



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, July 20, 2010

6:30 PM

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

ROLL CALL

6:27PM, MAYOR CIESLEWICZ IN THE CHAIR

Present: 21 - David J. Cieslewicz
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
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

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. Clear, seconded by Ald. Cnare, to Suspend the Rules. The motion passed by voice vote/other.

PETITIONS AND COMMUNICATIONS

PETITIONS

1. [19132](#) Petition received in the Madison City Clerk's Office July 1, 2010, regarding Intermediate Attachment for Cherokee Park, Inc. from the Town of Burke to the City of Madison pursuant to the provisions of Section 10 of the "Final Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan" dated January 5, 2007.

Accept at 8/3/10 Common Council meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Accept. The motion passed by voice vote/other.

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

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

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

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

2. [18630](#) Public Hearing - New License
Walgreen Co • dba Walgreens #04805
4518 Cottage Grove Rd • Agent: Douglas Subak
Class A Liquor & Class A Beer
Aldermanic District 3 (Alder Cnare) • Police Sector 611
Deny at 8/3/10 Common Council meeting.

A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL and should be returned by 8/3/2010. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

3. [18733](#) Approving plans, specifications and schedule of assessments for streetlights - Todd Drive (Frontage Road-McDivitt Road) Streetlight Assessment District. (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-10-00629

4. [18734](#) Approving plans, specifications and schedule of assessments for streetlights
- Landmark Place Streetlight Assessment District. (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-10-00630

REPORT OF PLAN COMMISSION

5. [18737](#) Creating Section 28.06(2)(a)3486. 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)3487. 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 Single-Family Residence to Allow Construction of a 4-Unit Apartment Building; 4th Aldermanic District: 431 West Dayton 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-10-00068

REPORT OF STREET USE STAFF TEAM

6. [18283](#) To SUSPEND the handcrafted goods vending restriction at the location identified in Street Use Permit #SUP2010021 on the 400 block of State St. on Saturdays from 11:00am to 3:00pm upon adoption/approval of this resolution until Saturday, April 2, 2011 (except for Saturday, May 8, 2010) and authorizing the International Socialist Organization to vend non-handcrafted goods.

Sponsors: Marsha A. Rummel and Michael E. Verveer

A motion was made by Ald. Eagon, seconded by Ald. Maniaci, to Place On File Without Prejudice . The motion passed by the following vote:

Ayes: 12 - Jed Sanborn
Bridget R. Maniaci
Lauren Cnare
Bryon A. Eagon
Paul E. Skidmore
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Noes: 8 - Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Julia S. Kerr

Non Voting: 1 - David J. Cieslewicz

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

7. [18994](#) Report of the Mayor submitting citizen committee appointments (introduced 7-6-2010; action 7-20-2010).

Sponsors: David J. Cieslewicz

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

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

Abstentions: 1 - Thuy Pham-Remmele

Non Voting: 1 - David J. Cieslewicz

8. [19221](#) Report of the Mayor submitting citizen committee appointments (introduced 7-20-2010; action 8-3-2010).

Sponsors: David J. Cieslewicz

Confirm at the 8/3/10 Common Council meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Confirm to the COMMON COUNCIL and should be returned by 8/3/2010. The motion passed by voice vote/other.

9. [19224](#) Report of the Mayor submitting an Alder committee appointment.

Sponsors: David J. Cieslewicz

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

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

Abstentions: 1 - Thuy Pham-Remmele

Non Voting: 1 - David J. Cieslewicz

CONFIRMATION HEARING

10. [18920](#) Submitting the name of Dean C. Brassler for confirmation of a five-year term as City Comptroller.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00677

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

11. [19168](#) Approving the schedule of Common Council meeting dates and times for 2011.

Sponsors: Mark Clear, Lauren Cnare, Shiva Bidar-Sielaff, Marsha A. Rummel, Bryon A. Eagon, Chris Schmidt, Michael Schumacher and Tim Bruer

A motion was made by Ald. Clear, 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-10-00634

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

12. [19232](#) Alcohol License Review Committee Report of Operator License Applications July 20, 2010. See attached report for list of operators.

