



# City of Madison

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

## Proceedings - Approved COMMON COUNCIL

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Tuesday, March 15, 2011

6:30 PM

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

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### ROLL CALL

#### 06:30 PM, COUNCIL PRESIDENT CLEAR IN THE CHAIR

**Present:** 18 - Jed Sanborn  
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  
Julia S. Kerr  
Tim Bruer  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele

**Excused:** 3 - David J. Cieslewicz  
Satya V. Rhodes-Conway  
Larry Palm

**NOTIFIED ABSENCES:** Ald. Palm.

### 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. Bruer, to Suspend the Rules. The motion passed by voice vote/other.**



- 2. [20963](#) Creating Section 28.06(2)(a)3520. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3521. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish residence and vacant commercial building to allow construction of 46-unit apartment building; 4th Aldermanic District; 416-424 West Mifflin Street.

**Sponsors:** 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: ORD-11-00039

**PUBLIC HEARINGS - BEGIN AT 6:45 PM**

**REPORT OF BOARD OF PUBLIC WORKS**

- 3. [21147](#) Approving Plans, Specifications, And Schedule Of Assessments For Langdon Street Assessment District - 2011.

**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-11-00207

- 4. [21148](#) Approving Plans, Specifications, And Schedule Of Assessments For N. Frances Street (Langdon St - North) Assessment District - 2011.

**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-11-00208

- 5. [21149](#) Approving Plans, Specifications, And Schedule Of Assessments For South Ingersoll Street Resurfacing Assessment District - 2011.

**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-11-00209

6. [21403](#) Approving Plans, Specifications, And Schedule Of Assessments For Woodley Lane Assessment District - 2011. (14th 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-11-00210
7. [21404](#) Approving Plans, Specifications, And Schedule Of Assessments For West Lawn Avenue Reconstruction Assessment District - 2011.  
**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-11-00211
8. [21405](#) Approving Plans, Specifications, And Schedule Of Assessments For Utility Replacement with Resurfacing Assessment District - 2011.  
**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-11-00212

#### REPORT OF PLAN COMMISSION

9. [21170](#) Creating Section 28.06(2)(a)3522. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Construct 31,000 square-foot office/laboratory building with attached greenhouse. 16th Aldermanic District; 5402 World Dairy Drive.  
**Sponsors:** Common Council By Request
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

#### END OF PUBLIC HEARINGS

**BUSINESS PRESENTED BY THE MAYOR**

10. [21685](#) Report of the Mayor submitting citizen committee appointments (introduced 3-15-2011; action 3-29-2011).

**Sponsors:** David J. Cieslewicz

Confirm 3/29/2011.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL. The motion passed by voice vote/other.**

11. [21697](#) Authorizing the City Attorney to bring or join in legal proceedings challenging the legality of the passage of the Budget Repair Bill.

**Sponsors:** David J. Cieslewicz, Mark Clear, Julia S. Kerr and Bryon A. Eagon

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by the following vote:**

- Ayes:** 17 - Michael E. Verveer  
 Shiva Bidar-Sielaff  
 Marsha A. Rummel  
 Steve King  
 Bryon A. Eagon  
 Paul E. Skidmore  
 Brian L. Solomon  
 Chris Schmidt  
 Julia S. Kerr  
 Tim Bruer  
 Judy Compton  
 Joseph R. Clausius  
 Michael Schumacher  
 Mark Clear  
 Jed Sanborn  
 Bridget R. Maniaci  
 Lauren Cnare

**Noes:** 1 - Thuy Pham-Remmele

**Excused:** 2 - Satya V. Rhodes-Conway  
Larry Palm

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-11-00206

**REPORTS OF OFFICERS**

**REPORT OF AFFIRMATIVE ACTION COMMISSION**

12. [14736](#) Amending Sections 39.02(9)(g)6. and 39.02(9)(g)8. of the Madison General Ordinances to expand the deadlines for action by the Affirmative Action Appeals subcommittee and clarify that the days are counted as calendar rather than business days.

