



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, November 19, 2013

6:30 PM

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

ROLL CALL

6:30 PM, PRESIDENT CHRIS SCHMIDT IN THE CHAIR.

Present: 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
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

Excused: 2 - Paul R. Soglin
Paul E. Skidmore

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: Mayor Soglin, Ald. Skidmore

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 Resnick, seconded by Clausius, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

- 1. [31746](#) Bring Your Meeting Home Appreciation Program

Sponsors: Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, Mark Clear, Sue Ellingson, Lauren Cnare, Scott J. Resnick, John Strasser, Michael E. Verveer, Anita Weier and Joseph R. Clausius

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-13-00835

- 2. [32082](#) Proclaiming December 7, 2013 as “Mad Rollin’ Dolls Roller Derby Day” and congratulating the derby team and volunteers on celebrating their 10th Anniversary in Madison, Wisconsin.

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

A motion was made by Bidar-Sielaff, 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-13-00836

- 3. [32187](#) Congratulating the Madison Mallards on winning the 2013 Northwoods League Championship and being honored as the 2013 Northwoods League, Organization of the Year.

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

12-3-2013

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

- 4. [32190](#) Honoring the Marquette-Williamson Neighborhood and Marquette Neighborhood Association as a 2013 Great Places in America by the American Planning Association

Sponsors: Paul R. Soglin and Marsha A. Rummel

A motion was made by Rummel, seconded by 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-13-00837

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

5. [31423](#) Creating Section 28.022 -- 00077 of the Madison General Ordinances rezoning property from TR-C2 (Traditional Residential - Consistent District 2) District to TR-C3 (Traditional Residential - Consistent District 3) District. Proposed Use: Demolish single-family residence and construct new residence in TR-C3 zoning. 13th Aldermanic District; 801 Erin Street
- Sponsors:** Planning Division

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

There was one registrant in support.

Enactment No: ORD-13-00187

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

6. [31427](#) Creating Section 28.022 - 00073 of the Madison General Ordinances rezoning 10203 Mineral Point Road, 9th Aldermanic District from SR-C1 (Suburban Residential - Consistent District 1) District and SR-V2 (Suburban Residential - Varied District 2) District to TR-C3 (Traditional Residential - Consistent District 3) District; and
- Creating Section 28.022 - 00074 of the Madison General Ordinances rezoning property from SR-C1 (Suburban Residential - Consistent District 1) District, and SR-V2 (Suburban Residential - Varied District 2) District to TR-U1 (Traditional Residential - Urban District 1) District. Proposed Use: Birchwood Point, creating 230 single-family residential lots, 1 lot for future multi-family development, 41 public outlots, and 1 outlot to be maintained privately. 9th Aldermanic District; 10203 Mineral Point Road.
- Sponsors:** Planning Division

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

There were three registrants in support.

Enactment No: ORD-13-00188

7. [31717](#) Repealing and recreating Sec. 28.143, amending Secs. 28.032, 28.061, 28.072, 28.082, 28.091 28.098(6), 28.134(2) & (3), 28.183(8) & (10)(a), 28.206, 28.211, 17.08(2), 17.12(2)(b)5. and (2)(d) and creating Secs. 28.148 and 28.074(4)(d) of the Madison General Ordinances to comply with new Wis. Stat. §§ 66.0404 and 66.0406.

Sponsors: Steve King, Scott J. Resnick and Ledell Zellers

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

Enactment No: ORD-13-00189

8. [31718](#) SUBSTITUTE Amending Sections 28.138(4)(a) and (5)(a) of the Madison General Ordinances to clarify the term lakefront side of a building in the Zoning Code.

Sponsors: Scott J. Resnick and Ledell Zellers

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

Enactment No: ORD-13-00190

9. [31719](#) Amending Section 28.137 of the Madison General Ordinances to allow conforming detached residential units in planned multi-use sites in applicable zoning districts.

