https://www.cityofmadison.com/MeetingRegistration>. When you register to speak, you will be sent an email with the information you will need to join the virtual meeting.

4. Watch the Meeting: You can call-in or watch the Common Council meeting in several ways:

- **Livestream on the Madison City Channel website:**
<https://media.cityofmadison.com/mediasite/showcase>
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<https://www.youtube.com/user/CityofMadison>
- **Television:** Watch live on Spectrum channel 994 and AT&T U-Verse channel 99
- **Listen to audio via phone:**
(877) 853-5257 (Toll Free)
Webinar ID: 976 4788 6837

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.

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 Carter, seconded by Abbas, to Suspend the Rules. The motion passed by voice vote/other.

PETITIONS AND COMMUNICATIONS**EARLY PUBLIC COMMENT**

1. [64312](#) Early Public Comment

SPECIAL ORDER OF BUSINESS AT 6:45 PM**PRESENTATION OF CONSENT AGENDA**

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

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

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF PLAN COMMISSION**

2. [60914](#) Creating Section 28.022 - 00454 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District, from Temp. A (Temporary Agricultural) District to SR-C2 (Suburban Residential-Consistent 2) District; and creating Section 28.002 - 00455 of the Madison General Ordinances to change the zoning of the property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District, from Temp. A (Temporary Agricultural) to TR-C3 (Traditional Residential-Consistent 3) District; and creating Section 28.022-456 of the Madison General Ordinances to change the zoning of the property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District from Temp. A (Temporary Agricultural) to TR-V2 (Traditional Residential-Varied 2) District; and creating Section 28.022 - 00457 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District from Temp. A (Temporary Agricultural) District to TR-U1 (Traditional Residential-Urban 1) District; and creating Section 28.022-458 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District from Temp. A (Temporary Agricultural) District to CC-T (Commercial Corridor-Transitional) District

Sponsors: Planning Division

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

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

3. [63902](#) Amending various sections of Subchapters 28C and 28D of Madison General Ordinances in order to increase allowable densities and decrease conditional use thresholds in certain multi-family residential, mixed-use, and commercial districts.

Sponsors: Satya V. Rhodes-Conway, Keith Furman, Patrick W. Heck, Lindsay Lemmer, Tag Evers and Max Prestigiacomo

A motion was made by Carter, seconded by Abbas, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

There was 1 registrant in support.

4. [64250](#) Amending portions of Madison General Ordinances Sections 28.063, 28.064, 28.065, 28.066, 28.067, 28.068, 28.074, 28.076, 28.084, 28.085, 28.087, 28.088, 28.089, and 28.097 to change the front yard setback, if it is less than 15 feet, from 0 feet to 5 feet to support a street tree canopy, and creating Madison General Ordinance 28.071(2)(e) to establish a Downtown Setback Exceptions Map.

Sponsors: Marsha A. Rummel, Patrick W. Heck, Keith Furman, Michael E. Verveer, Satya V. Rhodes-Conway and Syed Abbas

A motion was made by Carter, seconded by Abbas, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

5. [64631](#) Report of the Mayor submitting resident committee appointments (introduction 3-16-2021; action 3-30-2021).
Confirm 3/30/21

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

6. [64632](#) Report of the Mayor submitting an alder committee appointment.

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

REPORTS OF OFFICERS

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

7. [63535](#) Repealing and recreating Chapter 29, Building Code, of the Madison General Ordinances.

Sponsors: Michael E. Verveer

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

8. [63536](#) Repealing and recreating Chapter 18, Plumbing Code, of the Madison General Ordinances.

Sponsors: Michael E. Verveer

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

9. [63538](#) Repealing and recreating Chapter 19, Electrical Code, of the Madison General Ordinances.

Sponsors: Michael E. Verveer

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

10. [63550](#) Amending the Schedule of Deposits in Section 1.08 of the Madison General Ordinances to reflect updated numbering and amendments to Chapters 18, 19, 29, and 30.

Sponsors: Michael E. Verveer

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

REPORT OF BOARD OF PARK COMMISSIONERS

11. [64396](#) Authorizing the Parks Division to issue a Request for Proposals for the Aldo Leopold Park Bicycle Facilities Improvement project.

Sponsors: Paul E. Skidmore, Sheri Carter and Zachary Henak

A motion was made by Carter, seconded by Abbas, to Adopt Substitute. The motion passed by voice vote/other.

