



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, September 21, 2010

6:30 PM

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

ROLL CALL

6:38PM, MAYOR CIESLEWICZ IN THE CHAIR

Present: 20 - David J. Cieslewicz
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Excused: 1 - Jed Sanborn

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.

HONORING RESOLUTIONS

1. [19448](#) Declaring the month of November "Pancreatic Cancer Awareness Month" in the City of Madison in the State of Wisconsin.

Sponsors: Michael Schumacher

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

Enactment No: RES-10-00757

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: 3, 10, 12, 28, 29, 65, 66, 77 and 79.

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

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF ESTIMATES

- 2. [19612](#) 2011 Executive Capital Budget.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer for Recessed Public Hearing to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

- 3. [19930](#) Report of the Mayor submitting citizen committee appointments (introduced 9-21-2010; action 10-5-2010).

Sponsors: David J. Cieslewicz

Refer to Common Council meeting of 10/5/10 to Confirm - The two Housing Committee appointments are referred to the Mayor's Office.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Confirm with the exception of the two Housing Committee appointments that are referred to the Mayor's Office. to the COMMON COUNCIL. The motion passed by voice vote/other.

- 4. [19938](#) Report of the Mayor submitting an Alder committee appointment.

Sponsors: David J. Cieslewicz

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

- Ayes:** 18 -
- Bridget R. Maniaci
 - Lauren Cnare
 - Michael E. Verveer
 - Shiva Bidar-Sielaff
 - Marsha A. Rummel
 - Steve King
 - Bryon A. Eagon
 - Paul E. Skidmore
 - Brian L. Solomon
 - Chris Schmidt
 - Satya V. Rhodes-Conway
 - Julia S. Kerr
 - Tim Bruer
 - Larry Palm
 - Judy Compton
 - Joseph R. Clausius
 - Michael Schumacher
 - Mark Clear

Abstentions: 1 - Thuy Pham-Remmele

Excused: 1 - Jed Sanborn

Non Voting: 1 - David J. Cieslewicz

5. [19791](#) Report of the Mayor submitting citizen committee appointments (introduced 9-7-2010; action 9-21-2010).

Sponsors: David J. Cieslewicz

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

Ayes: 18 - Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear

Abstentions: 1 - Thuy Pham-Remmele

Excused: 1 - Jed Sanborn

Non Voting: 1 - David J. Cieslewicz

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

6. [19447](#) Directing City of Madison staff to work with the Regional Transit Authority to create and conduct a train crossing simulation that, as closely as feasible, simulates the effect on automobile traffic created by the proposed community rail system and that this simulation shall take place before any referendum is conducted and before any final decision is made to implement a commuter rail system.

Sponsors: Jed Sanborn

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

AGENDA NOTE: ALD. JED SANBORN REQUESTS THAT THIS RESOLUTION BE PLACED ON FILE WITHOUT PREJUDICE.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 7. [19549](#) Change of Agent
Pierce's Supermarket Inc • dba Pierce's Northside Market
2817 N Sherman Ave
New Agent: Angela K Pierce
Class A Liquor, Class A Beer
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 504

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

- 8. [19551](#) Change of Agent
Walgreen Co • dba Walgreens #03343 • 7810 Mineral Point Rd
New Agent: Nicole L Skarda
Class A Liquor, Class A Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 125

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

- 9. [19955](#) Alcohol License Review Committee Report of Operator License Applications September 15, 2010. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

- 10. [18993](#) SUBSTITUTE Second amendment of Tax Incremental District (TID) #32 (State St), City of Madison, and approving a Project Plan and Boundary for said amended TID.

Sponsors: Bridget R. Maniaci, Mark Clear and David J. Cieslewicz

A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Adopt With Amendment: That the original AlteTnate Ammendment be adopted. The motion failed by the following vote:

Ayes: 3 - Lauren Cnare
Michael E. Verveer
Marsha A. Rummel

Noes: 16 - Bridget R. Maniaci
Shiva Bidar-Sielaff
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Excused: 1 - Jed Sanborn

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00758

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt with Amended Condition(s). The motion passed by the following vote:

Ayes: 12 - Lauren Cnare
Steve King
Bryon A. Eagon
Paul E. Skidmore
Chris Schmidt
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Bridget R. Maniaci

Noes: 7 - Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Brian L. Solomon
Satya V. Rhodes-Conway
Julia S. Kerr
Thuy Pham-Remmele

Excused: 1 - Jed Sanborn

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00758

11. [19336](#) Accepting a grant from the Institution of Fire Engineers (IFE) for the Vision 20/20 project for \$66,885.40 and the donation of 3,000 smoke alarms.