Sponsors: Steve King, Scott J. Resnick and Ledell Zellers

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

Enactment No: ORD-13-00191

10. [31720](#) SUBSTITUTE Amending Section 28.082(1) of the Madison General Ordinances to allow indoor recreation and outdoor recreation as a conditional use in various Employment Districts.

Sponsors: Ledell Zellers

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

Enactment No: ORD-13-00192

11. [31721](#) Amending Section 28.084(4) of the Madison General Ordinances to correct a problem with the site standard regulations for corner buildings in the Traditional Employment (TE) District.

Sponsors: Steve King, Scott J. Resnick and Ledell Zellers

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

Enactment No: ORD-13-00193

12. [31734](#) Creating Section 28.022 - 00081 of the Madison General Ordinances to change the zoning of property located at 3802 Packers Avenue, 12th Aldermanic District from SR-C1 (Suburban Residential - Consistent 1) District to PD(GDP) Planned Development (General Development Plan) District for a future senior independent living and assisted-living development.

Sponsors: Planning Division

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

There were three registrants in support.

Enactment No: ORD-13-00194

13. [31735](#) Creating Section 28.022 - 00084 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan, and creating Section 28.022 - 00085 to amend a Planned Development District to approve an Amended Specific Implementation Plan to allow dwelling units and potential office space and a daycare to be added to a senior residential community at 5817 Halley Way, 3rd Aldermanic District.

Sponsors: Planning Division

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

There was one registrant in support.

Enactment No: ORD-13-00195

- 14. [31742](#) Creating Section 28.022 -- 00082 of the Madison General Ordinances to rezone 502 Apollo Way, 3rd Aldermanic District from Planned Development District (General Development Plan) to Planned Development District (Specific Implementation Plan) to allow construction of a 105-unit apartment building.

Sponsors: Planning Division

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

There was one registrant in support.

Enactment No: ORD-13-00196

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

- 15. [31977](#) Report of the Mayor submitting citizen committee appointments (introduction 10-29-2013; action 11-19-2013).

Sponsors: Paul R. Soglin

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

- 16. [32161](#) Report of the Mayor submitting a citizen committee appointment to the University Hill Farms Ad Hoc Steering Committee.

Sponsors: Paul R. Soglin

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

- 17. [32164](#) Report of the Mayor submitting citizen committee appointments (introduction 11-19-2013; action 12-3-2013).

Sponsors: Paul R. Soglin

Confirm 12/03/2013.

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

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

18. [32079](#) Authorizing fire fighters employed by the City of Madison to continue participating in the partnership between the International Association of Fire Fighters and the Muscular Dystrophy Association by soliciting for donations during the annual "Fill the Boot" campaign.
- Sponsors:** Paul E. Skidmore

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

Enactment No: RES-13-00839

19. [32174](#) Amending Resolution RES-13-00244, Legistar No. 29733 to provide that the TIF Policy Review Ad Hoc Committee shall complete its work no later than December 20, 2013.
- Sponsors:** Chris Schmidt

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

Remove "at the end of which day it shall be dissolved." from the final paragraph.

A motion was made by Resnick, seconded by Clausius, to Adopt as amended Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00838

REPORTS OF OFFICERS

REPORT OF BOARD OF ESTIMATES

20. [31653](#) Recreating a 1.0 FTE HR Analyst 2 (CG18-08) position, currently occupied by J. Trimbell (#865), as an HR Analyst 3 (CG18-10) within the HR Department budget and reallocation of the incumbent to the new position.
- Sponsors:** Paul R. Soglin

