



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://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](http://www.madisoncitychannel.tv).*

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Tuesday, April 30, 2013

6:30 PM

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

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### Roll Call

at 6:30 p.m. Mayor Paul R. Soglin in the chair.

**Present:** 21 - Paul R. Soglin  
Lisa Subeck  
Ledell Zellers  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Maurice S. Cheeks  
Chris Schmidt  
Larry Palm  
Sue Ellingson  
John Strasser  
David Ahrens  
Denise DeMarb  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair

### 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.

**HONORING RESOLUTIONS**

1. [29853](#) Proclaiming May 5 - 11, 2013 as Public Service Recognition Week in Madison, Wisconsin in honor of the millions of public employees at the federal, state, county, and city levels.  
  
**Sponsors:** Chris Schmidt, Scott J. Resnick, Paul R. Soglin, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Denise DeMarb, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

**A motion was made by Schmidt, seconded by Resnick, 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-13-00307

2. [29892](#) Congratulating the 2012-2013 Madison Memorial Boys Swimming and Diving Team on winning the WIAA Division 1 State Title.  
  
**Sponsors:** Mark Clear, Paul R. Soglin, Chris Schmidt, Scott J. Resnick, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Lauren Cnare, Denise DeMarb, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

**A motion was made by Clear, seconded by Resnick, 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-13-00308

**PETITIONS AND COMMUNICATIONS****COMMUNICATIONS**

3. [29833](#) Motion by John W. Moore for a resolution to revoke the Non-Alcoholic Beverage and Food licenses for State Street Brats, 663 State Street.

**A motion was made by Schmidt, seconded by Resnick, to Refer to the CITY ATTORNEY. The motion passed by voice vote/other.**

**EARLY PUBLIC COMMENT****SPECIAL ORDER OF BUSINESS AT 6:45 PM****SPEAKING GUIDELINES**

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. [29482](#) Vacation/Discontinuance of South Side Way (formerly Raywood Road) from the existing southern right-of-way line of Moorland Road / Raywood Road to the south terminus of said South Side Way (formerly Raywood Road) as dedicated by Certified Survey Maps 668, 1635 and 1698, being located in part of the Northeast one-quarter (1/4) of the Northeast one-quarter (1/4), and the Northwest one-quarter (1/4) of the Northeast one-quarter (1/4), and the Northwest one-quarter (1/4) of the Northeast one-quarter (1/4) of Section 31, Town 7 North, Range 10 East, City of Madison (formerly Town of Blooming Grove), Dane County, Wisconsin. (14th AD)

And authorizing the Mayor and City Clerk to execute Release of Right-of-Way Reservation documents administered by Office of Real Estate Services staff, reference Real Estate Project #10058, for various portions of reserved right-of-way for South Side Way per CSM 1635 at the Raywood Road intersection, right-of-way reservation for South Side Way continuation south to E. Clayton Road and Larsen Road and an un-named E-W right-of-way reservation connection to USH 14 / McCoy Road.

**Sponsors:** Paul R. Soglin and Tim Bruer

**A motion was made by Schmidt, seconded by Resnick, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**

Enactment No: RES-13-00309

**REPORT OF PLAN COMMISSION**

5. [29453](#) Amending Sections 33.24(4)(b) and (c), repealing Section 33.24(7)(a), and creating Section 28.151(g), Multi-Family Building Complexes, of the Madison General Ordinances to replace a reference to "Rowhouses" with "Multi-Family Building Complex."

**Sponsors:** Steve King and Chris Schmidt

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

Enactment No: ORD-13-00069

#### END OF PUBLIC HEARINGS

#### BUSINESS PRESENTED BY THE MAYOR

6. [29763](#) Report of the Mayor submitting citizen committee appointments (introduction 4-16-2013; action 4-30-2013).

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Confirm. The motion passed by voice vote/other.**

7. [29915](#) Report of the Mayor submitting citizen committee appointments (introduction 4-30-2013; action 5-7-2013).