12. [64472](#) Authorizing the Mayor and City Clerk to enter into a Donation Agreement and a Developer's Agreement with the Madison Parks Foundation and Michael and Jocelyn Keiser for the Privately Funded Improvement of Glenway Golf Course.

Sponsors: Tag Evers, Shiva Bidar, Zachary Henak, Arvina Martin and Syed Abbas

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

There were 3 registrants in support and 10 in opposition.

REPORT OF BOARD OF PUBLIC WORKS

13. [64141](#) 2020 Board of Public Works Annual Report.

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

14. [64252](#) Authorizing the City's execution of a First Amendment to Lease between the City of Madison and 123 East Doty Street Corporation and/or their successors and assigns for the continued use of a portion of the City-owned property located at 223 S. Pinckney Street with temporary staircase improvements. (4th A.D.)

Sponsors: Michael E. Verveer

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

15. [64256](#) Authorizing the Mayor and the City Clerk to execute an agreement with Strand Associates, Inc. for engineering services for the Wexford Pond and Greenway Flood Mitigation and Restoration Design. (19th AD)

Sponsors: Keith Furman

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

16. [64334](#) Approving the annual stormwater WPDES annual report to the WDNR. Review and approval of this report is required as a condition of the City of Madison's discharge permit from the WDNR/EPA as authorized under NR-216.

Sponsors: Tag Evers

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

17. [64343](#) Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-00-65/66, for Main Street Improvements and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (4th AD)

Sponsors: Michael E. Verveer

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

18. [64344](#) Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-00-61/62, for West Towne Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (9th AD)

Sponsors: Paul E. Skidmore

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

19. [64345](#) Authorizing the Mayor and the City Clerk to execute an agreement with Stantec Consulting Services, Inc. for engineering services for the Starkweather Creek/Olbrich Gardens Watershed Study. (3rd, 6th, 12th, 15th, 16th, 17th, and 18th ADs)

Sponsors: Michael J. Tierney, Grant Foster, Lindsay Lemmer, Marsha A. Rummel, Samba Baldeh and Syed Abbas

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

20. [64347](#) Awarding Public Works Contract No. 8572, Garver Path & Starkweather Drive Assessment District - 2021. (6th and 15th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

21. [64348](#) Awarding Public Works Contract No. 8578, South Park Street Concrete Pavement Repairs - 2021. (13th & 14th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

22. [64350](#) Awarding Public Works Contract No. 8984, Metro Masonry Repairs. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

- 23. [64351](#) Awarding Public Works Contract No. 8988, Resurfacing 2021 - Curb & Gutter and Castings. (1st, 2nd, 12th, 17th, & 19th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

- 24. [64352](#) Awarding Public Works Contract No. 8989, Resurfacing 2021 - Asphalt Pavement Pulverizing, Milling & Paving. (1st, 2nd, 12th, 17th, and 19th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

- 25. [64353](#) Awarding Public Works Contract No. 8990, Resurfacing 2021 - Asphalt Base Patching and Base Patch Grinding. (1st, 2nd, 12th, 17th, and 19th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

- 26. [64354](#) Awarding Public Works Contract No. 9429, Mall/Concourse Maintenance Protective Flooring Replacement. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

- 27. [64355](#) Approving plans and specifications for public improvements necessary for the project known as 5133 University Avenue and authorizing construction to be undertaken by the Developer, Private Contract No. 9021 (19th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

28. [64356](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Chip Sealing 2021- East. (3rd, 12th, 14th and 15th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

29. [64357](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Chip Sealing 2021-West. (7th, 11th, 19th and 20th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

30. [64358](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks - Major Streets 2021. (City Wide)

Sponsors: BOARD OF PUBLIC WORKS

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

31. [64359](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks - Local Streets 2021. (City Wide)

Sponsors: BOARD OF PUBLIC WORKS

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

32. [64391](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for 2021 Parking Garage Maintenance. (2nd, 4th, and 6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

33. [64392](#) Approving plans and specifications for public improvements required to serve Phase 11 of the Subdivision known as Village at Autumn Lake and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-21-00018, Private Contract No. 8976. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

34. [64397](#) Approving plans and specifications for public surface pavement improvements required to serve Phase 11 of the Subdivision known as Village at Autumn Lake and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-21-00019, Private Contract No. 8977. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