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

Enactment No: RES-13-00840

21. [31703](#) Recreate the 1.0 FTE position of Hydrogeologist 1, #1073 (occupied by B. Bemis), in CG18-08, as a Hydrogeologist 3, CG18-10 in the Engineering Division budget. Reallocate the respective incumbent of position #1073 to the new position.
- Sponsors:** Paul R. Soglin
- A motion was made by Resnick, seconded by Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00841
22. [31705](#) Create a new classification of Traffic Signal Electrician 3 in CG16, R18. Create a new position of Traffic Signal Electrician 3, CG16, R18, in the Traffic Engineering Division budget to be filled through an internal competitive process. Upon filling the position, the underlying vacancy will be deleted to fund the new position.
- Sponsors:** Paul R. Soglin
- A motion was made by Resnick, seconded by Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00842
23. [31707](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classifications of Hydrogeologist 1 in Compensation Group (CG) 18, Range 08, and the Hydrogeologist 2 in CG 18, Range 12 and creating the classifications of Hydrogeologist 1 in CG 18, Range 06, Hydrogeologist 2 in CG 18, Range 08, Hydrogeologist 3 in CG 18, Range 10 and Hydrogeologist 4 in CG 18, Range 12.
- Sponsors:** Paul R. Soglin
- A motion was made by Resnick, seconded by Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-13-00197
24. [31708](#) Adopting the City Engineering logo as the official City of Madison logo.
- Sponsors:** Maurice S. Cheeks, Scott J. Resnick, Chris Schmidt and Mark Clear
- A motion was made by Resnick, seconded by Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-13-00843

25. [31896](#) Report of the Chief of Police: 3rd Quarter 2013 Overtime

A motion was made by Resnick, seconded by Verveer, to Accept. The motion passed by voice vote/other.

26. [31876](#) SUBSTITUTE Authorizing the execution of a Space Use Agreement with Madison Public Library Foundation, Inc. for the Foundation's use of office space at the Central Library located at 201 W. Mifflin Street.

Sponsors: Michael E. Verveer

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

Enactment No: RES-13-00844

27. [31948](#) Recreate the 0.6 FTE position (#4416) of "Community Services Specialist 2" (CG18/R08) as a 1.0 FTE position in the Community Development Division budget.

Sponsors: Paul R. Soglin

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

Enactment No: RES-13-00845

28. [31949](#) Create a new classification of Fleet Service Parts Leadworker in CG15, Range 8. Upon the filling of the Leadworker, delete the classification of Fleet Parts Project Technician in CG15, Range 7. Recreate position #3217 of Fleet Parts Project Technician as a Fleet Service Parts Leadworker in the Fleet Service budget to be filled through an internal competitive process.

Sponsors: Paul R. Soglin

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

Enactment No: RES-13-00846

29. [31958](#) Amending Sections 1.08(2), (3)(c) and (3)(d) of the Madison General Ordinances to allow for an increase in Municipal Court costs, consistent with any changes in State Statute, and clarify that payments made by the public are made payable to the Madison Municipal Court.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-13-00186

REPORT OF BOARD OF PARK COMMISSIONERS

- 30. [31874](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of the Central Park, located at 202 South Ingersoll Street.

Sponsors: Marsha A. Rummel

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

Enactment No: RES-13-00847

- 31. [31942](#) Repealing and recreating Section 28.32(2) of the Madison General Ordinances to clarify the subsection outlining the City dog parks and applicable rules and adding two new off-leash dog park locations.

Sponsors: Joseph R. Clausius, Mark Clear, Maurice S. Cheeks, Paul E. Skidmore and Steve King

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

Enactment No: ORD-13-00198

- 32. [31976](#) Authorizing the Mayor and City Clerk to execute a lease for farming purposes with Larry Skaar for 16.8 acres of land located at 3310 County Highway AB in the Town of Blooming Grove.

Sponsors: Denise DeMarb

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

Enactment No: RES-13-00848

REPORT OF BOARD OF PUBLIC WORKS

- 33. [28976](#) Approving the design and authorizing artist Aaron Stephan to proceed in fabrication and installation of a site specific public art feature at the corner of North Pinckney Street and the Capitol Square (aka Rotary Plaza).