**Sponsors:** Paul R. Soglin

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

8. [29917](#) Report of the Mayor submitting alder committee appointments.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Confirm. The motion passed by voice vote/other.**

#### CONFIRMATION HEARING

9. [29456](#) Submitting the appointment of Katherine K. Cornwell for confirmation of a five-year term as the Planning Division Director.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00298

10. [29682](#) Submitting the appointment of Kevin Briski for confirmation of a five-year term as the Parks Superintendent.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00299

## **BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL**

11. [29927](#) Appointments to the Common Council Organizational Committee 2013-2014

**A motion was made by Schmidt, seconded by Resnick, to Confirm Under Suspension of Rules 2.04, 2.05, 2.24 & 2.25. The motion passed by voice vote/other.**

## **REPORTS OF OFFICERS**

### **REPORT OF BOARD OF ESTIMATES**

12. [29550](#) Authorizing the execution of an Purchase and Sale Agreement between the City of Madison and Badger Mill Creek LLC for the purchase of Outlot 5 and 6, Second Addition to Hawk's Creek subdivision, located at 2554 - 2556 Jeffy Trail for expansion of open space and storm water management purposes.

**Sponsors:** Lisa Subeck

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00300

13. [29628](#) Authorizing the City of Madison to accept a grant from the State of Wisconsin Department of Administration- Division of Housing in the amount of \$310,000 to provide down payment and closing cost assistance to low and moderate-income homebuyers, amending the 2013 Community Development Operating Budget, and authorizing the mayor and the City Clerk to enter into agreements necessary to accept the funds and implement the program.

**Sponsors:** Tim Bruer, Lauren Cnare and Matthew J. Phair

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00301

14. [29717](#) Authorizing the Mayor and City Clerk to sign a Sec. 66.0301 Intergovernmental Agreement with the Wisconsin Department of Transportation (WISDOT) for the use of fiber optic communication strands.

**Sponsors:** Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00302

15. [29719](#) Authorizing the Mayor and City Clerk to sign a Sec. 66.0301 Intergovernmental Agreement with the Board of Regents of the University of Wisconsin System (UW) for the use and installation of conduit in the City's right-of-way.

**Sponsors:** Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00303

16. [29722](#) Recreate the 0.5 FTE position #760 of "Assistant Programming Coordinator" (CG20-10), currently occupied by T. Anderson, as a 0.6 FTE position of "Program Assistant 1" (CG20-11) in the Information Technology budget.

**Sponsors:** Paul R. Soglin

**A motion was made by Verveer, seconded by Bidar-Sielaff, to Refer to the COMMON COUNCIL and should be returned by 5/7/2013. The motion passed by voice vote/other.**

17. [29739](#) SUBSTITUTE Authorizing the purchase of Outlot 2 of World Dairy Campus from World Dairy Campus Owners Association, Inc. in conjunction with the replatting of said Outlot 2 pursuant to the proposed BioAg Gateway Replat; and, amending DPCED Project No. 18 (Account No. 823901) and Water Utility Project No. 2 by adding \$200,000 for the relocation of an existing water main located in Outlot 2.

**Sponsors:** Denise DeMarb, Chris Schmidt and Shiva Bidar-Sielaff

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00304

18. [29746](#) Authorizing the Mayor and City Clerk to enter into an agreement between the City of Madison and the consultant selected through the RFP process to provide consulting engineering services for maintenance of City of Madison Parking Utility parking structures and other facilities.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00305

19. [29767](#) Amending Section 3.32(7)(a) of the Madison General Ordinances to provide vacation to those employees required to serve a probation period in excess of six months.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-13-00068

20. [29770](#) Allocating funds appropriated in the 2013 Operating Budget for prior year encumbrances to match actual carry forward encumbrances in various departmental accounts and increasing the Contingent Reserve by \$11,712.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by the following vote:**

**Ayes:** 20 - Lisa Subeck  
Ledell Zellers  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Maurice S. Cheeks  
Chris Schmidt  
Larry Palm  
Sue Ellingson  
John Strasser  
David Ahrens  
Denise DeMarb  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair

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

Enactment No: RES-13-00310

21. [29773](#) Authorizing the Mayor and City Clerk to enter into an agreement with Engberg Anderson to provide pre-design, conceptual design, and schematic design services for the interior improvements and expansion of the Meadowridge Branch Library and the Meadowood Neighborhood Center.

**Sponsors:** Larry Palm, Matthew J. Phair and Steve King

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00311

22. [29787](#) To authorize the Mayor and City Clerk to enter into an Operating Agreement between the City of Madison and Brittingham Boats, Inc. covering boat rental and concession operations utilizing certain lands and buildings at Brittingham Park for an eight year period. (ADs 4 & 13)

**Sponsors:** Sue Ellingson and Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00312



- 23.     [29804](#)           Amending the 2013 Madison Central Public Library Capital Budget and authorizing amendments to existing contracts with Meyer, Scherer Rockcastle, Ltd. and Sustainable Engineering Group for costs related to a pipe break at the Central Library.

