



City of Madison

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

Meeting Minutes - Approved COMMON COUNCIL

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Tuesday, March 29, 2016

6:30 PM

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

ROLL CALL

at 6:31 p.m. Mayor Soglin in the chair.

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

Excused: 1 - Barbara Harrington-McKinney

SPEAKING GUIDELINES

Speaking Limits:

Public Hearing - 5 Minutes, Information Hearing - 5 Minutes, Other Items - 3 minutes.

You must register before your item is considered by the Council.

The use of audible cell phone ringers and active use and response to cellular phone technology by the governing body, staff and members of the public is discouraged in the Council Chambers while the Council is in session.

NOTIFIED ABSENCES: NONE

OPENING REMARKS

SUSPENSION OF RULES

Suspend Rules 2.04 (order of business), 2.05 (introduction of business), 2.24 (ordinances), and 2.25 (resolutions) for items so designated on the agenda.

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

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.

PRESENTATIONS

- 1. Presentation: Innovations in Urban Forestry Award to the members of the Common Council Alternative Revenue Work Group by Wisconsin Urban Forestry Council Representatives

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

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

- 2. 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 Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

- 3. Creating Section 28.022 - 00223 of the Madison General Ordinances to amend a Planned Development District at property located at 5401 Tancho Drive, 17th Aldermanic District, to approve an Amended General Development Plan, and creating Section 28.022 - 00224 to amend a Planned Development District to approve a Specific Implementation Plan.

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.

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 4. Public Hearing - New License
Shi Shi FA LLC • dba Mini Hot Pot
1272 S Park St • Agent: Vincent Chang • Estimated Capacity: 50
Class B Beer • 10% alcohol, 90% food
Aldermanic District 13 (Alder Eskrich) • Police Sector 306

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.

5. Public Hearing - New License
Gallery 1444 LLC • dba The Blind Pig
1444 E Washington Ave • Agent: John H Chandler
Estimated Capacity: 49
Class B Beer, Class C Wine • 90% alcohol, 10% food
Aldermanic District 2 (Alder Zellers) • Police Sector 409

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.

6. Public Hearing - New License
Loeder Oil Co INC • dba American Center BP
5551 Eastpark Blvd • Agent: Daniel Loeder
Class A Liquor • 2% alcohol, 0% food, 98% other
Aldermanic District 17 (Alder Baldeh) • Police Sector 520

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.

7. Public Hearing - New License
608 LLC • dba 608 Restaurant & Bar
1738 Fordem Ave • Agent: Jonathan Enriquez
Estimated Capacity: 120 indoor/15 outdoor
Class B Combination Liquor & Beer • 60% alcohol, 40% food
Aldermanic District 2 (Alder Zellers) • Police Sector 409

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.

REPORT OF BOARD OF PUBLIC WORKS

8. Approving tower crane erection/construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM at 117 S. Hamilton and 25 W Main St. including Doty St frontage.

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

REPORT OF PLAN COMMISSION

9. Approving the preliminary plat and final plat of Cardinal Glenn Replat No. 1 located at 9301 Silicon Prairie Parkway, 301 Pine Lawn Parkway and 302 Pine Lawn Parkway; 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, and Close the Public Hearing. The motion passed by voice vote/other.

10. Creating Section 28.022 - 00225 of the Madison General Ordinances to amend a Planned Development District at properties located at 9301 Silicon Prairie Parkway and 301, 302 Pine Lawn Parkway, 9th Aldermanic District, to approve an Amended General Development Plan, and creating Section 28.022 - 00226 to amend a Planned Development District to approve a Specific Implementation Plan.

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.

11. Amending Sections 28.066, 28.140(1)(e), and 28.151 of the Madison General Ordinances to add more substance and clarity to the Mixed-Use Center District ordinance so that it can be more effectively implemented to achieve the purposes for which it exists.

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.

