



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, December 14, 2010

6:30 PM

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

ROLL CALL

Present: 19 - 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
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Excused: 1 - Judy Compton

Non Voting: 1 - David J. Cieslewicz

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

HONORING RESOLUTIONS

1. [20638](#) Commending and expressing appreciation to John Swee, Administrative Clerk 1, upon his retirement from City Service.
Sponsors: David J. Cieslewicz, Shiva Bidar-Sielaff, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Judy Compton, Bryon A. Eagon, Julia S. Kerr, Steve King, Bridget R. Maniaci, Larry Palm, Thuy Pham-Remmele, Satya V. Rhodes-Conway, Marsha A. Rummel, Jed Sanborn, Chris Schmidt, Michael Schumacher, Paul E. Skidmore, Brian L. Solomon and Michael E. Verveer

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-10-00950

2. [20790](#) Commending, honoring and expressing thanks and appreciation to Tom Adamowicz, Housing Inspection Supervisor, upon his retirement from City service.
Sponsors: David J. Cieslewicz, Shiva Bidar-Sielaff, Tim Bruer, Joseph R. Clausius, Mark Clear, Lauren Cnare, Judy Compton, Bryon A. Eagon, Julia S. Kerr, Steve King, Bridget R. Maniaci, Larry Palm, Thuy Pham-Remmele, Satya V. Rhodes-Conway, Marsha A. Rummel, Jed Sanborn, Chris Schmidt, Michael Schumacher, Paul E. Skidmore, Brian L. Solomon and Michael E. Verveer

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-10-00951

PETITIONS AND COMMUNICATIONS

PETITIONS REFERRED TO THIS MEETING

- 3. [20561](#) Petition received in the Madison City Clerk's Office November 11, 2010 from Joseph A. Schutz, regarding attachment from the Town of Burke to the City of Madison.
Sponsors: Common Council By Request

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

EARLY PUBLIC COMMENT

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 BOARD OF PUBLIC WORKS

- 4. [20126](#) Approving Plans, Specifications, and Schedule Of Assessments for Williamson Street and South Ingersoll Street Assessment District - 2011.
Sponsors: BOARD OF PUBLIC WORKS
Adopt at Common Council meeting on 1/18/2011.
A motion was made by Ald. Rummel, seconded by Ald. Verveer, to Re-refer for Recessed Public Hearing to the COMMON COUNCIL, due back on 1/18/2011. The motion passed by voice vote/other.

- 5. [20593](#) Approving Plans, Specifications, and Schedule Of Assessments for University Avenue, Paunack Place and Forest Street Resurfacing Assessment District - 2011.
Sponsors: BOARD OF PUBLIC WORKS
A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.
Enactment No: RES-10-00952

- 6. [20594](#) Approving Plans, Specifications, and Schedule Of Assessments for University Avenue, Highland Avenue, Van Hise Avenue and Walnut Street Reconstruction Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00953

REPORT OF PLAN COMMISSION

- 7. [20285](#) Creating Section 28.06(2)(a)3505. 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)3506. 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 Fourth Floor Addition to Existing Office Building to Create One Residential Unit and Additional Office Space: 13th Aldermanic District; 120 East Lakeside Street.

Sponsors: Common Council By Request

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

Enactment No: ORD-10-00116

- 8. [20467](#) Creating Section 28.06(2)(a)3507. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District and W Wetland District to C2 General Commercial District, and creating Section 28.06(2)(a)3508. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District and W Wetland District to W Wetland District. Proposed Use: Rezoning to Facilitate Future Residential Redevelopment; 3rd Aldermanic District: 4002 Nakoosa Trail.

Sponsors: Lauren Cnare

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

Enactment No: ORD-10-00117

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

CONFIRMATION HEARING

- 9. [20645](#) Submitting the name of Lucia Nunez for confirmation of a five-year term as the Civil Rights Department 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: RES-10-00954

- 10. [20701](#) Submitting the name of Gregg McManners for confirmation of a five-year term as Monona Terrace Community and Convention Center 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: RES-10-00955

APPOINTMENTS

- 11. [20652](#) Report of the Mayor submitting citizen committee appointments (introduced 11-30-2010; action 12-14-2010).