**Sponsors:** Joseph R. Clausius

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

Enactment No: ORD-11-00040

#### REPORT OF CITY ATTORNEY

13. [21232](#) UNLAWFUL TAXATION: L. Waddell, Waddell of Columbus, S.C., for Alpha Gamma Rho Educational Foundation of Iota Chapter, Inc., 233 W. Lakelawn Pl., Madison, 53703 - unlawful taxation - \$22,106.01.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Deny. The motion passed by voice vote/other.**

14. [21252](#) Don Millis, Reinhart Attorneys at Law for Banner Property Management, LLC, 302 Parkwood Lane, Madison, 53714 - excessive assessment - \$52,353.36.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Deny. The motion passed by voice vote/other.**

15. [21253](#) UNLAWFUL TAXATION: Mary Ann Drescher for Attic Angel Prairie Point, Inc. - unlawful taxation - \$681,427.02.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Deny. The motion passed by voice vote/other.**

#### REPORT OF BOARD OF ESTIMATES

16. [20850](#) A Third substitute resolution revising the Rate Adjustment Policy as Provided by Section 37.05(4)(d) of the Madison General Ordinances.

**Sponsors:** David J. Cieslewicz and Paul E. Skidmore

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

Enactment No: RES-11-00213

17. [20900](#) Amending the 2011 Adopted Operating Budget to Reappropriate \$507,248 from Direct Appropriation to Capital to the Affordable Housing Trust Fund.

**Sponsors:** David J. Cieslewicz, Satya V. Rhodes-Conway and Bridget R. Maniaci

Adopt 3/29/2011 (15 votes required).

**A motion was made by Ald. Maniaci, seconded by Ald. Cnare, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.**

18. [21357](#) Amending the 2011 Capital Budget of Facilities Management to authorize the spending of additional rebate funding received from Focus on Energy.

**Sponsors:** David J. Cieslewicz

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

**Ayes:** 18 - Jed Sanborn  
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  
Julia S. Kerr  
Tim Bruer  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele

**Excused:** 2 - Satya V. Rhodes-Conway  
Larry Palm

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-11-00214

19. [21368](#) Amending Resolution 18929 to allow Common Wealth Development (CWD) to acquire and rehab 433 Cantwell Ct. instead of 434 S. Thornton Ave. Resolution 18929 authorized the provision of \$432,000 in Federal HOME Match funds to CWD to assist them acquiring and rehabilitating two 4 - unit buildings to provide affordable rental housing.

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

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

Enactment No: RES-11-00215

20. [21369](#) Authorizing the CD Division to submit an application to the state Bureau of Supportive Services for Emergency Solutions Grant (ESG), Transitional Housing Program (THP) and Homeless Prevention Program (HPP) funds on behalf of specific agencies providing housing and services to homeless persons.

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

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

Enactment No: RES-11-00216

21. [21390](#) Amending the 2011 Operating Budget of Engineering, Accepting a Grant from the U.S. Environmental Protection Agency and Authorizing the Mayor and City Clerk to Execute the Grant Agreement and Related Grant Partner Contracts

**Sponsors:** David J. Cieslewicz and Satya V. Rhodes-Conway

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

Enactment No: RES-11-00217

22. [21397](#) Authorizing the Mayor, City Clerk and Chief of Police to accept up to \$40,500 for cold case investigations using DNA analysis from a U.S. Department of Justice grant awarded to the Wisconsin Department of Justice, in cooperation with the Madison Police Department, the Dane County Sheriff's Office, the Dane County Coroner's Office and the Rock County Sheriff's Office.

**Sponsors:** David J. Cieslewicz and Paul E. Skidmore

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

Enactment No: RES-11-00218

23. [21435](#) Authorizing a first amendment to the lease between the City of Madison and Yahara Square Associates, LLP within the East Rail Transportation Corridor.

**Sponsors:** Marsha A. Rummel

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



**Ayes:** 17 - 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  
 Julia S. Kerr  
 Tim Bruer  
 Judy Compton  
 Joseph R. Clausius  
 Michael Schumacher  
 Mark Clear  
 Jed Sanborn

**Noes:** 1 - Thuy Pham-Remmele

**Excused:** 2 - Satya V. Rhodes-Conway  
 Larry Palm

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-11-00219

24. [21438](#)

Authorizing amendments to the land contracts entered into between the City of Madison and Hartmeyer LLC and Madison Ice MIA LLC for the purchase of the Hartmeyer and Madison Ice Arenas.