12. Creating Section 28.022-00227 of the Madison General Ordinances to change the zoning of property located at 1910 Tennyson Lane, 12th Aldermanic District, from the SR-V2 (Suburban Residential - Varied 2) District to the SR-C1 (Suburban Residential - Consistent 1) District because applicant for re-zoning request has failed to satisfy conditions of approval.

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

13. Re-approving the preliminary plat and final plat of First Addition to 1000 Oaks generally located at 702 South Point 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, and Close the Public Hearing. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

14. Report of the Mayor submitting citizen committee appointments (introduction

3-15-2016; action 3-29-2016).

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

- 15. Report of the Mayor submitting a citizen committee appointment (introduction 3-29-2016; action 4-19-2016).

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

- 16. Council Update: Year End 2015 Update from Greater Madison Convention & Visitors Bureau (GMCVB) & Madison Area Sports Commission (MASC)- Deb Archer, CEO

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

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 17. Change of Agent
Ultimate Mart LLC • dba Copps #8131
6655 McKee Rd
New Agent: Tamera Braxton
Class A Liquor & Class A Beer
Aldermanic District 7 (Alder King)

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

- 18. Change of Agent
Ultimate Mart LLC • dba Copps #8183
1312 S Park St
New Agent: Lynn M Lloyd
Class A Liquor & Class A Beer
Aldermanic District 13 (Alder Eskrich)

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

19. Change of Licensed Conditions
Sammy Aziz LLC • dba Zuzu Cafe • Capacity: 68
1336 Drake St • Agent: Robert Shapiro
Class B Combination Liquor & Beer • 35% alcohol, 65% food
Aldermanic District 13 (Alder Eskrich) • Police Sector 303
Request to remove conditions preventing selling any liquor or beer onsite.

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

20. Change of Licensed Premise
Regent Market Coop • dba Regent Market Coop (RMC)
2136 Regent St • Agent: John Wendt
Class A Liquor & Class A Beer
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301
Retail space now includes 21+ area and beer growlers for sale.

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

21. Change of Licensed Premise
Bos Meadery LLC • dba Bos Meadery
Capacity: 49 indoor/0 outdoor
849 E Washington Ave #102 • Agent: Colleen Bos
Class B Combination Liquor & Beer • 100% alcohol, 0% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408
Request to open back parking lot for annual one-day bluegrass festival in April.

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

22. 21+ Entertainment License
Gallery 1444 LLC • dba The Blind Pig • Capacity: 49
1444 E Washington Ave • Agent: John H Chandler
Class B Beer, Class C Wine • 90% alcohol, 10% food
Aldermanic District 2 (Alder Zellers) • Police Sector 409

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

23. Operator License Application
Daniel White - Establishment where employed: Paradise Lounge

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

24. Change of Licensed Conditions
Next Door Brewing LLC • dba Next Door Brewing Co • Capacity: 70
2439 Atwood Ave
Class C Wine • 40% alcohol, 55% food, 5% other
Aldermanic District 6 (Alder Rummel) • Police Sector 601
Request to remove condition #3 to allow for outdoor seating area with a capacity of 16.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the COMMON COUNCIL. The motion passed by voice vote/other.

REPORT OF BOARD OF ESTIMATES

25. Amending the 2016 Adopted Capital Budget to appropriate \$108,000 in GO Borrowing within the Fire Department's capital budget (MUNIS Project 10387) to allow MFD to purchase of a video wall in the Command Center at Madison Fire Department Administration Building at 314 W. Dayton Street.

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

26. SUBSTITUTE To adjust the Child Care Assistance income guidelines to keep them in line with the poverty guidelines published by the U.S. Department of Health and Human Services and adopted by the State and to reflect inflationary increases.

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

27. SUBSTITUTE: Authorizing the City to apply to the USDOT's Beyond Traffic: The Smart City Challenge; and if selected, amend the 2016 Adopted Operating Budget to appropriate \$100,000 in Traffic Engineering for a purchased service contract between the City of Madison and two consultants, the Wisconsin Traffic Operations & Safety Laboratory and _____ to prepare the final Smart City application; and, authorizing the City to submit the final application.