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

- 12. [20659](#) 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 voice vote/other.

- 13. [20758](#) Report of the Mayor submitting citizen committee appointments (introduced 12-14-2010; action 1-4-2011).

Sponsors: David J. Cieslewicz

Confirm at Common Council Meeting on 1/4/2011. 2/3 Vote Required.

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 1/4/2011. The motion passed by voice vote/other.

RESOLUTIONS

- 14. [20796](#) Authorizing the Mayor and City Clerk to execute maintenance contracts as needed for software support and maintenance services from sole-source providers.

Sponsors: David J. Cieslewicz

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-10-00956

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 15. [20805](#) Alcohol License Review Committee Report of Operator License Applications December 8, 2010. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

- 16. [19244](#) SECOND SUBSTITUTE - Providing additional detail in describing the EECBG-funded programs to be administered by City CD Division staff, and authorizing the Mayor and City Clerk to execute the requisite agreements necessary to implement the goals and objectives of these programs.

Sponsors: 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-10-00957

- 17. [20606](#) Approving Facade Improvement Grants to: 817 E. Johnson Street (The Project Lodge, Creative Performances), 823 E. Johnson Street (The Jewel in the Lotus, Yoga Studio), 418 E. Wilson Street (The Cardinal) and 923 Williamson Street (Food Matters, LLC).

Sponsors: Bridget R. Maniaci 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: 17 - Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Larry Palm
Joseph R. Clausius
Michael Schumacher
Mark Clear

Noes: 2 - Jed Sanborn
Thuy Pham-Remmele

Excused: 1 - Judy Compton

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00958

18. [20629](#) Authorizing the Mayor, City Clerk and Chief of Police to accept \$15,000 in overtime funds from the US Marshals Service in conjunction with our participation in their Joint Law Enforcement Fugitive Apprehension Squad.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-10-00959

19. [20630](#) Amending Secs 35.02(7) and 35.025(4) of the Madison General Ordinances to establish 2011 Sewer Utility Rates (including Landfill Remediation Fees) effective January 1, 2011 and amending Sec. 37.05(4) of the Madison General Ordinances to establish 2011 rates for the Public Stormwater System.

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-10-00118

- 20. [20634](#) Authorizing the Mayor and City Clerk to execute an agreement to fund a Madison Capital Revolving Fund loan to Tilt Media, Inc. to assist in making improvements to the building located at 3209 Latham Drive.

Sponsors: Tim Bruer

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

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

- Noes:** 2 - Thuy Pham-Remmele
Jed Sanborn

- Excused:** 1 - Judy Compton

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

Enactment No: RES-10-00960

- 21. [20636](#) Authorizing the execution of an Offer to Sell and Gift Real Estate with Scott M. Faust (“Seller”) for the purchase of two lots located at 2724 and 2728 Waunona Way for the expansion of Esther Beach Park and authorizing the amendment of the 2010 Parks Capital Budget for the acquisition of the lots.

Sponsors: Tim Bruer and Joseph R. Clausius

A motion was made by Ald. Clear, seconded by Ald. Bruer, to Adopt - 15 Votes Required . The motion passed by the following vote:

Ayes: 17 - Lauren Cnare
 Michael E. Verveer
 Shiva Bidar-Sielaff
 Marsha A. Rummel
 Steve King
 Bryon A. Eagon
 Paul E. Skidmore
 Brian L. Solomon
 Chris Schmidt
 Satya V. Rhodes-Conway
 Julia S. Kerr
 Tim Bruer
 Larry Palm
 Joseph R. Clausius
 Michael Schumacher
 Mark Clear
 Bridget R. Maniaci

Noes: 2 - Thuy Pham-Remmele
 Jed Sanborn

Excused: 1 - Judy Compton

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00961

22. [20643](#) Authorizing and Awarding \$13,135,000 Sewer System Revenue Bonds, Series 2010-F, and Establishing Interest Rates Thereon

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt - 15 Votes Required . The motion passed by the following vote:

Ayes: 19 - 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
 Joseph R. Clausius
 Michael Schumacher
 Mark Clear
 Thuy Pham-Remmele
 Jed Sanborn
 Bridget R. Maniaci
 Lauren Cnare
 Michael E. Verveer
 Shiva Bidar-Sielaff

Excused: 1 - Judy Compton

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00962

AGENDA NOTE: Board of Estimates will be meeting on 12-14-2010 and a recommendation will be made from the floor.

