



City of Madison

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

Meeting Minutes - Approved COMMON COUNCIL

This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse Channel 99 or at www.madisoncitychannel.tv.

Tuesday, December 5, 2017

6:30 PM

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

ROLL CALL

At 6:32 PM, Alder Rummel in the chair.

Present: 17 - Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Mark Clear and Matthew J. Phair

Excused: 4 - Paul R. Soglin; Barbara Harrington-McKinney; Ledell Zellers and Rebecca Kemble

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. Harrington-McKinney, Ald. Kemble and Ald. Zellers

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 Baldeh, seconded by Verveer, to Suspend the Rules.
The motion passed by voice vote/other.**

HONORING RESOLUTIONS

- 1. [49392](#) Celebrating and honoring the life and work of Paul H. Kusuda.

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

A motion was made by Carter, 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.

PRESENTATION

- 2. [49672](#) Presentation: ULC Top Innovator Award for Race & Social Equity to Library Director, Greg Mickells and The Hip Hop Architect, Michael Ford, by Susan Benton, President & CEO of Urban Libraries Council for the Hip Hop Architecture Camp Program (Central Library).

A motion was made by Baldeh, seconded by DeMarb, to Accept. 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.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

- 3. [48618](#) Creating Section 28.022 -- 00303 of the Madison General Ordinances to change the zoning of property located at 4207 Bellgrove Lane, 17th Aldermanic District, from A (Agriculture) District to SR-C2 (Suburban Residential-Consistent 2) District to rezone with land division to create four single-family residential lots.

Sponsors: Planning Division

A motion was made by Baldeh, seconded by Verveer, 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. [49226](#) Public Hearing - New License
Wisconsin Fine Wines & Spirits LLC • dba Total Wine Spirits & More
400 West Towne Mall • Agent: Todd Giammo • Estimated Capacity: 48
Class B Combination Liquor & Beer • 100% alcohol, 0% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 124

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

- 5. [49227](#) Public Hearing - New License
Brennan's Cellars LLC • dba Brennan's Cellars
8210 Watts Rd • Agent: Thea Miller • Estimated Capacity: 150
Class B Combination Liquor & Beer • 25% alcohol, 70% food, 5% other
Aldermanic District 9 (Alder Skidmore) • Police Sector 129

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

- 6. [49261](#) Public Hearing - New License
 Bell Great Lakes LLC • dba Taco Bell #3004063
 534 State St • Agent: Ramon Santana III • Estimated Capacity: 72
 Class B Combination Liquor & Beer, Class C Wine • 105% alcohol, 99.95%
 food
 Aldermanic District 2 (Alder Zellers) • Police Sector 403

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

The conditions are:

- 1. Shall cease the service of alcohol no later than 10 pm Sunday - Thursday and no later than 11 pm on Friday and Saturday.
- 2. Establishment must meet the definition of a restaurant under Section 38.02 of Madison General Ordinances at all times.
- 3. Food must be available at all times.
- 4. Establishment staff must regularly patrol and discourage loitering at and around the premises.

3 registrants in support.

1 registrant in neither support nor opposition.

Ayes: 16 - Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Mark Clear; Matthew J. Phair; Amanda Hall and Michael E. Verveer

Noes: 1 - Paul E. Skidmore

Excused: 4 - Rebecca Kemble; Paul R. Soglin; Ledell Zellers and Barbara Harrington-McKinney

REPORT OF PLAN COMMISSION

- 7. [49166](#) Creating Section 28.022 - 00304 and Section 28.022 - 00305 of the Madison General Ordinances to change the zoning of properties generally located at 118 and 122 State Street, 4th Aldermanic District, from DC (Downtown Core) District to PD(GDP-SIP) (Planned Development (General Development Plan, Specific Implementation Plan)) District.

Sponsors: Planning Division

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

8. [49221](#) Creating Section 28.022-00308 and Section 28.022-00309 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan and Specific Implementation Plan at property located at 5102 Silvertree Run, 19th Aldermanic District.

Sponsors: Planning Division

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

2 Registrants in support.

9. [49222](#) Creating Section 28.022 - 00306 and Section 28.022 - 00307 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan and Specific Implementation Plan at property located at 36 South Brooks Street, 13 Aldermanic District.

Sponsors: Planning Division

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

1 registrant in support.

