



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, October 2, 2018

6:30 PM

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

ROLL CALL

At 6:31 PM, Mayor Soglin in the Chair.

Present: 19 - Paul R. Soglin; Barbara Harrington-McKinney; Ledell Zellers; Amanda Hall; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Zach Wood; Paul E. Skidmore; Maurice S. Cheeks; Arvina Martin; Larry Palm; Allen A. Arntsen; Sheri Carter; David Ahrens; Michael J. Tierney; Samba Baldeh; Keith Furman and Matthew J. Phair

Excused: 2 - Steve King 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: ALD. KING

OPENING REMARKS

1. [53271](#) Welcoming Mayor Talib Ahmed Bensouda and Council Member Sulayman Jammeh from Kanifing, The Gambia

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 Carter, to Suspend the Rules. The motion passed by voice vote/other.

PETITIONS AND COMMUNICATIONS

PETITIONS

- 2. [53265](#) Petition received in the Madison City Clerk's Office 9/24/2018 from D'Onofrio, Kottke and Associates, Inc. to attach a parcel from the Town of Middleton to the City of Madison.

Accept 10/16/18

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

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

APPEALS

- 3. [52415](#) Appeal of Landmarks Commission Decision on 8/27/18: 1 Speedway Rd - Exterior Alteration to a Designated Madison Landmark Site (Forest Hill Cemetery); 13th Ald. Dist.

A motion was made by Baldeh, seconded by Carter, to Grant the Appeal. The motion passed by the following vote:

There were 2 registrants in support, 1 in opposition, and 1 in neither support nor opposition.

Ayes: 17 - Barbara Harrington-McKinney; Ledell Zellers; Amanda Hall; Shiva Bidar-Sielaff; Marsha A. Rummel; Zach Wood; Maurice S. Cheeks; Arvina Martin; Larry Palm; Allen A. Arntsen; Sheri Carter; David Ahrens; Michael J. Tierney; Samba Baldeh; Keith Furman; Matthew J. Phair and Paul R. Soglin

Noes: 2 - Michael E. Verveer and Paul E. Skidmore

Excused: 2 - Steve King and Rebecca Kemble

REPORT OF FINANCE COMMITTEE

- 4. [52870](#) 2019 Executive Capital Budget

Sponsors: Paul R. Soglin

Common Council (Public Hearings 10/2/18, 11/13/18, 11/14/18)

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

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

- 5. [53229](#) Report of the Mayor submitting resident committee appointments (introduction 9/25/2018; action 10/2/2018).

Sponsors: Paul R. Soglin

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

- 6. [53303](#) Report of the Mayor submitting resident committee appointments (introduction 10/2/2018; action 10/16/2018).

Sponsors: Paul R. Soglin

Confirm 10/16/18

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

RESOLUTION

- 7. [53298](#) Authorizing additional funds for the Stroud, Willink & Howard law firm for legal assistance related to the Judge Doyle Square Project.

Sponsors: Paul R. Soglin and Michael E. Verveer

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

Enactment No: RES-18-00712

REPORTS OF OFFICERS

REPORT OF BOARD OF PUBLIC WORKS

8. [53099](#) Declaring the City of Madison's intention to exercise its police powers establishing the Hammersley Avenue Assessment District - 2019. (11th AD)

Sponsors: Arvina Martin

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

Enactment No: RES-18-00713

9. [53110](#) Authorizing the City to extend the Southwest Bike Path agreement with the State of Wisconsin Department of Transportation and the South Central Wisconsin Rail Transit Commission for an additional 20 years. (4th, 5th, 8th, 10th, 11th & 13th ADs)

Sponsors: Allen A. Arntsen

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

Enactment No: RES-18-00714

10. [53155](#) Accepting storm sewer improvements constructed by Private Contract for University Research Park - Science Drive Storm Sewer, Private Contract No. 8025. (10th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-18-00715

11. [53163](#) Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between Madison and Strand Associates, Inc. for additional design engineering services for the Blair/John Nolen Intersection final design. (4th & 6th ADs)

Sponsors: Michael E. Verveer and Marsha A. Rummel

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

Enactment No: RES-18-00716

12. [53189](#) Awarding Public Works Contract No. 8255, Sanitary Sewer Access Structure Line - 2018. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-18-00717

13. [53190](#) Awarding Public Works Contract No. 8106, Winnebago Street, Atwood Avenue and Linden Avenue Assessment District - 2018. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-18-00718

14. [53192](#) Awarding Public Works Contract No. 8245, Madison Police North District Flooring Replacement. (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-18-00719

REPORT OF CITY CLERK

15. [38809](#) Report of Operator License Applications October 2, 2018. See attached report for list of operators.