23. [20651](#) Creating a new position (1.0 FTE) of Cross Connection Control Inspector in the Water Utility budget, and deleting a vacant Water Meter Mechanic 2 position.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00963

24. [20653](#) Authorizing the Mayor and City Clerk to enter into a Purchase of Service agreement with Porchlight, Inc. to operate a Transit For Jobs & Economic Self Sufficiency program utilizing City of Madison Miscellaneous Appropriation funds as identified in the 2011 adopted operating budget.

Sponsors: David J. Cieslewicz, 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-10-00964

25. [20654](#) Approving services and programs to be administered by the Community Development Division during 2011, as recommended by the Community Services and CDBG Committees as part of their joint 2011-2012 funding process, and for which aggregate Division funding was previously approved by Council as part of the City's 2011 Adopted Operating Budget; and authorizing the Mayor and City Clerk to execute all requisite agreements with the designated community agencies.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer, Lauren Cnare, Marsha A. Rummel 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-10-00965

26. [20657](#) Reallocating unused funds, originally allocated for expanded services to the Brentwood Neighborhood, from the Vera Court Neighborhood Center to the Northside Planning Council, who will serve as the fiscal agent for the implementation of other projects serving the Brentwood neighborhood and authorizing the Mayor and City Clerk to enter into an agreement with the Northside Planning Council.

Sponsors: Satya V. Rhodes-Conway

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

Enactment No: RES-10-00966

27. [20658](#) Amending the 2010 Operating Budget of the Parks Division by transferring \$62,000 from the dog park fund for the creation of two new off leash dog parks.

Sponsors: Satya V. Rhodes-Conway, Larry Palm, Joseph R. Clausius and Paul E. Skidmore

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

Enactment No: RES-10-00967

28. [20660](#) Authorizing the Mayor and City Clerk to execute an amendment to the lease with Madeline J. Rice allowing for the City's continued use of space at 204 Cottage Grove Road for the operation of the Pinney Branch Library.

Sponsors: Larry Palm

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

Enactment No: RES-10-00968

29. [20663](#) Adopting and confirming the Labor Agreement between the City of Madison and Teamsters Union Local 695 for the period January 1, 2010 to December 31, 2012.

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-10-00119

30. [20668](#) Seeking Common Council approval of 2010-2011 Signature Art Grant awards as recommended by the Madison Arts Commission.

Sponsors: Marsha A. Rummel

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

- 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
Tim Bruer
Larry Palm
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele
Bridget R. Maniaci
Lauren Cnare

Noes: 1 - Jed Sanborn

Excused: 1 - Judy Compton

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00969

31. [20679](#) Appropriating \$5,744,000 from the General Fund balance to agency budgets, the Capital Projects Fund and the Workers Compensation Fund to cover various unbudgeted expenditures during 2010.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt - 15 Votes Required . The motion passed by the following vote:

Ayes: 18 - 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
Joseph R. Clausius
Michael Schumacher
Mark Clear
Jed Sanborn
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer

Noes: 1 - Thuy Pham-Remmele

Excused: 1 - Judy Compton

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00970

32. [20718](#) Amending Section 22.20(3) of the Madison General Ordinances to increase various weights and measures fees and create a fee for Farmers Market scale.

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-10-00120

REPORT OF BOARD OF PUBLIC WORKS

33. [20106](#) Awarding Public Works Contract No. 6529, Engineering Office Remodel - 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-10-00971

34. [20518](#) Declaring the City of Madison's intention to exercise its police powers establishing the North Carroll Street and West Dayton Street Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00972

35. [20536](#) Awarding Public Works Contract No.6302, Warner Park Bleacher 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-10-00973

36. [20537](#) Awarding Public Works Contract No. 6578, Hudson Park Sewer Sliplining.

