



City of Madison

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

Meeting Minutes - Approved COMMON COUNCIL

This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at www.madisoncitychannel.tv.

Tuesday, January 5, 2016

6:30 PM

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

ROLL CALL

6:30 PM SOGLIN IN THE CHAIR

Present: 21 - Paul R. Soglin; Barbara Harrington-McKinney; Ledell Zellers; Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Chris Schmidt; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Rebecca Kemble; Mark Clear and 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. [41019](#) Congratulating Ann Gullickson on her retirement and thanking her for almost 19 years of exemplary service to the City of Madison.
A motion was made by DeMarb, seconded by Cheeks, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.
2. [41170](#) Commending James M. Martinson, Public Works Foreperson, of the City Engineering Division, upon his retirement after 29 years of dedicated service to the City of Madison.
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.
3. [41178](#) Commending, honoring and expressing appreciation to Rita Johnson upon her retirement from the City of Madison after 44 years of exemplary service.
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.
4. [41192](#) Recognizing and commending Lorri Wendorf Corrigan for her professional and personal dedication to the City of Madison on the occasion of her retirement.
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.
5. [41220](#) Commending and honoring Lucía Nuñez, Director, Department of Civil Rights, on her retirement after ten years of public service with the City of Madison
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.
6. [41224](#) Commending Big Brothers Big Sisters of Dane County on their 50th Anniversary.
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

PETITIONS AND COMMUNICATIONS - None received**EARLY PUBLIC COMMENT**

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

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

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

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

7. [40616](#) Public Hearing - New License
Madison Oil LLC • dba iLiquor
6706 Raymond Rd • Agent: Lakhvir Kaur
Class A Beer, Class A Liquor
Aldermanic District 1 (Alder McKinney) • Police Sector 123

A motion was made by DeMarb, seconded by Cheeks, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

8. [40916](#) Public Hearing - New License
One Barrel Brewing Company LLC • dba One Barrel Brewing Company
2001 Atwood Ave • Agent: Peter H Gentry • Estimated Capacity: 85
Class C Wine • 88% alcohol, 9% food, 3% other
Aldermanic District 6 (Alder Rummel) • Police Sector 410

A motion was made by DeMarb, seconded by Cheeks, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

9. [40917](#) Public Hearing - New License
BAH Enterprises LLC • dba The Icon
206 State St • Agent: Travis Splan
Estimated Capacity: 90 indoor, 16 outdoor
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406

A motion was made by DeMarb, seconded by Cheeks, to Grant with Condition(s) and Close the Public Hearing. The motion passed by voice vote/other.

10. [40918](#) Public Hearing - New License
Winedown LLC • dba Winedown
118 State St • Agent: Jennie Shufelt • Estimated Capacity: 244
Class B Combination Liquor & Beer • 75% alcohol, 25% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406

A motion was made by DeMarb, seconded by Cheeks, to Grant with Condition(s) and Close the Public Hearing. The motion passed by the following vote:

One registrant available to answer questions.

Ayes: 19 - Barbara Harrington-McKinney; Ledell Zellers; Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Maurice S. Cheeks; Chris Schmidt; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Rebecca Kemble; Mark Clear and Matthew J. Phair

Abstentions: 1 - Paul E. Skidmore

Non Voting: 1 - Paul R. Soglin

11. [40919](#) Public Hearing - New License
RED Sushi 2 LLC • dba IN
316 W Washington Ave, Suite 100 • Agent: Tatsiana Zhykharevich
Estimated Capacity: 160
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 4 (Alder Verveer) • Police Sector 405

A motion was made by DeMarb, seconded by Cheeks, to Grant with Condition(s) and Close the Public Hearing. The motion passed by voice vote/other.

