



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, February 28, 2012

6:30 PM

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

ROLL CALL

6:30PM, MAYOR PAUL R. SOGLIN IN THE CHAIR

Present: 19 - Paul R. Soglin
Lisa Subeck
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Chris Schmidt
Satya V. Rhodes-Conway
Sue Ellingson
Larry Palm
Jill Johnson
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 2 - Brian L. Solomon
Tim Bruer

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: Ald. Bruer and Ald. Solomon.

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

HONORING RESOLUTIONS

1. [25400](#) Commending Library Director Barbara Dimick on her retirement from the City of Madison after 36 years of service, the last 17 as Director of the Madison Public Library.

Sponsors: Paul R. Soglin, 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, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by Palm, seconded by 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-12-00110

2. [25424](#) Proclaiming February 18, 2012 as "FIRST Robotics Day" and congratulating students, teachers and advisors on creating a successful and educational event in the City of Madison.

Sponsors: Lauren Cnare, Shiva Bidar-Sielaff, Paul R. Soglin, 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, Brian L. Solomon, Lisa Subeck, Michael E. Verveer and Anita Weier

A motion was made by Cnare, seconded by 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-12-00111

- 3. [25454](#) Congratulating UW student radio station, WSUM **97.1** FM, on their Tenth Anniversary.

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

A motion was made by Maniaci, seconded by Clear, 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-12-00112

PETITIONS AND COMMUNICATIONS

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

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

- 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 PLAN COMMISSION

4. [24275](#)

SUBSTITUTE Creating Section 9.53 to provide for a license for keeping honeybees and amending portions of Chapter 28 of the Madison General Ordinances of the conservancy, agriculture, and residential districts to allow the keeping of honeybees as a permitted use.

Sponsors: Satya V. Rhodes-Conway, Marsha A. Rummel and Michael E. Verveer

A motion was made by Subeck, seconded by Verveer, to Adopt the Following Amendment:

Add to all districts allowing this use: "Where a hive or hives are located on the property of a multiple family dwelling, a fly-away barrier at least 6 feet in height shall be on all sides of the hive(s) located no more than 10 feet away from the hive(s)."

The motion failed by the following vote:

Ayes: 6 - Lisa Subeck
Bridget R. Maniaci
Lauren Cnare
Chris Schmidt
Sue Ellingson
Jill Johnson

Noes: 12 - Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Satya V. Rhodes-Conway
Larry Palm
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 2 - Brian L. Solomon
Tim Bruer

Non Voting: 1 - Paul R. Soglin

[24275](#)

2nd SUBSTITUTE Creating Section 9.53 to provide for a license for keeping honeybees and amending portions of Chapter 28 of the Madison General Ordinances of the conservancy, agriculture, and residential districts to allow the keeping of honeybees as a permitted use.

Sponsors: Satya V. Rhodes-Conway, Marsha A. Rummel and Michael E. Verveer

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

Enactment No: ORD-12-00025

5. [24356](#) Adopting an amendment to the Generalized Future Land Use Plan Map in the City of Madison Comprehensive Plan.
- Sponsors:** Lauren Cnare
- Plan Commission 3-5-2012, Common Council 3-20-2012
- A motion was made by Bidar-Sielaff, seconded by Rhodes-Conway, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION for the 3-5-2012 meeting. The motion passed by voice vote/other.**
6. [24620](#) SUBSTITUTE Creating Section 28.06(2)(a)3570.of the Madison General Ordinances rezoning property from A Agriculture and PUD (GDP) Planned Unit Development (General Development Plan) District and PUD (SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and create Section 28.06(2)a)3571 of the Madison General Ordinance rezoning property from A Agriculture, and PUD (GDP) Planned Unit Development (General Development Plan) District and PUD (SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and R2T Single-Family Residence District. Proposed Use: General Development Plan for 109,000 sq. ft. of future retail/office, a 24,000 sq. ft. library, 110 multi-family units and a subdivision plan for 18 single-family lots, 5 town center lots and 1 outlot. 3rd Aldermanic District: 6002 Cottage Grove Road, 5901-5939 Sharpsburg Drive and 857 Jupiter Drive.
- Sponsors:** PLAN COMMISSION
- Plan Commission 3-5-2012, Common Council 3-20-2012
- A motion was made by Bidar-Sielaff, seconded by Clear, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION for the 3-5-2012 meeting. The motion passed by voice vote/other.**