Sponsors: David J. Cieslewicz, Paul E. Skidmore and Lauren Cnare

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

Enactment No: RES-10-00759

12. [19442](#) SUBSTITUTE - Authorizing a loan from the Affordable Housing Trust Fund to the Community Development Authority for the Truax Park Apartments Project and authorizing the Mayor and City Clerk to execute a Loan Agreement with the CDA.

Sponsors: Joseph R. Clausius

A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Verveer, to Adopt With Friendly Amendment: CDA will work with CDBG Committee to arrive to an agreement on how the cash flow will be used to repay AHTF Loan. The motion passed by voice vote/other.

Enactment No: RES-10-00760

13. [19477](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a Target & BLUE Law Enforcement Grant Program award from the Target Foundation in the amount of up to \$1,000 and to utilize these funds to create and distribute an Internet safety DVD to better educate the public about social networking, text messaging and other cellular activities to prevent cyber crimes.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00761

14. [19479](#) Authorizing the Mayor, City Clerk and Chief of Police to accept the FY 2010 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$168,634 and to utilize these funds to support several law enforcement initiatives.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00762

15. [19517](#) Authorizing the Mayor, City Clerk and Chief of Police to accept an award from the State of Wisconsin Office of Justice Assistance in the amount of up to \$12,892 and to utilize these funds to purchase a livescan system to allow deployment of a livescan fingerprinting system to increase operational efficiency and flexibility.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00763

16. [19540](#) Authorizing the provision of \$250,000 in Federal CDBG and HOME Match funds to assist Madison Development Corporation to acquire and rehabilitate existing rental housing located at 738 E. Dayton Street.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-10-00764

17. [19595](#) Amending the 2010 Planning Division Budget to transfer \$55,000 from permanent salaries and benefits in the Transportation Planning Section (the Metropolitan Planning Organization) to consulting services to assist in preparing a federally required Congestion Management Plan for the Metropolitan Planning Area.

Sponsors: Chris Schmidt, Mark Clear and Steve King

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

Enactment No: RES-10-00765

18. [19637](#) Amending Resolution 18935 which authorized Operation Fresh Start (OFS) to repay program income funds with assignments of mortgages on alternate properties. This resolution will correct an error in Resolution 18935 to allow OFS to retain cash from certain property closings and it will allow OFS to draw funds from their revolving loan fund for capital costs associated with certain closings that occurred earlier in 2010.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-10-00766

19. [19739](#) Creating Sec. 33.27(2)(d) of the Madison General Ordinances to establish by ordinance the Deferred Compensation Committee.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-10-00092

20. [19740](#) Approving Facade Improvement Grants to: 2116 S. Park Street (Park Street Garage), 121 S. Pinckney Street (Vacant), and 602 University Avenue (Wando's Bar & Grill).

Sponsors: Michael E. Verveer, Bryon A. Eagon, Julia S. Kerr and Tim Bruer

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

Enactment No: RES-10-00767

21. [19742](#) Amending the 2010 Capital Budget of the Stormwater Utility and Transferring Debt Proceeds Among Capital Projects.

Sponsors: David J. Cieslewicz

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

- Ayes:** 19 - Lauren Cnare
- Michael E. Verveer
- Shiva Bidar-Sielaff
- Marsha A. Rummel
- Steve King
- Bryon A. Eagon
- Paul E. Skidmore
- Brian L. Solomon
- Chris Schmidt
- Satya V. Rhodes-Conway
- Julia S. Kerr
- Tim Bruer
- Larry Palm
- Judy Compton
- Joseph R. Clausius
- Michael Schumacher
- Mark Clear
- Thuy Pham-Remmele
- Bridget R. Maniaci

Excused: 1 - Jed Sanborn

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00768

22. [19743](#) Authorizing the Mayor, City Clerk and Chief of Police to accept four (4) traffic safety grants totaling \$93,000 from Wisconsin Department of Transportation for the following activities in 2010/2011: Alcohol Enforcement (\$40,000), Speed Enforcement (\$45,000), Pedestrian Safety Enforcement (\$4,000) and Bicycle Safety Enforcement (\$4,000).