Sponsors: Michael E. Verveer and Marsha A. Rummel

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

Enactment No: RES-13-00849

34. [31777](#) Accepting a Permanent Easement for Fiber Optic Facilities from the Board of Regents of the University of Wisconsin System across property located at 451 South Pleasant View Road.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-13-00850

35. [31828](#) Accepting a Warranty Deed, at no cost to the City of Madison, from Joseph Donnino, Jr., Donald L. Jones and Thayer Properties, LLC, dedicating land for public right-of-way purposes, for the property located at 698 South Whitney Way.

Sponsors: Mark Clear

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

Enactment No: RES-13-00851

36. [31934](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Near West Lakeside Sanitary Replacement 2014 along Lake Mendota from N Henry St to N Frances St. (2nd AD)

Sponsors: Ledell Zellers

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

Enactment No: RES-13-00852

37. [31943](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on East Johnson Street from North Butler Street to North Baldwin Street. (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-13-00853

38. [31953](#) Declaring the City of Madison's intention to exercise its police powers establishing State Street Reconstruction Assessment District - 2014.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Verveer, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**
- Enactment No: RES-13-00854
39. [31978](#) Authorizing the Mayor and City Clerk to enter into cost sharing agreements with the Town of Madison for the resurfacing of West Badger Road and the West Beltline Highway Frontage Road, and for Sanitary Sewer Lining on West Badger Road.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Verveer, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**
- Enactment No: RES-13-00855
40. [31995](#) Approving plans and specifications for public improvements necessary for the project known as 105-113 S. Mills Street and 1020-1022 Mound Street authorizing construction to be undertaken by the Developer, Private Contract No. 2367. (13th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Verveer, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**
- Enactment No: RES-13-00856
41. [32015](#) Authorizing the indemnification of the Wisconsin Department of Transportation from liability associated with the use of Federal funds via the Mineral Point Road and Midvale Boulevard Intersection Improvement Project.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Verveer, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**
- Enactment No: RES-13-00857

REPORT OF CITY CLERK

- 42. [32017](#) Secondhand Article License
 Ryan Hackstock
 d/b/a Retro Revolution
 229 North St.
 Madison, WI 53704
 Aldermanic District 12 (Ald. Palm)
 Police Sector 502

A motion was made by Resnick, seconded by Verveer, to Grant. The motion passed by voice vote/other.

- 43. [32181](#) Alcohol License Review Committee Report of Operator License Applications
 11-19-2013. See attached report for list of operators.

A motion was made by Resnick, seconded by Verveer, to Grant. The motion passed by voice vote/other.

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

- 44. [31853](#) Amending Section 2.36 of the Madison General Ordinances to require the Clerk to submit the Common Council proceedings to the Mayor within 72 hours of the conclusion of a Council meeting.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-13-00199

REPORT OF COMMUNITY DEVELOPMENT AUTHORITY

45. [32151](#) Direct the Office of Real Estate Services, the Planning Division, the Community Development Authority (CDA) and the Community Development Division (CDD) to research the housing and neighborhood conditions in Owl Creek and issue a report to the Mayor and Common Council.

Sponsors: Denise DeMarb

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

- 1) Replace "needs related to the demographics of the population," with "needs of the population,"
- 2) Replace "to reduce the amount of City resources needed" with "for more effective use of City Resources"

A motion was made by Resnick, seconded by Clausius, to Adopt as amended Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-13-00858

REPORT OF MADISON ARTS COMMISSION

46. [31654](#) Accepting City Ownership of Artwork in the newly renovated Madison Central Library and affirming the value of involving artists in the design of capital projects

Sponsors: Larry Palm and Michael E. Verveer

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

Enactment No: RES-13-00859

REPORT OF PLAN COMMISSION

47. [31307](#) Approving the preliminary plat and final plat of Birchwood Point located at 10203 Mineral Point Road; 9th Ald. Dist.