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF PUBLIC WORKS

7. [25232](#) Approving Plans, Specifications, And Schedule Of Assessments For Utility Replacement with Resurfacing Assessment District - 2012.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Bidar-Sielaff, seconded by King, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-12-00113

- 8. [25233](#) Approving Plans, Specifications, And Schedule Of Assessments For West Gorham Street, North Henry Street and North Frances Street Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00114

REPORT OF PLAN COMMISSION

- 9. [24913](#) Creating Section 28.06(2)(a)3578. 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)3579. 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: General Development Plan and Specific Implementation Plan for St. Paul's University Catholic Center including the construction of a new six-story building with church and student center, and the continuation of the existing uses until construction commences: 8th Aldermanic District; 723 State Street.

Sponsors: Planning Division

A motion was made by Bidar-Sielaff, seconded by Clausius, to Adopt with Conditions and Close the Public Hearing. The motion passed by the following vote:

- Ayes:** 16 - Lisa Subeck
 Lauren Cnare
 Michael E. Verveer
 Shiva Bidar-Sielaff
 Steve King
 Scott J. Resnick
 Paul E. Skidmore
 Chris Schmidt
 Satya V. Rhodes-Conway
 Sue Ellingson
 Larry Palm
 Jill Johnson
 Joseph R. Clausius
 Anita Weier
 Mark Clear
 Matthew J. Phair

- Noes:** 2 - Bridget R. Maniaci
 Marsha A. Rummel

Excused: 2 - Brian L. Solomon
Tim Bruer

Non Voting: 1 - Paul R. Soglin

Enactment No: ORD-12-00019

10. [25021](#) Creating Section 28.06(2)(a)3582. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3583. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Construct a 5-story, 14-unit apartment building; 8th Aldermanic District; 202-206 North Brooks Street.

Sponsors: Planning Division

Plan Commission 3-5-2012

A motion was made by Bidar-Sielaff, seconded by King, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

11. [25023](#) Creating Section 28.06(2)(a)3580. 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)3581. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Construct a 12-story mixed-use building with 30,000 sq. ft. of commercial space and 215 apartment units. 2nd Aldermanic District; 754 East Washington Avenue and 741 East Mifflin Street.

Sponsors: Planning Division

Plan Commission 3-19-2012

A motion was made by Bidar-Sielaff, seconded by King, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION for the 3-19-2012 meeting. The motion passed by voice vote/other.

12. [25041](#) Creating Section 28.06(2)(a)3584. of the Madison General Ordinances rezoning property from Temp A Agriculture District to A Agriculture District. Proposed Use: Assign Permanent City Zoning to University Ridge Golf Course and AJ Noer Turf Facility; No New Construction is Proposed With This Request. 1st Aldermanic District: 9002-9202 McKee Road/2002-2602 South Pleasant View Road/2501 Woods Road/8701 Mid Town Road.

Sponsors: Planning Division

A motion was made by Bidar-Sielaff, seconded by Verveer, to Adopt with the Recommendations of the Plan Commission and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-12-00020

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

13. [25271](#) Report of the Mayor submitting citizen committee appointments (introduction 2-7-2012; action 2-28-2012).

Sponsors: Paul R. Soglin

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

14. [25428](#) Report of the Mayor submitting citizen committee appointments (introduction 2-28-2012; action 3-6-2012).

Sponsors: Paul R. Soglin

Confirm 3-6-2012.

A motion was made by Cnare, seconded by Bidar-Sielaff, to Refer to the COMMON COUNCIL. The motion passed by voice vote/other.