**Sponsors:** David J. Cieslewicz and Satya V. Rhodes-Conway

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

**Ayes:** 17 - 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  
 Julia S. Kerr  
 Tim Bruer  
 Judy Compton  
 Joseph R. Clausius  
 Michael Schumacher  
 Mark Clear  
 Jed Sanborn

**Noes:** 1 - Thuy Pham-Remmele

**Excused:** 2 - Satya V. Rhodes-Conway  
Larry Palm

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-11-00220

25. [21489](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by repealing the classification of "Parks Maintenance Manager" in Compensation Group 18, Range 14, and creating the classification of "Parks Operations Manager" in the same compensation group and range, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-11-00041

26. [21498](#) Retitle the classification of Parks Maintenance Manager, in CG18, Range 14 as a Parks Operations Manager, and recreate the vacant position (#1546) of Parks Maintenance Manager as a Parks Operations Manager in the Parks Division budget.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-11-00221

27. [21515](#) Authorizing the execution of a lease at 316 West Washington Avenue for the temporary relocation of the City of Madison's Central Public Library.

**Sponsors:** Michael E. Verveer

Adopt 3/29/2011.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.**

28. [21521](#) Cancelling or reducing budget authorization totaling \$3,015,070 for certain projects authorized in the 2010 Capital Budget.

**Sponsors:** David J. Cieslewicz and Lauren Cnare

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

Enactment No: RES-11-00222

29. [21525](#) Approving the 2011 Neighborhood Grant Program recommendations made by the Staff Review Team and authorizing the Planning Division Director, Comptroller and City Attorney to execute grant agreements on behalf of the City.

**Sponsors:** David J. Cieslewicz and Chris Schmidt

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

**Ayes:** 17 - Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Julia S. Kerr  
Tim Bruer  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Jed Sanborn  
Bridget R. Maniaci

**Noes:** 1 - Thuy Pham-Remmele

**Excused:** 2 - Satya V. Rhodes-Conway  
Larry Palm

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-11-00238

#### REPORT OF BOARD OF PARK COMMISSIONERS

30. [21244](#)

**Sponsors:** Bridget R. Maniaci and Mark Clear

**A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Verveer, to Adopt As Substituted. The motion passed by the following vote:**

**Ayes:** 17 - Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Julia S. Kerr  
Tim Bruer  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare

**Noes:** 1 - Thuy Pham-Remmele

**Excused:** 2 - Satya V. Rhodes-Conway  
Larry Palm

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-11-00248

#### REPORT OF BOARD OF PUBLIC WORKS

31. [20903](#) Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit G pursuant to Wis. Stat. § 66.0103 to repeal and recreate Chapter 37 entitled "The Public Stormwater System Including Erosion Control."

**Sponsors:** Lauren Cnare

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

Enactment No: ORD-11-00042

32. [21311](#) Awarding Public Works Contract No. 6520, North Webster Street, East Dayton Street & North Pinckney Street Assessment District - 2011.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00223

33. [21312](#) Awarding Public Works Contract No. 6594, Annual Construction & Reconstruction of Concrete Sidewalk & Incidental Concrete Curb & Gutter Work Ordered (Dist. 13) by the Common Council.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00224
34. [21313](#) Awarding Public Works Contract No. 6596, Annual Horizontal Sawcutting of Concrete Sidewalk & Incidental Work.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00225
35. [21314](#) Awarding Public Works Contract No. 6597, Repairing & Sealing Pavement Cracks, Major Streets - 2011.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00226
36. [21315](#) Awarding Public Works Contract No. 6598, Repairing & Sealing Pavement Cracks, Local Streets - 2011.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00227
37. [21316](#) Awarding Public Works Contract No. 6599, Chip Sealing 2011 - East.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00228