Sponsors: Planning Division

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

Enactment No: RES-13-00860

- 48. [31862](#) Amending the Northport-Warner Park-Sherman Neighborhood Plan to recommend medium-density residential uses on the central portion of the approximately 19.46-acre Keller property located generally west of Packers Avenue and north of Tennyson Lane.

Sponsors: Larry Palm

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

Enactment No: RES-13-00861

- 49. [31951](#) Amending the Pioneer Neighborhood Development Plan to revise the land use recommendation for an approximately 81.3-acre parcel located on the south side of Mineral Point Road adjacent to Silicon Prairie Business Park from Low-Density Residential uses, Low- to Medium-Density Residential uses and Park, Drainage and Open Space uses to Low-Density Residential uses, Medium-Density Residential uses and Park, Drainage and Open Space uses.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-13-00862

REPORT OF RISK MANAGER

- 50. [31050](#) D. Griffiths for AT&T - property damage - \$3,136.08.

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

- 51. [31839](#) C. Zink, Charter Communication - property damage - \$853.43.

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

- 52. [31899](#) K. Langan - vehicle damage - \$399.80.

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

53. [31900](#) V. Martin, Government Employees Insurance Company for S. Vandervort - vehicle damage - \$2,459.83.

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

54. [31972](#) S. Zannacker - property damage - \$2,350.00.

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

REPORT OF TRANSIT AND PARKING COMMISSION

55. [31870](#) Authorizing the Mayor and the City Clerk to execute an agreement with Greyhound Lines, Inc. to help defray maintenance costs for the Dutch Mill Park & Ride lot for a term of three years (October 1, 2013 - September 30, 2016), with an option for one three-year renewal (October 1, 2016 - September 30, 2019) to be exercised administratively by the Metro Transit General Manager.

Sponsors: Paul R. Soglin, Chris Schmidt, Anita Weier and Sue Ellingson

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

Enactment No: RES-13-00863

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

56. [32078](#) Requesting a report on the construction and maintenance costs of, and placement strategies for, public restrooms.

Sponsors: Chris Schmidt, Larry Palm, Michael E. Verveer, Marsha A. Rummel and Ledell Zellers

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

Enactment No: RES-13-00864

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

CHARTER ORDINANCES

57. [32169](#) CHARTER Creating Section 3.30(3) of the Madison General Ordinances to maintain residency requirements for specified City employees.

Sponsors: Paul R. Soglin

Additional referral to Common Council Organizational Committee

This Charter Ordinance was Referred to the BOARD OF ESTIMATES

ORDINANCES

58. [32101](#) Creating Section 28.022 -- 00090 of the Madison General Ordinances to change the zoning of properties located at 17-25 N. Webster Street and 201 E. Mifflin Street, 2nd Aldermanic District, from DR-1 (Downtown Residential 1) District to UMX (Urban Mixed Use) District to allow 2 two-family residences, a four-unit apartment building and a five-unit apartment building to be demolished and a 58-unit apartment building to be constructed.

Sponsors: Planning Division

This Ordinance was Referred to the PLAN COMMISSION

59. [32156](#) Amending Sections 15.02(72) and (75) of the Madison General Ordinances by changing the polling locations for Ward 72 and Ward 75.

Sponsors: John Strasser

Adopt at 12-3-13

This Ordinance was Refer to a future Meeting to Adopt to the COMMON COUNCIL

60. [32160](#) Renumbering Section 34.907(1)(d) to Section 45.07(8) and renumbering Sections 34.907(1)(e) and (f) to (d) and (e) of the Madison General Ordinances to eliminate the requirement that landlords are to furnish fire education to new lessees.

Sponsors: Paul E. Skidmore and Mark Clear

This Ordinance was Referred to the BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD

61. [32162](#) Creating Section 38.04(2) and renumbering current Secs. 38.04(2) through (5) to Secs. 38.04(3) through (6) and amending Sec. 1.08(3)(a) of the Madison General Ordinances to establish the offenses and penalties relating to procuring for and selling alcohol beverages to underage persons.