CONSIDERATION OF OVERRIDE OF MAYORAL VETO

15. [24556](#) Public Hearing - New License
Irwin A and Robert D Goodman Community Center, Inc
dba Irwin A and Robert D Goodman Community Center
149 Waubesa St • Agent: Rebecca Steinhoff • Estimated Capacity: 250
Class B Combination Liquor & Beer • 5% alcohol, 95% food
Aldermanic District 6 (Alder Rummel) • Police Sector 602

A motion was made by Rummel, seconded by Cnare, to Override Mayoral Veto. The motion passed by the following vote:

Ayes: 18 - Lisa Subeck
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Chris Schmidt
Satya V. Rhodes-Conway
Sue Ellingson
Larry Palm
Jill Johnson
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 2 - Brian L. Solomon
Tim Bruer

Non Voting: 1 - Paul R. Soglin

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

16. [25420](#) Authorizing the Mayor and City Clerk to enter into an agreement with Baker Tilly Virchow Krause, LLP to provide a financial feasibility analysis of developing 3rd party owned solar systems at various facilities.

Sponsors: Lauren Cnare and Satya V. Rhodes-Conway

A motion was made by Cnare, seconded by 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-12-00115

17. [25422](#) Urging the administrator of the Environmental Protection Agency, Lisa P. Jackson, and President Barack Obama to move swiftly to fully employ and enforce the Clean Air Act to do our part to reduce carbon in our atmosphere to no more than 350 parts per million.

Sponsors: Marsha A. Rummel, Shiva Bidar-Sielaff, Michael E. Verveer, Sue Ellingson, Scott J. Resnick, Joseph R. Clausius, Anita Weier, Satya V. Rhodes-Conway, Paul R. Soglin, Steve King, Chris Schmidt and Bridget R. Maniaci

A motion was made by Cnare, seconded by 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-12-00116

ITEM(S) FOR RECONSIDERATION

18. [25065](#) Report dated January 17, 2012 re: Board, Committee, Commission, Ad Hoc Committee & Subcommittee Members who have not filed the Statement of Interests Form.

A motion was made by Schmidt, seconded by King, to Reconsider. The motion passed by voice vote/other.

A motion was made by Schmidt, seconded by Bidar-Sielaff, to Accept the revised report. The motion passed by voice vote/other.

REPORTS OF OFFICERS**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

19. [23310](#) 3rd SUBSTITUTE Creating Section 25.10 of the Madison General Ordinances to prohibit Nuisance Parties and amending Section 1.08(3)(a) of the Madison General Ordinances to establish bail amounts for this section.

Sponsors: Paul E. Skidmore

A motion was made by Resnick, seconded by Verveer, to Adopt the Following Amendment(s). The motion passed by voice vote/other.

add: 25.10 (9) Annual Review. The effect of this ordinance shall be reviewed every year. In addition to any public feedback, a report shall be prepared by City staff, including the Alcohol Policy Coordinator and the Police Department, and shared with the following committees: the Alcohol License Review Committee; Public Safety Review Committee; and Common Council. This review will be due December 1st of each year, with the first report due December 1st, 2012. This report will include: 1) information regarding house parties dispersed by the Police; 2) number of citations issued relating to house parties; 3) the average and maximum fines imposed for a house party; 4) Number of parties deemed a nuisance under this ordinance. This information should be organized by Police Districts. In addition, the report should include any qualitative information gathered by city staff on the subject of house parties in Madison that may be relevant to the various committees and Common Council.

A motion was made by Verveer, seconded by Bidar-Sielaff, to Adopt the Following Amendment(s). The motion passed by voice vote/other.

Amendment language: 25.10(6)(b) 1. ..", no charges shall be filed against the premises owner for allowing a second nuisance party."

A motion was made by Verveer, seconded by Bidar-Sielaff, to Adopt the Following Amendment(s). The motion passed by voice vote/other.

The following language is to be added to 25.10 (9): "This section shall expire on March 31, 2014 unless extended by the Common Council prior to the expiration date."

A motion was made by Bidar-Sielaff, seconded by Verveer, to Adopt With Amendment(s). The motion passed by voice vote/other.