10. [49324](#) Amending Sections 28.151, 28.032(1), 28.037(2), 28.039(2), 28.040(2), 28.045(2), 28.047(2), 29.048(2), 28.050(2), and 28.051(2) of the Madison General Ordinances clarifying requirements for the use of two-family twin homes in residential districts.

Sponsors: Steve King

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

11. [49342](#) Creating Section 15.01(604) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 19th Aldermanic District the Royal Partners, LLC, Attachment; creating Section 15.02(141) of the Madison General Ordinances to assign the attached property to Ward 141; assigning a permanent zoning classification of CC - Commercial Center District and assigning the property to Urban Design District No. 2.

Sponsors: Paul R. Soglin

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

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

12. [49568](#) Report of the Mayor submitting resident committee appointments (introduction 11/21/2017; action 12/5/2017).
Sponsors: Paul R. Soglin

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

13. [49638](#) 2018-2019 Appointment of Election Inspectors

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

14. [49712](#) Report of the Mayor submitting resident committee appointments (introduction 12/5/2017; action 1/2/2018).
Sponsors: Paul R. Soglin
Confirm 1/2/2018

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

CONFIRMATION HEARING

15. [49628](#) Submitting the name of Kwasi K. Obeng for confirmation of a five-year term as Common Council Chief of Staff.
Sponsors: Marsha A. Rummel, Samba Baldeh, Shiva Bidar-Sielaff, Sheri Carter, Denise DeMarb, Rebecca Kemble, Matthew J. Phair and Michael E. Verveer

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

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

PRESENTATION

16. [48572](#) Council Update: Performance and Activity Update from Greater Madison Convention & Visitors Bureau (GMCVB) - Deb Archer, CEO (12/5/17)

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

1 registrant in neither support nor opposition.

RESOLUTION

- 17. [49685](#) Amending RES-17-00734, FILE ID 48240 Authorizing the City's acquisition of 1202 S. Park Street in order to pursue development with Heartland Housing, Inc. in accordance with RES-16-00897, FILE ID 45160.

Sponsors: Sara Eskrich

A motion was made by Baldeh, 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.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 18. [49464](#) Operator License Application
Dawn Guess - Establishment where employed: Club LaMark

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

- 19. [49465](#) Change of Agent
Texas Roadhouse Holdings LLC • dba Texas Roadhouse
4841 Annamark Dr
New Agent: Ryan Scott
Class B Combination Liquor & Beer
Aldermanic District 17 (Alder Baldeh)

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

- 20. [49466](#) Change of Agent
Kwik Trip Inc • dba Kwik Trip 952 • 2538 Fish Hatchery Rd
New Agent: Laura S Feldt
Class A Beer, Class A Cider
Aldermanic District 14 (Alder Carter)

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

- 21. [49467](#) Change of Agent
Benvenutos Madison Inc • dba Benvenutos Italian Grill
1849 Northport Dr
New Agent: Tera Brandt
Class B Combination Liquor & Beer
Aldermanic District 12 (Alder Palm)

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

- 22. [49507](#) Operator License Application
Benjamin W. Chastain - Establishment where employed: Belair Cantina

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

- 23. [49512](#) Operator License Application
Stacia J McMahill

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

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

- 24. [49547](#) Amending Public Health Madison and Dane County’s 2018 Budget to add a 1.0 FTE Public Health Specialist

Sponsors: Matthew J. Phair and Paul R. Soglin

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

Ayes: 17 - Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Mark Clear and Matthew J. Phair

Excused: 4 - Paul R. Soglin; Barbara Harrington-McKinney; Ledell Zellers and Rebecca Kemble

REPORT OF BOARD OF PUBLIC WORKS

25. [48339](#) Declaring the City of Madison's intention to exercise its police powers establishing the E. Johnson Street Underground Utility District-2017.
Sponsors: Ledell Zellers

A motion was made by Baldeh, seconded by Verveer, to Adopt. The motion passed by voice vote/other.
26. [49322](#) Awarding Public Works Contract No. 8063, Garver Feed Mill Material Hauling.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Baldeh, 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.
27. [49323](#) Awarding Public Works Contract No. 8061, Fire Station 10 Storefront Replacement.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Baldeh, 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.
28. [49340](#) Declaring the City of Madison's intention to exercise its police powers establishing the North Pinckney Street Underground Utility District-2018.
Sponsors: Ledell Zellers

A motion was made by Baldeh, seconded by Verveer, to Adopt. The motion passed by voice vote/other.
29. [49491](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for 2018 Parks Division Fencing and Backstops.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Baldeh, 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.