**Sponsors:**       Larry Palm and Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by the following vote:**

- Ayes:** 20 - Lisa Subeck  
 Ledell Zellers  
 Lauren Cnare  
 Michael E. Verveer  
 Shiva Bidar-Sielaff  
 Marsha A. Rummel  
 Steve King  
 Scott J. Resnick  
 Paul E. Skidmore  
 Maurice S. Cheeks  
 Chris Schmidt  
 Larry Palm  
 Sue Ellingson  
 John Strasser  
 David Ahrens  
 Denise DeMarb  
 Joseph R. Clausius  
 Anita Weier  
 Mark Clear  
 Matthew J. Phair

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

Enactment No: RES-13-00313

**REPORT OF BOARD OF PUBLIC WORKS**

- 24.     [29279](#)           Awarding Public Works Contract No. 7040, Warner Park Service Meter and Enclosure Installation.

**Sponsors:**       BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, to Place On File Without Prejudice. The motion passed by voice vote/other.**

- 25.     [29280](#)           Awarding Public Works Contract No. 7045, Upgrading Booster Pumps at Unit Well 20.

**Sponsors:**       BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, to Place On File Without Prejudice. The motion passed by voice vote/other.**

26. [29447](#) Approving public works improvement plans for 6002 Cottage Grove Road - Cops Market, construction to be undertaken by the Developer, Private Contract No. 2331 (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00314

27. [29570](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract 7101 - Booster Pumping Station 106 Reconstruction (5th AD).

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00315

28. [29581](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Tokay Blvd and Wright St.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00316

29. [29598](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Traffic Engineering Building C, Roof Replacement

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00317

30. [29656](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract #7044 - Breese Stevens Field Lighting/Sound System Improvements

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00318

31. [29685](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Unit Well 26 Generator Addition (9th AD).

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00319

32. [29709](#) Authorizing the execution of an Underground Gas Line Easement to Madison Gas and Electric Company across a portion of a City Engineering storm water retention parcel located at 1729 Sawtooth Lane.

**Sponsors:** Lisa Subeck

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00320

33. [29726](#) Authorizing the execution of a Non-Exclusive Permanent Limited Easement for private sidewalk and fiber optic cable purposes to Dean Health Plan Inc. and Newcomb Properties, LLC across City Stormwater Utility Parcel 533 located at 8308 Excelsior Drive.

**Sponsors:** Paul E. Skidmore

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00321

34. [29780](#) Declaring the City of Madison's intention to exercise its police powers establishing the 4000 Commercial Avenue Streetlight Assessment District. (17th AD)

**Sponsors:** Joseph R. Clausius

**A motion was made by Schmidt, seconded by Resnick, 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-13-00322

35. [29789](#) Awarding Public Works Contract No. 6978, Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Work Ordered (District 12) by the Common Council

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00323

36. [29790](#) Awarding Public Works Contract No. 6989, Chip Sealing 2013-East

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00324

37. [29791](#) Awarding Public Works Contract No. 6990, Chip Sealing 2013 - West

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00325

38. [29792](#) Awarding Public Works Contract No. 7000, Repairing and Sealing Pavement Cracks, Local Streets - 2013

**A motion was made by Schmidt, seconded by Resnick, 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-13-00326

39. [29795](#) Declaring the City of Madison's intention to exercise its police powers establishing the Stoughton Road - Voges Road Turn Lane Assessment District - 2013.

**Sponsors:** Jill Johnson

**A motion was made by Schmidt, seconded by Resnick, to Place On File Without Prejudice. The motion passed by voice vote/other.**

40. [29796](#) Awarding Public Works Contract No. 7001, Repairing and Sealing Pavement Cracks, Major Streets-2013

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00327

41. [29798](#) Awarding Public Works Contract No. 7069, 2013 Parking Garage Maintenance

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00328

42. [29799](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 7106, Brayton Lot Repairs.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00329

43. [29805](#) Authorizing an amendment to the contract between the City of Madison and Meyer, Scherer Rockcastle, Ltd., for extra architectural and engineering services.