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00769

23. [19746](#) Application to the Dane County Board for exemption from Dane County Library tax levied under Section 43.64(2) Wisconsin Statutes.

Sponsors: Larry Palm

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

Enactment No: RES-10-00770

24. [19750](#) Recreation of an Architect 2 position (#3260) as an Architect 3 in the Engineering Division budget and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00771

25. [19751](#) Recreation of an Engineer 2 position (#4109) as an Engineer 3 in the Engineering Division budget and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00772

26. [19753](#) Creation of a new professional Accountant 2 position and deletion of one Payroll Technician 2 position (#794) upon filling the new Accountant position within the Comptroller's Office budget.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00773

27. [19755](#) Recreation of a Planner 1 position (#3162) (CG 18-06) as a Planner 2 (CG 18-08) in the Planning Division budget and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00774

28. [19759](#) Double fill authorization of Engineer 2, Limited term employment in Water Utility.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00775

29. [19783](#) Recreation of an Engineer 2 position (#4093) as an Engineer 3 in the Water Utility budget and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00776

30. [19795](#) SUBSTITUTE Resolution Authorizing the Issuance of \$8,040,000 Taxable General Obligation Promissory Notes, Series 2010-A (Recovery Zone Economic Development Bonds), \$25,080,000 Taxable General Obligation Promissory Notes, Series 2010-B (Build America Bonds - Direct Pay), \$24,205,000 Taxable General Obligation Refunding Bonds, Series 2010-C, \$6,080,000 Taxable General Obligation Promissory Notes, Series 2010-D and \$44,245,000 General Obligation Promissory Notes, Series 2010-E, All Of The City of Madison, Wisconsin, Providing the Details Thereof, Establishing Interest Rates Thereon and Levying Taxes Therefor

Sponsors: David J. Cieslewicz and Mark Clear

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

- Ayes:** 19 - Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele
Bridget R. Maniaci
Lauren Cnare

Excused: 1 - Jed Sanborn

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00777

AGENDA NOTE: The Board of Estimates will consider ID# 19795 at their 9/21/10 special meeting. Recommendation will be made from the Council floor.

- 31. [19796](#) Resolution Allocating Volume Cap to Capital Improvement Projects Located in the City of Madison Recovery Zone.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00778

REPORT OF BOARD OF PUBLIC WORKS

- 32. [18889](#) Approving Plans and Specifications and authorizing the Board of Public Works to advertise and receive bids for Regent Street / Monroe Street Intersection - 2010, Contract No. 6550. (5th, 10th, & 15th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00779

- 33. [19620](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Engineering Office Remodel - 2011, Contract No. 6529. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00780

- 34. [19665](#) Awarding Public Works Contract No. 6180, East Towne/Starkweather Greenway.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00781

35. [19667](#) Awarding Public Works Contract No. 6434, Warner Park Parking Lot Reconstruction - Phase 1.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00782

36. [19668](#) Awarding Public Works Contract No. 6459, West Streets Maintenance Lighting Retrofit - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00783

37. [19669](#) Awarding Public Works Contract No. 6553, Mifflin Street Bike Boulevard Traffic Control.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00784

38. [19670](#) Awarding Public Works Contract No. 6558, Replace Radiant Heater at Streets Facilities.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00785
39. [19671](#) Awarding Public Works Contract No. 6567, North Thompson Greenway.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00786
40. [19674](#) Assessing Benefits - Lawrence Street Reconstruction Street Assessment District - 2009.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00787
41. [19675](#) Assessing Benefits - Camden Street Assessment District - 2009.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00788
42. [19676](#) Approving plans and specifications for public improvements required to serve Phase 16 of the Subdivision known as Grandview Commons and authorizing construction to be undertaken by the Developer, Private Contract No. 2263 (3rd AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00789

43. [19686](#) Approving a maintenance agreement for privately maintained improvements within the public right of way. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00790

44. [19690](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sycamore Drains, Contract No. 6544.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00791

45. [19691](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Mezzanine Construction-Sycamore, Contract No. 6505.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00792

46. [19698](#) Assessing Benefits - Proudfit Street Improvememts Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00793