Enactment No: ORD-12-00021

- 20. [25440](#) Alcohol License Review Committee Report of Operator License Applications February 28, 2012. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

- 21. [24778](#) SUBSTITUTE Creating Sections 39.07 and 33.07(7)(k)13. of the Madison General Ordinances to require contractors to provide benefits to employees with domestic partners that are equal to the benefits offered and provided to married employees.

Sponsors: Michael E. Verveer, Paul R. Soglin, Shiva Bidar-Sielaff, Lauren Cnare, Lisa Subeck, Matthew J. Phair, Scott J. Resnick, Marsha A. Rummel, Sue Ellingson, Satya V. Rhodes-Conway, Brian L. Solomon, Joseph R. Clausius, Mark Clear and Larry Palm

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

Enactment No: ORD-12-00022

- 22. [25053](#) Accepting a proposal from Dawn O’Kroley for the purchase of the residential structure located at 646 East Gorham Street within James Madison Park and authorizing staff to negotiate final terms for the purchase of the residential structure and a lease of the land beneath it.

Sponsors: Mark Clear and Joseph R. Clausius

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

Enactment No: RES-12-00117

23. [25109](#) Amending the 2012 Operating Budgets for Engineering, Sewer Utility, Stormwater Utility and Landfill for the reassignment of 2 positions and the creation of 1 position, and Appropriating \$6,212 from the Contingent Reserve.

Sponsors: Paul R. Soglin

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by the following vote:

- Ayes:** 18 - Lisa Subeck
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Chris Schmidt
Satya V. Rhodes-Conway
Sue Ellingson
Larry Palm
Jill Johnson
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

- Excused:** 2 - Brian L. Solomon
Tim Bruer

- Non Voting:** 1 - Paul R. Soglin

Enactment No: RES-12-00118

24. [25142](#) SUBSTITUTE - Authorizing the Madison Police Department to contract with LeadsOnline to provide access to an electronic database of sales and purchases from secondhand dealers, and amending the 2012 Operating Budget for the associated revenues and expenditures and the addition of one new position.

Sponsors: Michael E. Verveer

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

Enactment No: RES-12-00119

25. [25174](#) Canceling or reducing budget authorization totaling \$23,541,858 for certain projects authorized in the 2011 Capital Budget.

Sponsors: Paul R. Soglin and Lauren Cnare

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

Enactment No: RES-12-00120

26. [25182](#) Create a new 1.0 FTE position of Architect 3-LTE in the Engineering Division budget to be posted and filled through an internal competitive process. Upon filling the position, the Architect 2 LTE (pos. #4309) assignment in the Engineering Division will be ended.

Sponsors: Paul R. Soglin

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

Enactment No: RES-12-00121

27. [25198](#) A resolution required by the Department of Workforce Development for the reauthorizing of the City of Madison's Self-Insured Worker's Compensation Program.

Sponsors: Paul R. Soglin

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

Enactment No: RES-12-00122

28. [25216](#) Amending the 2012 Adopted Operating Budgets of the Community Development Division and the Finance Department to transfer a 1.0 FTE Grant Writer position and associated salary and benefit expense from CDD to Finance.

Sponsors: Paul R. Soglin, Lauren Cnare, Shiva Bidar-Sielaff, Mark Clear, Satya V. Rhodes-Conway and Marsha A. Rummel

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by the following vote:

Ayes: 18 - Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Chris Schmidt
Satya V. Rhodes-Conway
Sue Ellingson
Larry Palm
Jill Johnson
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Lisa Subeck

Excused: 2 - Brian L. Solomon
Tim Bruer

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-12-00123

29. [25241](#) Amending the 2012 Public Health Operating Budget to allow for the carryforward of two grants from 2011.

Sponsors: Matthew J. Phair

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

Ayes: 18 - Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Chris Schmidt
Satya V. Rhodes-Conway
Sue Ellingson
Larry Palm
Jill Johnson
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Lisa Subeck
Paul R. Soglin

Excused: 2 - Brian L. Solomon
Tim Bruer

Non Voting: 1 - Bridget R. Maniaci

Enactment No: RES-12-00124

30. [25246](#) Authorizing the Director of the Department of Planning & Community & Economic Development to issue a Request for Proposals (“RFP”) for consultant services to hire a private-sector work team to partner with City staff on the preparation of a Madison Sustainability Commerce Center Feasibility Study (“Study”), and authorizing a City staff team to select the work team consultant(s) to prepare said Study.