12. [40920](#) Public Hearing - New License
Layla's Restaurant LLC • dba Noosh
1920 S Park St • Agent: Laila Borokhim
Estimated Capacity: 40 inside, 20 outside
Class B Combination Liquor & Beer • 15% alcohol, 85% food
Aldermanic District 14 (Alder Carter) • Police Sector 307

A motion was made by DeMarb, seconded by Cheeks, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

13. [40921](#) Public Hearing - New License
The Cheesecake Factory Restaurants Inc
dba The Cheesecake Factory
1 West Towne Mall, #C-1 • Agent: Anthony Jampole • Estimated Capacity:
313
Class B Combination Liquor & Beer • 11% alcohol, 88% food, 1% other
Aldermanic District 9 (Alder Skidmore) • Police Sector 124

A motion was made by DeMarb, seconded by Cheeks, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

14. [40933](#) Approving Plans, Specifications, And Schedule Of Assessments For Hillcrest Drive and Hillcrest Circle Assessment District - 2016.
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25, and Close the Public Hearing. The motion passed by voice vote/other.

One registrant opposed.

15. [40934](#) Approving Plans, Specifications, And Schedule Of Assessments For Resurfacing 2016- Assessment District.
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25, and Close the Public Hearing. The motion passed by voice vote/other.

16. [40935](#) Approving Plans and Specifications for 2016 South Park Street Sanitary Assessment District. (13th AD)
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25, and Close the Public Hearing. The motion passed by voice vote/other.

17. [40936](#) Approving Plans and Specifications for Utility Replacement with Resurfacing 2016 Assessment District.(6th, 8th, 11th AD's)
A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25, and Close the Public Hearing. The motion passed by voice vote/other.

18. [40938](#) Approving Plans and Specifications for Cottage Grove Road and Dempsey Road Street Assessment District - 2016. (15th AD)

A motion was made by DeMarb, seconded by Cheeks, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25, and defer the diagonal crossing at the Dempsey/Cottage Grove intersection, and defer bike path on Dempsey Road north of Cottage Grove, with these items to come back to Council after further consideration by BPW, and Close the Public Hearing. The motion passed by voice vote/other.

REPORT OF PLAN COMMISSION

19. [40662](#) Creating Section 28.022 -- 00211 of the Madison General Ordinances to change the zoning at property located at 6012 Gemini Drive 3rd Aldermanic District, from PD (GDP) Planned Development (General Development Plan) District to PD (SIP) Planned Development (Specific Implementation Plan) District.

A motion was made by DeMarb, seconded by Cheeks, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

20. [40663](#) Creating Section 28.022 - 000207 and Section 28.022 - 00208 of the Madison General Ordinances to change the zoning of properties located at 820 South Park Street, 905-911 Delaplaine Court, 910-930 Haywood Drive and 825-831 South Brooks Street, 13th Aldermanic District, from TSS (Traditional Shopping Street) District and TR-V1 (Traditional Residential - Varied 1) District to TSS (Traditional Shopping Street) District and TR-C3 (Traditional Residential - Consistent 3) District.

A motion was made by DeMarb, seconded by Cheeks, to Re-refer for Recessed Public Hearing to the COMMON COUNCIL. The motion passed by voice vote/other.

NOTE: APPLICANT REQUESTS REFERRAL OF LEGISLATIVE FILE NO. 40663 TO 1/19/16 COUNCIL MEETING (PER PLANNING STAFF)

21. [40665](#) Creating Section 28.022 - 00209 and Section 28.022 - 00210 of the Madison General Ordinances to change the zoning of property located at 7933 Tree Lane, 9th Aldermanic District, from CC (Commercial Center) District to PD(GDP-SIP) (Planned Development (General Development Plan-Specific Implementation Plan) District.

A motion was made by DeMarb, seconded by Cheeks, to Adopt with Conditions and Close the Public Hearing. The motion passed by the following vote:

**One registrant neither support nor opposed.
12 registrants in opposition.
Nine registrants in support.**

Ayes: 20 - Barbara Harrington-McKinney; Ledell Zellers; Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Chris Schmidt; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Rebecca Kemble; Mark Clear and Matthew J. Phair

Non Voting: 1 - Paul R. Soglin

22. [40666](#) Creating Section 28.022-00206 of the Madison General Ordinances to change the zoning of property located at 503 Schewe Road, 9th Aldermanic District, from Temp A (Temporary Agricultural) District to SR-C1 (Suburban Residential - Consistent 1) District.