**Sponsors:** Larry Palm and Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, 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-13-00330

44. [29806](#) Approving plans and specifications for public improvements necessary for the project known as 619-625 N. Henry Street and 145 Iota Court PUD authorizing construction to be undertaken by the Developer, Private Contract No. 2338. (2nd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00331

45. [29825](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the construction of the Ice Age Junction Path and Jeffy Path including a bridge over Upper Badger Mill Creek and related improvements, and authorizing the Mayor and City Clerk to execute an agreement and/or other documents with Dane County for construction cost sharing easements from Dane County Parks for portions of the path.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, 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-13-00332

46. [29826](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Warner Park Paths and Bridge Replacement.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, 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-13-00333
47. [29840](#) Awarding Public Works Contract No. 6505, Mezzanine Construction - Sycamore.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, 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-13-00334
48. [29841](#) Awarding Public Works Contract No. 6787, E. Johnson Street Path, First Street to Third Street - 2013.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, 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-13-00336
49. [29842](#) Awarding Public Works Contract No. 6834, Paunack Park Shoreline.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Schmidt, seconded by Resnick, 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-13-00335

**REPORT OF COMMUNITY SERVICES COMMITTEE**

50. [29756](#) Authorizing the City of Madison, through the Community Development Division, to amend various purchase of service contracts for the expansion of a youth employment initiatives to be implemented in June 2013 and amending the City operating budget as appropriate.

**Sponsors:** Paul R. Soglin, Lisa Subeck, Lauren Cnare, Scott J. Resnick, Matthew J. Phair and Steve King

**A motion was made by Strasser, seconded by Bidar-Sielaff to amend as follows: Include an additional \$15,000 to be provided to Simpson Street Free Press for summer youth employment programs.**

Enactment No: RES-13-00306

**A motion was made by Resnick, seconded by Subeck to amend the amendment as follows - Add the following text: Funding will be contingent on matching private dollars.**

Enactment No: RES-13-00306

**A motion was made by Rummel, seconded by Subeck to further amend the amendment as follows - Add the following: Simpson Street Free Press will work with City staff to determine employment outcomes for youth employment initiative to be implemented in June 2013.**

**The amended Amendment passed on a voice vote.**

Enactment No: RES-13-00306

**A motion was made by Schmidt, seconded by Resnick, to Adopt As Amended. The motion passed by voice vote/other.**

Enactment No: RES-13-00306

#### REPORT OF PLAN COMMISSION

51. [29227](#) Approving a Certified Survey Map of property owned by Tennyson Terrace, LLC located at 1902 Tennyson Lane and 3802 Packers Avenue; 12th Ald. Dist.

**Sponsors:** Common Council By Request

**A motion was made by Schmidt, seconded by Resnick, 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-13-00337



52. [29432](#) Approving a Certified Survey Map of property owned by St. Raphael's Congregation located at 120-142 W. Johnson Street and 129-139 W. Gorham Street; 4th Ald. Dist.

**Sponsors:** Planning Division

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by the following vote:**

**Ayes:** 11 - Lauren Cnare  
Michael E. Verveer  
Scott J. Resnick  
Paul E. Skidmore  
Maurice S. Cheeks  
Chris Schmidt  
Larry Palm  
David Ahrens  
Joseph R. Clausius  
Mark Clear  
Matthew J. Phair

**Noes:** 9 - Ledell Zellers  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Sue Ellingson  
John Strasser  
Denise DeMarb  
Anita Weier  
Lisa Subeck

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

Enactment No: RES-13-00341

#### REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC

53. [29818](#) Approving a Certified Survey Map of of property owned by T. Wall Residential/ Wingra Point, LLC located at 1033 High Street; 13th Ald. Dist.

**Sponsors:** Planning Division

**A motion was made by Schmidt, seconded by Resnick, 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-13-00339

54. [29819](#) Approving a Certified Survey Map of property owned by the City of Madison located at 1501 Moorland Road; 14th Ald. Dist.

**Sponsors:** Common Council By Request

**A motion was made by Schmidt, seconded by Resnick, 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-13-00340

55. [29854](#) Re-approving a Certified Survey Map of property owned by Hovde West Johnson, LLC and the City of Madison located at 305-325 W. Johnson Street and 316 W. Dayton Street; 4th Ald. Dist.