Sponsors: Bridget R. Maniaci and Marsha A. Rummel

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

Enactment No: RES-12-00125

31. [25256](#) Amending Sec. 38.05(3)(c), creating Sec. 38.05(3)(f)3., amending Secs. 38.06(11)(k) and (12)(e) of the Madison General Ordinances to increase noticing fees and entertainment licenses fees.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-12-00023

32. [25394](#) Authorizing the City Treasurer to notify the State of Wisconsin Department of Administration to distribute amounts determined for the school levy tax credit and the lottery and gaming credit for the City of Madison directly to the City Treasurer.

Sponsors: Lauren Cnare

A motion was made by Cnare, seconded by 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-12-00126

REPORT OF BOARD OF PARK COMMISSIONERS

33. [25148](#) Amending Section 8.24(1)(b) of the Madison General Ordinances to regulate alcohol beverage control at Breese Stevens Field.

Sponsors: Bridget R. Maniaci and Mark Clear

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

Enactment No: ORD-12-00024

34. [25203](#) Authorizing the Execution of a Quit Claim Deed for 5203 Harbor Court to Constance Dougherty.

Sponsors: Mark Clear and Paul R. Soglin

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

Enactment No: RES-12-00127

35. [25223](#) Authorizing the Mayor and the City Clerk to enter into an Agreement with Madison Fireworks Fund, Inc. to provide the 2012 Rhythm & Booms Independence Day firework celebration at Warner Park.

Sponsors: Paul R. Soglin, Anita Weier and Satya V. Rhodes-Conway

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

Enactment No: RES-12-00128

36. [25258](#) SUBSTITUTE. Authorizing the Board of Parks Commissioners and the Parks Division to Disregard certain ~~the~~ Breese Stevens Athletic Field Deed Restrictions.

Sponsors: Bridget R. Maniaci, Mark Clear and Paul R. Soglin

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

Enactment No: RES-12-00129

REPORT OF BOARD OF PUBLIC WORKS

37. [24562](#) Authorizing the Mayor and City Clerk to execute a Project Agreement for Construction of Central Park with the State of Wisconsin Department of Transportation with the use Federal grant money .

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00130

38. [24868](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Warner Park Service Meter and Enclosure Installation - Contract 6335 (12TH AD).

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Cnare, seconded by Bidar-Sielaff, to Re-refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

39. [25022](#) Amending the 2012 Public Health and Engineering Operating Budget to appropriate \$25,000 for a study to establish a baseline level of contamination for sediment, soil, vegetation and water at Warner Park and the Lagoons.

Sponsors: Anita Weier

A motion was made by Weier, seconded by Bidar-Sielaff, 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
Scott J. Resnick
Chris Schmidt
Satya V. Rhodes-Conway
Sue Ellingson
Larry Palm
Jill Johnson
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Lisa Subeck

Noes: 1 - Paul E. Skidmore

Excused: 2 - Brian L. Solomon
Tim Bruer

Non Voting: 1 - Paul R. Soglin

Enactment No: RES-12-00131

Note: Legislative file #25022 requires 15 votes for approval.

40. [25038](#) Improvements accepted for water service laterals by private contract to serve: Owl's Creek - Phase II - Contract #2055 (16th AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-12-00132
41. [25039](#) Improvements accepted for water service laterals by private contract to serve: Owl's Creek - Phase I - Contract #2054 (16th AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-12-00133
42. [25040](#) Improvements accepted for water service laterals by private contract to serve: First Addition to Nelson's Addition to Rustic Acres - Contract #2042 (3rd AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-12-00134
43. [25052](#) Approving the City of Madison Standard Specifications for Public Works Construction, 2012 Edition.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-12-00135
44. [25073](#) Improvements accepted for water main and water service laterals by private contract to serve: Truax Sewer and Water Relocation (12th AD).
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-12-00136