A motion was made by DeMarb, seconded by Cheeks, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

One registrant in support.

23. [40667](#) Creating Section 28.022-00205 of the Madison General Ordinances to change the zoning of property located at 1917 Lake Point Drive, 14th Aldermanic District, from TR-V1 (Traditional Residential - Varied 1) District to TR-U1 (Traditional Residential - Urban 1) District.

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

24. [40801](#) Amending Section 15.01(575) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 17th Aldermanic District property addressed as 735 Eagle Crest Drive; creating Section 15.02(136) of the Madison General Ordinances entitled "Aldermanic Districts and Wards" to attach the property to Ward 136; amending Section 15.03(17) to add Ward 136 to Aldermanic District 17; and creating Section 28.022 - 00212 to assign the zoning of SR-C2 (Suburban Residential - Consistent District 2) District to said property.

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

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

25. [40961](#) Report of the Mayor submitting a citizen committee appointment (introduction 12-1-2015; action 1-5-2016).

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

26. [41201](#) Proclaiming Oscar Mireles as Madison's next Poet Laureate.

This Resolution was Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25

27. [41240](#) Report of the Mayor submitting a citizen committee appointment (introduction 1-5-2016; action 1-19-2016).

Confirm 01/19/2016

A motion was made by DeMarb, seconded by Cheeks, 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

RECONSIDERATION

Council President DeMarb requested reconsideration of Legislative File No. 40817 so that Council could consider a Third Substitute Resolution for adoption (attached).

28. [40817](#) **SECOND SUBSTITUTE** - Appropriating \$ 3,850,000 from the General Fund balance to agency budgets and the Insurance and Room Tax Workers-Compensation Funds and \$347,300 from the Library Fund balance to cover various unbudgeted expenditures in 2015, and to amend the 2016 adopted capital budget to authorize general obligation borrowing ~~in 2015 for the Traffic Engineering capital budget related to the public safety radio project and~~ in 2016 for the Information Technology capital budget related to the fiber and wireless network program **and to reduce general obligation borrowing and increase other funding (direct appropriation to capital) by \$83,791 in 2016 for the Traffic Engineering capital budget related to the public safety radio project.**

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

- [40817](#) **THIRD SUBSTITUTE** - Appropriating \$ 3,035,400 ~~3,850,000~~ from the General Fund balance to agency budgets and the Insurance and Room Tax Workers-Compensation Funds and \$347,300 from the Library Fund balance to cover various unbudgeted expenditures in 2015, and to amend the 2016 adopted capital budget to authorize general obligation borrowing ~~in 2015 for the Traffic Engineering capital budget related to the public safety radio project and~~ in 2016 for the Information Technology capital budget related to the fiber and wireless network program **and to reduce general obligation borrowing and increase other funding (direct appropriation to capital) by \$83,791 in 2016 for the Traffic Engineering capital budget related to the public safety radio project.**

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

Ayes: 20 - Ledell Zellers; Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Chris Schmidt; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Rebecca Kemble; Mark Clear; Matthew J. Phair and Barbara Harrington-McKinney

Non Voting: 1 - Paul R. Soglin

29. [41158](#) Amending the work timeline for the Madison Police Department Policy and Procedure Review Ad Hoc Committee

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

REPORTS OF OFFICERS

REPORT OF AFFIRMATIVE ACTION COMMISSION

30. [40354](#) Report: City of Madison 2016-2021 Equitable Workforce Plan - Department of Civil Rights

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

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

31. [39609](#) Change of Licensed Premise
BAT Inc • dba Madhatter • Capacity: 200
322 W Gorham St • Agent: Ted Gervasi
Class B Combination Liquor & Beer • 100% alcohol, 0% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403
Increase indoor capacity to 320.

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

32. [39616](#) Change of Agent
BAT Inc • dba Madhatter
322 W Gorham St
New Agent: Susan McKinney
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer)

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

33. [40656](#) Disciplinary Matter - possible suspension or revocation
BAT Inc • dba Madhatter
322 W Gorham St
Agent: Ted Gervasi
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer)

A motion was made by DeMarb, seconded by Cheeks, to Accept With Recommendation(s). The motion passed by voice vote/other.