**Sponsors:** Planning Division

**A motion was made by Schmidt, seconded by Resnick, 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-13-00338

#### REPORT OF RISK MANAGER

56. [28961](#) E. Gigstad for Howard Johnson Plaza Hotel, 3841 E. Washington Ave., Madison, 53704 - property damage - \$3,600.00.

**A motion was made by Schmidt, seconded by Resnick, to Disallow. The motion passed by voice vote/other.**

57. [29411](#) C. Van Ness, property damage - \$499.13.

**A motion was made by Schmidt, seconded by Resnick, to Disallow. The motion passed by voice vote/other.**

58. [29517](#) S. Wood, American Family Ins. for J. & N. Risse Connolly - property damage - \$6,000.00.

**A motion was made by Schmidt, seconded by Resnick, to Disallow. The motion passed by voice vote/other.**

59. [29521](#) Wilber Ins. for USAA for C. Rink - vehicle damage - \$3,530.18.

**A motion was made by Schmidt, seconded by Resnick, to Disallow. The motion passed by voice vote/other.**

60. [29526](#) B. Doty - property loss - \$105.50.

**A motion was made by Schmidt, seconded by Resnick, to Disallow. The motion passed by voice vote/other.**

61. [29593](#) R. Morales - vehicle damage - greater than \$1.00.

**A motion was made by Schmidt, seconded by Resnick, to Disallow. The motion passed by voice vote/other.**

## ITEMS REFERRED TO THIS MEETING

### ORDINANCES

62. [29670](#) Adopting and confirming Revision No. 282 of the Madison General Ordinances as of March 15, 2013 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

**Sponsors:** Common Council By Request

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-13-00070

63. [29769](#) Repealing and recreating Section 3.13 of the Madison General Ordinances to update the Human Resources Department section.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-13-00071

## INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

### ORDINANCES

64. [29816](#) Creating Section 28.022 -- 00055 of the Madison General Ordinances rezoning property from PD-GDP (Planned Development- General Development Plan) District to PD-SIP (Planned Development - Specific Implementation Plan) District. Proposed Use: Construct 50-unit apartment building; 6th Aldermanic District; 1924 Atwood Avenue.

**Sponsors:** Planning Division

**A motion was made by Schmidt, seconded by Resnick, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.**

65. [29886](#) Amending Section 1.08(3)(a) of the Madison General Ordinances to update references in the bail deposit subsection.

**Sponsors:** Matthew J. Phair

**A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY. The motion passed by voice vote/other.**

66. [29895](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Water Community Outreach Specialist" in Compensation Group 18, Range 04.

**Sponsors:** Paul R. Soglin

Additional Referral: Personnel Board

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

67. [29899](#) Amending Section 34.308 of the Madison General Ordinances to remove the language charcoal burns and eliminate 34.308(2)(b) exception of LP-gas burners with automatic sprinkler system.

**Sponsors:** Lauren Cnare, Paul E. Skidmore, Joseph R. Clausius and Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, to Refer to the BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD. The motion passed by voice vote/other.**

68. [29901](#) Amending Section 3.35(2)(b) of the Madison General Ordinances to extend the Ethics Code exception for elected officials appointed by the City to other boards to also cover employees.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Refer to the ETHICS BOARD. The motion passed by voice vote/other.**

69. [29902](#) Amending Section 3.31 and 3.16 of the Madison General Ordinances to require that the Clerk, Deputy Clerk and Municipal Court Clerks file an official bond.

**Sponsors:** Paul R. Soglin

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

70. [29903](#) Repealing Section 7.01(1)(a) of the Madison General Ordinances to eliminate the Pest Management Advisory Committee.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.**

71. [29913](#) Amending Section 8.41 of the Madison General Ordinances to re-focus the charge of the Downtown Coordinating Committee.

**Sponsors:** Michael E. Verveer and Ledell Zellers

**A motion was made by Schmidt, seconded by Resnick, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.**

72. [29916](#) Repealing Section 39.02(3)(b) and renumbering Sections 39.02(3)(c) and (d) to Sections 39.02(3)(b) and (c), respectively, of the Madison General Ordinances to eliminate the alternate member positions of the Affirmative Action Commission.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.**

73. [29926](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of "Risk Manager" in CG18, Range 12, and creating the classification of "Risk Manager" in CG18, Range 15.