47. [19700](#) Assessing Benefits - Littlemore Drive Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00794

48. [19701](#) Assessing Benefits - Femrite Drive and Marsh Road Reconstruction Assessment District - 2009.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00795
49. [19702](#) Assessing Benefits - Hoepker Road & American Parkway/Rattman Road Assessment District-2009.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00796
50. [19703](#) Assessing Benefits - West Gilman Street Reconstruction Assessment District 1-2009.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00797
51. [19704](#) Assessing Benefits - University Avenue & Campus Drive Pavement Rehab Assessment District - 2009.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00798
52. [19705](#) Assessing Benefits - University Avenue & West Gorham Street Reconstruction Assessment District-2009.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00799

53. [19706](#) Approving Schedule Of Assessments for the Capitol Square Streetscape Updates Assessment District - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00800

54. [19708](#) Improvements accepted for Capitol Square Streetscape Updates - 2009, Contract No. 6274.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00801

55. [19710](#) Improvements accepted for Marston Ave. Reconstruction Assessment District - 2009, Contract No. 6132.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00802

56. [19711](#) Improvements accepted for Demolition of Buildings Located @ 2345/2347 Allied Drive, Contract No. 6262.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00803

57. [19712](#) Improvements accepted for Voges Road Sewer Extension, Contract No. 6376.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00804

58. [19723](#) Assessing Benefits - West Gorham Street & North Broom Street Reconstruction Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00805

59. [19725](#) Assessing Benefits - Fox Avenue, Keyes Avenue, South Prospect Avenue, and Spooner Street Reconstruction Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00806

60. [19726](#) Assessing Benefits - Union Corners - Winnebago Street Reconstruction Assessment District - 2007.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00807

61. [19727](#) Assessing Benefits - Chamberlain Avenue, Ash Street, Chestnut Street, and Joss Court Reconstruction Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00808

62. [19741](#) Awarding Public Works Contract No. 6562, Truax Sewer Access Structure Relining.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00809

REPORT OF ETHICS BOARD

63. [19200](#) Amending Sec. 3.35(5)(b) of the Madison General Ordinances to prohibit the use of City property or uniforms for political activity.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-10-00094

REPORT OF THE EQUAL OPPORTUNITIES COMMISSION

64. [19349](#) Amending Secs. 9.49 and 39.03 of the Madison General Ordinances to clarify judicial review and revise the Equal Opportunities Ordinance.

Sponsors: Brian L. Solomon

Adopt 10/5/10.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 10/5/2010. The motion passed by voice vote/other.

AGENDA NOTE: The Equal Opportunities Commission will consider ID# 19349 at their 9/16/10 meeting. Recommendation will be made from the Council floor.

REPORT OF HOUSING COMMITTEE

65. [16662](#) 4th SUBSTITUTE Amending Sections 32.12(8) and 32.12(9) of the Madison General Ordinances to modify the regulations for showing and re-renting rental premises.

Sponsors: Bridget R. Maniaci

Adopt 10/5/2010.

A motion was made by Ald. Verveer, seconded by Ald. Maniaci, to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 10/19/2010. The motion passed by voice vote/other.

66. [17694](#) **AMENDED** 3rd SUBSTITUTE Creating Section 24.04(9) of the Madison General Ordinances to provide for private noise amplification permits, amending Sec. 1.08(3)(a) to establish bail amounts for this section, and amending Section 29.18(3)(a)1. to allow for an appeal of the denial of a permit.

Sponsors: Bridget R. Maniaci

(b) 3. After "The petition shall be signed" add the words "or approved by email." ; (b) 4. After "the applicant shall deliver" add the words "personally or by email" ; (c) 3. Change "the previous 90 days" to "the previous 180 days."

A motion was made by Ald. King, seconded by Ald. Maniaci, to Adopt With Friendly Amendment. The motion passed by voice vote/other.

Enactment No: ORD-10-00093

REPORT OF RISK MANAGER

67. [19351](#) D. Wakefield - property loss - \$150.00.

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

68. [19414](#) Progressive Universal Insurance Co. for A. Sullivan, 2235 Woodview Ct., #28, Madison, 53713 - vehicle damage - \$1,823.30.

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

69. [19450](#) R. Jovi, 4109 Major Ave., Madison, 53716 - vehicle damage - \$2,111.96.