34. [40738](#) Temporary Class B Retailer License Concurrent with Street Use Permit
Outreach
Event Location: 100 block of King St
Event Date: 08/06/2016
Aldermanic District 4 (Alder Verveer)
Police District: 406
Event: Woofs (King St) Block Party

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

35. [40742](#) Operator License Application
Carla A Friede - Establishment where employed: Benvenutos

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

36. [41058](#) Change of Agent
Center for Advanced Studies in Business Inc • dba Fluno Center
601 University Ave
New Agent: Matthew Skemp
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer)

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

37. [41059](#) Change of Agent
Benvenutos Madison Inc • dba Benvenutos Italian Grill
1849 Northport Dr
New Agent: Collin Bernhardt
Class B Combination Liquor & Beer
Aldermanic District 12 (Alder Palm)

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

38. [41060](#) Change of Agent
Kabul Inc • dba Kabul Restaurant
540 State St
New Agent: Hamed Zafari
Class B Combination Liquor & Beer
Aldermanic District 2 (Alder Zellers)

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

39. [41061](#) Entity Reorganization
Sundance Cinemas LLC • dba Sundance Cinema
430 N Midvale Blvd
Class B Combination Liquor & Beer
Aldermanic District 11 (Alder Schmidt)
1 new officer, remove 1 officer

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

- 40. [41062](#) 21+ Entertainment License
BAH Enterprises LLC • dba The Icon • Capacity: 106
206 State St • Agent: Travis Splan
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406

A motion was made by DeMarb, seconded by Cheeks, to Grant With Condition(s). The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

- 41. [40808](#) Approving plans and specifications for public improvements necessary for the project known as 1317-1325 Applegate Road - Bergstrom Chevrolet Madison and authorizing construction to be undertaken by the Developer, Private Contract No. 7619. (14th AD)

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

- 42. [40840](#) Authorizing the Mayor and the City Clerk to execute a Consent to Occupy Easement for the benefit of NADD 1, LLC to permit a private monument sign within a public sanitary sewer easement at 7202 Mineral Point Road.

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

- 43. [41020](#) Declaring the City of Madison’s intention to exercise its police powers establishing the Darwin Road and Packers Avenue Traffic Signal Assessment District. (12th AD)

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

- 44. [41103](#) Approving plans and specifications for public improvements required to serve Phase 5 of the Subdivision known as Birchwood Point and authorizing construction to be undertaken by the Developer, Private Contract No. 7645. (9th AD)

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

45. [41104](#) Approving plans and specifications for public improvements required to serve Phase 6 of the Subdivision known as Birchwood Point and authorizing construction to be undertaken by the Developer, Private Contract No. 7646. (9th AD)

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

46. [41105](#) Approving plans and specifications for public improvements required to serve Phase 1 of the Subdivision known as First Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Private Contract No. 7648. (9th AD)

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

47. [41106](#) Approving plans and specifications for storm water management improvements required to serve the Subdivision known as First Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Private Contract No. 7649. (9th AD)

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

48. [41107](#) Approving plans and specifications for surface paving required to serve the Subdivision known as First Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Private Contract No. 7650. (9th AD)

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

49. [41108](#) Approving plans and specifications for public improvements necessary for the project known as 2087 Atwood Avenue and authorizing construction to be undertaken by the Developer, Private Contract No. 7604. (6th AD)

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

50. [41109](#) Declaring the City of Madison's intention to exercise its police powers establishing the Cottage Grove Road Resurfacing Assessment District-2016.