Sponsors: Michael E. Verveer

This Ordinance was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

62. [32163](#) Amending Section 10.31(3)(b) of the Madison General Ordinances to update insurance requirements for privileges in streets.

Sponsors: Michael E. Verveer

Additional referral to Plan Commission

This Ordinance was Referred to the BOARD OF PUBLIC WORKS

63. [32170](#) Amending Sections 3.30(2), repealing Sections 3.38(1)(m) and 3.53(10)(a), creating Section 3.53(24)(h), and renumbering Sections 3.53(24)(h) through (l) to Sections 3.53(24)(i) through (m) of the Madison General Ordinances to delete residency requirements pursuant to change in state law.

Sponsors: Paul R. Soglin

Additional referral to Common Council Organizational Committee

This Ordinance was Referred to the BOARD OF ESTIMATES

64. [32171](#) Amending Section 38.05(9)(o)12. of the Madison General Ordinances to extend the sunset date of the Downtown License Density Plan.

Sponsors: Shiva Bidar-Sielaff and Michael E. Verveer

This Ordinance was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

65. [32175](#) Amending Sections 3.54(1)(b), (f), (i)1., (i)2., (j), (k), (o) and (p) and Sec. 3.54(2)(a) of the Madison General Ordinances to provide modified salary increases for Compensation Groups 17, 18, 19, 21, 43, and 44 and the hourly rate schedule and repealing Section 3.54(1)(r).

Sponsors: Paul R. Soglin

This Ordinance was Referred to the BOARD OF ESTIMATES

RESOLUTIONS

66. [32035](#) Authorizing the City of Madison, through the Police Department, to accept a WDOT grant subaward from the Dane County Sheriff's Office in the amount of \$4,000 and to utilize these funds to purchase a crash site investigations total station.

Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

- 67. [32077](#) Authorizing the Mayor and the City Clerk to execute Amendment #2 to the Professional Services Agreement with Strand Associates for additional costs resulting from unanticipated project delays due to property acquisition and permitting requirements for the Well 7 iron and manganese filtration project (12th AD).

Sponsors: Lauren Cnare

Additional referral to Board of Estimates

This Resolution was Referred to the WATER UTILITY BOARD

- 68. [32133](#) Authorizing the execution of an Amendment to Agreement for Installation Operation, Maintenance and Repair of Photovoltaic System with Madison Gas and Electric Company pertaining to the demonstration photovoltaic system in the upper parking lot of the Madison Municipal Building.

Sponsors: Marsha A. Rummel

Additional referral to Plan Commission

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

- 69. [32134](#) Authorizing the execution of a Second Amendment to the Purchase and Sale Agreement executed between the City and Hovde West Johnson, LLC.

Sponsors: Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

- 70. [32136](#) Accepting a Permanent Limited Easement for Public Storm Water Management Purposes from the owners of parcels located at 5718 and 5802 Manufacturers Drive (Lots 87 and 88 of The Center for Industry & Commerce).

Sponsors: Joseph R. Clausius

Additional referral to Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

- 71. [32141](#) Authorizing the execution of an Amendment to Non-Exclusive Permanent Limited Easement for private sidewalk and fiber optic cable purposes to Dean Health Plan, Inc. and Newcomb Properties, LLC across City Storm Water Utility Parcel 533 located at 8308 Excelsior Drive.

Sponsors: Paul E. Skidmore

Additional referral to Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

72. [32142](#) Authorizing the execution of an Underground Electric Easement to Madison Gas and Electric Company across a portion of Bowman Field, located at 1801 Fish Hatchery Road.

Sponsors: John Strasser

Additional referral to Plan Commission

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

73. [32143](#) Authorizing the acceptance of ownership from Arbor Hills Neighborhood Association of a “Little Free Library” located within Arbor Hills Park at 3101 Pelham Road.

