



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 6, 2011

6:30 PM

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

ROLL CALL

Present: 20 - Lisa Subeck
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Sue Ellingson
Tim Bruer
Larry Palm
Jill Johnson
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Non Voting: 1 - Paul R. Soglin

SPEAKING GUIDELINES

Speaking Limits:

Public Hearing - 5 Minutes, Information Hearing - 5 Minutes, Other Items - 3 minutes.

You must register before your item is considered by the Council.

The use of audible cell phone ringers and active use and response to cellular phone technology by the governing body, staff and members of the public is discouraged in the Council Chambers while the Council is in session.

NOTIFIED ABSENCES: None.

OPENING REMARKS

SUSPENSION OF RULES

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

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

HONORING RESOLUTIONS

1. [23604](#) Recognizing September 15, 2011, through October 15, 2011, as Hispanic Heritage Month.
Sponsors: Paul R. Soglin, Shiva Bidar-Sielaff, Joseph R. Clausius, Matthew J. Phair, Marsha A. Rummel, Anita Weier, Michael E. Verveer, Chris Schmidt, Lauren Cnare, Steve King, Sue Ellingson, Satya V. Rhodes-Conway, Tim Bruer, Mark Clear, Jill Johnson, Bridget R. Maniaci, Larry Palm, Scott J. Resnick, Paul E. Skidmore, Brian L. Solomon and Lisa Subeck

A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Rummel, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00738

2. [23608](#) Saluting and honoring Dan Stephans for the contributions he has made to historic preservation as member and chair of the Landmarks Commission.

Sponsors: Marsha A. Rummel and Bridget R. Maniaci

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

Enactment No: RES-11-00739

3. [23708](#) Congratulating Elena Aleman for being selected as the 2011 Miss Viva México and ambassador of Mexican culture and heritage.

Sponsors: Shiva Bidar-Sielaff

A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Rummel, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00740

4. [23642](#) Commending and recognizing Elizabeth A. Ekola, Account Clerk II, on her retirement after more than 23 years of dedicated service as a city employee.

Sponsors: Paul R. Soglin

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

5. [23766](#) Commending Jeffrey J.J. Ekola on his retirement from the City of Madison after 25 years of exemplary service.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00742

6. [23797](#) Recognition of the 10th anniversary of the September 11th terrorist attacks on the United States.

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

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00743

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 ALCOHOL LICENSE REVIEW COMMITTEE

- 7. [23066](#) Public Hearing - New License
 Peter Horkan, Justin Dahmen, & Tyler Dahmen
 dba Regent Treats • 1402 Regent St
 Estimated Capacity: 20-30 inside, 300 outside
 Class B Beer • 10% alcohol, 80% food, 10% other
 Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 402

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

REPORT OF PLAN COMMISSION

- 8. [21732](#) SUBSTITUTE. Creating Section 28.06(2)(a)3528. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3529. 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 office building to allow construction of 60 apartment units in two buildings; 20th Aldermanic District; 677 South Segoe Road.

Sponsors: Common Council By Request

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-11-00113

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 9. [23418](#) Public Hearing - New License
 La Zacatecana of Wisconsin LLC • dba La Zacatecana
 4915 Commercial Avenue • Agent: Antonio Salgado
 Class A Beer
 Aldermanic District 3 (Alder Cnare) • Police Sector 609

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant with Condition: That the applicant amend the application to Class A Beer only, and Close the Public Hearing. The motion passed by voice vote/other.

- 10. [23427](#) Public Hearing - New License
Badger Wings LLC • dba Wingstop
1234 Regent St • Agent: Vic Villacrez • Estimated Capacity: 32
Class B Beer • 10% alcohol, 90% food
Aldermanic District 8 (Alder Resnick) • Police Sector 402

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

- 11. [23428](#) Public Hearing - New License
Cafe Costa Rica LLC • dba El Rincon Tico
1133 Williamson St • Agent: Rey Anthony Clarke • Estimated Capacity: 49
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

- 12. [23520](#) Approving Schedule Of Assessments For Mid Town Road Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-11-00744

- 13. [23612](#) Approving Plans, Specifications, and Schedule of Assessments for 115 King Street Vault Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-11-00745

REPORT OF PLAN COMMISSION

14. [23014](#) Creating Section 28.06(2)(a)3550. of the Madison General Ordinances rezoning property from C1 Limited Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a) 3551. 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: Approve general development plan for one-story commercial building and adjacent 28-unit apartment building and specific implementation plan for apartment building. 9th Aldermanic District; 652 Bear Claw Way.

Sponsors: Planning Division

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-11-00114

15. [23018](#) Creating Section 28.06(2)(a)3549. of the Madison General Ordinances rezoning property from C1 Limited Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Approve general development plan for future two-story commercial building. 9th Aldermanic District; 647 Bear Claw Way.

Sponsors: PLAN COMMISSION

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-11-00115

16. [23020](#) Creating Section 28.06(2)(a)3552. of the Madison General Ordinances rezoning property from R6 General Residence District and R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3553. 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: Approve a general development plan for the future construction of an expansion of Bethel Lutheran Church, and approve an specific implementation plan for existing uses. 312 Wisconsin Avenue and 345 North Carroll Street; 4th Aldermanic District.

Sponsors: PLAN COMMISSION

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, 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

CONFIRMATION HEARING

- 17. [23435](#) Submitting the appointment of Aaron D. Olver for confirmation of a five-year term as the Economic Development Division Director.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00746

APPOINTMENTS

- 18. [23374](#) Report of the Mayor submitting a citizen appointment (introduced 7-5-2011; action 9-6-2011).