30. [49502](#) Accepting bituminous surface pavement constructed by Private Contract in The Meadowlands, Phase 5, Private Contract No. 2084.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Baldeh, 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.

REPORT OF CITY CLERK'S OFFICE

31. [45457](#) Report of Operator License Applications December 5, 2017. See attached report for list of operators.

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

REPORT OF COMMON COUNCIL EXECUTIVE COMMITTEE

32. [47713](#) **SUBSTITUTE - Requesting the City-County Liaison Committee to gather public input and make recommendations to the City of Madison and Dane County on possible locations to rename in honor of President Barack Obama.**

~~Calling for the renaming of the City-County Building as the President Barack Obama City-County Building for the City of Madison and Dane County.~~

Sponsors: Samba Baldeh, David Ahrens and Barbara Harrington-McKinney

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

33. [49217](#) Establishing a President's Work Group to Develop City-Wide Surveillance Equipment and Data Management Policies.

Sponsors: Marsha A. Rummel and Rebecca Kemble

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

34. [49319](#) Amending ORD-17-00099, ORD-17-00100, and CHA-17-00002 to delay the effective date of these ordinances from January 1, 2018 to June 29, 2018.

Sponsors: Denise DeMarb, Rebecca Kemble and Ledell Zellers

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

- 35. [49376](#) Reaffirming the transportation ordinance changes to the transportation department and transportation committee structures as adopted by the Common Council on September 19, 2017 and establishing a timeline for implementing these ordinances as effectuated by the companion ordinance delaying the effective date of the above ordinances until June 29, 2018.

Sponsors: Denise DeMarb, Rebecca Kemble and Ledell Zellers

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

AGENDA NOTE: The Common Council Executive Committee is meeting on 12/5/17 and a recommendation will be made from the floor on Legislative File No. 49376.

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

- 36. [49136](#) Approving a Certified Survey Map of property owned by Brown Building, LLC located at 1516-1602 Gilson Street; 13th Ald. Dist.

Sponsors: Planning Division

A motion was made by Baldeh, 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.

- 37. [49137](#) Approving a Certified Survey Map of property owned by Salvador and Isabel Valdes, William J. and Kathleen M. Clerkin, and the Heggestad-Wertsch Trust located at 1514 S. Sprecher Road, 4221 Venetian Lane and 4228 Venetian Lane; 16th Ald. Dist.

Sponsors: Planning Division

A motion was made by Baldeh, 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.

- 38. [49538](#) Approving a revised Certified Survey Map of property owned by Nicholas M. Corgiat located at 8533 Prairie Hill Road; 9th Ald. Dist.

Sponsors: Planning Division

A motion was made by Baldeh, 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.

REPORT OF EARLY CHILDHOOD CARE AND EDUCATION BOARD

39. [49307](#) Authorizing the sole source purchase of services by the Community Development Division from Community Coordinated Child Care (4-Cs) for surveying, data analysis, and research services associated with early childhood and school-age care in Madison.

Sponsors: Denise DeMarb

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

REPORT OF FINANCE COMMITTEE

40. [45609](#) SUBSTITUTE - Hiring a consultant to evaluate and recommend potential improvements to existing employee benefits; amending the 2017 Adopted Operating Budget to appropriate \$50,000 from the Contingent Reserve to the Finance Department for the study; and authorizing the City of Madison to issue an RFP and enter into a contract with a consultant to conduct the study.

Sponsors: Paul R. Soglin

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

41. [49299](#) Authorizing the City to purchase IT Service Management (HEAT Classic-Service Desk) and Ivanti Management Suite-LANDesk software applications and ongoing support/maintenance from Ivanti, Inc. on a sole source basis.

Sponsors: Samba Baldeh

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

42. [49454](#) Authorizing the sole source purchase of materials from Gerber Leisure Products, Inc. for playground border timbers to maintain playground surfacing within the parks system.

Sponsors: Samba Baldeh

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

43. [49455](#) Authorizing the Transit Utility to offer free rides on New Year's Eve 2017 and amending the Transit Utility's 2017 Operating Budget to use \$10,000 of Metro's fund balance for this purpose.