35. [64401](#) Determining a Public Purpose and Necessity and adopting a Transportation Project Plat Numbers 5992-11-00 - 4.05, 5992-11-00 - 4.06 and 5992-11-00 - 4.12, Pleasant View Road - Mineral Point Road to USH 14 for the acquisitions per the Plat of Land Interests required. Located in part of the SW 1/4, NW 1/4, NE 1/4, and SE 1/4 of the SW 1/4 and the SE 1/4 of the NW 1/4 all of Section 15, T7N, R8E, in the City of Madison. (9th AD)

Sponsors: Paul E. Skidmore

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

36. [64402](#) Assessing Benefits - Resurfacing 2020 - Assessment District. (3rd, 13th, 16th, 17th, and 20th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

37. [64403](#) Declaring the City of Madison's intention to exercise its police powers establishing the Dearholt Road Assessment District - 2021. (10th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

REPORT OF CITY ATTORNEY

38. [63654](#) Alan Marcuvitz, von Briesen & Roper, S.C., attorney for Madison Joint Venture LLC, East Towne Maill, 89 East Towne Mall - excessive assessment - \$28,695.80.

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

39. [63655](#) Alan Marcuvitz, von Briesen & Roper, S.C., attorney for West Towne Mall, 66 West Towne Mall - excessive assessment - \$435,898.874.

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

40. [63925](#) Alan Marcuvitz, von Briesen & Roper, S.C., attorney for Marcus Hotels, Inc., 15 E. Wilson St. - excessive assessment - \$47,598.99.

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

41. [63958](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for 8Twenty Park, LLC (Tax Parcel No. 0709-262-2901-8) - excessive assessment - \$30,525.00.

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

42. [63959](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for 8TwentyPark, LLC (Tax Parcel No. 0709-262-2902-6) - excessive assessment - \$25,109.00.

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

43. [63960](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for 8TwentyPark, LLC (Tax Parcel No. 0709-262-2999-3) - excessive assessment - \$30,525.00.

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

44. [63961](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for 800 South, LLC (Tax Parcel No. 0709-134-3601-4) - excessive assessment - \$64,252.00.

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

45. [63962](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for 800 South, LLC (Tax Parcel No. 0709-134-3602-2) - excessive assessment - \$69,104.00.
- A motion was made by Carter, seconded by Abbas, to Deny. The motion passed by voice vote/other.**
46. [63963](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for Beltline Hotel Partners II, LLC (Tax Parcel No. 0710-272-0303-4) - excessive assessment - \$64,020.00.
- A motion was made by Carter, seconded by Abbas, to Deny. The motion passed by voice vote/other.**
47. [63964](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for IA Crossroads (Tax Parcel No. 0810-271-0216-0) - unlawful assessment - \$30,823.51.
- A motion was made by Carter, seconded by Abbas, to Deny. The motion passed by voice vote/other.**
48. [63965](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for Roger Charley (Tax Parcel No. 0709-224-0201-4) - excessive assessment - \$14,325.00.
- A motion was made by Carter, seconded by Abbas, to Deny. The motion passed by voice vote/other.**
49. [63966](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for Roger Charley (Tax Parcel No. 0709-221-1507-1) - excessive assessment - \$16,333.00.
- A motion was made by Carter, seconded by Abbas, to Deny. The motion passed by voice vote/other.**
50. [63967](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for Roger Charley (Tax Parcel No. 0709-221-1706-9) - excessive assessment - \$20,315.00.
- A motion was made by Carter, seconded by Abbas, to Deny. The motion passed by voice vote/other.**
51. [63986](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for 301 South Ingersoll, LLC - excessive assessment - \$19,068.55.
- A motion was made by Carter, seconded by Abbas, to Deny. The motion passed by voice vote/other.**

52. [63987](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for 709 Segoe, LLC - excessive assessment - \$25,529.71.

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

53. [63988](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for Bird Dog Hospitality IV, LLC - excessive assessment - \$47,968.52.

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

54. [63989](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for City Row Apartments, LLC - excessive assessment - \$14,536.41.

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

55. [63990](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for Lots 2 and 3, LLC (Tax Parcel No. 0708-344-0805-1) - excessive assessment - \$4,339.42.