38.     [21317](#)           Awarding Public Works Contract No. 6600, Chip Sealing 2011 - West
- Sponsors:       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00229
39.     [21318](#)           Awarding Public Works Contract No. 6632, Resurfacing 2011 - Asphalt Paving East & West.
- Sponsors:       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00230
40.     [21319](#)           Awarding Public Works Contract No. 6634, Resurfacing 2011 - Pavement Pulverizing East & West.
- Sponsors:       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00231
41.     [21345](#)           Approving plans and specifications for public improvements necessary for the project known as 6202 North Highlands Avenue Sanitary Sewer and authorizing construction to be undertaken by the Developer, Private Contract No. 2274. (19th AD)
- Sponsors:       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-11-00232
42.     [21409](#)           Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Prairie Road Water Tower Replacement (7th AD)
- Sponsors:       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-11-00233

43. [21416](#) Awarding Public Works Contract No. 6638, Storm Sewer with Resurfacing - West.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00234

44. [21417](#) Awarding Public Works Contract No. 6640, Eastwood Drive Landscaping.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00235

45. [21418](#) Awarding Public Works Contract No. 6643, Restoration/Landscaping 2011.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00236

46. [21419](#) Awarding Public Works Contract No. 6658, University Avenue Relief Storm Sewer.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00237

47. [21421](#) Improvements accepted for Wingra Parkway Improvements Phase 2, Contract No. 6179.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00239

48. [21422](#) Improvements accepted for Maple Ave., Center Ave. & Ludington Ave. Reconstruction Assessment District, Contract No. 6281.  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-11-00240
49. [21448](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Olin-Turville Court Gate Installation, Contract No. 6662.  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-11-00241
50. [21452](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Old University Avenue from Farley Avenue to Paunack Place. (5th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-11-00242
51. [21456](#) Improvements accepted for Capitol Square North Window and Frame Replacement - 2009, Contract No. 6397. (2nd AD)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-11-00243



52. [21478](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for repairs at the Capitol Square North, State Street Capitol, Government East, and State Street Campus (Lake) parking ramps (2nd, 4th , 6th and 8th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00244

53. [21491](#) **AMENDED CHARTER ORDINANCE** Creating Sec. 10.33 including Charter Ordinance Sec. 10.33(10)(c) and creating new Sec. 8.15(3), renumbering current Secs. 8.15(3) through (5) to (4) through (6), creating Charter Ordinance Sec. 31.045(3)(c), amending Sec. 31.03(2), creating Sec. 31.041(3)(a)6., renumbering current Sec. 31.041(3)(a)6. to 7., amending Sec. 31.044(1)(c) and creating Sec. 31.046(4) of the Madison General Ordinances to allow for the operation of a City-sponsored bicycle-sharing program in Madison and the placement of signs on bicycle sharing facilities.

**Sponsors:** David J. Cieslewicz and Bryon A. Eagon

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

- Ayes:** 17 - Shiva Bidar-Sielaff  
 Marsha A. Rummel  
 Steve King  
 Bryon A. Eagon  
 Paul E. Skidmore  
 Brian L. Solomon  
 Chris Schmidt  
 Julia S. Kerr  
 Tim Bruer  
 Judy Compton  
 Joseph R. Clausius  
 Michael Schumacher  
 Mark Clear  
 Jed Sanborn  
 Bridget R. Maniaci  
 Lauren Cnare  
 Michael E. Verveer

**Noes:** 1 - Thuy Pham-Remmele

**Excused:** 2 - Satya V. Rhodes-Conway  
 Larry Palm

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: ORD-11-00044

54. [21569](#) Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between the City of Madison and KL Engineering, Inc., for additional design engineering services for University Avenue from Allen Boulevard to Segoe Road. (11th & 19th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00245

55. [21570](#) Authorizing the Mayor and City Clerk to enter into an agreement with the City of Monona for the reconstruction of Monona Drive (W. Broadway to Pflaum Road). (16th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00246

56. [21573](#) SUBSTITUTE RESOLUTION Designating ~~Eve Court~~, a public alley, within existing University Avenue / Campus Drive Right of Way, approving plans and specifications and authorizing construction to be undertaken by the Developer, Private Contract No. 2270 (5th AD)