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-10-00974

37. [20595](#) Authorizing the City to enter into an attachment agreement with Joseph A. Schutz for the purpose of allowing the connection of his Town of Burke property located at 4963 Bultman Road to City of Madison sanitary sewer facilities.

Sponsors: Joseph R. Clausius

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

Enactment No: RES-10-00975

38. [20596](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Warner Park Parking Lot Reconstruction - Phase 2.
- 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-10-00976
39. [20598](#) Improvements accepted for Tennis Court Resurfacing 2010, Contract No. 6411.
- 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-10-00977
40. [20607](#) Improvements Accepted - Paint High Point Road Elevated Tank, Contract No. 6239.
- 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-10-00978
41. [20608](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Junction Road Relief Storm Sewer - 2011, Contract No. 6617. (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-10-00979
42. [20610](#) Approving Addendum No. 1 to Target at Hilldale, Contract No. 2247. (11th 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-10-00980

43. [20611](#) Approving plans and specifications for public improvements necessary for the project known as 4620 Frey Street PUD (Hilldale Hurrah Plat) and authorizing construction to be undertaken by the Developer, Private Contract No. 2961. (11th 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-10-00981

44. [20613](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Tenney Park Pavilion, Contract No. 6308. (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS 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: RES-10-00982

45. [20628](#) Declaring the City of Madison's intention to exercise its police powers establishing the Turner Avenue Sidewalk 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-10-00983

46. [20637](#) Improvements accepted for Fisher Street Water Main Reconstruction - Contract 6501 (13th 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-10-00984

47. [20656](#) Approving Addendum No. 1 to Grandview Commons - Phase 16, Contract No. 2263. (3rd AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00985

48. [20671](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 1501 Monroe Street, Private Contract No. 2192.

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-10-00986

49. [20673](#) Accepting sanitary sewer, storm sewer, and street improvements constructed by Private Contract In 530 & 610 Junction Road - PUD, Private Contract No. 2165.

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-10-00987

50. [20675](#) Accepting sanitary sewer constructed by Private Contract In 702 N. Midvale Boulevard (Hilldale Center, Phase 2) PUD, Private Contract No. 2137.

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-10-00988

51. [20676](#) Accepting storm sewer constructed by Private Contract In 702 N. Midvale Boulevard (Hilldale Center, Phase 2) PUD, Private Contract No. 2137.

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-10-00989

52. [20677](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 505-555 S. Midvale Boulevard (Midvale Plaza) PUD - Phase I, Private Contract No.2102.
- 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-10-00990

53. [20678](#) Accepting storm sewer constructed by Private Contract In 505-555 S. Midvale Boulevard (Midvale Plaza) PUD - Phase I, Private Contract No. 2102.
- 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-10-00991

REPORT OF HOUSING COMMITTEE

54. [20131](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas LaFleur, his 2011 contract for professional services as Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.
- Sponsors:** Bridget R. Maniaci and 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: RES-10-00992

55. [20132](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas Boykoff, his 2011 contract for professional services as Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.
- Sponsors:** Bridget R. Maniaci and 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: RES-10-00993

REPORT OF THE LONG RANGE TRANSPORTATION PLANNING COMMITTEE

- 56. [20239](#) Providing the Wisconsin Department of Transportation with the City of Madison's comments on the Supplemental Draft Environmental Impact Statement (SDEIS) for the Verona Road/USH 18/151 Project.

Sponsors: David J. Cieslewicz and Brian L. Solomon

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

Enactment No: RES-10-00994

AGENDA NOTE: The Long Range Transportation Planning Committee will be meeting on December 9, 2010 and a recommendation will be made from the floor.

REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

- 57. [20279](#) Creating Section 12.1332(67) of the Madison General Ordinances to prohibit parking except for common motor carriers on a segment of the north side and south side of Balsam Road.

Sponsors: Thuy Pham-Remmele

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

Enactment No: ORD-10-00121

REPORT OF PARK COMMISSIONERS

- 58. [20626](#) Authorizing the Mayor and City Clerk to execute a Donation and Naming Right Agreement Regarding the Tenney Park Shelter Project between the Madison Parks Foundation and the City of Madison. (AD#2)

Sponsors: David J. Cieslewicz, Joseph R. Clausius, Paul E. Skidmore 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: RES-10-00995

REPORT OF RISK MANAGER

- 59. [19594](#) A. Jasniewski, 445 W. Johnson St., # 303, Madison, 53703 - 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.