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

REPORT OF CITY ATTORNEY

13. [18068](#) Motion by John W. Moore For A Resolution To Stop Unstatutory Use Of Police Department At 652 State Street.

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

REPORT OF BOARD OF ESTIMATES

14. [18895](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for James Madison Park Shoreline, Contract No. 6324 and Amending the 2010 Storm Water Utility Capital Budget.

Sponsors: Marsha A. Rummel and Bridget R. Maniaci

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

Ayes: 20 - 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
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00631

15. [18917](#) Accept \$172,678 in Emergency Shelter Grant (ESG) funds from the WI Department of Commerce and authorize the Mayor and City Clerk to execute agreements with specific non-profit agencies providing housing and services for homeless persons.

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

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

Enactment No: RES-10-00635

16. [18918](#) Authorizing the Mayor, City Clerk and Chief of Police to accept an award from the State of Wisconsin Office of Justice Assistance in the amount of up to \$7,900 and to utilize these funds to purchase Wisconsin Interoperable System for Communications (WISCOM) radios to allow for interoperability between the Madison Police command center and law enforcement and emergency agencies.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00636

17. [18921](#) Authorizing the Mayor and City Clerk to enter into an agreement with Sustainable Engineering Group, LLC to provide commissioning, enhanced commissioning, and LEED measurement and verification professional engineering services for the complete renovation, exterior improvements, and possible expansion of the Madison Central Public Library.

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

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

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

Noes: 1 - Thuy Pham-Remmele

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00676

18. [18929](#) Authorizing the provision of \$432,000 in Federal HOME Match funds to assist Common Wealth Development, Inc. in acquiring and rehabilitating two 4-unit buildings for the purpose of providing affordable rental housing.

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

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

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

Noes: 1 - Thuy Pham-Remmele

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00678

19. [18935](#) Authorizing Operation Fresh Start (OFS) to modify their program income contract to allow them to sell properties that have a Community Development Division (CDD) program income fund investment and at the time of sale secure the loan amount with an assignment of mortgage on an alternative OFS property.

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

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

Enactment No: RES-10-00637

20. [18973](#) Amending the 2010 Capital Budget of Engineering-Major Streets and Awarding Public Works Contract No. 6454, Hughes Place - 2010.

Sponsors: Tim Bruer

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

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

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00632

21. [18984](#) Amending the 2010 Transit Utility Operating Budget to delete a 1.0 FTE Transit Finance Supervisor position, Compensation Group 44, Range 09, and create a .5 FTE Information Systems Specialist 2 position, Compensation Group 44, Range 08, to be combined with a current .5 Information Systems Specialist 2 position with the incumbent to create a 1.0 FTE Information Systems Specialist 2 position.

Sponsors: Chris Schmidt and Brian L. Solomon

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

Enactment No: RES-10-00638

22. [18989](#) Amending Secs. 3.54(1)(b), 3.54(1)(i)2. and 3.54(6) of the Madison General Ordinances to create the classification of Housing Operations Program Manager in Compensation Group 18, Range 17 and delete the classification of "Housing Operations Division Director."

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-10-00069

23. [19014](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of "Fire Marshal" in Compensation Group 18, Range 15 and creating the classification of "Fire Marshal" in Compensation Group 18, Range 16, thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-10-00070

24. [19022](#) Deleting the classification of Housing Operations Division Director in CG21, Range 17 and creating the classification of Housing Operations Program Manager in CG18, Range 17, reallocating the current position (#1033) and incumbent to the new compensation group and pay range, and authorizing the Mayor and City Clerk to sign an amendment terminating the Employment Contract of Augustin Olvera.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00639

25. [19025](#) Recreating the classification of "Fire Marshal" in CG18, Range 16 and reallocating the current position (#2162) and incumbent to the new pay range.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00640

26. [19027](#) Authorizing the Mayor and the Chief of Police to accept donated funds, services and supplies for the creation of the Madison Police Memorial Garden.