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

51. [41110](#) Approving plans and specifications for public improvements necessary for the project known as 518-542 Junction Road and authorizing construction to be undertaken by the Developer, Private Contract No. 7583. (9th AD)

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

52. [41112](#) Approving plans and specifications for public improvements required to serve Phase 2 of the Subdivision known as Village at Autumn Lake and Village at Autumn Lake Replat and authorizing construction to be undertaken by the Developer, Private Contract No. 7657. (17th AD)

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

53. [41114](#) Approving plans and specifications for public improvements required to serve Phase 3 of the Subdivision known as North Addition to Grandview Commons and authorizing construction to be undertaken by the Developer, Private Contract No. 7656. (3rd AD)

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

54. [41115](#) Approving plans and specifications for public improvements required to serve Phase 23 of the Subdivision known as Grandview Commons and Grandview Commons Replat No. 1 and authorizing construction to be undertaken by the Developer, Private Contract No. 7658. (3rd AD)

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

55. [41116](#) Approving Addendum No. 1 to Village at Autumn Lake, Surface Paving and authorizing construction to be undertaken by the Developer, Private Contract No. 7605. (17th AD)

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

56. [41140](#) Declaring the City of Madison's intention to exercise its police powers establishing the East & West Mifflin Street, North Carroll Street and North Pinckney Street Assessment District - 2016.

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

REPORT OF CITY ATTORNEY

57. [41219](#) Adopting and confirming Revision No. 293 of the Madison General Ordinances as of December 15, 2015 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

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

REPORT OF CITY CLERK

58. [40858](#) Report of Operator License Applications January 5, 2016. See attached report for list of operators.

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

59. [41141](#) Amending Section 15.02(49) of the Madison General Ordinances by changing the polling location for Ward 49.

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

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

60. [40594](#) Approving a Certified Survey Map of property owned by Bergstrom Chevrolet of Madison, Inc. and Bergstrom Cadillac-Hummer, Inc. located at 1302-1326 Greenway Cross and 1317-1325 Applegate Road; 14th Ald. Dist.

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

61. [40595](#) Approving a Certified Survey Map of property owned by CAH Co., LLC located at 904-908 Stewart Street; 14th Ald. Dist.

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

REPORT OF EDUCATION COMMITTEE

62. [40959](#) Amending the Common Council's Adopted School Crossing Protection Criteria.

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

REPORT OF LANDLORD TENANT ISSUES COMMITTEE

63. [40582](#) Authorizing the Mayor and the City Clerk to sign an agreement with Joanne Keane, her 2016 Contract for Professional Services as a Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.

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

REPORT OF PARKING UTILITY

64. [41167](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Tom's Bobcat and Concrete Removal, LLC for snow removal services at Parking Utility facilities.

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

REPORT OF PLAN COMMISSION

65. [39335](#) Adopting the University Hill Farms Neighborhood Plan as a supplement to the City of Madison's Comprehensive Plan.

A motion was made by Schmidt, seconded by Zellers, to Adopt the Following Amendment(s). The motion passed by voice vote/other. The amendment reads: Add to the first recommendation under "Community Gardens" on page 55 the underlined text: Identify potential additional locations for community gardens on city-owned land.

A motion was made by DeMarb, seconded by Cheeks, to Adopt with Amended Condition(s). The motion passed by voice vote/other.

**One registrant neither support nor oppose.
Three registrants in support.**

66. [39906](#) Adopting the Emerson East-Eken Park-Yahara Neighborhood Plan (EEEEPY) as a Supplement to the City of Madison Comprehensive Plan.

A motion was made by DeMarb, seconded by Cheeks, to Adopt with Conditions. The motion passed by voice vote/other.

67. [40173](#) Approving a Certified Survey Map of property owned by the Quisling Clinic Apartment Homes, LLC and Gorman Properties, LLC located at 2 W. Gorham Street; Mansion Hill Historic Dist.; 2nd Ald. Dist.

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

One registrant in support.

68. [40392](#) Approving the preliminary plat of The Willows II on property addressed as 503 Schewe Road; 9th Ald. Dist.

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

69. [40410](#) Approving the preliminary plat of 8Twenty Park on property addressed as 820 S. Park Street, 905-911 Delaplaine Court, 910-930 Haywood Drive and 825-831 S. Brooks Street; 13th Ald. Dist.

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

**NOTE: APPLICANT REQUESTS REFERRAL of 40410 TO 1/19/16 COUNCIL MEETING
(PER PLANNING STAFF)**

REPORT OF RISK MANAGER

70. [40847](#) T. Dalby - vehicle damage - \$336.00.

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

71. [40931](#) J. Cross - vehicle damage - \$400.00.