60. [20144](#) M. Varvodic, 1004 E. Dayton St., #5, Madison, 53703 - property damage - \$130.00.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**
61. [20276](#) S. DeLaRosa, 2364 Jackson St., #160, Stoughton, 53589 - personal injury - \$6,335.00.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**
62. [20294](#) L. Leis - 4306 Mayor Ave., Madison, 53716 - personal injury - \$490.53.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**
63. [20297](#) K. Zimmerman, 3806 Sunbrook Rd., Madison, 53704 - vehicle damage - \$314.22.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**
64. [20485](#) E. Gaschignard, 186 Ohio Ave., Madison, 53704 - property damage - \$23,890.00.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**

REPORT OF TRANSIT/ PARKING COMMISSION

65. [20290](#) Amending Sec. 23.05(1), Sec. 23.05(3)(a) and creating Sec. 23.05(4)(e) of the Madison General Ordinances to include vehicular entrances to City parking ramps and prohibiting smoking in all stairwells of City parking ramps and within 10 feet of the entrance to a City parking ramp.
- 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: ORD-10-00122

REPORT OF URBAN DESIGN COMMISSION

66. [20082](#) AN ALTERNATE Repealing Sec. 31.041(1)(c) to eliminate the requirement of using permit tags on signs, amending Secs. 31.03(2), 31.041(2), 31.044, 31.14(2), 31.14(2)(b)3. and 31.15(3) of the Madison General Ordinances regarding noncommercial message signs and other temporary signs that are exempt from permit, and amending Sec. 31.04(5)(h) regarding construction requirements for certain ground signs.

Sponsors: 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: ORD-10-00123

ITEMS REFERRED TO THIS MEETING

REPORTS

67. [20320](#) 2009 Annual Report on the Representation and Salaries of Women, Racial/Ethnic Minorities and People with Disabilities within the City of Madison's Top Management Positions

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

68. [20631](#) Report of City Clerk regarding Election Official Appointments.

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

RESOLUTIONS

69. [18498](#) Repealing Sections 4.07(1) and (2) and creating Sections 4.07(1) through (11) of the Madison General Ordinances to provide for installment payment of real property tax and personal property taxes for improvements on leased land and establish payment procedures for personal property tax, special charges, special assessments and special taxes.

Sponsors: Mark Clear

Re-Refer to Common Council Meeting on 2/22/2011 to adopt.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Re-refer to a Future Meeting to Adopt--(Sent to) to the COMMON COUNCIL and should be returned by 2/22/2011. The motion passed by voice vote/other.

70. [20248](#)

SUBSTITUTE ALTERNATE Acknowledging private ownership and operation of the Overture Center, establishing a City commitment to future grants to Overture subject to annual appropriation, and setting terms and conditions for such grants.

Sponsors: Mark Clear, Lauren Cnare, Michael Schumacher, Joseph R. Clausius, David J. Cieslewicz, Michael E. Verveer, Judy Compton and Satya V. Rhodes-Conway

A motion was made by Ald. Verveer, seconded by Ald. Bidar-Sielaff, to Adopt the Following Friendly Amendment(s) and make it part of the main motion. See attachment for Amendment. The motion passed by voice vote/other.

Enactment No: RES-10-00996

A motion was made by Ald. Maniaci, seconded by Ald. Rummel, to Adopt the Following Amendment(s): Section L. 1. Change last two sentences to say: This includes existing operating systems, IT, temporary fixtures, furniture, artwork and equipment. If 201 determines that it will dispose of personal property prior to material monetary value without replacement, 201 shall inform the City of such disposition. This motion failed voice vote/other.

A motion was made by Ald. Schmidt, seconded by Ald. Palm, to Adopt the Following Amendment(s): Exhibit A, number 3 F. Add the words "Prior to" to the beginning of the last sentence so it reads: Prior to 201 also shall post on its website the time and location of its Board and Committee meetings. This motion failed voice vote/other.