~~A resolution authorizing the City to apply to the USDOT's Beyond Traffic: The Smart City Challenge; and, if selected, authorizing the Mayor and City Clerk to sign an agreement with USDOT to accept a first round prize of \$100,000;~~

~~authorizing a contract between the City of Madison and two consultants, the Wisconsin Traffic Operations & Safety Laboratory and _____ to prepare the final Smart City application; and, authorizing the City to submit the final application.~~

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

28. Recreating the position #769 from a 1.0 FTE Accounting Technician 3 (CG20, R16) to a 1.0 FTE Buyer 2, (CG16, Range 17) in the Finance department budget, effective with the retirement of the incumbent on May 3, 2016.

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

29. Authorizing an extension of the Agreement with Utility Service Partners Private Label, Inc. (USPPL) dba Service Line Warranties of America (SLWA) for a Sanitary Sewer Lateral Warranty Program to be made available to interested homeowners at no cost to the City.

A motion was made by Ahrens, seconded by Cheeks, to Adopt.

A motion was made by Ahrens, seconded by Rummel, to Adopt the Ahrens amendment 1. The motion failed voice vote/other.

The motion to adopt passed by voice vote/other.

30. Authorizing a contract with Winscribe USA Inc. and Winscribe Inc. Limited for electronic police report dictation software, equipment and support

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

31. Dissolving Tax Incremental District (TID) #33 (Monroe Harrison).

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

32. Amending the 2016 Capital Budget for the Sewer Utility to provide additional funds to allow the construction of the Lower Badger Mill Creek Sanitary Sewer Interceptor Phase 3 project; and approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids and authorizing the Mayor and City Clerk to sign and grant easements as needed for the project.

A motion was made by DeMarb, seconded by Cheeks, to Adopt - 15 Votes

Required. The motion passed by voice vote/other.

33. SUBSTITUTE Resolution approving the recommendation of the RFP review team in choosing the Doyenne Group to act as the fund manager for the Entrepreneurship & Small Business Development Resource Fund, and ~~approving Office of Business Resources~~ authorizing the Mayor and City Clerk to execute a contract for the Doyenne Group to manage this fund.

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

34. Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$2,885,000 Tax Incremental Finance Loan to assist in the development of a housing and commercial redevelopment project located at the former Madison Dairy property in the proposed Project Plan and Boundary Amendment area of TID #36 (Capitol Gateway).

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

35. Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$565,000 Tax Incremental Finance Loan to assist in the development of an affordable housing redevelopment project located at the former Madison Dairy property in the proposed Project Plan and Boundary Amendment area of TID #36 (Capitol Gateway).

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

36. Amending the 2016 Capital Budgets of the Sewer Utility, Storm Water Utility and Engineering-Other (Landfill) to provide an additional \$351,300 of budget authority for the Engineering Service Building Addition; and Awarding Public Works Contract No. 7685, Engineering Operations Building Addition.

A motion was made by DeMarb, seconded by Cheeks, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

37. Authorizing the Mayor and City Clerk to execute a lease agreement with Tiger Lilly Seeds for the lease of 801 Royster Oaks Dr (parcel #071009225220). This land is owned and operated by the Storm Water Utility.

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

38. Authorizing the acceptance of a Quit Claim Deed from Eagle Aerie Holding Company, Inc. to the City of Madison for the dedication of a property located

at 762 Holy Cross Way.

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

39. Granting leases of subterranean space and airspace to 25 West Main Parking, LLC for use of the public right-of-way below and above 25 West Main Street, 115 South Carroll Street and 126 South Carroll Street for encroaching features.

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

40. Approving Plans, Specifications, And Schedule Of Assessments For Fordem Avenue 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, and Close the Public Hearing. The motion passed by voice vote/other.

41. Approving plans and specifications for public improvements necessary for the project known as The Turn at Cherokee - 5204 N Sherman Ave and authorizing construction to be undertaken by the Developer, Private Contract No. 7684. (18th 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. Authorizing the Mayor and City Clerk to enter into an agreement with Sustainable Engineering Group LLC to provide professional commissioning services for Fleet Services Nakoosa Trail Fleet/Fire/Radio Shop Facility in the amount of \$115,160.