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Confirm. The motion passed by voice vote/other.

- 19. [23408](#) Report of the Mayor submitting citizen appointments (introduced 8-2-2011; action 9-6-2011).

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Confirm. The motion passed by voice vote/other.

- 20. [23732](#) Report of the Mayor submitting Alder committee appointments.

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Confirm. The motion passed by voice vote/other.

21. [23733](#) Report of the Mayor submitting citizen appointments to the Zoning Board of Appeals.

Sponsors: Paul R. Soglin

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Confirm Under Suspension Of Rules 2.04, 2.05, 2.24, & 2.25. The motion passed by voice vote/other.

22. [23735](#) Report of the Mayor submitting citizen committee appointments (introduced 9-6-2011; action 9-20-2011).

Sponsors: Paul R. Soglin

Confirm at Common Council meeting on 9-20-2011.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Refer to a future Meeting to Confirm to the COMMON COUNCIL and should be returned by 9/20/2011. The motion passed by voice vote/other.

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

23. [23685](#) Supporting the application by the Natural Heritage Land Trust for a Stewardship grant to purchase the Wheeler Triangle.

Sponsors: Anita Weier, Lauren Cnare, Joseph R. Clausius, Michael E. Verveer, Sue Ellingson, Shiva Bidar-Sielaff and Satya V. Rhodes-Conway

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

Enactment No: RES-11-00747

24. [23704](#) Amending RES-11-00736 (Legislative File ID # 22958), authorizing the execution of agreements and associated easements with Madison Gas and Electric Company relating to the installation, operation, maintenance and repair of electric vehicle charging stations on City property.

Sponsors: Chris Schmidt and Satya V. Rhodes-Conway

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00748

25. [23741](#) Changing Authorized Representative for DNR Recycling Grant
- Sponsors:** Steve King
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**
- Enactment No: RES-11-00749
26. [23777](#) Amending Section 15.02 of the Madison General Ordinances to incorporate changes to the ward descriptions necessitated by the State's redistricting.
- Sponsors:** Lauren Cnare, Tim Bruer, Satya V. Rhodes-Conway and Steve King
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other. Ald. Schmidt requested to be recorded as voting No.**
- Enactment No: ORD-11-00116
27. [23778](#) Amending Section 15.03 of the Madison General Ordinances to revise the existing Aldermanic Districts to incorporate changes necessitated by the State's redistricting.
- Sponsors:** Lauren Cnare, Tim Bruer, Satya V. Rhodes-Conway and Steve King
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other. Ald. Schmidt requested to be recorded as voting No.**
- Enactment No: ORD-11-00117

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

28. [20314](#) Hearing on Complaint for Revocation of:
The Family Business LLC • Dba R Place on Park
1821 S Park St • Agent: Roderick Flowers
Class B Combination Liquor & Beer • 100% alcohol, 0% food
Aldermanic District 13 (Alder Ellingson) • Police Sector 310
- A motion was made by Ald. Ellingson, seconded by Ald. Bruer, to Re-refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

29. [20983](#) Operator License Application
Heather Zvara - Establishment where employed: Pedro's East
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Place On File Without Prejudice. The motion passed by voice vote/other.**
30. [22692](#) Change of Licensed Premise
NDZ Enterprises LLC • dba Dexter's Pub • Capacity: 143
301 North St • Agent: Nicholas Zabel
Class B Combination Liquor & Beer
60.11% alcohol, 37.10% food 2.79% other
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 502
Proposed Change: Extend premises to include Northside parking lot for several events each year.
Re-refer to the Alcohol License Review Committee on 1-18-12.
- A motion was made by Ald. Rhodes-Conway, seconded by Ald. Bidar-Sielaff, to Re-refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
31. [23005](#) Repealing Section 38.12 and renumbering Section 38.13 to Section 38.12 to eliminate the prohibition of alcohol to habitually intoxicated persons, and amending Section 1.08(3)(a) of the Madison General Ordinances to repeal the bail deposit for such violation.
- Sponsors:** Paul R. Soglin and Marsha A. Rummel
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Place On File Without Prejudice. The motion passed by voice vote/other.**
32. [23034](#) SUBSTITUTE Amending Sec. 38.05(9)(e), Secs. 10.056(4)(a)7., (4)(b)3., (5)(d), (5)(f), (6)(o)1., and (8), creating Secs. 10.056(4)(b)4. and (6)(p), and amending Sec. 38.07(7) of the Madison General Ordinances to require Common Council approval of temporary Class B alcohol licenses issued in conjunction with Street Use Permits, modifying the procedures for approving such licenses and Street Use Permits accordingly, and to update the insurance, indemnification and fire lane requirements.
- Sponsors:** Paul R. Soglin, Shiva Bidar-Sielaff, Jill Johnson, Paul E. Skidmore, Lisa Subeck and Michael E. Verveer
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Substitute with Recommendations. The motion passed by voice vote/other.**
- Enactment No: ORD-11-00118

33. [23105](#) 21+ Entertainment License
Circolo LLC • dba Pasqual's Hilldale • Capacity: 155
670 N Midvale Blvd • Agent: Theresa Taggart
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 11 (Alder Schmidt) • Police Sector 108

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant With Condition: That all events be completed by midnight. The motion passed by voice vote/other.

34. [23497](#) Amending Sections 38.10(1)(ar) and (b) and repealing Section 38.10(5) of the Madison General Ordinances creating an ALRC Hearings Subcommittee and Procedures.

Sponsors: Shiva Bidar-Sielaff and Michael E. Verveer

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Substitute. The motion passed by voice vote/other.