Sponsors: David Ahrens, Rebecca Kemble and Arvina Martin

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

Ayes: 17 - Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Mark Clear and Matthew J. Phair

Excused: 4 - Barbara Harrington-McKinney; Ledell Zellers; Rebecca Kemble and Paul R. Soglin

44. [49472](#) Authorizing the Mayor and City Clerk to enter into an agreement with Andres Medical Billing Ltd to provide ambulance billing services and consulting.

Sponsors: Paul R. Soglin

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

45. [49477](#) Authorizing Electric Vehicle Charging Stations Site Specific Agreements.

Sponsors: Paul R. Soglin

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

46. [49500](#) Amending Section 4.21(16) of the Madison General Ordinances to permit the disclosure of room tax data paid through lodging marketplaces, where such statistical data does not disclose the identity of particular returns.

Sponsors: Paul R. Soglin, Mark Clear and Michael E. Verveer

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

47. [49543](#) Authorizing the Mayor and City Clerk to execute an Annual Performance Contract with Overture Center Foundation, Inc. for the 2018 operations of the Overture Center, and providing for a grant from the City.

Sponsors: Michael E. Verveer, Sheri Carter and Mark Clear

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

48. [49551](#) Funding for Sustain Dane's MPower Champions Program.

Sponsors: Arvina Martin, David Ahrens, Sara Eskrich, Ledell Zellers, Michael E. Verveer, Barbara Harrington-McKinney and Marsha A. Rummel

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

49. [49554](#) Funding a Residential Solar Group Buy Program in 2018.

Sponsors: Maurice S. Cheeks, Barbara Harrington-McKinney, David Ahrens, Sheri Carter, Samba Baldeh, Shiva Bidar-Sielaff, Ledell Zellers, Michael E. Verveer, Sara Eskrich and Marsha A. Rummel

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

50. [49559](#) 2ND SUBSTITUTE: Authorizing the allocation of up to \$706,580 for use in supporting adult employment contracts, and up to \$722,008 for youth employment contracts, amending the City's 2018 Adopted Operating Budget to authorize the transfer of \$22,500 from funds budgeted for adult employment contracts to those budgeted for youth employment contracts, modifying the Community Services Committee recommendations with respect to specific adult employment contract awards, and authorizing the Mayor and City Clerk to enter into contracts with non-profit organizations selected through a Request for Proposals (RFP) process conducted by the Community Development Division to provide programming, beginning in 2018, that is geared toward preparing and connecting individuals with employment.

Sponsors: Shiva Bidar-Sielaff

A motion was made by Bidar-Sielaff, seconded by Verveer, to Adopt the 3rd Substitute - 15 Votes Required. The motion passed by the following vote:

3 registrants in support.

Ayes: 15 - Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh and Mark Clear

Recused: 2 - Sara Eskrich and Matthew J. Phair

Excused: 4 - Ledell Zellers; Rebecca Kemble; Paul R. Soglin and Barbara Harrington-McKinney

51. [49562](#) Amending the 2017 Capital Budgets for the Sewer Utility and Stormwater Utility to adjust special assessment budget authority to match the final assessment amounts in completed projects.

Sponsors: Paul E. Skidmore

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

Ayes: 17 - Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Mark Clear and Matthew J. Phair

Excused: 4 - Ledell Zellers; Rebecca Kemble; Paul R. Soglin and Barbara Harrington-McKinney

52. [49566](#) SUBSTITUTE - Appropriating a net amount of \$2 million from the General and Library Fund balances to agency budgets, making transfers of appropriations between and within agencies, making a short-term advance from the Debt Service Fund to the Community Development Authority, and amending the 2017 operating budget.

Sponsors: Paul R. Soglin

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

Ayes: 17 - Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Mark Clear and Matthew J. Phair

Excused: 4 - Rebecca Kemble; Paul R. Soglin; Ledell Zellers and Barbara Harrington-McKinney

53. [49577](#) Approving a State Street District Retail Improvement Grant to Triangle Market.

Sponsors: Michael E. Verveer and Paul R. Soglin

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

54. [49587](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$322,000 Tax Incremental Finance Loan to 134 Fair Oaks, LLC or its assigns to assist in the development located at 134 S. Fair Oaks Avenue within the boundary of TID #37 (Union Corners).

Sponsors: Paul R. Soglin and Marsha A. Rummel

A motion was made by Baldeh, seconded by DeMarb, to Adopt. The motion passed by the following vote:

1 registrant in support.