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

REPORT OF TRANSIT/ PARKING COMMISSION

- 72. [40231](#) Creating Section 12.138(14) of the Madison General Ordinances to reduce commuter parking impact and promote the use of off-street parking.

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

REPORT OF WATER UTILITY BOARD

- 73. [39984](#) Authorizing the acceptance of a Public Water Main Easement from Capitol West Towne LLC for an existing water main facility located at 7333 West Towne Way.

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

- 74. [40179](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company, across a portion of the City Water Utility Well #30 property, located at 1133 Moorland Road.

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

ITEMS REFERRED TO THIS MEETING

LICENSES

- 75. [40698](#) Operator License Application
Marly Regel - Establishment where employed: Dutch Mill Sports Club

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

ORDINANCES

- 76. [40759](#) Amending Sections 9.14(5)(a) and 9.15(5)(a) of the Madison General Ordinances to authorize background checks through the Wisconsin Central Repository.

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

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

77. [41153](#) Amending Sec. 24.08(3)(d) of the Madison General Ordinances to clarify certain exemptions to the Noise Control Ordinance.
Additional referral to Board of Park Commissioners
A motion was made by DeMarb, seconded by Cheeks, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.
78. [41182](#) Creating Section 28.022-00218 of the Madison General Ordinances to change the zoning of property located at 9025 Mid Town Road, 1st Aldermanic District, from A (Agricultural) District to SR-C1 (Suburban Residential-Consistent 1) District.
A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.
79. [41183](#) Creating Section 28.022-00217 of the Madison General Ordinances to change the zoning of property located at 1801 East Washington Avenue, 6th Aldermanic District, from IL (Industrial Limited) District to TE (Traditional Employment) District.
A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.
80. [41185](#) Creating Section 28.022-00216 of the Madison General Ordinances to change the zoning of property located at 6510 Watts Road, 19th Aldermanic District, from CC (Commercial Center) District to SE (Suburban Employment) District.
A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.
81. [41218](#) Amending Section 33.17 of the Madison General Ordinances to revise the membership and duties of the Economic Development Committee.
Additional referral to Economic Development Committee
A motion was made by DeMarb, seconded by Cheeks, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.

RESOLUTIONS

82. [41085](#) Authorizing Fleet Services to spend up to \$55,000 to repair truck 4307 which was badly damaged in an accident.

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

83. [41100](#) Authorizing the execution of a Release of a Permanent Easement for Public Sidewalk and Bus Pad Purposes at Madison Area Technical College, located at 1702 Wright Street.

Additional referral to Plan Commission

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

84. [41101](#) Authorizing the execution of an Underground Electric Line Easement to Madison Gas and Electric Company across a portion of Camelot Park, located at 1754 Camelot Drive.

Additional referral to Plan Commission

A motion was made by DeMarb, seconded by Cheeks, to Refer to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.

85. [41102](#) Delete vacant position #1274 of Parking Maintenance Worker 1 in CG 16, R09, and recreate it as a 1.0 FTE Parking Equipment Mechanic in CG 16, R10 in the Parking Utility Operating Budget.

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

86. [41136](#) Authorizing the Mayor and City Clerk to enter into an agreement with Dane County for the following purposes in the calendar year 2016: (1) providing the Transit Utility with MA Waiver Community Integration Program (CIP) funding; (2) providing Dane County with State 85.20 funding by the Transit Utility for the County's provision of accessible transportation for persons unable to use the Transit Utility's paratransit services with its service area.

Additional referral to Board of Estimates

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

87. [41143](#) Granting and adopting equitable wage increases for employees in compensation group 28.

Additional referral to Committee on Employee Relations

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

88. [41160](#) Authorizing the Traffic Engineering Division to accept a grant for \$141,600 from the Wisconsin Department of Transportation to maintain and expand a pedestrian-bicycle safety education program and authorizing the Mayor and City Clerk to enter into the grant contract.

Additional referral to Board of Estimates

A motion was made by DeMarb, seconded by Cheeks, to Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION. The motion passed by voice vote/other.