45. [25110](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for CIPP Rehab of Sanitary Sewers - 2012 Phase 1, Contract No. 6856. (10th, 19th, 20th & 6th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00137

46. [25185](#) Awarding Public Works Contract No. 6311, West Lakelawn Place Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00138

47. [25186](#) Awarding Public Works Contract No. 6778, Camden Road Street Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00139

48. [25187](#) Awarding Public Works Contract No. 6793, North Orchard Street & Spring Street Reconstruction Assessment District - 2012.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00140

49. [25188](#) Awarding Public Works Contract No. 6798, Resurfacing 2012 - Curb & Gutter and Castings.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00141

50. [25189](#) Awarding Public Works Contract No. 6799, Resurfacing 2012 - Asphalt Pavement Pulverizing.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00142
51. [25190](#) Awarding Public Works Contract No. 6800, Resurfacing 2012 - Asphalt Paving.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00143
52. [25191](#) Awarding Public Works Contract No. 6810, Warner Park Parking Lot Reconstruction - Phase 3.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00144
53. [25192](#) Awarding Public Works Contract No. 6824, South Fairchild Street, West Doty Street & South Carroll Street Assessment District - 2012.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00108
54. [25193](#) Awarding Public Works Contract No. 6437, Madison Central Public Library - Remodel & Renovation - General Construction.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-12-00109

55. [25208](#) Authorizing the City Engineer to disburse \$5,000 to 122 State Street Group for the removal of one underground storage tank (UST) from the public right-of-way along West Dayton Street at 122 State 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 Cnare, seconded by Bidar-Sielaff, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-12-00145

56. [25237](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Cherokee Park Playground Improvements, Contract No. 6864. (18th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00146

57. [25238](#) Authorizing Amendment No. 1 to Contract 6585 between the City of Madison and Strang Inc. in the amount of \$6,600 for extra architectural and engineering design services for Fire Station No. 2 Remodel at 421 Grand Canyon Drive.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00147

58. [25239](#) Resolution Authorizing The Mayor And City Clerk To Apply For And Accept A Wisconsin Department of Natural Resources (WDNR) Lake Planning Grant To Test in and Around Warner Park Lagoons for Possible Contaminants Related to Fireworks Displays. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-12-00148

REPORT OF CITY CLERK

59. [25438](#) Secondhand Precious Metals Dealer License
Gold Buyers at the Mall, LLC
dba Gold Buyers at the Mall
89 East Towne Mall

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

60. [25439](#) Secondhand Precious Metals Dealer License
Gold Buyers at the Mall, LLC
dba Gold Buyers at the Mall
66 West Towne Mall

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

REPORT OF PLAN COMMISSION

61. [24357](#) Amending the Sprecher Neighborhood Development Plan to revise the land use recommendations for lands located within and adjacent to the Grandview Commons Neighborhood Center Mixed Use District.

Sponsors: Lauren Cnare

Plan Commission 3-5-2012, Common Council 3-20-2012

A motion was made by Bidar-Sielaff, seconded by Verveer, to Re-refer to the PLAN COMMISSION for the 3-5-2012 meeting, expected back for the 3-20-2012 meeting of the Common Council. The motion passed by voice vote/other.

REPORT OF RISK MANAGER

62. [25161](#) S. Hyatt, 26 S. Bryan St., Madison, 53714 - vehicle damage - \$1186.88.

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

63. [25283](#) J. Grunert, 132 Second St., Lodi, 53555 - vehicle damage - \$3,595.55.

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

ITEMS REFERRED TO THIS MEETING

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

64. [25319](#) Creating Section 28.06(2)(a)3586. 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)3587. 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: Amend PUD to allow engraving business in existing commercial building; 11th Aldermanic District; 3822 Mineral Point Road

Sponsors: Planning Division

Plan Commission 3-19-2012, Common Council 4-10-2012

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION meeting of 3-19-2012, expected to return at the Common Council meeting of 4-10-2012.