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

16. [53270](#) Amending Section 15.02(7) of the Madison General Ordinances by changing the polling location for Ward 7 from City Church, 4909 East Buckeye Road, to Westminster Senior Apartments, 6160 Dell Drive.

Sponsors: Michael J. Tierney

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

Enactment No: ORD-18-00097

17. [53319](#) Amending Sections 15.02(49) and 15.02(56) of the Madison General Ordinances by changing the polling location for Ward 49 from Hub Madison, 437 North Frances Street to Gordon Dining and Event Center, 770 W. Dayton Street and changing the polling location for Ward 56 from Gordon Commons, 717 West Johnson Street to Sellery Hall, 821 W. Johnson Street.

Sponsors: Zach Wood

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

REPORT OF FINANCE COMMITTEE

18. [52745](#) Authorizing a noncompetitive contract with Interpreters Cooperative of Madison for in person language interpretation services.

Sponsors: Shiva Bidar-Sielaff

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

Enactment No: RES-18-00720

19. [52746](#) Authorizing a noncompetitive contract with Purple Communications for in person American Sign Language interpretation services.

Sponsors: Shiva Bidar-Sielaff

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

Enactment No: RES-18-00721

20. [53201](#) Authorizing the issuance of \$86,100,000 General Obligation Promissory Notes, Series 2018-A and \$12,655,000 Taxable General Obligation Promissory Notes, Series 2018-B

Sponsors: Paul R. Soglin

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

Enactment No: RES-18-00723

The Finance Committee will consider this item at their October 2, 2018 special meeting and a recommendation will be made from the floor. This item requires 15 votes for adoption.

21. [53202](#)

Sponsors: Paul R. Soglin

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

Enactment No: RES-18-00724

The Finance Committee will consider this item at their October 2, 2018 special meeting and a recommendation will be made from the floor. This item requires 15 votes for adoption.

REPORT OF RISK MANAGER

22. [53095](#) American Family Insurance Group for D. Chisholm - property damage - \$28,234.00.

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

23. [53096](#) R. Aide - property damage - \$5,165.75.

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

24. [53186](#) M. Nack and P. Bakken - property damage - \$40,778.68.

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

25. [53226](#) S. Siraj - property damage - \$15,500.00.

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

26. [53228](#) A. Sou - vehicle damage - \$4,527.43.

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

ITEMS REFERRED TO THIS MEETING

27. [53130](#) Amending Section 15.02(43) of the Madison General Ordinances by changing the polling location for Ward 43 from the Madison Central Police District to the Madison Municipal Building and amending Section 15.02(52) by changing the polling location for Ward 52 from the Madison Central Police District to the Madison Municipal Building.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-18-00098

28. [53137](#) Establishing absentee voting locations for the 2018 General Election.

Sponsors: Samba Baldeh, Sheri Carter, Shiva Bidar-Sielaff, Michael E. Verveer, Zach Wood, Allen A. Arntsen, Ledell Zellers, Arvina Martin, Maurice S. Cheeks, Rebecca Kemble, Larry Palm, Michael J. Tierney, Amanda Hall, Paul E. Skidmore, David Ahrens, Keith Furman and Steve King

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

Enactment No: RES-18-00722

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

29. [53256](#) Amending Section 20.16(5) of the Madison General Ordinances to clarify the procedure used to determine park-infrastructure impact fee credits.

Sponsors: Paul R. Soglin and Paul E. Skidmore

Additional referral to Finance Committee.

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

30. [53269](#) Repealing Section 3.17(18) of the Madison General Ordinances to eliminate the CDA Housing Operations Subcommittee.

Sponsors: Sheri Carter

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

RESOLUTIONS

31. [53275](#) Submitting the appointment of Sarah H. Edgerton for confirmation of a five-year term as the Director of Information Technology.

Sponsors: Paul R. Soglin

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

32. [53283](#) BY TITLE ONLY - Authorizing the City of Madison to grant and execute a Trail and Conservation Easement to the County of Dane over 40 acres of vacant land in the Town of Verona to be purchased by the City for the future connection of the Ice Age Trail.