**Sponsors:** Paul R. Soglin

Additional referral: Personnel Board

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

**RESOLUTIONS**

74. [29479](#) Authorizing the Mayor and City Clerk to execute an Assignment and Assumption Agreement and Subordination of Mortgage allowing Ponwood Circle, LLC to assume all obligations as Borrower on a loan originally made to the Wisconsin Initiatives in Sustainable Housing, Inc. d/b/a WISH Trust for the property located at 132 Ponwood Circle, Unit A.
- Sponsors:** Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair
- Additional referral: Community Development Block Grant Committee
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other with Cheeks abstaining.**
75. [29630](#) Vacation/Discontinuance of Jeffy Trail right-of-way located in part of the SE ¼ of the NE ¼ of Section 3, Township 06 North, Range 08 East, in the City of Madison, Dane County, Wisconsin. (1st AD)
- Sponsors:** Lisa Subeck
- Additional referral: Plan Commission
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
76. [29736](#) Vacation/Discontinuance of a portion of N. Park Street, lying adjacent to Lot 1, Block 2, Madison Original Plat, being located in part of the Southwest one-quarter (1/4) of the Southwest one-quarter (1/4) Section 14, Township 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (8th AD)
- And authorizing the Mayor and City Clerk to accept public dedication for N. Park Street, being a part of Lot 10, Block 1, Madison Original Plat being located in part of the Southwest one-quarter (1/4) of the Southwest one-quarter (1/4) Section 14, Township 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (8th AD)
- And approving a maintenance agreement between the City of Madison and University of Wisconsin for the University of Wisconsin to maintain private improvements within the N. Park Street public right of way. The Mayor and City Clerk are hereby authorized and directed to execute an agreement between The City of Madison and University of Wisconsin for the Maintenance of portions of the N. Park Street public right of way.
- Sponsors:** Scott J. Resnick
- Additional referral: Plan Commission
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

77. [29834](#) Seeking Common Council approval of the 2013-2014 Arts Grants awards funding as recommended by the Madison Arts Commission.

**Sponsors:** Marsha A. Rummel

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

78. [29848](#) Authorizing the acceptance, at no cost to the City, of a warranty deed from FHB Investments, LLC for a wetland parcel located at 5302 Femrite Drive.

**Sponsors:** Denise DeMarb

Additional referral: Board of Public Works

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

79. [29866](#) Relating to 2013-2015 Taxicab Operators' License Renewals, pursuant to Section 11.06, Madison General Ordinances.

**Sponsors:** Chris Schmidt

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

80. [29868](#) Relating to 2013-2015 Pedal-Cab License Renewals, pursuant to Section 11.06, Madison General Ordinances.

**Sponsors:** Chris Schmidt

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

81. [29878](#) Creating the classification of "Plumber" in Compensation Group 71, Range 04.

**Sponsors:** Paul R. Soglin

Additional referral: Personnel Board

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

82. [29879](#) Recreate the 1.0 FTE position #3583 of Maintenance Worker (CG16, R 11), currently occupied by K. Humphrey, as a 1.0 FTE Maintenance Mechanic 1 (CG16, R 13) within the Water Utility budget, and reallocate the incumbent to the new position.
- Sponsors:** Paul R. Soglin
- Additional referral: Personnel Board
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
83. [29880](#) Recreating position #1070 as an Engineer 4 in the Engineering budget and reallocating incumbent James Wolfe to the new position.
- Sponsors:** Paul R. Soglin
- Additional referral: Personnel Board
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
84. [29881](#) Authorizing the execution of an Underground Utility Easement and Easement Release to Madison Gas and Electric Company across a portion of Henry Vilas Zoo property, located at 702 S. Randall Avenue.
- Sponsors:** Sue Ellingson
- Additional referral: Plan Commission
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.**
85. [29887](#) Create a new 1.0 FTE position of Water Community Outreach Specialist in the Water Utility Budget in CG18, Range 4 to be filled through internal competition. Upon filling the position, the non-represented position (#1859) of Secretary 1 (CG17/R10) will be deleted.
- Sponsors:** Paul R. Soglin
- Additional referral: Personnel Board
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
86. [29888](#) Recreate the 1.0 FTE position #2191 of "Fire Inspector" (CG13-04), currently occupied by R. Riphon, as a 1.0 FTE position of "Management Information Specialist 3" (CG18-10) in the Fire Department budget upon the incumbent's retirement, expected to occur no later than August 6, 2013.
- Sponsors:** Paul R. Soglin
- A motion was made by Schmidt, seconded by Resnick, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**



87. [29893](#) Recreate the 1.0 FTE position of Risk Manager (#787) in the Finance Department Budget in CG18, Range 15 and reallocate the incumbent to the same step in the new salary range with the same anniversary date.