Ayes: 15 - Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sheri Carter; Denise DeMarb; Samba Baldeh; Mark Clear; Matthew J. Phair; Amanda Hall and Michael E. Verveer

Noes: 2 - Sara Eskrich and David Ahrens

Excused: 4 - Rebecca Kemble; Paul R. Soglin; Ledell Zellers and Barbara Harrington-McKinney

AGENDA NOTE: Council President Rummel requested that Legislative File No. 49587 be placed on the 12/5/2017 Common Council agenda for action.

55. [49610](#) Authorizing the Mayor and City Clerk to Execute a contract with AVA Civic Enterprises, Inc. for Project Director Services for the construction phase of the Judge Doyle Project and as Sole Source to act as City Agent for the Development of Judge Doyle Project.

Sponsors: Michael E. Verveer and Paul R. Soglin

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

56. [49616](#) Selecting the Arts + Literature Lab (ALL) as the future occupant of the commercial space being constructed as part of the Capitol East Parking Structure and directing City staff to work with ALL on a term sheet.

Sponsors: Marsha A. Rummel

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

REPORT OF FINANCE DIRECTOR

CLAIM

57. [49572](#) Notice of Claim filed by Veridian Management Solutions, LLC, for the return of overpayment of park impract fees in the amount of \$261,854.33.

A motion was made by Baldeh, seconded by Verveer, to Approve as Recommended by the Finance Director. The motion passed by voice vote/other.

REPORT OF PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION

58. [49314](#) Amending the 2017 Bicycle and Pedestrian Capital Budget to transfer \$100,000 of existing GO borrowing authority between major programs Bikeways Program and Sidewalk Program.

Sponsors: David Ahrens and Denise DeMarb

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

Ayes: 17 - Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Mark Clear; Matthew J. Phair and Amanda Hall

Excused: 4 - Rebecca Kemble; Paul R. Soglin; Ledell Zellers and Barbara Harrington-McKinney

REPORT OF PUBLIC SAFETY REVIEW COMMITTEE

59. [49021](#) Amending Section 24.01 of the Madison General Ordinances to reflect a guardian's responsibility to insure there is not an unlawful use of the emergency telephone number.

Sponsors: David Ahrens

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

60. [49163](#) Adopting the City of Madison Annex to the Dane County Natural Hazard Mitigation Plan

Sponsors: Paul E. Skidmore

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

REPORT OF RISK MANAGER

61. [48929](#) M. David, Sentry Insurance for E. Terwall - personal injury - greater than \$1.00.

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

62. [49550](#) J. Warncke, West Bend for I. Hassan, Night Owl Support Systems - personal injury - \$2,860.38.

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

63. [49564](#) B. Reddin - vehicle damage - \$1,407.60.

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

REPORT OF TRANSIT & PARKING COMMISSION

64. [49223](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Edgewood College, Inc. for the provision of access by Edgewood students and employees to Metro Transit fixed route and ADA paratransit services, with reimbursement per trip for the contract period.

Sponsors: David Ahrens, Arvina Martin and Rebecca Kemble

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

REPORT OF URBAN DESIGN COMMISSION

65. [49583](#) Amending Sections 31.03(2), 31.044(1)(e), 31.046(3)(c)3., 31.046(4)(a), 31.101(2)(b), 31.12(2)(g), 31.14(3)(c), 31.15(2) and 31.15(3), repealing Section 31.044(1)(f) and creating Section 31.14(2)(g) of the Madison General Ordinances (Sign Control Ordinance) to update or delete various definitions, clarify applicability with respect to commercial and noncommercial messages, and refine the number of signs allowed during an election campaign period.

Sponsors: Paul R. Soglin and Michael E. Verveer

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

REPORT OF VENDING OVERSIGHT COMMITTEE

- 66. [49580](#) Report of the Vending Oversight Committee on Hearing to Suspend / Revoke Late Night Vending License of Leia B. Boers d/b/a Leia’s Lunch Box: Recommendation to Revoke Late Night Vending License for 1 year

A motion was made by Baldeh, seconded by Verveer, to Revoke the license for 1 year from the date of the Common Council's action, as recommended in the report.. The motion passed by voice vote/other.

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

- 67. [49283](#) SUBSTITUTE Identifying the Madison Public Market Foundation as the future operator of the Madison Public Market and directing City staff to work with the Madison Public Market Foundation Board on the terms of an Operating Agreement.