**Sponsors:** BOARD OF PUBLIC WORKS, Shiva Bidar-Sielaff and Paul E. Skidmore

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

Enactment No: RES-11-00247

#### REPORT OF ETHICS BOARD

57. [19916](#) SUBSTITUTE Amending Sec. 3.35(6)(h) and creating Secs. 3.35(6)(i) and (j) 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

Adopt 3/29/2011.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.**

**REPORT OF RISK MANAGER**

58.     [20947](#)           K. Stevens, 223 N. Fifth St., Madison, 53704 - vehicle damage - \$119.00.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Disallow. The motion passed by voice vote/other.**
59.     [21003](#)           CLAIM: Stephen J. Eisenberg, Eisenberg Law Offices, attorney for C. Pryor, 308 E. Washington Ave., Madison, 53701 - personal injury - greater than \$1.00.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Disallow. The motion passed by voice vote/other.**
60.     [21084](#)           V. Martin, 102-B Ponwood Cir., Madison, 53717 - personal injury - \$3,697.91.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Disallow. The motion passed by voice vote/other.**
61.     [21089](#)           CLAIM: J. Prabakaran, 782 Sky Ridge Dr., Madison, 53719 - vehicle damage - greater than \$1.00.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Disallow. The motion passed by voice vote/other.**
62.     [21227](#)           J. O'Neil, 7537 Midtown Rd., Verona, 53593 - vehicle damage - \$5214.72.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Disallow. The motion passed by voice vote/other.**
63.     [21300](#)           R. Kundert, 746 W. Main St., Madison, 53715 - vehicle damage - \$92.31.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Disallow. The motion passed by voice vote/other.**
64.     [21349](#)           J. Kuban, 559 W. Monroe St., Pardeeville, 53954 - vehicle damage - \$211.00.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Disallow. The motion passed by voice vote/other.**

65. [21440](#) D. Griffin, 6414 Raymond Rd., Madison, 53711 - personal injury - \$1,594.00.

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

66. [21480](#) J. Flood, Afni Insurance Services, for American Family Insurance for R. Dart, 625 N. Henry St., #F, Madison, 53703 - vehicle damage - \$153.94.

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

#### REPORT OF SOLID WASTE ADVISORY COMMITTEE

67. [21125](#) Creating Sec. 10.18(7)(a)8., repealing Sec. 10.18(7)(c), and amending Sec. 10.18(7)(e) of the Madison General Ordinances to require the recycling of directories.

**Sponsors:** Satya V. Rhodes-Conway and Shiva Bidar-Sielaff

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

Enactment No: ORD-11-00043

#### INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

##### ORDINANCES

68. [21604](#) Creating Section 28.06(2)(a)3523 of the Madison General Ordinances rezoning property from C Conservancy District to M1 Limited Manufacturing District. Proposed Use: Construct State of Wisconsin Joint Preservation Facility; 18th Aldermanic District; 402 Troy Drive.

**Sponsors:** Common Council By Request

Common Council 4/19/11

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

69. [21605](#) Creating Section 28.06(2)(a)3524. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3525. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Demolish 4-unit apartment building to allow construction of a two-family residence. 6th Aldermanic District; 14 South Franklin Street.

**Sponsors:** Common Council By Request

Common Council 4/19/11

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

70. [21646](#) Amending all zoning districts in the Madison General Ordinances to allow bicycle-sharing facilities.

**Sponsors:** Mark Clear and Bridget R. Maniaci

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Referred to the PLAN COMMISSION. The motion passed by voice vote/other.**

71. [21675](#) Amending Section 9.13(2) of the Madison General Ordinances to increase the fees for Special Event Umbrella street vending licenses.

**Sponsors:** Joseph R. Clausius and Michael E. Verveer

Additional referral: Board of Health for Madison and Dane County.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Referred to the VENDING OVERSIGHT COMMITTEE. The motion passed by voice vote/other.**

72. [21682](#) Amending Section 24.04(3) of the Madison General Ordinances to create two new sound amplification permit areas, authorize the Park Commission to establish sound amplification permit fees, and clarify the application process for sound amplification permits.