65. [25345](#) Amending Section 28.08(6)(b)5.d. of the Madison General Ordinances to remove the distance requirement between Bed and Breakfast establishments in the R5 District.

Sponsors: Marsha A. Rummel, Mark Clear and Steve King

Plan Commission 3-19-2012, Common Council 4-10-2012

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION meeting of 3-19-2012, expected to return at the Common Council meeting of 4-10-2012

66. [25355](#) Amending Sec. 39.01(4) and Sec. 39.02 of the Madison General Ordinances to revise the title of Affirmative Action Division Head and expand the duties of the Affirmative Action Commission.

Sponsors: Joseph R. Clausius

This Ordinance was Referred to the AFFIRMATIVE ACTION COMMISSION

67. [25361](#) Amending Section 33.02(2) of the Madison General Ordinances to change the composition of the Alcohol License Review Committee.

Sponsors: Paul R. Soglin

Additional Referral: Common Council Organization Committee

This Ordinance was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

68. [25387](#) Amending Sec. 33.31 of the Madison General Ordinances to change the name of the Sustainable Design and Energy Committee to the Sustainable Madison Committee, modifying the make-up of the Committee and setting the terms for members and alternates.

Sponsors: Satya V. Rhodes-Conway

Additional Referral: Common Council Organization Committee

This Ordinance was Referred to the SUSTAINABLE DESIGN AND ENERGY COMMITTEE

RESOLUTIONS

69. [25320](#) Establishing a Glass-Free Zone for the West Mifflin Street area 8:00 a.m. on May 5, 2012 through 6:00 a.m. on May 6, 2012

Sponsors: Scott J. Resnick and Michael E. Verveer

This Resolution was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

70. [25356](#) Amending the 2012 Operating Budget for Engineering to fund a pilot program to perform landscape maintenance for traffic medians with City staff and appropriating \$15,000 from the Contingent Reserve.

Sponsors: Paul R. Soglin, Paul E. Skidmore, Satya V. Rhodes-Conway, Lauren Cnare, Joseph R. Clausius, Larry Palm and Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

71. [25360](#) Vacation/Discontinuance of a portion of Evan Acres Road and a portion of Savannah Road as platted in Blooming Grove Assessor's Plat No. 10, being located in the Northeast one-quarter (1/4) and the Southeast one-quarter (1/4) of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin. (16th AD)

Sponsors: Jill Johnson

Additional Referral: Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS 3-21-2012 meeting.

72. [25376](#) Establishing a voluntary program that would allow commissioned employees to voluntarily purchase heavy body armor (capable of stopping rifle rounds) for on-duty use, utilize the department's bulk purchasing power to order the body armor, and establish a repayment mechanism by which the cost of the heavy body armor would be recovered through deductions taken from the employee's paycheck.

Sponsors: Matthew J. Phair, Paul E. Skidmore and Jill Johnson

Additional Referral: Board of Estimates

This Resolution was Referred to the PUBLIC SAFETY REVIEW COMMITTEE

73. [25393](#) Authorizing the City of Madison to transfer certain personnel records to Dane County pursuant to the Intergovernmental Agreement creating the Department of Public Health for Madison and Dane County

Sponsors: Paul R. Soglin

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

74. [25396](#) To adjust the Child Care Assistance income guidelines to keep them in line with the poverty guidelines published by the U.S. Department of Health and Human Services and adopted by the State and to reflect inflationary increases.

Sponsors: Anita Weier

This Resolution was Referred to the BOARD OF ESTIMATES

75. [25399](#) Authorizing the Mayor and City Clerk to enter into a gift and naming right agreement with the Irwin A. and Robert D. Goodman Foundation for the multi-use (bicycle and pedestrian) path extending eastward from the Goodman/Atwood Community Center on Waubesa Street to the Marsh View Path at Highway 30. (6th AD)