Sponsors: Marsha A. Rummel and Amanda Hall

A motion was made by Eskrich, seconded by King, to Adopt the Alternate. The motion passed by the following vote:

Ayes: 16 - Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Sara Eskrich; Sheri Carter; David Ahrens; Denise DeMarb; Samba Baldeh; Mark Clear; Matthew J. Phair; Amanda Hall and Michael E. Verveer

Recused: 1 - Larry Palm

Excused: 4 - Rebecca Kemble; Paul R. Soglin; Ledell Zellers and Barbara Harrington-McKinney

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

- 68. [49644](#) Amending Sections 38.05(3)(a) and (b) of the Madison General Ordinances to amend application of public notification fee for alcohol licenses.

Sponsors: Michael E. Verveer

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

69. [49649](#) Amending Section 1.08(3)(a) of the Madison General Ordinances to increase the cash deposit for citations issued under Sections 12.137 and 12.134, MGO.
- Sponsors:** Michael E. Verveer
- A motion was made by Baldeh, seconded by Verveer, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.**
70. [49684](#) Amending Section 39.02(3)(a) of the Madison General Ordinances to reduce the size of the Affirmative Action Commission.
- Sponsors:** Paul R. Soglin and Matthew J. Phair
- Additional Referral: Affirmative Action Commission
- A motion was made by Baldeh, seconded by Verveer, to Refer to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.**
71. [49691](#) Creating Section 38.07(4) and renumbering Sections 38.07(4) through (21) to Sections 38.07(5) through (22) of the Madison General Ordinances to allow patrons to order alcohol sales online and pick up merchandise in a designated parking area of the store.
- Sponsors:** Michael E. Verveer
- A motion was made by Baldeh, seconded by Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
72. [49707](#) Creating Section 28.022 -- 00313 of the Madison General Ordinances to change the zoning of property located at 566 Schewe Road, 9th Aldermanic District, from Temp A (Temporary Agricultural) District TR-C3 (Traditional Residential-Consistent 3) District.
- Sponsors:** Planning Division
- A motion was made by Baldeh, seconded by Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**
73. [49708](#) Creating Section 28.022 - 00311 and Section 28.022 - 00312 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan and Specific Implementation Plan at properties located at 5402 Congress Avenue and 3325 Ambassador Drive, 17th Aldermanic District.
- Sponsors:** Planning Division
- A motion was made by Baldeh, seconded by Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

RESOLUTIONS

74. [49612](#) A RESOLUTION authorizing the Mayor and City Clerk to enter into a contract on behalf of the City with MAXIMUS Consulting Services, Inc. for professional cost allocation services and the creation of an annual Indirect Cost Allocation Plan (CAP).
- Sponsors:** Paul R. Soglin
- A motion was made by Baldeh, seconded by Verveer, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.**
75. [49640](#) Delete the classification of “Police Information Systems Coordinator” (CG18, R10), and create the classification of “Police Information Systems Coordinator” (CG18, R12). Recreate and retitle the position #3544 of 1.0 FTE “Police Information Systems Coordinator” (CG18, R10) as “Police Information Systems Coordinator” (CG18, R12), in the Police Department Operating Budget; and reallocate the incumbent, T. Dull, to the new position.
- Sponsors:** Paul R. Soglin
- Additional Referral: Personnel Board
- A motion was made by Baldeh, seconded by Verveer, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.**
76. [49641](#) Adopting updates to the City of Madison Personnel Rules to allow for retroactive pay after completion of a position study back to the pay period following receipt of the study in HR.
- Sponsors:** Paul R. Soglin
- A motion was made by Baldeh, seconded by Verveer, to Refer to the PERSONNEL BOARD. The motion passed by voice vote/other.**
77. [49642](#) Create a new hourly classification of Auto Worker Trainee to be placed in the salary schedule of Compensation Group 15, Range 00 with a pay range of \$13.01 per hour.
- Sponsors:** Paul R. Soglin
- A motion was made by Baldeh, seconded by Verveer, to Refer to the PERSONNEL BOARD. The motion passed by voice vote/other.**
78. [49681](#) Authorizing the Mayor and Clerk to execute a Release of Declarations of Conditions and Covenants pertaining to property located at 401 North Third Street.
- Sponsors:** Larry Palm
- A motion was made by Baldeh, seconded by Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

79. [49683](#) Authorizing the execution of a lease with the Town of Blooming Grove of space within the building located at 3325 Thurber Avenue for use as an artist studio.