Enactment No: ORD-11-00119

35. [23528](#) Change of Licensed Premise
Cathay Pacific Inc • dba Hong Kong Cafe
Proposal to increase outdoor capacity from 195 to 310
2 S Mills St • Agent: Siu Wah Leung
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 13 (Alder Ellingson) • Police Sector 304
Request to increase capacity of the outdoor eating area from 195 to 310 for Badger home football games only.

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

36. [23529](#) Change of Licensed Premise
Capitol Hospitality LLC • dba Sprecher's Restaurant & Pub
Proposal to increase outdoor capacity from 240 to 440
1262 John Q Hammons Drive • Agent: Susan Getgen
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 127
Request to increase outdoor capacity for one day, September 24, 2011 from 240 to 440 for Oktoberfest event. Includes fenced in tent area with Security/ID checks.

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant With Condition: That the date of the event is changed from September 24, 2011 to October 8, 2011. The motion passed by voice vote/other.

37. [23531](#) Change of Agent
Paisan's Restaurant Inc • dba Paisan's • 131 W. Wilson St
New Agent: Walter S Borowski
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 4 (Alder Verveer) • Police Sector 405
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**
38. [23532](#) Change of Corporate Control
Hooters of East Madison, LLC • dba Hooters of East Madison
2639 East Springs Drive • Agent: Laura Clark
Class B Combination Liquor & Beer • 31% alcohol, 66% food, 3% Other
Aldermanic District 17 (Alder Clausius) • Police Sector 517
1 new officer
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**
39. [23534](#) Change of Agent
Town Center Dining LLC • dba Steenbock's on Orchard
330 N Orchard Street
New Agent: Lisa Loup
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 8 (Alder Resnick) • Police Sector 402
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**
40. [23535](#) Change of Agent
Granite City Restaurant Operations • dba Granite City Food & Brewery
454 S Gammon Road
New Agent: Robert Engler
Class B Combination Liquor & Beer • 18% alcohol, 82% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 124
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**
41. [23536](#) Change of Agent
Benvenuto's Madison Inc • dba Benvenuto's • 1849 Northport Drive
New Agent: Samantha Kuhl
Class B Combination Liquor & Beer • 18% alcohol, 82% food
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 504
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**

42. [23537](#) Change of Corporate Control
Silly Yak Bakery & Bread Barn • dba Silly Yak Bakery
7866 Mineral Point Road • Agent: Holly Beach
Class A Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 125
Loss of Officer

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**

43. [23538](#) Change of Corporate Control
Francinn Corp • dba Best Western Inn Towner
2424 University Avenue • Agent: Patricia Chang
Class B Combination Liquor & Beer • 14% alcohol, 69% food, 17% other
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301
3 new officers

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**

44. [23574](#) Report on proposal to amend sec. 38.10, MGO revocation procedures to
provide for a Hearing Examiner process.

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

REPORT OF CITY CLERK'S OFFICE

46. [23794](#) Operator License Applications Report September 5, 2011. See attached
report for list of operators.

**A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Grant.
The motion passed by voice vote/other.**

REPORT OF BOARD OF ESTIMATES

47. [22180](#) Authorizing the payment of a judgment in *Adams Outdoor Advertising v. City of Madison* 329 Wis. 2d 270, (Wis. App. 2010) *Unpublished*, and a settlement with Adams Outdoor Advertising: (1) payment of a judgment relating to a refund of property taxes for tax years 2002-2004 and 2006 which provides for a refund of taxes, interest and costs in the amount of \$710,467.00 from City resources and amending the 2011 operating budget to reduce estimated General Fund revenues by \$119,415.69 to recognize the City's share of the tax refund and appropriating \$368,770.47 from the Contingent Reserve to fund related interest and court costs; and (2) authorizing the payment of a settlement in *Adams Outdoor Advertising v. City of Madison* in tax years 2007-2010 for an additional refund of \$368,625.00 without interest and costs. The City's 2011 operating budget is amended to reduce the general fund revenues by \$135,407.59 to recognize the City's share of the settlement costs.

Sponsors: Paul R. Soglin

Adopt.

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Re-refer to the Attorney's Office. The motion passed by voice vote/other.

48. [22952](#) Authorizing the transfer of property in Leopold Park from the Parks Division to the Water Utility for the site of a future booster pump station.

Sponsors: Tim Bruer

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

Enactment No: RES-11-00750

49. [23255](#) Authorizing the grant of a permanent limited easement to American Transmission Company for an electric transmission line in a portion of the City's Stormwater Utility Parcel 532-533, located along IH 39/90 and Kipp Street.

Sponsors: Lauren Cnare

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other. Ald. Rummel and Ald. King both requested to be recorded as voting No.

Enactment No: RES-11-00751

50. [23263](#) Creating Tax Incremental Finance (TIF) District #41 (University - Whitney) City of Madison and approving a Project Plan and Boundary for said TIF District.

Sponsors: Mark Clear and Chris Schmidt

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt Substitute. The motion passed by voice vote/other. Ald. Bidar-Sielaff recused herself from this item.

Excused: 1 - Scott J. Resnick

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-11-00752

51. [23402](#) Amending the 2011 Capital Budget of Engineering-Major Streets and Awarding Public Works Contract No. 6602, Bridge Maintenance and Repairs - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00753

52. [23403](#) Authorizing the Mayor and City Clerk to sign a contract with New World Systems Corporation to upgrade the Police Department's records management system.