Sponsors: Paul R. Soglin, Joseph R. Clausius, Larry Palm and Marsha A. Rummel

Additional Referral: Board of Public Works

This Resolution was Referred to the BOARD OF ESTIMATES

- 76. [25423](#) Authorizing the award of a grant of BREWD funds in an amount not to exceed \$200,000 to The Constellation Project LLC for the demolition, remediation, and redevelopment of property at 754 E. Washington Avenue and 741 E. Mifflin Street; rescinding RES-11-00546 (Legistar #22676) for a previously-approved \$325,000 BREWD grant; and, amending the adopted 2012 Adopted Budget of the Brownfields Remediation Revolving Loan Fund by reauthorizing \$325,000 in total grant expenditures, with \$200,000 in expenditures reallocated to the Constellation Project LLC, with the balance of \$125,000 available for future projects.

Sponsors: Satya V. Rhodes-Conway, Marsha A. Rummel and Bridget R. Maniaci

This Resolution was Referred to the BOARD OF ESTIMATES

- 77. [25425](#) Authorizing the execution of a Purchase Agreement with First Business Bank for a vacant property located at 733 S. Junction Road for the South Junction Road/CTH M reconstruction project.

Sponsors: Paul E. Skidmore

Additional Referrals: Plan Commission, Board of Public Works

This Resolution was Referred to the BOARD OF ESTIMATES

- 78. [25426](#) Resolution authorizing a double-fill of the Community Development Division Director due to the retirement of Bill Clingan.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

- 79. [25427](#) Authorizing the Mayor and City Clerk to execute a contract for telephone services and leased circuits.

Sponsors: Satya V. Rhodes-Conway

This Resolution was Referred to the BOARD OF ESTIMATES

- 80. [25433](#) Authorizing the Common Council to accept ownership from the Carpenter-Ridgeway Neighborhood Association of two "Little Libraries" located within the Lexington Avenue right of way and the Starkweather Creek bike path corridor, as well as a neighborhood entrance sign located within the Burke Avenue right of way.

Sponsors: Larry Palm

Additional Referral: Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

81. [25434](#) Authorizing the Madison Police Department to accept a traffic safety grant totaling \$8,000.00 from Dane County for traffic enforcement activities along Beltline Hwy 12 & 18 corridor and access points.
- Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

82. 25326 A. Ziegler, 7316 Demby Rd., Arena, 53503 - vehicle damage - \$1476.66.

This Claim was Referred to the Risk Manager

83. 25338 C. Baker, 908 S. Sheldon St., Richland Center, 53581 - vehicle damage - \$3,447.05.

This Claim was Referred to the Risk Manager

84. [25362](#) S. Kell, 413 Luster Ave., Madison, 53704 - property damage - \$4,174.80.

This Claim was Referred to the Risk Manager

85. [25363](#) D. Hanusa, 2872 Dunton Cir., Madison, 53711 - property damage - \$478.00.

This Claim was Referred to the Risk Manager

86. [25368](#) NOTICE OF CIRCUMSTANCES: Randall M. Aronson, Weigel, Carlson, Blau & Clemens, attorney for V. Jackson, 4637 Attusic Way #110, Madison, 53711 - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

87. 25369 J. Harper, Henkels & McCoy Inc., 515 Huffines Blvd., Lewisville, TX 75056 - vehicle damage - \$6,770.01.

This Claim was Referred to the Risk Manager

- 88. [25441](#) R. Van Susteren, 1646 Baker Ave., Madison 53705 - property damage - \$925.00.

This Claim was Referred to the Risk Manager

ADDENDUM

LATE ITEMS

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 OF ADDING ADDITIONAL REFERRALS.

There were none.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

[25489](#) Thanking the Selection Committee for its report on the purchase and redevelopment of City-owned property on the 800 Block of East Washington Avenue.

Sponsors: Bridget R. Maniaci

Adopt at the 3-6-2012 Common Council meeting.

A motion was made by Maniaci, seconded by Bidar-Sielaff, to Refer to the COMMON COUNCIL. The motion passed by voice vote/other.

ADJOURNMENT @ 9:07 PM

A motion was made by Bidar-Sielaff, seconded by Verveer, to Adjourn at 9:07 PM. The motion passed by voice vote/other.