Sponsors: Sheri Carter and Marsha A. Rummel

Additional Referrals: Plan Commission, Madison Arts Commission

A motion was made by Baldeh, seconded by Verveer, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.

80. [49701](#) Authorizing the Mayor and City Clerk to execute Addendum No. 1 to the Contract for Professional Services (no. 7833) with MSA Professional Surveys for survey and design services to mitigate flooding issues at the Hawks Landing Golf Course and surrounding neighborhood.

Sponsors: Barbara Harrington-McKinney

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

81. [49710](#) Authorizing the Mayor and City Clerk to enter into a five-year contract, with renewals, with NuPark, Inc. for the purchase of a Mobile License Plate Recognition System.

Sponsors: David Ahrens and Ledell Zellers

Additional Referral: Transit and Parking Commission

A motion was made by Baldeh, seconded by Verveer, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.

82. [49714](#) Approving the City of Madison comprehensive language access plan.

Sponsors: Shiva Bidar-Sielaff

Additional Referral: Affirmative Action Commission

A motion was made by Baldeh, seconded by Verveer, to Refer to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.

83. [49715](#) Authorizing the allocation of up to \$90,000 among 3 non-profit agencies to help finance the provision of an array of homeless services beginning in 2018, as the result of a competitive RFP process conducted by Community Development Division; and authorizing the Mayor and City Clerk to enter into agreements with those agencies to implement the designated programs and services.

Sponsors: Marsha A. Rummel, Samba Baldeh, Maurice S. Cheeks and Matthew J. Phair

Additional Referral: Community Development Block Grant Committee

A motion was made by Baldeh, seconded by Verveer, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.

LICENSES

84. [49636](#) Public Hearing - New License
El Sabor De Puebla LLC • dba El Sabor De Puebla
305 N 4th Street • Agent: Reyna Gonzalez Torres
Estimated Capacity: 36
Class B Beer, Class C Wine • 10% alcohol, 90% food
Aldermanic District 12 (Alder Palm) • Police Sector 501

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

85. [49637](#) Public Hearing - New License
Encore Adventure LLC • dba Tiny's Tap House
308 S Paterson Street • Agent: Holly Alexander • Estimated Capacity: 30
Class B Combination Liquor & Beer • 75% alcohol, 20% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408

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

86. [49646](#) Public Hearing - New License
Musonics LLC • dba Cafe CODA
1222 Williamson Street • Agent: Hanah Jon Taylor
Estimated Capacity: 99
Class B Combination Liquor & Beer • 62% alcohol, 9% food, 29% other
Aldermanic District 6 (Alder Rummel) • Police Sector 408

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

87. [49647](#) Public Hearing - New License
Menihands LLC • dba Pooley's
5441 High Crossing Boulevard • Agent: Peter Menihan
Estimated Capacity: 300
Class B Combination Liquor & Beer • 60% alcohol, 30% food, 10% other
Aldermanic District 17 (Alder Baldeh) • Police Sector 633

A motion was made by Baldeh, seconded by Verveer, to Refer For Public Hearing 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

88. [49614](#) L. Annen - vehicle damage - \$283.75.

This Claim was Referred to the Risk Manager

89. [49615](#) A. Scales for C. Marzette - vehicle damage - \$479.33.

This Claim was Referred to the Risk Manager

90. [49625](#) N. Johnson - vehicle damage - \$999.21.

This Claim was Referred to the Risk Manager

91. [49626](#) J. Cloos - vehicle damage - \$1797.30.

This Claim was Referred to the Risk Manager

92. [49645](#) J. Rapacz, CHT Apartment Rentals LLC - property damage - \$12,700.00.

This Claim was Referred to the Risk Manager

93. [49657](#) V. Bessert - property damage - \$528.56.

This Claim was Referred to the Risk Manager

94. [49682](#) G. Sisler - property damage - \$1,366.00.

This Claim was Referred to the Risk Manager

95. [49706](#) Iwona Zuehlke, Wisconsin Mutual Insurance Co., for M. and A. Greenhalgh - vehicle damage - \$2,035.19.

This Claim was Referred to the Risk Manager

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT

A motion was made by King, seconded by Verveer, to Adjourn at 9:37 PM. The motion passed by voice vote/other.