Sponsors: Paul R. Soglin

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

Enactment No: RES-11-00754

53. [23430](#) Report of Chief of Police re: Police Overtime through the 2nd Quarter of 2011

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

54. [23463](#) Authorizing the Mayor and City Clerk to execute a loan agreement with Movin' Out Inc. for up to \$283,759 in HOME Match funds to purchase land at 2100 Winnebago Street on which to construct mixed-income multi-family rental housing.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Matthew J. Phair

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

Enactment No: RES-11-00755

55. [23489](#) Authorizing the Mayor and City Clerk to enter into a contract with Pellitteri Waste Systems of Madison to process and market the recyclables collected by the City of Madison.

Sponsors: Paul R. Soglin, Steve King and Jill Johnson

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

Enactment No: RES-11-00756

56. [23496](#) Authorizing the execution of an Offer to Sell Real Estate with Genesis Commons LLC for the purchase of Lot 9 in the Final Genesis Plat for the development of a high capacity well in the southeast side of Madison.

Sponsors: Lauren Cnare and Jill Johnson

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

Enactment No: RES-11-00757

57. [23628](#) Amending RES 11-00538 (File ID 22622 and authorizing the Mayor and City Clerk to execute an agreement to fund a Madison Capital Revolving Fund loan to TJ's Taylor's One Price Cleaners, Inc. to purchase machinery and equipment and renovate the property at 4522 Verona Road into 8,800 SF of commercial space.

Sponsors: Brian L. Solomon

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00758

REPORT OF BOARD OF PUBLIC WORKS

58. [22843](#) Authorizing the Mayor and City Clerk to execute an airspace lease with the Board of Regents of the University of Wisconsin System for use of the public right-of-way over East Campus Mall for an enclosed elevated gallery connecting two buildings comprising the Chazen Museum of Art.

Sponsors: Scott J. Resnick

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

Enactment No: ORD-11-00120

59. [23159](#) Awarding Public Works Contract No. 6325, Bagley Parkway Sewer Rehabilitation.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00759

60. [23168](#) Awarding Public Works Contract No. 6727, 204 S. Ingersoll Building Demo (Central Park).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00760

61. [23188](#) Assessing Benefits - Femrite Drive and Marsh Road Assessment District - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00761

62. [23218](#) Authorizing the acceptance of a quit claim deed from Madison Gas and Electric Company for the purposes of clearing title to existing University Avenue public right of way.

Sponsors: Mark Clear

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

Enactment No: RES-11-00762

63. [23390](#) Improvements Accepted for Allis Avenue Water Main Replacement Project - Contract #6233 (16th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00763

64. [23399](#) Improvements accepted for Old Sauk Trails Park Sidewalk Assessment District - 2009, Contract No. 6303.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00764

65. [23401](#) Awarding Public Works Contract No. 6458, Olbrich Gardens Lighting Retrofit - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00765

66. [23415](#) Authorizing the City Engineer to disburse \$10,000 to Urban Land Interest (ULI) for the closure in place of two underground storage tanks (USTs) from the public right-of-way at 110 East Main Street per policy established by Resolution 49,215 (ID No. 11,777) adopted September 1, 1992.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00766

67. [23426](#) Assessing Benefits - Debra Lane / Wheeler Road Drainage Assessment District.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00767

68. [23429](#) Improvements accepted for Maintenance Facilities & Fire Stations Lighting Retrofit - 2010, Contract No. 6412.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00768

69. [23494](#) Approving plans and specifications for public improvements necessary for the project known as Madison College Protective Services Building - 1701 Pearson Street and authorizing construction to be undertaken by the Developer, Private Contract No. 2284. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00769

70. [23499](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Server Room & Police Storage Remodel - 2012, Contract No. 6624. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00770

71. [23522](#) Declaring the City of Madison's intention to exercise its police powers establishing the E. Washington Avenue Sanitary Sewer Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00771

72. [23542](#) Assessing Benefits - North Sherman Avenue Resurfacing Assessment District - 2009.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
Enactment No: RES-11-00772
73. [23543](#) Assessing Benefits - Lakeland Avenue and Schurz Avenue Reconstruction Assessment District - 2010.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
Enactment No: RES-11-00773
74. [23544](#) Assessing Benefits - Division Street and Helena Street Reconstruction Assessment District - 2009.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
Enactment No: RES-11-00774
75. [23545](#) Accepting epoxy pavement markings improvements constructed at city-wide locations as provided under public works contract 6198 (2008-10).
Sponsors: Chris Schmidt
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
Enactment No: RES-11-00775
76. [23546](#) Awarding Public Works Contract No. 6591, Marshall Park Boat Launch / Channel Dredging & Spring Harbor Dredging.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
Enactment No: RES-11-00776

77. [23547](#) Approving Plans, Specifications, and Awarding Public Works Contract No. 6732, 2011 Park Path Paving.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00777

78. [23554](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Boulevard Landscaping - 2011, Contract No. 6736.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00778

79. [23558](#) Improvements accepted for Warning Sirens - 2010, Contract No. 6488

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00779

80. [23606](#) Assessing Benefits - West Gilman Street Reconstruction Assessment District 2 - 2009 (REVISED) and rescinding ID No. 23185, RES-11-00710, adopted 8/2/2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00780

81. [23615](#) Declaring the City of Madison's intention to exercise its police powers establishing the 115 King Street Vault Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00781

REPORT OF ETHICS BOARD

- 82. [21490](#) Amending Sec. 3.35(9) of the Madison General Ordinances to require certain city employees to file a Statement of Interest.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-11-00121

- 83. [21740](#) Amending Sec. 3.35(5)(b) of the Madison General Ordinances to clarify the cross-referenced meaning of the term “political activity.”