Sponsors: Lauren Cnare and Judy Compton

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

Enactment No: RES-10-00641

27. [19036](#) Amending the 2010 Capital Budget of Facilities Management to fund additional costs for City-County Building capital improvements through a transfer of available funds from the Administrative Offices capital project.

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

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

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

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00633

28. [19037](#) Authorizing the Mayor and City Clerk to enter into an agreement with Mortenson Construction to provide owner representation and construction administration services for the complete renovation, exterior improvements, and possible expansion of the Madison Central Public Library.
- Sponsors:** David J. Cieslewicz, Larry Palm, Mark Clear, Michael E. Verveer and Lauren Cnare

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

Absent: 1 - Tim Bruer

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

Noes: 1 - Thuy Pham-Remmele

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00675

29. [19049](#) SUBSTITUTE - Recommending the selection of census tract 14.02 - (Leopold School area) as the focus for a concentration neighborhood planning process and the appointment of a steering committee of residents and business representatives to help develop a neighborhood plan for the area.

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

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

Enactment No: RES-10-00642

30. [19112](#) Reallocating funds from the Neighborhood House youth program to a variety of currently funded youth programs within the Community Resources Program and authorizing the Mayor and the City Clerk to enter into amendments with those agencies to expand their 2010 currently funded youth programs.

Sponsors: Lauren Cnare and Brian L. Solomon

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

Enactment No: RES-10-00643

REPORT OF BOARD OF PUBLIC WORKS

31. [18623](#) Creating Sec. 23.24(3) to impose penalties for the intentional or negligent damage of City trees during the course of private or public work; amending Sec.1.08(3)(a)4 to create a bond schedule for violations of this new subsection; and amending Sec.1.08(4) of the Madison General Ordinances to provide enforcement powers for this new subsection.

Sponsors: Marsha A. Rummel, Michael E. Verveer, Julia S. Kerr, Chris Schmidt, Shiva Bidar-Sielaff and Bridget R. Maniaci

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

Enactment No: ORD-10-00071

32. [18767](#) Awarding Public Works Contract No. 6497, Burrows Park Restroom Reconstruction.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00644

33. [18771](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of City-owned land at 901 Plaenert Drive.

Sponsors: Julia S. Kerr

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

Enactment No: RES-10-00645

34. [18789](#) Creating Amendment #1 to existing contract with Brickline, Inc. to provide additional epoxy pavement markings.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00646

35. [18889](#) Approving Plans and Specifications and authorizing the Board of Public Works to advertise and receive bids for Regent Street / Monroe Street Intersection - 2010, Contract No. 6550. (5th, 10th, & 15th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

36. [18971](#) Awarding Public Works Contract No. 6133, Cannonball Path Phase 1 and Water Main - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00647

37. [18972](#) Awarding Public Works Contract No. 6323, Hillcrest Upland Greenway & Sanitary Lateral Assessment District.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00648

38. [18975](#) Awarding Public Works Contract No. 6449, Raymond Road & South Gammon Road Resurfacing - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00649

39. [18977](#) Awarding Public Works Contract No. 6517, Carroll Street Forcemain Replacement.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00650
40. [18978](#) Awarding Public Works Contract No. 6326, Anderson Street Sanitary Relay.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00651
41. [18979](#) Awarding Public Works Contract No. 6536, Drinking Fountains 2010.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00652
42. [18982](#) Improvements accepted for State Street & Adjacent Streets Reconstruction Assessment District - 2005, Contract No. 5799.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00653
43. [18983](#) Improvements accepted for Starkweather Creek Improvements & Clyde Gallagher Ave. Reconstruction - 2007, Contract No. 6028.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00654

44. [18986](#) Improvements accepted for Sidewalk & Curb & Gutter, Citywide Installation & Repair - 2009, Contract No. 6295.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00655

45. [18988](#) Improvements accepted for Rugby Row, Vista Road & Eton Ridge Reconstruction Assessment District - 2008, Contract No. 6141.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00656