Sponsors: John Strasser

Additional referrals to Board of Public Works, Plan Commission

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

74. [32144](#) Authorizing the acceptance of ownership from Heritage Heights Neighborhood Association of two “Little Free Libraries” located within Heritage Heights Park at 701 Meadowlark Drive and Kennedy Park at 5202 Retana Drive.

Sponsors: Lauren Cnare

Additional referrals to Board of Public Works, Plan Commission

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

75. [32148](#) Authorizing the Mayor and City Clerk to execute an Annual Performance Contract with Overture Center Foundation, Inc. for the 2014 operations of the Overture Center, and providing a grant from the City

Sponsors: Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

76. [32158](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$400,000 Tax Incremental Finance Loan to Pinney Lane Apartments, LLC (“Developer”) to assist in the development of an approximately 70-unit income-restricted housing project located at Lot 5 of the Royster Corners plat, generally located at the corner of Cottage Grove Road and Dempsey Road in TID #44 (Royster Clark).

Sponsors: David Ahrens

This Resolution was Referred to the BOARD OF ESTIMATES

- 77. [32159](#) Authorizing the execution of a Termination of 1988 Agreement and Mutual Release between the City of Madison and the Madison Area Technical College that will terminate a contract that provided for cooperative programs and sharing of facilities between the Madison Fire Department and MATC.

Sponsors: Larry Palm

This Resolution was Referred to the BOARD OF ESTIMATES

- 78. [32165](#) Denouncing the use of minerals that fuel violence and favoring verifiably conflict-free products in City of Madison purchasing decisions.

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

Adopt at 12/03/2013.

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

- 79. [32166](#) A Resolution Authorizing and Providing for the Sale and Issuance of \$24,335,000 Water Utility Revenue Bonds, Series 2013, and All Related Details

Sponsors: Lauren Cnare and Anita Weier

Additional referral to Water Utility Board

This Resolution was Referred to the BOARD OF ESTIMATES

- 80. [32168](#) BY TITLE ONLY - Awarding the Disparity Study contract to _____ in the amount of _____.

Sponsors: Paul R. Soglin

Additional referrals to Board of Estimates, Board of Public Works

This Resolution was Referred to the AFFIRMATIVE ACTION COMMISSION

- 81. [32173](#) Establishing the 2014 Utility Rates for Sanitary Sewer, Stormwater and Landfill.

Sponsors: Paul E. Skidmore and David Ahrens

Additional referral to Board of Public Works

This Resolution was Referred to the BOARD OF ESTIMATES

82. [32179](#) Create a permanent position of Management Information Specialist 3 in the permanent salary detail of the Fire Department budget and, upon retirement of Richard Riphon, delete position #2191 of Fire Inspector.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

83. [32182](#) SUBSTITUTE-Appropriating \$4,699,700 from the General Fund balance to agency budgets and the Insurance and Workers Compensation Funds to cover various unbudgeted expenditures in 2013 and amending the 2013 Information Technology capital budget to transfer cash between projects.

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

84. [32185](#) To authorize the Mayor and City Clerk to enter into a grant agreement with the Wisconsin Department of Natural Resources for reimbursement of expenses incurred for parkland acquisition (Merrill Springs Park).

Sponsors: Mark Clear and Joseph R. Clausius

This Resolution was Referred to the BOARD OF ESTIMATES

85. [32188](#) Amending Legistar No. 28703, RES-13-00052 by reallocating \$24,000 from the Olive Jones Park public art project to University Hill Farms Neighborhood Plan project and authorizing Planning Division Director, Finance Director, and City Attorney to amend the consultant contract to purchase additional services for University Hill Farms Neighborhood Plan project on behalf of the City.

Sponsors: Chris Schmidt and Shiva Bidar-Sielaff

This Resolution was Referred to the BOARD OF ESTIMATES

86. [32189](#) Amending the 2013 Parks Division Capital Budget to authorize the expenditure of Emerald Ash Borer Mitigation project funding for the purchase of equipment and staff training.