Sponsors: Michael E. Verveer

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

Enactment No: ORD-11-00122

REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

- 84. [23329](#) Approving plans and specifications and authorizing the Traffic Engineering Division to reallocate roadway width via pavement markings on Segoe Rd from Mineral Point Road to Odana Rd and providing buffered bicycle lanes.

Sponsors: Matthew J. Phair

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt with the Recommendation(s): That Traffic Engineering educate residents and the public on how to use the bike lane; that a press release and media should be used to communicate and educate the public; and, that educational information will also be provided by Traffic Engineering to the Midvale Heights Neighborhood Association to include in their newsletter. The motion passed by voice vote/other.

Enactment No: RES-11-00782

REPORT OF PLAN COMMISSION

85. [23204](#) SUBSTITUTE Amending Sec. 16.23(3)(a)4., creating new Sec. 33.19(5)(i)1., renumbering current Secs. 33.19(5)(i)1. through 4. to 2. through 5., respectively, of the Madison General Ordinances to include Landmarks Commission review of land divisions and plats of landmark sites and properties in Historic Districts.

Sponsors: Shiva Bidar-Sielaff and Marsha A. Rummel

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt with Conditions. The motion passed by voice vote/other.

Enactment No: ORD-11-00123

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

86. [23613](#) Approving a Certified Survey Map of property owned by Parman Place, LLC located at 3502 Monroe Street. 10th Ald. Dist.

Sponsors: Common Council By Request

A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-11-00783

REPORT OF RISK MANAGER

87. [22969](#) Melissa Destree, Destree Architecture & Design, for Andy Beaulieu, 408 LG Property LLC, 402 W. Gorham St., Madison 53703 - Signage Compliance - \$5,735.00.

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

88. [23340](#) R. Duncan, 2942 Barlow St., Madison, 53705 - vehicle damage - \$177.91.

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

REPORT OF TRANSIT/ PARKING COMMISSION

89. [23070](#) Authorizing the Transit General Manager to enter into agreements with qualified human service agencies to purchase social service agency fare media for agency trips for their ADA complementary paratransit eligible clients at the Agency Fare Rate established in the Metro Fare Tariff.

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

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

Enactment No: RES-11-00784

REPORT OF WATER UTILITY BOARD

90. [23413](#) Authorizing the Water Utility General Manager to certify water and sewer bills, assessments, and charges to the 2011 tax rolls of other governmental units for delinquent accounts in those jurisdictions.

Sponsors: Lauren Cnare and Tim Bruer

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

Enactment No: RES-11-00785

ITEMS REFERRED TO THIS MEETING

ORDINANCES

91. [23404](#) SUBSTITUTE Creating Section 15.01(580) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the First Aldermanic District the Laughlin Attachment and amending Section 15.02(114) to assign the attached property to new Ward 114 and amending current Section 15.06(122) to assign the attached property to current Ward 122 and amending Sec. 15.03(1) to assign the attached property to the First Aldermanic District.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-11-00124

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

CONFIRMATION

92. [23568](#) Submitting the name of Barbara Dimick for confirmation of a five-year term as Library Director.

Sponsors: Paul R. Soglin, Larry Palm and Anita Weier

This Resolution was Referred to the BOARD OF ESTIMATES

ORDINANCES

93. [23641](#) Amending Section 23.29(4) of the Madison General Ordinances to authorize the Mayor or the Superintendent of Streets to appoint the Weed Commissioners.

Sponsors: Paul R. Soglin

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

94. [23648](#) Amending Section 3.54(21) of the Madison General Ordinances to provide stand by (On-Call) pay to Madison Metro Shop Supervisors.

Sponsors: Paul R. Soglin

This Ordinance was Referred to the BOARD OF ESTIMATES

95. [23690](#) Creating Section 28.06(2)(a)3560. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Allow construction of daycare facility for Meriter Hospital. 13th Aldermanic District; 113 South Mills Street and 1022 Mound Street.

Sponsors: Planning Division

Common Council Public

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION.

96. [23691](#) Creating Section 28.06(2)(a)3558.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)3559. 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: Construct addition to Attic Angels Place Health Center and Assisted Living Facility. 9th Aldermanic District; 8301 Old Sauk Road

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

97. [23692](#) Creating Sections 8.24(1)(q) and (aa) of the Madison General Ordinances to ban alcohol in the public right of ways on North Carroll and North Henry Street.

Sponsors: Scott J. Resnick

This Ordinance was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

98. [23709](#) Amending Section 1.08(3)(a) of the Madison General Ordinances to establish bail deposit amounts for the third and fourth violations of permitting dogs and cats to run at large unless under control of a person.

Sponsors: Matthew J. Phair

This Ordinance was Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

99. [23710](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of Library Business Operations Manager in Compensation Group 18, Range 14, thereof.

Sponsors: Paul R. Soglin

Additional Referral to: Personnel Board.

This Ordinance was Referred to the BOARD OF ESTIMATES

100. [23743](#) Creating Section 28.06(2)(a)3562. of the Madison General Ordinances rezoning property from R4 General Residence District and C3 Commercial Highway District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3563. 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: Approval of General Development Plan for future mixed use/employment development, and; approval of a Specific Implementation Plan for medical clinic/office bldg. and parking ramp. 13th Aldermanic District; 1002-1102 South Park Street, 906-918 Midland Street and 1101-1109 Fish Hatchery Road.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

101. [23749](#) Creating Section 28.06(2)(a)3556. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3557. 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: Approval of a General Development Plan for future construction of mixed-use/employment and approval of a Specific Implementation Plan for medical office building. 19th Aldermanic District; 5063-5119 University Avenue and 702 North Whitney Way.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

102. [23750](#) Creating Section 28.06(2)(a)3554. of the Madison General Ordinances rezoning property from R4 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3555. 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: Planned Unit Development to allow rehabilitation of 3 existing four-unit apartment buildings; 6th Aldermanic District; 434 South Thornton Avenue, 1526 Jenifer Street and 433 Cantwell Court.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

103. [23758](#) Amending Sec. 9.13(7)(b)2. of the Madison General Ordinances to remove part of the 1500 block of Jefferson Street from the Camp Randall High Density Vending Area.