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

56. [63991](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for Lots 2 and 3, LLC (Tax Parcel No. 0708-344-0806-9) - excessive assessment - \$4,984.55.

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

57. [63992](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for Madison on Broadway LLC - excessive assessment - \$28,065.75.

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

58. [63993](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for 1000 Mifflin Street, LLC - excessive assessment - \$33,251.75.

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

59. [63994](#) Eric J. Hatchell, Foley & Lardner LLP - attorney for Mirus Madison II LLC - excessive assessment - \$53,765.70.

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

60. [63995](#) Douglas A. Pessefall, Reinhart Boerner Van Deuren S.C., attorney for Cash For Your Customers, LLC - unlawful assessment - \$3,455.49.

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

61. [63996](#) Don Millis, Reinhart Boerner Van Deuren S.C., attorney for Madison East Partnership, LLC - excessive assessment - \$76,190.00.

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

62. [64009](#) Steven Frassetto, Menn Law Firm, Ltd., attorney for Veritas Village, LLC - excessive assessment - \$241,698.60.

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

63. [64010](#) Robert Gordon, Michael Best & Friedrich LLP, attorney for Russ Darrow Madison LLC - excessive assessment - \$45,144.00.

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

REPORT OF CITY CLERK

64. [63390](#) Report of Operator License Applications March 16, 2021. See attached report for list of operators.

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

REPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

65. [64390](#) SUBSTITUTE - Authorizing the City of Madison, on behalf of the Dane County Continuum of Care (CoC), to accept an ESG-CV second allocation award of up to \$1,627,500 from the State of Wisconsin Department of Administration; authorizing the Mayor and City Clerk to execute agreements with specific Dane County CoC agencies to provide services using the ESG-CV funds; and amending the Community Development Division's 2021 Adopted Operating Budget to reflect receipt of these funds.

Sponsors: Christian A. Albouras, Samba Baldeh and Zachary Henak

A motion was made by Carter, seconded by Abbas, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

REPORT OF FINANCE COMMITTEE

66. [63525](#) Authorizing a double-fill of the Legislative Management System Specialist position in the Common Council office.

Sponsors: Sheri Carter

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

67. [63697](#) Recreating one .6 FTE Graphics Technician position (position control #2762) and one .6 FTE Customer Service Representative position (position control #2680, currently vacant) into one 1.0 FTE Graphics Technician position and place incumbent, M. Kim, in the position.) Recreating 1.0 FTE Assistant Schedule Planner (position #4353, currently vacant) as a 1.0 FTE Planner 2 position. Recreating 1.0 FTE Utility Worker (position control #3384) as a Building & Grounds Foreman. Amending the 2021 Metro Transit Operating Budget to reflect these changes for a net change of 0.2 FTE. This will shift our existing positions to more effectively serve our current needs.

Sponsors: Grant Foster, Keith Furman and Michael E. Verveer

A motion was made by Carter, seconded by Abbas, to Adopt Substitute - 15 Votes Required. The motion passed by voice vote/other.

68. [63899](#) Approving the Amendment to the Project Plan for Tax Incremental District (TID) 36 (Capitol Gateway), City of Madison.

Sponsors: Patrick W. Heck, Marsha A. Rummel and Syed Abbas

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

69. [64004](#) Authorizing a new contract with Pellitteri Waste Systems for the sorting, processing, and marketing of recyclables collected by the City of Madison Streets Division and that the contract shall be for five years.
- Sponsors:** Satya V. Rhodes-Conway and Syed Abbas
- A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.**
70. [64060](#) Dissolving Tax Incremental District (TID) #38 (Badger-Ann-Park). (14th A.D.)
- Sponsors:** Sheri Carter and Satya V. Rhodes-Conway
- A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.**
71. [64246](#) Authorizing an inter-governmental agreement for COVID-19 Vaccine administration support with Dane County Emergency Management.
- Sponsors:** Patrick W. Heck and Barbara Harrington-McKinney
- A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.**
72. [64257](#) SUBSTITUTE - City of Madison Sponsorship of Sustain Dane programming in 2021 and authorization to enter into a Memorandum of Understanding with Sustain Dane.
- Sponsors:** Tag Evers, Shiva Bidar, Syed Abbas, Michael E. Verveer, Satya V. Rhodes-Conway and Grant Foster
- A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.**
73. [64268](#) Waiving license and permit fees for Public Passenger Services under Sections 11.06 (4)(a) , 11.06(5)(a) and 11.06(6)(a) of the Madison General Ordinances for the 2021 calendar year due to COVID-19 and other economic hardships
- Sponsors:** Grant Foster, Syed Abbas, Tag Evers and Nasra Wehelie
- A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.**