**Sponsors:** Joseph R. Clausius and Michael E. Verveer

Common Council Meeting 3/29/2011

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Referred to the DOWNTOWN COORDINATING COMMITTEE. The motion passed by voice vote/other.**

## RESOLUTIONS

73. [21324](#) Authorizing the provision of up to \$239,993 in HOME Match funds to Silverstone Partners, Inc. to be used to assist with the acquisition and/or construction of Wingra Commons, a 63 unit rental property located at 1012 Fish Hatchery Rd.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer, Marsha A. Rummel and Julia S. Kerr

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

74. [21481](#) To approve the Madison Sustainability Plan.

**Sponsors:** Satya V. Rhodes-Conway, Marsha A. Rummel and Joseph R. Clausius

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Referred to the SUSTAINABLE DESIGN AND ENERGY COMMITTEE. The motion passed by voice vote/other.**

75. [21551](#) To extend the closing hours at Olbrich Botanical Gardens to 11:30 p.m. on Saturday, June 18, 2011 for the 24th annual Rhapsody in Bloom benefit dinner and dance. ADs 6 & 15

**Sponsors:** Marsha A. Rummel, Larry Palm, Joseph R. Clausius and Paul E. Skidmore

Adopt 3/29/2011.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.**

76. [21556](#) To commemorate the 41st anniversary of Earth Day on April 22, 2011, to proclaim April 23, 2011 as Earth Day Clean-up Day and endorsing and encouraging citizen participation in the clean-up events at City of Madison Parks. (Various ADs)

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

Adopt 3/29/2011.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.**

77. [21572](#) Authorizing the Mayor, City Clerk and Chief of Police to accept donations of cash, goods and services for the purpose of addressing the conditions that give rise to public safety issues regarding social networking, cell phones, online gaming, and the Internet (cyber safety).

**Sponsors:** David J. Cieslewicz and Paul E. Skidmore

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

78. [21586](#) Establishing a Glass-Free Zone for the West Mifflin Street area 8:00 a.m. on April 30, 2011 through 6:00 a.m. on May 1, 2011

**Sponsors:** Michael E. Verveer

Adopt 3/29/2011.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.**

79. [21598](#) Amending the 2011 Capital Budgets of Engineering Major Streets, Stormwater Utility and Water Utility to allow for the construction of an assessable project for the proposed Genesis subdivision. (16th AD)

**Sponsors:** Judy Compton

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

80. [21638](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of Droster Park, located at 1429 Droster Road.

**Sponsors:** Jill Johnson

Additional referral: Plan Commission.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.**

81. [21639](#) Amending Resolution 18619 to revise the Assignment and Agreement between the City of Madison and Madison Metropolitan Sewerage District, and acceptance of a Quit Deed from Madison Metropolitan Sewerage District to the City of Madison for all rights and title to a continuous portion of the Southwest Interceptor, at no cost to the City of Madison.

**Sponsors:** Brian L. Solomon and Julia S. Kerr

Additional referral: Plan Commission.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

82. [21647](#) Authorizing the Mayor and City Clerk to execute a temporary limited easement for sloping and grading purposes to the Town of Middleton for the reconstruction of a portion of Old Sauk Road.

**Sponsors:** Paul E. Skidmore

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the WATER UTILITY BOARD. The motion passed by voice vote/other.**

83. [21650](#) Adopting the 2011 Economic Development Division Work Plan.

**Sponsors:** Mark Clear

Additional referral: Board of Estimates.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the ECONOMIC DEVELOPMENT COMMITTEE. The motion passed by voice vote/other.**

84. [21668](#) Authorizing the Transit General Manager to file an application for a Section 5307, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

**Sponsors:** Brian L. Solomon, Jed Sanborn and Chris Schmidt

Additional referral: Board of Estimates.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.**

85. [21669](#) Authorizing the Transit General Manager to file an application for a Section 5309 formula public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

**Sponsors:** Brian L. Solomon, Jed Sanborn and Chris Schmidt

Additional referral: Board of Estimates.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.**



86. [21670](#) Authorizing the Transit General Manager to file an application for a public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

**Sponsors:** Brian L. Solomon, Jed Sanborn and Chris Schmidt

Additional referral: Board of Estimates.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.**

87. [21671](#) Authorizing the Transit General Manager to file an application for a public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

**Sponsors:** Brian L. Solomon, Jed Sanborn and Chris Schmidt

Additional referral: Board of Estimates.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.**

88. [21678](#) Accepting a Safety and Security Report from the Allied Area Task Force.