Sponsors: Michael E. Verveer

This Ordinance was Refer to a future Meeting to Adopt to the COMMON COUNCIL due back on 9/20/2011

104. [23772](#) Amending Sections 31.03(2), 31.044(1)(h), 31.15(2), and 31.15(3) of the Madison General Ordinances to allow a public information board, kiosk, or sidewalk showcase to be used as a Neighborhood Sign, amending the definition of Neighborhood Sign, and creating a definition for Public Information Board.

Sponsors: Brian L. Solomon

This Ordinance was Referred to the URBAN DESIGN COMMISSION

105. [23785](#) Amending Sections 9.24 and 1.08(3)(a) of the Madison General Ordinances to require secondhand dealers to compile and submit to the police department electronic records of transactions and creating penalties.

Sponsors: Michael E. Verveer, Jill Johnson and Paul E. Skidmore

This Ordinance was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

RESOLUTIONS

106. [23478](#) Approving a revised procedure for contract finalization for Public Works Improvement Contracts.

Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF PUBLIC WORKS

107. [23525](#) Approving Settlement of tax refund litigation with Lamar Outdoor Advertising of Janesville for years 2004, 2006-2010, Approving payment of \$160,000 from City resources to effectuate the Settlement and amending the 2011 Operating Budget to reduce estimated general fund revenues by \$59,468.19 to recognize the City's share of Settlement Costs.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

108. [23625](#) Authorizing the Mayor and City Clerk to execute a loan agreement to fund a \$70,000 Mansion Hill-James Madison Park Neighborhood Small Cap TIF Loan to ("Borrower") to purchase and renovate the property located at 125 N. Hancock Street and convert it from a rental to owner-occupied housing.

Sponsors: Bridget R. Maniaci and Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

109. [23673](#) Application to the Dane County Board for exemption from Dane County Library tax levied under Section 43.57(3) Wisconsin Statutes

Sponsors: Larry Palm

Additional Referral: Madison Public Library Board

This Resolution was Referred to the BOARD OF ESTIMATES

110. [23701](#) Resolution supporting an additional \$4.0 million in General Obligation borrowing for the Central Library project and another \$500,000 of private donations as proposed in the 2012 Executive Capital Budget.

Sponsors: Paul R. Soglin, Lauren Cnare, Michael E. Verveer, Larry Palm and Shiva Bidar-Sielaff

Additional Referral: Madison Public Library Board

This Resolution was Referred to the BOARD OF ESTIMATES

111. [23705](#) Amending the 2011 Engineering Operating Budget for the creation of a 1.0 FTE position of Public Works General Foreperson (CG18-07), and appropriating \$24,725 from the Contingent Reserve.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

112. [23716](#) Recreating the vacant 1.0 FTE non-represented Clerk's Office Coordinator position (CG18-06, #4047) as a 1.0 FTE represented position of Certified Municipal Clerk (CG20-11) in the Clerk's Office budget, to be underfilled as a Municipal Clerk 1 (CG20-09).

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

113. [23718](#) Authorizing the Mayor, City Clerk and Chief of Police to accept the FY 2011 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$125,385 and to utilize these funds to support several law enforcement initiatives.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

114. [23719](#) Authorizing the Mayor and City Clerk to sign a contract with Aperta, Inc. for five years of support and maintenance services for remittance processing software associated with a new remittance processor for the City Treasurer's Office.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

115. [23726](#) Recreating the position (#788) of Administrative Support Clerk 1 (CG20-06) in the Finance Department Budget as an Administrative Support Clerk 2 (CG20-09) and reallocating the incumbent, C. LeMay, to the new position.

Sponsors: Paul R. Soglin

Additional Referral: Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

116. [23728](#) Approving Hastings Air Energy Control, Inc. to perform the upgrade conversion of the Plymovent Systems installed at all stations and vehicle modifications for \$69,955.98

Sponsors: Lauren Cnare and Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

117. [23730](#) Recreate the position (#476) of Librarian Supervisor as a Library Business Operations Manager in the Library budget, and reallocate the incumbent (S. Lee) to the new position.

Sponsors: Paul R. Soglin

Additional Referral: Personnel Board.

This Resolution was Referred to the BOARD OF ESTIMATES

118. [23731](#) Rename the classification of "Police Lab Technician" in CG16-10 as "Forensic Lab Technician," move the classification of Forensic Lab Technician to CG16-11, recreate the position of Police Lab Technician, currently occupied by C. Van Hove (#3832), as a Forensic Lab Technician within the Police Department budget, and reallocate the incumbent to the new position.

Sponsors: Paul R. Soglin

Additional Referral: Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

119. [23734](#) Retitling an Administrative Clerk 2 (CG20/11) position (#2589) in the Police Department as a Program Assistant 1 (20/11).

Sponsors: Paul R. Soglin

Additional Referral: Personnel Board.

This Resolution was Referred to the BOARD OF ESTIMATES

120. [23736](#) Authorizing the grant of a permanent limited easement to American Transmission Company for an electric transmission line along a portion of the City's Stormwater Utility Parcel 533, located along the 4200 Block of Sycamore Avenue.