74. [64443](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a total of \$2,556,000 in Tax Incremental Finance Loans to University Park Acquisitions LLC or its assigns, consisting of an approximately 82-unit senior affordable housing project, approximately 68 units of affordable housing and approximately 156 units of market rate housing located at Lots 2, 4 and 6 of the attached draft of the Westgate Redevelopment Plat, commonly known as the former Westgate property on Whitney Way in the City of Madison and adjacent to the TID #46 (Research Park) boundary.

Sponsors: Sheri Carter, Zachary Henak and Satya V. Rhodes-Conway

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

There was 1 registrant in support.

75. [64454](#) Amending the 2021 Capital Budget to transfer \$580,000 of existing GO borrowing authority from Reconstruction Streets (major 10226) in the Engineering-Major Streets Capital Budget to Garver Path (project 10160) in the Engineering-Bicycle & Pedestrian Capital Budget. (6th and 15th AD)

Sponsors: Grant Foster and Marsha A. Rummel

A motion was made by Carter, seconded by Abbas, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

76. [64516](#) Authorizing the settlement and payment of a tax refund for tax year 2019 for *RSS WFCM2013LC12-WI CPM, LLC vs. City of Madison*, Dane County Circuit Court Case number 2020CV001286. Authorizing entry into settlement agreement and approving payment of approximately \$57,969.33 from City resources to effectuate the settlement \$22,456.33 represents the City's approximate portion of the settlement.

Sponsors: Sheri Carter, Samba Baldeh and Satya V. Rhodes-Conway

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

REPORT OF MADISON FOOD POLICY COUNCIL

77. [64416](#) A resolution to update File No. 38465 regarding the Healthy Retail Access Program to authorize a one-time increase in the maximum award amount for the Gooh Groceries (Midwest Gooh Group, LLC) project in the amount of \$125,000. (15th A.D.)

Sponsors: Grant Foster, Patrick W. Heck, Satya V. Rhodes-Conway, Arvina Martin, Rebecca Kemble and Syed Abbas

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

There were 5 registrants in support.

REPORT OF PLAN COMMISSION

- 78. [63758](#) Approving the final plat of *Eastwood Springs* on land generally addressed as 6602 Commercial Avenue; 3rd Ald. Dist.

Sponsors: Planning Division

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

There were 2 registrants in support.

REPORT OF RISK MANAGER

- 79. [64284](#) R. Tuinstra for Warner Park Youth Football - property damage - \$10,000.00.

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

REPORT OF SUSTAINABLE MADISON COMMITTEE

- 80. [63893](#) SUBSTITUTE - Accepting the Final Anaerobic Digester Feasibility Study from EcoEngineers

Sponsors: Max Prestigiacomio, Syed Abbas, Tag Evers, Grant Foster, Michael J. Tierney, Rebecca Kemble, Michael E. Verveer, Satya V. Rhodes-Conway and Marsha A. Rummel

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

REPORT OF TRANSPORTATION COMMISSION

- 81. [63922](#) A Resolution Authorizing the noncompetitive purchase of more than \$50,000 in goods from Muncie Reclamation and Supply Company as a sole source provider of bi-polar ionization equipment for Metro Transit buses and amend the Transit Utility 2021 Operating budget, using GL 85120-53450 with CARE's funding of approximately \$175,227.50, for this purchase.

Sponsors: Keith Furman and Grant Foster

A motion was made by Carter, seconded by Abbas, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

82. [64604](#) Creating Section 28.022 -- 00494 of the Madison General Ordinances to change the zoning at property located at 4702 Sheboygan Avenue, 11th Aldermanic District, from PD (GDP) Planned Development (General Development Plan) District to PD (SIP) Planned Development (Specific Implementation Plan) District.
- Sponsors:** Planning Division
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**
83. [64607](#) Creating Section 28.022 - 00495 of the Madison General Ordinances to change the zoning of properties located at 330-342 E. Lakeside Street, 13th Aldermanic District, from SE (Suburban Employment) District to PR(Parks and Recreation) District.
- Sponsors:** Planning Division
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**
84. [64610](#) Creating Section 28.022 -- 00496 of the Madison General Ordinances to change the zoning of properties located at 3650 Milwaukee Street and 102 West Corporate Drive, 15th Aldermanic District, from IL (Industrial - Limited) District to CC-T (Commercial Corridor-Transitional) District.
- Sponsors:** Grant Foster
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**