46. [18990](#) Declaring the City of Madison's intention to exercise its police powers establishing the Hanson Road Assessment District - 2010.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00657

47. [18995](#) Declaring the City of Madison's intention to exercise its police powers establishing the Pine Hill Farms Assessment District - 2010. (1st AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00658

48. [18996](#) Declaring the City of Madison's intention to exercise its police powers establishing the Nelson Development Assessment District - 2010. (3rd & 16th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00659

49. [18998](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Tenney Bridge Restoration, Contract No. 6490. (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00660

50. [19000](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Warner Park Parking Lot Reconstruction - Phase 1, Contract No. 6434.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00661

51. [19002](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Elver Park Shelter Patio, Contract No. 6554.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00662

52. [19003](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Wingra Park Shoreline Repair, Contract No. 6435.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00663

53. [19004](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sauk Creek Sanitary Access, Contract No. 6321. (9th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00664
54. [19005](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for North Thompson Greenway. (3rd AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00665
55. [19009](#) Declaring the City of Madison's intention to exercise its police powers establishing the Debra Lane / Wheeler Road Drainage Assessment District. (18th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00666
56. [19010](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Replace Radiant Heater at Streets Facilities, Contract No. 6558. (14th & 17th ADs)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00667

57. [19035](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for replacing the membrane roof on the Water Utility Vehicle Storage Building at 110 S. Paterson St. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00668

58. [19039](#) Improvements accepted for Capital City Trail - Acewood Interim Path, Contract No. 5939.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00669

59. [19040](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Truax Area Sewer Access Structure Relining, Contract No. 6562. (15th & 17th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00670

60. [19048](#) Assessing Benefits - Park Street Sidewalk Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00671

REPORT OF CITY CLERK

61. [19246](#) To grant the following 2010-2011 Theater License Renewal: Majestic Theatre LLC (115 King St).

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

62. [19248](#) To grant the following 2010-2011 Adult Entertainment Establishment License renewals: Summit Station Inc (2009 Freeport Rd), and T C Visions Inc (3554 E Washington Ave).

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

REPORT OF ETHICS BOARD

63. [17881](#) SUBSTITUTE Amending Section 3.35(13)(e) of the Madison General Ordinances to increase the penalty in the Ethics Code.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-10-00072

REPORT OF PUBLIC SAFETY REVIEW COMMITTEE

64. [19129](#) Indicating the City of Madison's interest in partnering with Dane County and our municipal neighbors to develop, build, operate and maintain a state-of-the-art countywide radio communications system that would allow - but not mandate - full interoperability.

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

Adopt at the 8/3/10 Common Council meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 8/3/2010. The motion passed by voice vote/other.

REPORT OF RISK MANAGER

65. [18884](#) K. Mayfield, 2813 Commercial Ave., Madison, 53704 - property damage - greater than \$1.00.

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

66. [18955](#) K. Kirchgessner, 514 Village Green Ln. West, Madison, 53704 - personal property - \$346.70.

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

REPORT OF TRANSIT/ PARKING COMMISSION

67. [18738](#) 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: Jed Sanborn, Brian L. Solomon and Chris Schmidt

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

Enactment No: RES-10-00672

68. [18739](#) Authorizing the Transit General Manager to file an application for a Section 5309 Formula Public Transit Capital Grant with the 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: Jed Sanborn, Brian L. Solomon and Chris Schmidt

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

Enactment No: RES-10-00673

69. [18947](#) 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 (USDOT) 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: Chris Schmidt, Brian L. Solomon and Jed Sanborn

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

Enactment No: RES-10-00674

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE**CHARTER ORDINANCES**

70. [19169](#) CHARTER ORDINANCE Creating Section 8.32 of the Madison General Ordinances to establish rules for the treatment of lost or abandoned property found on public property.

Sponsors: Marsha A. Rummel and Shiva Bidar-Sielaff

Additional referral: Board of Park Commissioners.

This Charter Ordinance was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

ORDINANCES

71. [19051](#) Creating Subsection 12.57(1)(c) of the Madison General Ordinances to establish speed limits on the private roads contained within the Highland Manor Manufactured Home Development.