Sponsors: Joseph R. Clausius

Additional Referrals: Board of Public Works, Plan Commission.

This Resolution was Referred to the BOARD OF ESTIMATES

121. [23737](#) Reallocating \$9,965 in 2011 Community Resources funds from the Dane County Parent Council Preschool Enrichment Program (PEP) to the East Madison Community Center Children's Development Program and authorizing the Mayor and the City Clerk to enter into an amended contract with the East Madison Community Center.

Sponsors: Satya V. Rhodes-Conway, Lisa Subeck and Anita Weier

This Resolution was Refer to a future Meeting to Adopt to the COMMON COUNCIL due back on 9/20/2011

122. [23738](#) Resolution deleting one Traffic Engineer 1 position (CG 18 R 10) (#3844) in the permanent salary detail of the Traffic Engineering Division budget, recreating it as a Traffic Engineer 2 position (CG 18 R 12) thereof and reallocating the current incumbent (position #3844) to the new position.

Sponsors: Paul R. Soglin

Additional Referral: Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

123. [23740](#) Resolution deleting two Administrative Clerk 1 positions (CG 20 R 09) (#3429, currently vacant, and #1029) in the permanent salary detail of the Housing Operations Unit budget, recreating them as Program Assistant 1 positions (CG 20 R 011) thereof and reallocating the current incumbent (position #1029) to the new position.

Sponsors: Paul R. Soglin

Additional Referral: Personnel Board.

This Resolution was Referred to the BOARD OF ESTIMATES

124. [23742](#) To approve the 2012 Operating Plan for Madison's Central Business Improvement District (#1).

Sponsors: Michael E. Verveer

This Resolution was Referred to the DOWNTOWN COORDINATING COMMITTEE

125. [23746](#) Authorizing the Mayor and City Clerk to execute an amendment to Land Use Restriction Agreement regarding 326 W. Wilson Street

Sponsors: Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

126. [23751](#) Approve the use of \$63,000 in CDBG funds to Quaker Housing, Inc. to replace windows in 31 rental units located at 2110 Fisher and 2025 Taft Street and authorize the Mayor and City Clerk to execute all agreements required as part of this project.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Matthew J. Phair

Additional Referral: Community Development Block Grant Committee

This Resolution was Referred to the BOARD OF ESTIMATES

127. [23752](#) Authorizing the allocation of \$50,000 of additional CDBG funds to support the development of the FEED Kitchen Incubator project on Madison's Northside; and authorizing the Mayor and the City Clerk to execute an amended FEED Kitchen Incubator contract with the Northside Planning Council.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer, Matthew J. Phair and Satya V. Rhodes-Conway

This Resolution was Referred to the BOARD OF ESTIMATES

128. [23762](#) Resolution Authorizing the Issuance of \$67,005,000 General Obligation Promissory Notes, Series 2011-A, and \$13,130,000 Taxable General Obligation Promissory Notes, Series 2011-B, All of the City of Madison, Wisconsin, Providing the Details Thereof, Establishing Interest Rates Thereon and Levying Taxes Therefore

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

129. [23790](#) Vacating all of the High Street public street right-of-way segment from Midland Street to Fish Hatchery Road, which was originally dedicated by the subdivision plat of Grand View Addition to South Madison, located adjacent to and reversion rights to, Block One (1) and Block Six (6), said Grand View addition to South Madison, being located in part Southeast ¼ of the Northwest ¼ of Section 26, Town 07 North, Range 09 East, City of Madison, Dane County, Wisconsin. (13th Ald. Dist.)

Sponsors: Sue Ellingson

Additional Referral: Plan Commission.

This Resolution was Referred to the BOARD OF PUBLIC WORKS

130. [23801](#) **Authorizing the City of Madison to move certain bargaining unit groups into the high-deductible insurance plan.**
~~BY TITLE ONLY Resolution moving employees in the bargaining units represented by Madison Professional Police Officers Association (MPPOA), Association of Madison Police Supervisors, and International Association of Firefighters Local 311, into the Wisconsin Public Employer Group Health Insurance Deductible HMO Option, paired with the Deductible Standard Plan. All other City employees remain in the Traditional HMO Option with the Classic Standard Plan option.~~

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

CAPITAL BUDGET

131. [23676](#) 2012 Executive Capital Budget

Sponsors: Paul R. Soglin

This Capital Budget was Referred to the BOARD OF ESTIMATES

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

132. [23475](#) B. Jones for National Guardian Life, 2 E. Gilman St., Madison, 53703 - property damage - \$4,783.71.
- This Claim was Referred to the Risk Manager**
133. [23493](#) NOTICE OF INJURY: J. Hoekert, 1048 Fitness Run, Sun Prairie, 53590 - personal injury - greater than \$1.00.
- This Claim was Referred to the Risk Manager**
134. [23507](#) E. Ogletree, 619 Welch St., Rewey, 53580 - vehicle damage - \$189.91.
- This Claim was Referred to the Risk Manager**
135. [23517](#) D. Rinzel, 941 E. Dayton St., Madison, 53703 - vehicle damage - \$798.22.
- This Claim was Referred to the Risk Manager**
136. [23518](#) C. Riemer, 4211 Maher Ave., Madison, 53716 - property damage - \$1258.00.
- This Claim was Referred to the Risk Manager**
137. [23527](#) NOTICE OF CLAIM: C. Leddon of PHH Arval, P.O. Box 22543, Baltimore, MD, 21298, for M. Hoger of Du Pont de Nemours & Company - vehicle accident - amount to be determined.
- This Claim was Referred to the Risk Manager**
138. [23533](#) J. McDonald, 6014 Monticello Way, Madison, 53719 - vehicle damage & personal injury - \$4,185.08.
- This Claim was Referred to the Risk Manager**
139. [23562](#) H. Hall, 115 W. Doty, Madison, 53703 - civil rights violation, personal injury, pain and suffering - \$500,000.00.
- This Claim was Referred to the Risk Manager**

140. [23575](#) I. Olson, 929 Nancy Ln., Madison, 53704 - vehicle damage - \$3,913.38.