RESOLUTIONS

85. [64331](#) Recreate the 1.0 FTE position #3891 of Administrative Clerk 1 (CG20, R9), currently occupied by B. Hogendorn, as a "Program Assistant 1" (CG20, R11) in the CDA Housing Operations Division budget and reallocate the incumbent to the new position.
- Sponsors:** Satya V. Rhodes-Conway
- Additional referral to Personnel Board
- This Resolution was Referred to the FINANCE COMMITTEE**
86. [64552](#) Create the classification of Transit Safety Coordinator in CG 44, Range 5 in the salary schedule; and recreate the new position #4850 as a Transit Safety Coordinator in Metro Transit's operating budget.
- Sponsors:** Satya V. Rhodes-Conway
- Additional referral to Personnel Board
- This Resolution was Referred to the FINANCE COMMITTEE**

87. [64570](#) Authorizing the City's acceptance of ownership from the Spring Harbor Neighborhood Association of the existing Indian Hills sign and decorative landscape garden located partially in public right-of-way and partially in Spring Harbor Park near the Flambeau Road and University Avenue intersection. (19th AD)

Sponsors: Keith Furman

Additional referral to Plan Commission and Board of Park Commissioners

This Resolution was Referred to the BOARD OF PUBLIC WORKS

88. [64579](#) Authorizing a memorandum of understanding between Madison Fire Department and Journey Mental Health Center, Inc. to support the Crisis Response Team program.

Sponsors: Arvina Martin, Satya V. Rhodes-Conway, Syed Abbas, Keith Furman, Rebecca Kemble, Shiva Bidar, Lindsay Lemmer, Barbara Harrington-McKinney, Patrick W. Heck, Michael E. Verveer, Michael J. Tierney, Marsha A. Rummel, Tag Evers and Grant Foster

Additional referral to Public Safety Review Committee

This Resolution was Referred to the FINANCE COMMITTEE

89. [64586](#) Authorizing a five-year agreement with Dane County for the reimbursement of costs and placement of staff for the Crisis Response Team.

Sponsors: Arvina Martin, Satya V. Rhodes-Conway, Syed Abbas, Keith Furman, Rebecca Kemble, Shiva Bidar, Lindsay Lemmer, Barbara Harrington-McKinney, Patrick W. Heck, Michael E. Verveer, Michael J. Tierney and Grant Foster

Additional referral to Public Safety Review Committee

This Resolution was Referred to the FINANCE COMMITTEE

90. [64588](#) Amending the 2021 Operating Plan for Madison's Central Business Improvement District.

Sponsors: Michael E. Verveer

This Resolution was Referred to the DOWNTOWN COORDINATING COMMITTEE

91. [64589](#) Accepting the report titled "Comprehensive Plan - 2021 Progress Update"

Sponsors: Satya V. Rhodes-Conway

Additional referral to Transportation Policy and Planning Board

This Resolution was Referred to the PLAN COMMISSION

92. [64591](#) Authorizing the Mayor and City Clerk to execute a lease for farming purposes with Dean W. Hermsdorf for approximately 16 acres of land located at 1504 S. Sprecher Road. (16th AD)

Sponsors: Michael J. Tierney

Additional Referral to Plan Commission

This Resolution was Referred to the FINANCE COMMITTEE

93. [64592](#) Authorizing the assignment of a Ground Lease Agreement from Larry E. Lichte and Dolores A. Lichte to their living trust for their homestead located within Marshall Park at 2 Thorstrand Road. (19th AD)

Sponsors: Keith Furman

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

94. [64593](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM to 7:00 AM (7:00 PM to 10:00 AM on Sunday) on Gammon Rd and Odana Rd. (1st & 19th AD)

Sponsors: Keith Furman

This Resolution was Referred to the BOARD OF PUBLIC WORKS

95. [64594](#) Authorizing the Mayor and City Clerk to enter into a contract for Purchase of Services (Architect) with OPN Architects to provide professional architectural and engineering consultant design services and construction administrative services for the existing Madison Fire Station 6 building located at 825 W Badger Road. (14th AD)

Sponsors: Satya V. Rhodes-Conway, Syed Abbas, Michael J. Tierney, Sheri Carter and Paul E. Skidmore

This Resolution was Referred to the BOARD OF PUBLIC WORKS

96. [64630](#) Amending the 2021 Operating Budget and Setting the 2021 Rates for the Sewer, Stormwater and Landfill.