Sponsors: Tim Bruer

This Ordinance was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

72. [19199](#) Amending Sec. 2.04 of the Madison General Ordinances to clarify the authority of the Council President to approve the Council Agenda.

Sponsors: David J. Cieslewicz and Mark Clear

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

73. [19200](#) Amending Sec. 3.35(5)(b) of the Madison General Ordinances to prohibit the use of City property or uniforms for political activity.

Sponsors: Michael E. Verveer

This Ordinance was Referred to the ETHICS BOARD

74. [19201](#) Creating Section 28.06(2)(a)3491 of the Madison General Ordinances rezoning property from OR Office Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3492 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 Former University Health Services to Construct Phase 1 of Wisconsin Energy Institute; 5th Aldermanic District; 1552 University Avenue.

Sponsors: PLAN COMMISSION

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

75. [19203](#) Creating Section 15.01(573) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the Eighteenth Aldermanic District the Cherokee Attachment and assigning a temporary zoning classification of A Agriculture District, and creating Section 15.02(147) of the Madison General Ordinances to assign the attached property to Ward 147.

Sponsors: David J. Cieslewicz

Adopt at the 8/3/10 Common Council meeting.

This Ordinance was Referred to the COMMON COUNCIL, due back on 8/3/2010

76. [19239](#) Adopting and confirming Revision No. 271 of the Madison General Ordinances as of June 15, 2010 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: Common Council By Request

Adopt at the 8/3/10 Common Council meeting.

This Ordinance was Referred to the COMMON COUNCIL, due back on 8/3/2010

RESOLUTIONS

77. [19088](#) Authorizing the Chief of Police to enter into an agreement for traffic regulation enforcement between the City of Madison Police Department and the owner(s) of a privately owned, manufactured or mobile home community, located within the City of Madison.

Sponsors: Tim Bruer and Satya V. Rhodes-Conway

Adopt at the 8/3/10 Common Council meeting.

This Resolution was Referred to the COMMON COUNCIL, due back on 8/3/2010

78. [19110](#) Establishing rules and procedures for Common Council deliberations on the City of Madison's 2011 Capital and Operating Budgets.

Sponsors: Mark Clear

This Resolution was Referred to the BOARD OF ESTIMATES

79. [19170](#) Amending the 2010 Fire Capital Budget to transfer \$43,621 from General Building Improvements-810341 to New Fire Stations-810490.

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

This Resolution was Referred to the BOARD OF ESTIMATES

80. [19210](#) Authorizing the Chief of Police to execute a lease with Boys and Girls Club of Dane County, Inc. for space within the building located at 2001 Taft Street for use as a neighborhood police office.

Sponsors: Julia S. Kerr

This Resolution was Referred to the BOARD OF ESTIMATES

81. [19214](#) Authorizing the Mayor, Police Chief and the City Clerk to sign a contract with the Madison Metropolitan School District (MMSD) to provide Educational Resource Officers for the four MMSD high schools for a three-year term, through the 2012-2013 school year.

Sponsors: David J. Cieslewicz and Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

82. [19215](#) Accepting the terms and conditions outlined within a Letter of Intent ("LOI"), authorizing the execution of a Purchase and Sale Agreement ("Agreement"), and adopting the final Legally Binding Agreement ("LBA") to accommodate Porchlight Inc. ("Porchlight") at 4002 Nakoosa Trail; and, amending the City's previously submitted Redevelopment Plan, Homeless Assistance Submission, and Public Comment documents regarding the Truman Olson United States Army Reserve Center (1402 S. Park Street) property accordingly, authorizing submission by the Community Development Authority of said revised documents to the Federal Government, and execution of the LBA by the Community Development Authority upon acceptance by the United States Department of Housing and Urban Development.