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

Ayes: 14 - Steve King
Bryon A. Eagon
Brian L. Solomon
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Joseph R. Clausius
Michael Schumacher
Mark Clear
Jed Sanborn
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff

Noes: 5 - Marsha A. Rummel
Paul E. Skidmore
Chris Schmidt
Larry Palm
Thuy Pham-Remmele

Excused: 1 - Judy Compton

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00996

71. [20639](#) Authorizing the Mayor to directly solicit donations from third parties for the Congress for the New Urbanism to be held at Monona Terrace Community and Convention Center in June 2011.

Sponsors: David J. Cieslewicz, Michael E. Verveer and Michael Schumacher

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

Enactment No: RES-10-00997

72. [20666](#) Urging the University of Wisconsin-Madison to reconsider its decision to contract out food service operations at the Wisconsin Institute of Discovery and to hire Union workers instead.

Sponsors: Marsha A. Rummel

A motion was made by Ald. Rummel, seconded by Ald. Maniaci, to Adopt. The motion FAILED by voice vote/other.

Ayes: 8 - Marsha A. Rummel
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Tim Bruer
Bridget R. Maniaci
Michael E. Verveer
Shiva Bidar-Sielaff

Noes: 7 - Bryon A. Eagon
Julia S. Kerr
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele
Lauren Cnare

Abstentions: 4 - Steve King
Paul E. Skidmore
Larry Palm
Jed Sanborn

Excused: 1 - Judy Compton

Non Voting: 1 - David J. Cieslewicz

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

73. [20625](#) Creating Section 28.06(2)(a)3513. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Revised general development plan for future construction of a 63-unit apartment building; 13th Aldermanic District; 1012 Fish Hatchery Road.

Sponsors: Common Council By Request

Plan Commission 1/10/2011; Common Council 1/18/2011.

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

74. [20750](#) Amending Secs. 33.07(7)(e), (k)7. and (7)(l) and repealing Sec. 33.07(7)(q) of the Madison General Ordinances to update various subdivisions of the Best Value Contracting Ordinance.

Sponsors: Larry Palm

Return to Common Council 1/4/2011.

This Ordinance was Referred to the BOARD OF PUBLIC WORKS

75. [20752](#) Creating Sec. 28.09(5)(c)3. of the Madison General Ordinances to allow the keeping of up to six (6) chickens in the C4 district.

Sponsors: David J. Cieslewicz and Michael E. Verveer

Plan Commission 1/10/2011; Common Council 1/18/2011.

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

76. [20768](#) Creating Section 28.06(2)(a)3516 of the Madison General Ordinances rezoning property from R1 Single-Family Residence District to R2 Single-Family Residence District. Proposed Use: Demolish single-family residence to provide open space for adjacent residences and re-divide three (3) parcels into two lots with conforming zoning; 19th Aldermanic District; 5428 Lake Mendota Drive.

Sponsors: Common Council By Request

Plan Commission 1/10/2011; Common Council 1/18/2011.

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

REPORTS

77. [20753](#) Report: Central Park Design & Implementation Task Force - December 6, 2010 Request to Extend Work.

Sponsors: Marsha A. Rummel and Joseph R. Clausius

Accept at Common Council Meeting on 1/4/2011.

This Report was Referred to the COMMON COUNCIL

RESOLUTIONS

78. [20710](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a Project Safe Neighborhoods award from the State of Wisconsin Office of Justice Assistance in the amount of \$60,000 and to utilize these funds toward crime prevention and anti-gang enforcement efforts.

Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

79. [20735](#) (BY TITLE ONLY) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement for the preparation of plans and specifications for the construction of a new water tower at Madison Water Utility Unit Well 20 (7th AD)

Sponsors: Lauren Cnare and Larry Palm

This Resolution was Referred to the WATER UTILITY BOARD

80. [20743](#) Authorizing the Mayor and the City Clerk to execute a Contract for Purchase of Services between the City and Assurance Inspection Services, Inc. for HOME-assisted Rental Unit Inspection Services.