This Claim was Referred to the Risk Manager

141. [23586](#) L. Higgins, 1716 Tin Cup Rd., Mohomet, IL 61853 - vehicle damage - \$2,169.44.

This Claim was Referred to the Risk Manager

142. [23587](#) D. vonArx, 1301 3rd St., New Glarus, 53574 - vehicle damage - \$1,068.55.

This Claim was Referred to the Risk Manager

143. [23588](#) S. Smith, 2617 Norfolk Cir., Fitchburg, 53719 - property loss - \$44.99.

This Claim was Referred to the Risk Manager

144. [23603](#) E. Hermansen for Chet's Car Care, 2020 Aberg Ave., Madison, 53704 - property damage - \$763.30.

This Claim was Referred to the Risk Manager

145. [23654](#) D. Milligan, TransPaC Solutions, for FedEx Express, P.O. Box 35246, Louisville, KY 40232-5246 - vehicle damage - \$497.06.

This Claim was Referred to the Risk Manager

146. [23655](#) E. Ryberg, Habush Habush & Rottier S.C. for J. Petkus, 28098 Cty. Hwy. CC, Cazenovia, 53924 - personal injury - \$250,000.

This Claim was Referred to the Risk Manager

147. [23711](#) S. Anderson, 903 N. Madison St., Waunakee, 53597 - vehicle damage and personal injury - \$11,511.15.

This Claim was Referred to the Risk Manager

148. [23720](#) NOTICE OF CLAIM: Howard Goldman, attorney for J. Grant, N9560 Argue Rd., New Glarus, 53574 - wrongful death - amount to be determined.

This Claim was Referred to the Risk Manager

149. [23721](#) NOTICE OF CLAIM: Howard Goldman, attorney for J. Grant in his capacity as M. Grant's surviving spouse, N9560 Argue Rd., New Glarus, 53574 - wrongful death - amount to be determined.

This Claim was Referred to the Risk Manager

150. [23774](#) Amy Pellitteri for Madison Gas and Electric Co., P.O. Box 1231, Madison, 53701-1231 - property damage - \$856.14.

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

151. [23780](#) C. Jakob, 2602 Fairfield Pl., Madison 53704-4825 - vehicle damage - \$400.00.

This Claim was Referred to the Risk Manager

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.

152. [23463](#) Authorizing the Mayor and City Clerk to execute a loan agreement with Movin' Out Inc. for up to \$283,759 in HOME Match funds to purchase land at 2100 Winnebago Street on which to construct mixed-income multi-family rental housing.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Matthew J. Phair

Enactment No: RES-11-00755

Note: File 23463 is also item #54 on this agenda under Report of Board of Estimates for adoption.

153. [23489](#) Authorizing the Mayor and City Clerk to enter into a contract with Pellitteri Waste Systems of Madison to process and market the recyclables collected by the City of Madison.

Sponsors: Paul R. Soglin, Steve King and Jill Johnson

Enactment No: RES-11-00756

Note: File 23489 is also item #55 on this agenda under Report of Board of Estimates for adoption.

154. [23495](#) Authorizing the execution of a lease at 2422 Pennsylvania Avenue for the temporary relocation of warehouse space for City of Madison's Central Public Library.

Sponsors: Michael E. Verveer

155. [23496](#) Authorizing the execution of an Offer to Sell Real Estate with Genesis Commons LLC for the purchase of Lot 9 in the Final Genesis Plat for the development of a high capacity well in the southeast side of Madison.

Sponsors: Lauren Cnare and Jill Johnson

Enactment No: RES-11-00757

Note: File 23496 is also item #56 on this agenda under Report of Board of Estimates for adoption.

156. [23497](#) Amending Sections 38.10(1)(ar) and (b) and repealing Section 38.10(5) of the Madison General Ordinances creating an ALRC Hearings Subcommittee and Procedures.

Sponsors: Shiva Bidar-Sielaff and Michael E. Verveer

Enactment No: ORD-11-00119

Note: File 23497 is also item #34 on this agenda under Report of Alcohol License Review Committee for adoption as substituted.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

- [23815](#) Amending Section 3.54(1)(i)2. of the Madison General Ordinances by deleting the classification of Library Director in Compensation Group 21, Range 18 and creating the classification of Library Director in Compensation Group 21, Range 20.

Sponsors: Larry Palm

A motion was made by Ald. Palm, seconded by Ald. Rhodes-Conway, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

23825

That housing be recognized as a human right, and that the City of Madison will work with Dane County, surrounding municipalities, and community partners to develop a Housing Plan and address housing issues in the region.

Sponsors: Shiva Bidar-Sielaff, Satya V. Rhodes-Conway, Chris Schmidt, Lisa Subeck, Marsha A. Rummel, Sue Ellingson, Matthew J. Phair and Michael E. Verveer

Additional Referrals: Housing Committee, Community Development Building Grant

A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Rhodes-Conway, to Refer to the EQUAL OPPORTUNITIES COMMISSION. The motion passed by voice vote/other.

ADJOURNMENT at 8:52 PM

A motion was made by Ald. Verveer, seconded by Ald. Weier, to Adjourn at 8:53 pm. The motion passed by voice vote/other.