**Sponsors:** Brian L. Solomon

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

89. [21696](#) Authorizing the execution of a lease between the City of Madison and East Washington LLC to provide an off-street temporary parking location during the reconstruction of Williamson Street.

**Sponsors:** Marsha A. Rummel

Additional referral: Board of Estimates.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

### CLAIMS - REFER TO RISK MANAGER

90. 21534 C. Kane, Allstate Property and Casualty Insurance Co. for S. Vulpal, 7706 Brule St., Madison, 53717 - vehicle damage - \$3,083.98.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**

91.     [21535](#)           R. Vorpahl, 1603 Drotning Rd., Stoughton, 53589 - vehicle damage - \$507.12.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**
92.     [21536](#)           R. Perno, State Farm Mutual Automobile Insurance Co. for M. Prusha, 1506 Bradford Bay, Waunakee, 53597 - vehicle damage - \$7,748.52.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**
93.     [21565](#)           D. Schmidt, 4306 E. MH Townline Rd., Milton, 53563 - personal injury - \$75,000.00.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**
94.     21566           Nick Watson for Trumbull Services, doing business on behalf of General Casualty Company of Wisconsin, 55 Farmington Ave., Ste. 100, Hartford, CT 06105, for Cress Funeral Service, Inc. - vehicle damage - \$6,801.05.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**
95.     21579           Allstate Property and Casualty Insurance Company for T. Rooney, 8443 Ellington Way, Middleton, 53562 - vehicle damage - \$3718.18.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**
96.     [21581](#)           H. Khazai, 22 Prairie Hill Ct., Madison, 53719 - property damage - \$3820.00.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**
97.     [21602](#)           D. Dohm, W10372 Hwy. 60, Lodi, 53555 - property damage - \$566.88.
- A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**

98. 21626 K. Kirch, 4433 Stace Rd., McFarland, 53558 - vehicle damage - \$916.91.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**

99. 21633 D. Eddings, 3560 Valley Ridge Rd., Middleton, 53562 - vehicle damage - \$281.42.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**

100. 21635 R. Johnson, 3465 Dorchester Way, Madison, 53719 - vehicle damage - \$419.58.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**

101. 21637 K. Ottery, West Bend, for A. Melis, 111 W. Lane St., Sun Prairie, 53590 - vehicle damage - \$835.78.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**

102. 21652 A. Holke, 514 Stang St., Madison, 53704 - vehicle damage - \$2,538.75.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**

103. [21666](#) N. Miller, 1044 N. Pleasant View Rd., #201, Middleton, 53562 - vehicle damage - \$199.20.

**A motion was made by Ald. Cnare, seconded by Ald. Bruer, to Refer to the Risk Manager. The motion passed by voice vote/other.**

#### **ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR**

**21734**

Requesting the Metro Manager seek full reimbursement for the cost of providing special service to the State of Wisconsin and that the Metro Manager no longer provide services shuttling State of Wisconsin employees and officials other than members of the Capitol or University Police Department.

**Sponsors:** Larry Palm, Shiva Bidar-Sielaff, Chris Schmidt, Julia S. Kerr and Michael E. Verveer

Adopt 3/29/2011

**A motion was made by Ald. Schmidt, seconded by Ald. Bidar-Sielaff, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.**

**21725**

Supporting federal funding of Community Action Agency programs.

**Sponsors:** Marsha A. Rummel, Michael E. Verveer, Satya V. Rhodes-Conway, Lauren Cnare, Chris Schmidt and Brian L. Solomon

Adopt 3/29/2011.

**A motion was made by Ald. Rummel, seconded by Ald. Bidar-Sielaff, to Refer to a future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.**

**Moment of Silence**

**At the request of Ald. Compton, the Common Council had a moment of silence for the people of Japan.**

**ADJOURNMENT @ 8:15 PM**

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adjourn at 8:15 p.m. The motion passed by voice vote/other.**