Sponsors: Paul R. Soglin, Paul E. Skidmore, Samba Baldeh, Barbara Harrington-McKinney and Amanda Hall

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

33. [53284](#) Approving the Amendment to the Project Plan for Tax Incremental District (TID) #46 (Research Park), City of Madison.

Sponsors: Keith Furman and Maurice S. Cheeks

Additional referral to Plan Commission.

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

34. [53285](#) Amending the 2018 Engineering-Major Streets, Sewer and Stormwater Utility Capital Budgets and the Sewer and Stormwater Utility Operating Budgets to cover expenses incurred as a result of the extreme rain event experienced on August 20, 2018 and the resulting high lake levels and associated isthmus flooding. (Various ADs)

Sponsors: Paul R. Soglin and Amanda Hall

Additional referral to Board of Public Works.

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

35. [53302](#) Amending the 2018 Parks Division Capital Budget for coverage from the Insurance Fund for the replacement of a maintenance shed destroyed by a fire and transferring existing GO borrowing authority between major programs Beaches and Shoreline Improvements and Park Land Improvements.

Sponsors: Marsha A. Rummel

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

36. [53304](#) Approving the use of Safe Routes Grants funding for the installation of new sidewalk on project #11742: Shepard Terrace, Chamberlain Avenue, Van Hise Avenue and Mason Street Assessment District - 2018. (5th AD)

Sponsors: Shiva Bidar-Sielaff and Amanda Hall

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

37. [53305](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a new public sanitary sewer within a parcel located in the northeastern quadrant at the intersection of W. Mineral Point Road and Pioneer Road. Located in part of the NE ¼, SW ¼ and SE ¼ of the SE ¼ of Section 20, T7N, R8E. (Town of Middleton adjacent to 9th AD)

Sponsors: Paul E. Skidmore

Additional referral to Plan Commission.

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

38. [53314](#) Terminating the Declaration of Public Works Emergency per Section 62.15(1b) of the Wisconsin Statutes and MGO 4.26(4)(c) to repair the sanitary sewer in the backyards of the 10 Block of Langdon Street. (2nd AD)
- Sponsors:** BOARD OF PUBLIC WORKS and Ledell Zellers

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

OPERATING BUDGET

39. [53172](#) 2019 Executive Operating Budget
- A motion was made by Baldeh, seconded by Carter, to Refer For Public Hearing to the FINANCE COMMITTEE. The motion passed by voice vote/other.**

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

40. [53286](#) K Dickson for Valhalla Valley Homeowners Association - property damage - \$9,000.00.
- This Claim was Referred to the Risk Manager**
41. [53287](#) J. Scott Olson, The Jeff Scott Olson Law Firm, S.C., for C. Jones - vehicle damage - \$106,217.64.
- This Claim was Referred to the Risk Manager**
42. [53290](#) NOTICE OF CLAIM: D. Moore, Nowlan & Mouat LLP for N. Keene, J. Beach, K. Sielaff - property damage - amount to be determined.
- This Claim was Referred to the Risk Manager**
43. [53293](#) A. Schuck and P. Stone - property damage - \$275.54.
- This Claim was Referred to the Risk Manager**
44. [53294](#) NOTICE OF CLAIM - S. Dinerstein - vehicle damage - amount to be determined.
- This Claim was Referred to the Risk Manager**
45. [53295](#) D. Beissel - vehicle damage - \$273.50.
- This Claim was Referred to the Risk Manager**

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

[53362](#)

Authorizing a Second Amendment to RES-17-00664 Authorizing the Execution of a Development Agreement with Garver Feed Mill, LLC to include a recorded version of CSM No. 14664 and modify the permitted location of a private storm sewer over City-owned lands.

Sponsors: Marsha A. Rummel

Additional referral to Board of Public Works.

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

****ADDENDUM****

Agenda note: Alder King is an excused absence.

LATE ITEMS

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

46.

[52054](#)

Amending Section 23.05(4) of the Madison General Ordinances to prohibit smoking within 25 feet of any City owned building and amending Section 23.05(1) to hyphenate the term “smokefree.”

Sponsors: Sara Eskrich and Matthew J. Phair

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

Enactment No: ORD-18-00099

HONORING RESOLUTION

47.

[52406](#)

Proclaiming Monday, October 8, 2018 as Indigenous Peoples' Day in Madison, Wisconsin.

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

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

There were 2 registrants in support.

Enactment No: RES-18-00711

ADJOURNMENT

A motion was made by Baldeh, seconded by Bidar-Sielaff, to Adjourn at 7:51 PM. The motion passed by voice vote/other.