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

43. Awarding Public Works Contract No. 7638, Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Work Ordered (District 6) by the Common Council.

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. Awarding Public Works Contract No. 7663, Annual Horizontal Sawcutting of Concrete Sidewalk and Incidental Work (District 6) - 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.

45. Awarding Public Works Contract No. 7664, 2016 Park Playground Improvements - Group 1.

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. Awarding Public Works Contract No. 7674, 2016 Spring Parks Division Rain Garden Management.

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. Authorizing the execution of a Conveyance of Rights in Land document by the City of Madison in favor of the State of Wisconsin Department of Transportation in connection with Transportation Project Plat No. 1206-07-25-4.05, Relocation Order USH 18 Dane County Mount Horeb-Madison (Cty PD - Raymond Road) reconstruction project.

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

48. Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Esther Beach Park Shelter.

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. Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for 2016 Park Paving.

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. Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for 2016 Playgrounds - Group 3.

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. Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for 2016 Parking Garage Maintenance.

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. Approving plans and specifications for public improvements necessary for the project known as GVC Town Center - 'B' Block and authorizing construction to be undertaken by the Developer, Private Contract No. 7591. (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.

53. Assessing Benefits - 2015 Street Resurfacing.

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. Authorizing the Mayor and City Clerk to execute Addendum No. 3 to the Contract for Professional Services (no. 7405) with Brown and Caldwell for floodplain remapping and feasibility-level design for a stormwater treatment project adjacent to Starkweather Creek.

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. Awarding Public Works Contract No. 7462, Cottage Grove Road and Dempsey Road 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.

56. Awarding Public Works Contract No. 7633, Repairing and Sealing Pavement Cracks, Local Streets - 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.

57. Awarding Public Works Contract No. 7634, Repairing and Sealing Pavement Cracks, Major Streets - 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.

- 58. Awarding Public Works Contract No. 7698, Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Ordered (District 2) by the Common Council.

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

- 59. UNLAWFUL TAXATION: Joseph Pickart, Whyte Hirschboeck Dudek S.C., for NES Equipment Services Corp. - unlawful taxation - \$31,020.00.

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

- 60. UNLAWFUL TAXATION: Joseph Pickart, Whyte Hirschboeck Dudek S.C., for United Rentals - unlawful taxation - \$144,455.00.

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

- 61. UNLAWFUL TAXATION: Matthew Fleming, Murphy Desmond S.C. for St. Raphael's Congregation - unlawful taxation - \$98,432.21.

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

REPORT OF CITY CLERK

- 62. Report of Operator License Applications March 29, 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.

Theater License (2000 Seats)
Live Nation Worldwide Inc
Orpheum Theatre
216 State St.

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

REPORT OF COMMUNITY DEVELOPMENT AUTHORITY

- 63. SUBSTITUTE Amending Enactment No. RES-08-00057 and authorizing the Mayor and City Clerk to execute a purchase and sale agreement and partial release of mortgage for CDA-owned lots in the Allied Drive area; and Amending the 2016 Adopted Capital Budget to appropriate \$357,000 from the Citywide Parkland Impact Fee acquisition funds within the Parks 2016 Capital Budget (MUNIS Project 17128).

A motion was made by DeMarb, seconded by Cheeks, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

REPORT OF EQUAL OPPORTUNITIES COMMISSION

- 64. Creating Section 26.14 and amending Sec. 1.08(3)(a) of the Madison General Ordinances to establish a child sex offender cannot reside within 2000 feet of a school or community center and establish bail deposit schedule for violation thereof.

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

REPORT OF BOARD OF PARK COMMISSIONERS

- 65. Authorizing the Mayor and City Clerk to execute an agreement with Shake the Lake Madison, LLC for the temporary closure and private use of the Olin Park boat launch for the annual Shake the Lake event for the years 2016 to 2020.