Sponsors: Keith Furman

Additional referral to Board of Public Works

This Resolution was Referred to the FINANCE COMMITTEE

- 97. [64637](#) Amending the 2020 Capital Budget to transfer \$170,000 of existing borrowing authority between major program for Wayfinding Signage and major program for the Monona Terrace/John Nolen Drive Lighting Study project, and authorizing the Mayor and City Clerk to enter into a competitively-selected contract for Purchase of Services (Engineering) with KL Engineering to provide professional traffic engineering consultant design services for the Monona Terrace/John Nolen Drive Lighting Study project.

Sponsors: Michael E. Verveer and Satya V. Rhodes-Conway

Additional referral to Board of Public Works, Transportation Commission

This Resolution was Referred to the FINANCE COMMITTEE

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 98. [64438](#) NOTICE OF CLAIM: S. Beier - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

- 99. [64456](#) MG&E - property damage - \$3363.32.

This Claim was Referred to the Risk Manager

- 100. [64457](#) N. Laken, Erie Insurance for K. Meicher - vehicle damage - \$9999.99.

This Claim was Referred to the Risk Manager

- 101. [64512](#) T. Winter - vehicle damage - \$2282.79.

This Claim was Referred to the Risk Manager

- 102. [64513](#) T. Maier - vehicle damage - \$3581.62.

This Claim was Referred to the Risk Manager

- 103. [64550](#) N. Guyette - vehicle damage - \$1035.88.

This Claim was Referred to the Risk Manager

104. [64619](#) E. Stewart - vehicle damage - \$1045.72.

This Claim was Referred to the Risk Manager

105. [64620](#) A. Eliopoulos - vehicle damage - \$2793.58.

This Claim was Referred to the Risk Manager

106. [64621](#) T. Skiljevic - vehicle damage - \$507.02.

This Claim was Referred to the Risk Manager

107. [64622](#) Progressive for S. Henrie - vehicle damage - \$18,482.01.

This Claim was Referred to the Risk Manager

108. [64626](#) J. Wild - vehicle damage - \$422.79.

This Claim was Referred to the Risk Manager

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

[64671](#) Authorizing a \$75,550 contract with Madison's Central Business Improvement District (BID) for \$75,550 to fund the continuation of the Downtown Activities Program focused on existing plazas around the Capitol Square and State Street (2nd, 4th and 8th AD), and to support the administration of a Downtown BLINK temporary art program.

Sponsors: Michael E. Verveer

Additional referral to Downtown Coordinating Committee

This Resolution was Referred to the FINANCE COMMITTEE

[64676](#) Wisconsin Institute of Law and Liberty on behalf of Associated Builders and Contractors of Wisconsin et.al., enforcement of MGO §28.129, amount to be determined.

This Claim was Referred to the CITY ATTORNEY

64693

Authorizing a \$195,000 Commercial Ownership Assistance Program Loan to Midwest Gooch Group, LLC for the Go-oh Groceries project at 3554 E. Washington Avenue. (15th AD)

Sponsors: Grant Foster and Satya V. Rhodes-Conway

This Resolution was Referred to the FINANCE COMMITTEE

64699

BY TITLE ONLY - Amending MGO 4.32, "Commercial Ownership Assistance Program" to Create Eligibility for New Businesses.

Sponsors: Grant Foster and Satya V. Rhodes-Conway

This Ordinance was Referred to the FINANCE COMMITTEE

64709

Creating the Task Force on Digital Inclusion Strategic Priorities.

Sponsors: Keith Furman and Tag Evers

Additional referrals to CCEC (3/30/21), Finance Committee (3/22/21)

This Resolution was Referred to the COMMON COUNCIL EXECUTIVE COMMITTEE

ADJOURNMENT

A motion was made by Wehelie, seconded by Carter, to Adjourn at 7:16pm. The motion passed by voice vote/other.