**Sponsors:** Paul R. Soglin

Additional referral: Personnel Board

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

88. [29897](#) Resolution approving the third amendment to the project plan and boundary for Tax Incremental District (TID) #32 (Upper State Street).

**Sponsors:** Michael E. Verveer

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

89. [29898](#) 1) Authorizing an amendment to the 2013 Capital Budget and 2) authorizing the Mayor and City Clerk to execute development agreement to fund a \$225,000 Tax Incremental Finance (TIF) Loan to Dane County Data Exchange LLC ("Borrower") to assist in the renovation of the former Rodeway Inn at 4916 and 4930 East Broadway as a 115,000 SF headquarters facility to be leased and occupied by Facility Gateway Corporation, a Subchapter (s) corporation ("Facility Gateway") that is the operating company of Borrower located within TID #39 (Stoughton Road) ("Project").

**Sponsors:** Denise DeMarb

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

90. [29904](#) A RESOLUTION granting Special Vending Approvals under MGO 9.13(6)(k) for 2013 Special Events as detailed on the accompanying special event resolution table.

**Sponsors:** Michael E. Verveer and Scott J. Resnick

**A motion was made by Schmidt, seconded by Resnick, to Refer to the COMMON COUNCIL and should be returned by 5/7/2013. The motion passed by voice vote/other.**

91. [29914](#) Authorizing the Monona Terrace Community and Convention Center Board to accept a sponsorship from Great Dane Pub and Brewing Company, Inc. in the amount of \$10,000 to help offset the cost of 2013 summer concerts at Monona Terrace and amending the Monona Terrace operating budget accordingly.

**Sponsors:** Michael E. Verveer

Additional referral: Board of Estimates

**A motion was made by Schmidt, seconded by Resnick, to Refer to the MONONA TERRACE COMMUNITY AND CONVENTION CENTER BOARD. The motion passed by voice vote/other.**

92. [29920](#) Authorizing the execution of a Purchase and Sale Agreement between the City of Madison and FHB Investments LLC for the purchase of parcels located at 5102 and 5152 Femrite Drive, 3101 and 3218 Dairy Drive, 4949 Prairie Dock Drive, 45 Marsh Court and 2698 I 90-39 for the location of a fire station and firefighter development center, the transfer of 45 Marsh Court to the Storm Water Utility and an amendment to the 2013 Capital Budget to provide funds for the purchase of the parcels.

**Sponsors:** Denise DeMarb

Additional referral: Plan Commission

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

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

### CLAIMS - REFER TO RISK MANAGER

93. [29851](#) J. Rinehart, MetLife for M. Hilt - vehicle damage - \$3,577.82.

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

94. [29877](#) D. Halloran, American Family Ins. for A. Dhanoa - vehicle damage - \$6,304.22.

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

95. [29922](#) A. White - vehicle damage - \$1,445.47.

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

96. [29923](#) D. Hanson - vehicle damage - \$1,846.46.

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

97. [29924](#) L. McIntosh for AnSR for S. Bates - vehicle damage - \$1,886.91

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

98. [29925](#) I. Alexander - property damage - \$1,152.00.

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

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.

99. [29850](#) Amending Section 28.151 of the Madison General Ordinances to eliminate the zoning prohibition against street-facing automobile repair bays.

**Sponsors:** Joseph R. Clausius, Mark Clear and Paul E. Skidmore

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

- [30011](#) Resilient Communities for America Agreement

**Sponsors:** Paul R. Soglin, Denise DeMarb, Chris Schmidt, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Scott J. Resnick, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

Return to Common Council 5-21-2013

**A motion was made by Schmidt, seconded by Resnick, to Refer to the SUSTAINABLE MADISON COMMITTEE. The motion passed by voice vote/other.**

#### **ADJOURNMENT @ 8:42 PM**

**A motion was made by Schmidt, seconded by Resnick, to Adjourn at 8:42 PM. The motion passed by voice vote/other.**