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

70. [19473](#) W. Ross, 5129 Oak Valley Dr., Madison, 53704 - property damage - \$95.00.

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

71. [19732](#) S. and C. Nyhus, 526 E. Countryside Dr., Evansville, 53536 - vehicle damage - \$2,016.91.

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

72. [19736](#) J. Creeron, 906 Inwood Way, Madison, 53714 - vehicle damage - \$515.00.

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

73. [19801](#) M. Blum, 1218 Debra Ln., Madison, 53704 - vehicle damage - \$155.00.

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

REPORT OF TRANSIT/ PARKING COMMISSION

74. [19245](#) Authorizing the Mayor and the City Clerk to accept sponsorship by MillerCoors, LLC in the amount of \$10,000 to help offset the cost of providing free expanded transit service on New Year's Eve. The agreement includes an indemnification clause.

Sponsors: Chris Schmidt and Brian L. Solomon

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

Enactment No: RES-10-00810

75. [19298](#) Authorizing the Mayor and the City Clerk to enter into an agreement with the Board of Regents of the University of Wisconsin System on behalf of the University of Wisconsin - Madison (UW - Madison) for the continuation of provision of access by its employees to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for rides by UW and UW Hospital employees and members of affiliate groups as designated by UW Transportation Services for academic years 2010 - 2011, 2011 - 2012 and 2012 - 2013 with two one-year options to renew.

Sponsors: Jed Sanborn and Brian L. Solomon

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

Enactment No: RES-10-00811

76. [19299](#) Authorizing the Mayor and the City Clerk to enter into an agreement with the Board of Regents of the University of Wisconsin System on behalf of the University of Wisconsin - Madison (UW - Madison) for the continuation of the provision of access by its students to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for rides by UW - Madison students for academic years 2010 - 2011, 2011 - 2012 and 2012 - 2013 with two one-year options to renew.

Sponsors: Jed Sanborn and Brian L. Solomon

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

Enactment No: RES-10-00812

77. [19380](#) Creating new Section 10.28(4) and renumbering current Section 10.28(3) to (4) of the Madison General Ordinances to define "sidewalk" to include bus stops.

Sponsors: Chris Schmidt and Paul E. Skidmore

A motion was made by Ald. Schmidt, seconded by Ald. Palm, to Refer to the ADA TRANSIT SUBCOMMITTEE TO THE TRANSIT AND PARKING COMM. The motion passed by voice vote/other.

A motion was made by Ald. Clear, seconded by Ald. Schmidt, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.

ITEMS REFERRED TO THIS MEETING

ORDINANCES

- 78. [19787](#) Amending Sec. 38.05(9)(o)12. of the Madison General Ordinances to extend the sunset date of the Downtown License Density Plan.

 Sponsors: Michael E. Verveer, Michael Schumacher, Shiva Bidar-Sielaff and David J. Cieslewicz

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

Enactment No: ORD-10-00095

RESOLUTIONS

- 79. [19129](#) Indicating the City of Madison’s interest in partnering with Dane County and our municipal neighbors to develop, build, operate and maintain a state-of-the-art countywide radio communications system that would allow - but not mandate - full interoperability.

 Sponsors: David J. Cieslewicz, Mark Clear, Tim Bruer, Paul E. Skidmore and Bryon A. Eagon

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

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

- 80. [19893](#) Creating Section 24.01 of the Madison General Ordinances to prohibit the calling of “911” when no emergency exists and amending Sec. 1.08 to establish bail deposits for violations.

 Sponsors: Paul E. Skidmore and Michael E. Verveer

This Ordinance was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

81. [19909](#) Creating Section 28.06(2)(a)3500. 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)3501. 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: Allied Drive, Phase 2, Constructing 20 Single-Family Residences and 5 Two-Family Residences; 10th Aldermanic District: 2329-2347 Allied Drive, 4711 Jenewein Road & 2320 Revival Ridge.

Sponsors: Common Council By Request

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

82. [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 ETHICS BOARD

83. [19922](#) 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 ETHICS BOARD

RESOLUTIONS

84. [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

Additional Referral: Plan Commission.

This Resolution was Referred to the BOARD OF PUBLIC WORKS

85. [19871](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with Ruekert/Mielke of Waukesha, Wisconsin for the preparation of wellhead protection plans for Madison Water Utility unit wells 8, 13, and 19 (Citywide).