Sponsors: Tim Bruer

This Resolution was Refer to the BOARD OF ESTIMATES

81. [20745](#) Authorizing an Addendum to the Annexation / Attachment Agreement between the City of Madison and Cherokee Park Development, Inc.

Sponsors: Michael Schumacher

This Resolution was Referred to the BOARD OF ESTIMATES

82. [20749](#) SUBSTITUTE Authorizing the creation of a Mansion Hill-James Madison Park Neighborhood Small Cap TIF Program in Tax Incremental District #32 (Upper State Street) to provide funding for the purchase and/or rehabilitation of rental properties to owner-occupied properties.

Sponsors: Michael E. Verveer and Bridget R. Maniaci

This Resolution was Referred to the BOARD OF ESTIMATES

83. [20767](#) Authorizing the Mayor and City Clerk to enter into an agreement with Action Target Inc. to provide range equipment, materials, and services for the Phase 1 Shooting Range addition for the Madison Police Department Training Center, located at 5702 Femrite Drive, Project No. 53W1009, Contract No. 6627.
- Sponsors: David J. Cieslewicz, Judy Compton, Paul E. Skidmore and Steve King

This Resolution was Referred to the BOARD OF ESTIMATES

84. [20785](#) Authorizing the Mayor and City Clerk to enter into a contract with the University of Wisconsin's Applied Population Lab to maintain, update and refine the Neighborhood Indicators project.
- Sponsors: David J. Cieslewicz and Steve King

This Resolution was Referred to the BOARD OF ESTIMATES

85. [20787](#) Approving an extension of a provisional appointment for Mark Olinger until such time as the position of Director of Planning and Community and Economic Development is filled on a permanent basis.
- Sponsors: David J. Cieslewicz, Lauren Cnare and Julia S. Kerr
- Adopt at Common Council Meeting on 1/4/2011.

This Resolution was Referred to a future Meeting to Adopt to the COMMON COUNCIL

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

86. [20681](#) G. Hoffman, 7206 Sauk Dale Rd., Madison, 53717 - vehicle damage - \$1,275.71.

This Claim was Referred to the Risk Manager

87. [20692](#) M. Grant, PO Box 566, Madison, 53709 - property loss - \$68.00.

This Claim was Referred to the Risk Manager

88. 20694 K. Mier, 1326 Acewood Blvd., Madison, 53716 - property damage - \$85.00.

This Claim was Referred to the Risk Manager

89. 20748 Lee Atterbury, attorney for J. Maloney, 1726 Van Hise, #2, Madison - personal injury - \$3,513.03.

This Claim was Referred to the Risk Manager

90. [20751](#) NOTICE OF CIRCUMSTANCES OF CLAIMS: Eric J. Ryberg, Habush Habush & Rottier S.C., attorney for J. W. Powell, Jr., 2710 Dunwoody Dr., Madison, 53713 - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

91. 20769 R. Ellickson, 3438 Richard St., Madison, 53714 - property damage - \$4.50.

This Claim was Referred to the Risk Manager

92. [20771](#) AFNI Insurance Service, for American Family Insurance, for P. Brahce, 854 Terry Pl, Madison, 53711 - vehicle damage - \$8,754.44.

This Claim was Referred to the Risk Manager

93. 20772 K. Turk, 2810 Waunona Way, Madison, 53713 - property damage - \$500.00.

This Claim was Referred to the Risk Manager

****ADDENDUM****

LATE ITEMS

ITEMS REFERRED TO THIS MEETING

94. [16662](#) 4th SUBSTITUTE Amending Sections 32.12(8) and 32.12(9) of the Madison General Ordinances to modify the regulations for showing and re-renting rental premises.

Sponsors: Bridget R. Maniaci

Adopt at Common Council Meeting on 2/1/2011.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Re-refer to a Future Meeting to Adopt to the COMMON COUNCIL. The motion passed by voice vote/other.

95. [20275](#) 2009 Annual Report of the Affirmative Action Commission on the Representation of Women, Racial/Ethnic Minorities and People with Disabilities on City of Madison Committees, Commissions and Boards

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

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT at 11:37 pm

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adjourn at 11:37 PM. The motion passed by voice vote/other.