Sponsors: Paul R. Soglin, Joseph R. Clausius and Mark Clear

This Resolution was Referred to the BOARD OF ESTIMATES

- 87. [32206](#) Recommending the selection of Heartland Housing, Inc. for the provision of development services relating to the development and financing of housing for homeless adults.

Sponsors: Chris Schmidt, Marsha A. Rummel and Maurice S. Cheeks

This Resolution was Referred to the COMMUNITY DEVELOPMENT AUTHORITY

LICENSES

- 88. [32018](#) Public Hearing - New License
Machu Picchu Restaurant LLC • dba Surco
515 Cottage Grove Rd • Agent: Victor Villacrez • Estimated Capacity: 40
Class B Beer & Class C Wine • 10% alcohol, 80% food, 10% Other
Aldermanic District 15 (Alder Ahrens) • Police Sector 613
Adding Class C Wine to current Class B Beer

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

- 89. [32019](#) Public Hearing - New License
Madison East Lodging Investors LLC • dba Hampton Inn - Madison East
4820 Hayes Rd • Agent: Sheri Straka • Estimated Capacity: 70
Class B Beer & Class C Wine • 3% alcohol, 3% food, 94% Other
Aldermanic District 17 (Alder Clausius) • Police Sector 518

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

- 90. [32020](#) Public Hearing - New License
Norberto Rojas • dba Don Pepe
4915 Commercial Ave
Class A Beer
Aldermanic District 3 (Alder Cnare) • Police Sector 609

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 91. [32006](#) J. Raihala of Clifford & Raihala, S.C. for L. Christianson - personal injury - \$250,000.00.

This Claim was Refer to the Risk Manager

92. [32008](#) NOTICE OF CLAIM: L. Gonzales - vehicle damage - amount to be determined.

This Claim was Referred to the Risk Manager

93. [32036](#) G. Conner - property damage - \$800.00.

This Claim was Refer to the Risk Manager

94. [32037](#) J. Johnson - vehicle damage - \$998.98.

This Claim was Referred to the Risk Manager

95. [32038](#) M. Kruger - vehicle damage - \$3226.92.

This Claim was Referred to the Risk Manager

96. [32149](#) B. Flanigan - property damage - \$180.00.

This Claim was Referred to the Risk Manager

97. [32150](#) C. Buchko, Whyte Hirschboeck Dudek S.C. for Adams Outdoor Advertising - property loss - \$500,000.00.

This Claim was Referred to the Risk Manager

98. [32152](#) J. Quiroga, The Law Center S.C. for M. Scott - personal injury - \$17,500.00.

This Claim was Referred to the Risk Manager

99. [32155](#) NOTICE OF INJURY: T. Houck, Jacobson Schrinsky Houck, attorney for L. Jones - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

[32186](#)

Authorizing the City, through the Community Development Division, to enter into a sole source purchase of service contract with Porchlight, Inc. for the provision of the Transit for Economic Self-Sufficiency (TESS) program.

Sponsors: Lisa Subeck, Denise DeMarb and Marsha A. Rummel

This Resolution was Referred to the BOARD OF ESTIMATES

[32235](#)

BY TITLE ONLY- Authorizing the City of Madison Finance Department to serve as Fiscal Agent for the Metropolitan Unified Fiber Network, Unincorporated Association (MUFN-C), authorizing the Mayor and City Clerk to sign a contract with MUFN-C for the same, and authorizing the Finance Director to receive and disburse funds on behalf of MUFN-C as Fiscal Agent.

Sponsors: Chris Schmidt

This Resolution was Referred to the BOARD OF ESTIMATES

ADJOURNMENT @ 7:01 PM

A motion was made by Resnick, seconded by King, to Adjourn at 7:01 PM. The motion passed by voice vote/other.