Sponsors: Lauren Cnare

Additional Referrals: Community Development Authority, Plan Commission, Community Development Block Grant Committee, Water Utility Board

This Resolution was Referred to the BOARD OF ESTIMATES

83. [19240](#) Amending the CDBG 2010 adopted operating budget to recognize an additional \$7.2 million in Department of Energy grant revenues and associated expenditures and providing for the creation of 1.0 FTE Limited Term Employees (a 1.0 FTE Grants Administrator 1) to administer the grant.

Sponsors: Marsha A. Rummel

This Resolution was Referred to the BOARD OF ESTIMATES

84. [19244](#) Authorizing the City of Madison to accept a grant from the Federal American Recovery Reinvestment Act (ARRA) U.S. Department of Energy (DOE) in the amount of \$7,200,000 and to use these funds for energy efficiency and conservation activities, amending the 2009 CDBG Operating Budget, and authorizing the Mayor and City Clerk to sign appropriate agreements to accept the funds and implement the program, and authorizing the Community Development Division to issue a Memorandum of Understanding with Wisconsin Energy Conservation Corporation for provision of specified services, and amending the 2010 CDBG Operating budget to provide for \$7.2M in additional revenues and associated expenditure authority.

Sponsors: Marsha A. Rummel

Additional Referrals: Community Development Block Grant Committee

This Resolution was Referred to the BOARD OF ESTIMATES

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

85. [19109](#) K. Feist, 3049 Maple Valley Dr., #304, Madison, 53719 - personal injury - \$1000.00.
- This Claim was Referred to the Risk Manager**
86. [19111](#) E. Eifler, 201 N. Livingston St., Madison, 53703 - vehicle damage - \$619.81.
- This Claim was Referred to the Risk Manager**
87. [19133](#) P. Veltum for WI Dept. of Administration, Division of State Facilities, P.O. Box 7866, Madison, 53707-7866 - property damage - \$5,550.00.
- This Claim was Referred to the Risk Manager**
88. [19135](#) R. Puls, 431 21st St., Prairie du Sac, 53578 - vehicle damage - \$1,930.01.
- This Claim was Referred to the Risk Manager**
89. [19172](#) D. Kovacs and J. Abraham, Hupy and Abraham, S.C., for Eugene L. George, 611 Nightingale Ln., Cottage Grove, 53527 - personal injury - \$50,000.00.

This Claim was Referred to the Risk Manager

90. 19182 NOTICE OF CIRCUMSTANCES OF CLAIM - David D. Relles, Relles, Long & Milliken, LLP, attorney for F. Reategui Panduro, 312 Maple St., Madison, 53704 - pain and suffering, wage loss and scarring - greater than \$1.00.

This Claim was Referred to the Risk Manager

91. 19228 John Smerlinski, Smerlinski Law Office, attorney for T. Munoz, 1905 Scott Ln., Madison, 53704 - personal injury - \$15,000.00.

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.

92. [19112](#) Reallocating funds from the Neighborhood House youth program to a variety of currently funded youth programs within the Community Resources Program and authorizing the Mayor and the City Clerk to enter into amendments with those agencies to expand their 2010 currently funded youth programs.

Sponsors: Lauren Cnare and Brian L. Solomon

Enactment No: RES-10-00643

Note: This is also item #30 on this agenda for adoption.

93. [19129](#) Indicating the City of Madison's interest in partnering with Dane County and our municipal neighbors to develop, build, operate and maintain a state-of-the-art countywide radio communications system that would allow - but not mandate - full interoperability.

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

Note: This is also item #64 on this agenda for adoption.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

- [19055](#) Adopting the *Greenbush-Vilas Neighborhood Housing Revitalization Strategy Report* as a supplement to the Greenbush Neighborhood Plan.

Sponsors: David J. Cieslewicz and Julia S. Kerr

Additional Referrals: Board of Estimates, Board of Public Works, Board of Park Commissioners, Community Development Authority, Economic Development Committee.

This Resolution was Referred to the PLAN COMMISSION

ADJOURNMENT @ 8:33 PM

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adjourn at 8:33 p.m. in honor of welcoming Ald. Solomon back. The motion passed by voice vote/other.