89. [41164](#) Authorizing the Madison Police Department to accept donations for Canine, Mounted, Community Outreach (including youth programming), Honor Guard, Training Center and other police initiatives, to utilize those donated services, goods or funds for such efforts, and to report such donations to the Board of Estimates annually

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

90. [41168](#) Authorizing the Mayor and City Clerk to terminate the existing lease with Gateway Associates, for a portion of East Wilson Street right-of-way adjacent to the Gateway Shopping Center at 600 Williamson Street.

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

91. [41171](#) Amending the 2016 Engineering Division Operating Budget to add two FTE positions, one Construction Manager and one Project Manager (working title), for work on design and construction of building projects, funded by Capital Projects and an additional appropriation from the Contingent Reserve.

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

92. [41172](#) Authorizing the Madison Parking Utility to issue a Request for Proposals (RFP) for architectural and engineering services required to design an approximately 650-stall parking facility on the south east corner of the intersection of East Main Street and South Livingston Street.

Additional referrals to Transit and Parking Commission, Economic Development Committee

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

93. [41173](#) Authorizing the City of Madison to accept ownership from the State of Wisconsin of three art installations located in the W. Beltline Frontage Road and the Verona Road Frontage Road public rights-of-way.
Additional referral to Plan Commission
A motion was made by DeMarb, seconded by Cheeks, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.
94. [41174](#) Approving a Facade Improvement Grant to Atwood Avenue Property Group, LLC; located at 1965 Atwood Ave.
A motion was made by DeMarb, seconded by Cheeks, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.
95. [41175](#) Authorization for the Madison Police Department to use General Communications, Inc. as a sole source provider of Setina vehicle equipment
A motion was made by DeMarb, seconded by Cheeks, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.
96. [41176](#) Authorization of a no-cost MOU with Journey Mental Health Center, Inc. for a dedicated mental health clinical crisis worker co-located in the Police Department
A motion was made by DeMarb, seconded by Cheeks, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.
97. [41180](#) Authorizing the Mayor and City Clerk to execute a Memorandum of Understanding with the Madison Metropolitan Sewerage District (MMSD) to extend the Adaptive Management Pilot Project for one year. Said Agreement renewal covers the period of 1/1/16 thru 12/31/16.
A motion was made by DeMarb, seconded by Cheeks, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.
98. [41181](#) Authorizing the Mayor and City Clerk to execute loan agreements related to the affordable housing development projects selected as part of the 2014 Affordable Housing Funding Request for Proposals.
A motion was made by DeMarb, seconded by Cheeks, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

99. [41186](#) Amending the repayment terms of Affordable Housing Trust Funds (AHTF) awarded to the City's Community Development Authority (CDA) for financing its Mosaic Ridge Homeownership Project.

Additional referral to Community Development Block Grant Committee

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

100. [41187](#) To petition the State of Wisconsin Commissioner of Railroads to make a determination on construction of a new roadway and pedestrian crossing of the rail corridor at City View Drive and make a determination of the crossing protection required.

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

101. [41196](#) To authorize the City to enter into an agreement with SiteOne Landscape Supply Holding LLC for chemicals and supplies to be used for EAB mitigation in 2016.

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

102. [41200](#) SUBTITU authorizing the Mayor and City Clerk to execute loan agreements with Heartland Housing, Inc. (and/or an affiliate legal entity) for up to \$1,615,000 from the Affordable Housing Fund for the development (pre-development and construction) of approximately 45 units of permanent supportive housing at 7933 Tree Lane for families experiencing homelessness.

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

103. [41202](#) Authorizing the Mayor and City Clerk to execute an extension of loan agreements with the Urban League of Greater Madison, revising the repayment dates for CDBG loans used to support ULGM's acquisition of properties at 3 Montana Circle and 1401 Wyoming Way.

Additional referral to Community Development Block Grant Committee

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

104. [41211](#) Authorizing an Option Agreement with Movin' Out Inc. and/or its assigns for sale of the property located at 1917 Lake Point Drive in Madison, Wisconsin

Additional referral to Community Development Block Grant Committee

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

- 105. [41214](#) Authorizing an allocation of up to \$144,000 in CDD Housing Development Reserve Funds to provide additional down payment assistance to qualified low- to moderate-income homebuyers through Movin' Out, Inc.