Sponsors: Lauren Cnare and Larry Palm

This Resolution was Referred to the WATER UTILITY BOARD

86. [19872](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with AECOM of Stevens Point, Wisconsin for the preparation of wellhead protection plans for Madison Water Utility unit wells 20, 23, and 27 (Citywide).

Sponsors: Lauren Cnare and Larry Palm

This Resolution was Referred to the WATER UTILITY BOARD

87. [19892](#) Authorizing the Mayor and City Clerk to execute agreements with City of Fitchburg for the operation and maintenance of traffic control signals and street lights at various locations.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

88. [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

Additional Referral: Madison Public Library Board.

This Resolution was Referred to the BOARD OF ESTIMATES

89. [19933](#) Authorizing the City to enter into an Intergovernmental Cooperative Agreement to join the Wisconsin Investment Series Cooperative (WISC), designating U.S. Bank National Association and other approved financial institutions as depositories of the City of Madison per Wis. Stats. §34.05, authorizing contracts with PMA Financial Network Inc. and PMA Securities, Inc. and other authorizations necessary for participation in the WISC fund.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

REPORT OF HUMAN RESOURCES DEPARTMENT

- 90. [19944](#) City of Madison Staffing Study for the Overture Center: An Analysis of Various Operating Structures for the Overture Center - Brad Wirtz, Human Resources Director & Mike Lipski, Compensation & Benefits Manager

This Report was Referred to the OVERTURE AD HOC COMMITTEE

CLAIMS - REFER TO RISK MANAGER

- 91. **19825** R. Sarinske, 1006 Merrill Springs Rd., Madison, 53705 - vehicle damage - \$484.22.

This Claim was Referred to the Risk Manager

- 92. [19827](#) B. Good, 1606 Vondron Rd., Madison, 53716 - property damage - \$931.00.

This Claim was Referred to the Risk Manager

- 93. [19837](#) Nancy K. Noles, American Family Insurance Group, for R. C. Lange, 445 Mineau Pky., Madison 53711-1216 - vehicle damage - \$1,011.46.

This Claim was Referred to the Risk Manager

- 94. [19882](#) NOTICE OF CLAIM - Zeshan Usman, Usman Law Firm, LLC, attorney for Montolen Long, 2866 Kingston Dr., Madison, 53713 - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

- 95. **19915** S. Weisensel, 412 E. Fulton St., Edgerton, 53534 - vehicle damage - \$1,215.15.

This Claim was Referred to the Risk Manager

- 96. **19941** F. and J. Loy, 5304 Groveland Ter., Madison, 53716 - property damage - \$1,045.00.

This Claim was Referred to the Risk Manager

- 97. [19942](#) S. Gratton, 1510 Stark St., Wausau, 54403 - vehicle damage - \$200.00.

This Claim was Referred to the Risk Manager

****ADDENDUM****

LATE ITEMS

- 99. [19993](#) Proclaiming September 30 - October 3, 2010, as Mary Lou Williams Weekend in the City of Madison.

Sponsors: David J. Cieslewicz and Common Council By Request

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

Enactment No: RES-10-00813

THE FOLLOWING ITEMS WERE INTRODUCED FROM THE FLOOR AT THE LAST COMMON COUNCIL MEETING, AND ARE ON THIS AGENDA PURSUANT TO SEC. 2.05(1)(B), MGO SOLELY FOR THE PURPOSE OF ADDING ADDITIONAL REFERRALS.

- 98. [19843](#) Authorizing Fire Fighters employed by the City of Madison to participate in the partnership between the International Association of Fire Fighters and the Muscular Dystrophy Association by soliciting for donations during the annual "Fill the Boot" campaign.

Sponsors: Paul E. Skidmore and Shiva Bidar-Sielaff

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

- [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

Additional Referrals to: Plan Commission and Economic Development Committee

This Resolution was Refer to the BOARD OF ESTIMATES

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

Re-refer to 10/19/2010 Common Council meeting for adoption.

A motion was made by Ald. Clausius, seconded by Ald. Palm, to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 10/5/2010. The motion passed by voice vote/other.

ADJOURNMENT at 12:45am

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adjourn at 12:45 AM. The motion passed by voice vote/other.