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

REPORT OF PLAN COMMISSION

- 66. Authorizing the execution of a Plat Restriction Amendment to partially release and modify the minimum elevation restriction for low window or door openings pertaining to certain buildings constructed on certain lots within the Final Plat of Genesis.

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

- 67. Authorizing the Planning Division to lead the process to update Madison's Comprehensive Plan and designating the Plan Commission as the lead policy body throughout the update process.

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

- 68. Amending the East Washington Avenue Capitol Gateway Corridor Plan to revise the land use recommendation for an approximately 2-acre site located on the south side of East Washington Avenue just east of the Yahara River to Community Mixed-Use.

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

REPORT OF RISK MANAGER

- 69. L. Goldman, Davey & Goldman, Attorney for B. Rivera - personal injury - \$30,000.00.

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

- 70. J. Cashin - personal injury - \$3,488.89.

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

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

- 71. Approving a Certified Survey Map of property owned by Campbell Capital Group, LLC located at 1801 E. Washington Avenue; 6th Ald. Dist.

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

- 72. Amending Section 33.24(15)(e)3. of the Madison General Ordinances to eliminate the footnote relating to the setbacks from East Washington and other East-West streets.

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

73. Amending Sections 10.056(5)(b)4. and 10.056(7)(a) of the Madison General Ordinances to allow a Street Use Permit to be issued to a Business Improvement District for a long-term event occurring within the District.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the STREET USE STAFF COMMISSION. The motion passed by voice vote/other.

RESOLUTIONS

74. Authorizing a Memorandum of Understanding (MOU) with Unity Point Health - Meriter and the City of Madison for the Madison Fire Department (MFD) to provide Paramedic Case Management services and amending the 2016 Madison Fire Department Budget.

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

75. BY TITLE ONLY - Accepting a grant in the amount of \$56,825 from the State of Wisconsin Emergency Management to purchase Standardized Radiological testing equipment and amending the Fire Department's budget if awarded.

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

76. BY TITLE ONLY - Final report on Community Development Division funding process evaluation by Forward Community Investments.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the COMMUNITY SERVICES COMMITTEE. The motion passed by voice vote/other.

77. Authorizing the Mayor & City Clerk to amend the purchase of service (Architect) agreement with Engberg Anderson Architects for \$446,250 to provide the remaining phases of design, which are design development, construction documents, bidding, and construction administration for the Midtown Police Station. (11th AD)

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

78. Amending the 2016 Capital Budget for the Parks Division to increase budget authority to accommodate a 2016 start for the Olbrich Botanical Complex project.

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

79. Proclaiming the week of April 24 through April 30, 2016 as Arbor Week in the City of Madison.

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

80. Recreate the 0.8 FTE Library Assistant 1 position, #3992, currently filled by Ms. Mary Fahndrich, in CG32-05, as a 1.0 FTE position, within the Library budget.

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

81. Recreating position #3891 from a 1.0 FTE Information Clerk (CG20, R07) to a 1.0 FTE Administrative Clerk 1 (CG20, R09-Class J011) in the CDA Housing Operations Division budget, and reallocating the incumbent (M. Bodde) to the new position.

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

82. Recreating position #861 of Human Resources Analyst 2 as a Human Resources Analyst 3 (Class H093), and reallocating the incumbent (E. Abdel-Halim) to the new position.

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

83. Recreating position #859 of Human Resources Analyst 2 as a Human Resources Analyst 3 (Class H093), and reallocating the incumbent (S. Olson) to the new position.

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

84. Amending the 2016 Parks Division Operating Budget to add a new 1.0 Planner 2 position, funded by capital project and an additional appropriation of \$17,165 from 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.

85. Authorizing the Mayor and City Clerk to sign a Backbone Fiber Dedication Agreement with Dane County that would authorized the City to take ownership of County constructed conduit and fiber optic cable.

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

86. Granting Special Vending Approvals under MGO 9.13(6)(k) for 2016 Special

Events as detailed on the accompanying special event resolution table.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the VENDING OVERSIGHT COMMITTEE. The motion passed by voice vote/other.