Additional referral to Community Development Block Grant Committee

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

- 106. [41216](#) Authorizing the Mayor and City Clerk to enter into a purchase of service (Architect) agreement with OPN Architects to provide professional architectural and engineering design services for the Library Maintenance Support Center Remodel and Addition in the amount of \$192,600.

Additional referral to Madison Public Library Board

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

- 107. [41235](#) Approving the Worker Cooperative Fund program guidelines and request for proposal release.

Additional referral to Economic Development Committee

A motion was made by DeMarb, seconded by Cheeks, 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

- 108. [40979](#) J. Brinson, AFNI for American Family Insurance with P. and R. Kandziora - property damage - \$1,578.55.

This Claim was Referred to the Risk Manager

- 109. [41024](#) M. Roed - vehicle damage - \$874.49.

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

- 110. [41025](#) A. Loeffelholz - vehicle damage - \$964.36.

This Claim was Referred to the Risk Manager

- 111. [41056](#) H. Zehfus - vehicle damage - \$1,628.96.

This Claim was Referred to the Risk Manager

112. [41111](#) J. Fast - vehicle damage - \$490.00.

This Claim was Referred to the Risk Manager

113. [41113](#) Jamie Stock-Retzloff, Dean Health Plan, for C. Chijimatsu - personal injury - \$979.62.

This Claim was Referred to the Risk Manager

114. [41117](#) Meriter Health Services, Inc. for K. Copus - personal injury - \$9,884.24.

This Claim was Referred to the Risk Manager

115. [41139](#) M. Luebke of R. Gingras, Cates & Luebke, for T. Hudson - personal injury - \$70,000.00.

This Claim was Referred to the Risk Manager

116. [41144](#) NOTICE OF CLAIM: D. Rivedal - vehicle damage - amount to be determined.

This Claim was Referred to the Risk Manager

117. [41159](#) D. Schoenwetter, American Family Insurance, for B. Anderson - vehicle damage - \$8,332.86.

This Claim was Referred to the Risk Manager

118. [41169](#) C. Deaver, American Family Mutual Insurance for C. and B. Fauerbach - vehicle damage - \$4,554.00.

This Claim was Referred to the Risk Manager

119. [41197](#) AT&T - property damage - \$864.80.

This Claim was Referred to the Risk Manager

120. [41199](#) M. Nasina - vehicle damage - \$2,209.17.

This Claim was Referred to the Risk Manager

121. [41215](#) P. Proctor - property damage - \$174.37.

This Claim was Referred to the Risk Manager

122. [41241](#) R. Kruk - property damage - \$74.60.

This Claim was Referred to the Risk Manager

THE FOLLOWING ITEMS WERE INTRODUCED FROM THE FLOOR AT THE LAST COMMON COUNCIL MEETING AND ARE ON THIS AGENDA PURSUANT TO SEC. 2.05(1) (B), MGO, SOLELY FOR THE PURPOSE OF ADDING ADDITIONAL REFERRALS.

123. [40987](#) Authorizing the City's Community Development Division (CDD) to provide reimbursement in the amount of \$2,282 to Sarah Krause for an overpayment of a down payment assistance loan provided through Operation Fresh Start and funded by the CDD.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

- [41084](#) Opposing 2015 Wisconsin AB568 and 2015 Wisconsin SB445 and similar legislation including those that would condition local designation of historically-significant property and the local regulation of such property on the consent of the owner.

Adopt 1-19-2016

This Resolution was Referred to the COMMON COUNCIL

- [41278](#) Amending Sections 12.1331(3) and 1.08(3)(a) of the Madison General Ordinances to modify the towing charge forfeiture and the bail deposit for violation of said violation.

Adopt 1-19-2016

This Ordinance was Referred to the COMMON COUNCIL

ADJOURNMENT

A motion was made by DeMarb, seconded by Cheeks, to Adjourn. The motion passed by voice vote/other. Adjournment at 10:03 pm.