87. Authorizing the City to execute an agreement with Mad-City Ski Team, Inc. to use portions of Law Park and the adjacent Lake Monona lake bed for water ski shows, practices, lessons and other special events for the years of 2016-2019.

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

88. Authorizing the City to execute an agreement with The Madison Sailing Center for use of the sailboat storage area at Warner Park and to conduct rental, instructional and concession activities for the years of 2016-2021.

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

89. Authorizing the City to execute an agreement with Warner Park Cardinals Youth Football Program, Inc. to store youth football equipment and distribute equipment and uniforms at the Warner Stadium at the beginning of each season and throughout the season as needed for the years of 2016-2018.

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

90. Authorizing the City to execute a use agreement with Golf Revolution LLC to make it the preferred golf instruction provider at the City golf courses for 2016-2020 and authorizing City golf staff to conduct private lessons at City golf courses while not on-duty.

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

91. Authorization for Madison Water Utility to use Seiler Instrument as a sole source provider of Trimble Navigation Limited to purchase a total station and related hardware.

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

92. Approving construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM for the Whitney Way Water Pipeline project. (10th & 19th AD)

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

- 93. Approving the 2016 Neighborhood Grant Program recommendations made by the Staff Review Team and authorizing the Planning Division Director, Comptroller and City Attorney to execute grant agreements on behalf of the City

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

- 94. Authorizing the Mayor and the City Clerk to enter into a contract with Blue Plate Catering, Inc. for exclusive alcohol beverage services at Warner Park Community Recreation Center and Olbrich Botanical Gardens from January 1, 2017 through December 31, 2018, with the possibility of two successive two-year renewal terms.

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

- 95. Resolution to execute a contract with _____ for \$_____ to complete architecture/engineering for a Capitol East District Parking Structure; and to accept the Capitol East District Parking Structure Staff Report.

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

- 96. Amending the 2016 Capital Budget for the Parks Division to increase budget authority to accommodate anticipated park development for the new neighborhood park in the Allied Neighborhood.

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

Amending the 2016 Capital Budget for the Parks Division to increase budget authority to accommodate a 2016 start for the Olbrich Botanical Complex project.

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

- 97. Authorizing the Mayor and City Clerk to execute an agreement to fund a \$250,000 Madison Capital Revolving Fund loan to Sherman Plaza, Inc. to assist in making parking lot improvements to the property located at 2817 North Sherman Avenue currently occupied by Pierce's grocery store.

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

LICENSES

98. Public Hearing - New License
Pace Car LLC • dba Mr. Brews Taphouse
5251 High Crossing Blvd • Agent: Bradley J Wirtz
Estimated Capacity: 76 Indoor, 20 Outdoor
Class B Beer, Class C Wine • 40% alcohol, 60% food
Aldermanic District 17 (Alder Baldeh) • Police Sector 633

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

99. Public Hearing - New License
Regent Market Cooperative • dba Regent Market Co-op
2136 Regent St • Agent: John Wendt • Estimated Capacity: 6
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

100. Public Hearing - New License
Jiang Co LLC • dba Nani Restaurant
518 Grand Canyon Dr • Agent: Zhi Hang Jiang • Estimated Capacity: 300
Class B Combination Liquor & Beer • 5% alcohol, 95% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

101. Public Hearing - New License
Rising Sons Deli LLC • dba Rising Sons
745 N High Point Rd • Agent: Sinarack Macvilay • Estimated Capacity: 40
Class B Beer, Class C Wine • 10% alcohol, 90% food
Aldermanic District 19 (Alder Clear) • Police Sector 126

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public

Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

102. Public Hearing - New License
Henry Vilas Park Zoological Society • dba Friends of the Zoo
606 S Randall Ave • Agent: Sarah Murphy • Estimated Capacity: 400
Class B Combination Liquor & Beer • 2% alcohol, 98% food
Aldermanic District 13 (Alder Eskrich) • Police Sector 303

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

103. Public Hearing - New License
CDF LLC • dba City View Liquor
6420 Cottage Grove Rd • Agent: Charles Coens
Class A Beer, Class A Liquor
Aldermanic District 3 (Alder Hall) • Police Sector 627

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

104. Public Hearing - New License
Jun LLC • dba Osaka House
505 State St • Agent: Jun Luo • Estimated Capacity: 54
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

105. Public Hearing - New License
961 Nolan LLC • dba Barriques
901 S Park St • Agent: Matt Weygandt • Estimated Capacity: 96
Class B Combination Liquor & Beer • 10% alcohol, 85% food, 5% other
Aldermanic District 13 (Alder Eskrich) • Police Sector 306

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

106. Public Hearing - New License
Incredible India Inc • dba Minerva Indian Cuisine

515 Junction Rd • Agent: Hemnath Nagarajan • Estimated Capacity: 45
Class B Beer, Class C Wine • 10% alcohol, 90% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 128

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

- 107. Public Hearing - New License
Om Indian Fusion Cuisine LLC • dba Om Indian Fusion Cuisine
3579 E Washington Ave • Agent: Nancy Ann Viswanathan
Estimated Capacity: 95
Class B Combination Liquor & Beer • 15% alcohol, 85% food
Aldermanic District 15 (Alder Ahrens) • Police Sector 604

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

- 108. Public Hearing - New License
Sconnie Bar LLC • dba Sconnie Bar
1421 Regent St. • Agent: Thomas J Van Wie
Estimated Capacity: 160 Inside, 1160 Outside (game day)
Class B Combination Liquor & Beer • 66% alcohol, 33% food, 1% other
Aldermanic District 13 (Alder Eskrich) • Police Sector 303

A motion was made by DeMarb, seconded by Cheeks, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

- 109. Public Hearing - New License
DLS Events LLC • dba Orpheum Theater
216 State St • Agent: Benjamin Roberts • Estimated Capacity: 2,148
Class B Combination Liquor & Beer • 80% alcohol, 20% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406

A motion was made by DeMarb, seconded by Cheeks, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 110. J. Olstad - vehicle damage - \$315.95.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.

- 111. J. Last - vehicle damage - \$887.67.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.

- 112. M. Maloney - vehicle damage - \$1,590.20.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.

- 113. D. Tessmer - property loss - \$1,500.00.

A motion was made by DeMarb, seconded by Cheeks, to Refer to the Risk Manager. The motion passed by voice vote/other.

- 114. A. Schommer - vehicle damage - \$4,980.71.

A motion was made by DeMarb, seconded by Cheeks, 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.

- 115. Amending Section 12.915(8)(a) of the Madison General Ordinances to limit late-night traffic on State Street to vehicles licensed with the City.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

Establishing a sister city relationship between the City of Madison, Wisconsin, United States and the City of Kanifing, Gambia, Africa.

A motion was made by Baldeh, seconded by Cheeks, to Refer to the SISTER CITY COLLABORATION COMMITTEE. The motion passed by voice vote/other.

Authorizing the Mayor and City Clerk to execute a Purchase of Services contract with Mickey's Linen.

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

Authorizing the payment of a tax refund and associated interest as required by state law to United Rentals (North America) Inc. due to a retroactive amendment made to the personal property exemption statute for rental equipment and making an \$8,000 appropriation from the Contingent Reserve to pay interest.

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

Authorizing the payment of a tax refund and associated interest as required by state law to NES Equipment Services Corporation. due to a retroactive amendment made to the personal property exemption statute for rental equipment and making an \$1,700 appropriation from the Contingent Reserve to pay interest.

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

Amending Sections 12.138(11), 12.142(3), 12.1425(3)(b), and 12.145(3) and creating Section 12.142(1)(e) of the Madison General Ordinances to increase the rates for metered parking and residential parking permits.

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

ADJOURNMENT

A motion was made by King, seconded by Cheeks, to Adjourn at 7:54 p.m. The motion passed by voice vote/other.