



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, November 17, 2009

6:30 PM

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

NOTIFIED ABSENCES: Kerr

ROLL CALL

Present: 20 -

David J. Cieslewicz; Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Excused: 1 -

Julia S. Kerr

SUSPENSION OF RULES

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

HONORING RESOLUTIONS

1. [16582](#) That the Mayor and Common Council of the City of Madison recognize the fifteenth anniversary of the relationship between Madison and Camaguey and cordially welcome artists Orestes Larios Zaak, Gregorio Perez Escobar and Maria Ofelia Granela Suarez to our City.

Sponsors: David J. Cieslewicz, Tim Bruer, Mark Clear, Shiva Bidar-Sielaff, Joseph R. Clausius, Judy Compton, Bryon A. Eagon, Julia S. Kerr, Steve King, Bridget R. Maniaci, Larry Palm, Satya V. Rhodes-Conway, Marsha A. Rummel, Jed Sanborn, Chris Schmidt, Michael Schumacher, Paul E. Skidmore, Brian L. Solomon and Michael E. Verveer

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00929

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 BOARD OF PUBLIC WORKS

- 2. [16073](#) SUBSTITUTE - Creating Section 20.08(10) of the Madison General Ordinances to establish the Lower Badger Mill Creek Sewer and Drainage Improvement Impact Fee and District.
Sponsors: Paul E. Skidmore

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-09-00156

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF PUBLIC WORKS

- 3. [16210](#) Approving Schedule Of Assessments For Bartillon Drive Sidewalk Assessment District - 2010.
Sponsors: BOARD OF PUBLIC WORKS

This Resolution was Adopt
Enactment No: RES-09-00928
- 4. [16425](#) Approving Plans, Specifications, And Schedule Of Assessments For Lien Road Assessment District - 2009. (17th AD)
Sponsors: BOARD OF PUBLIC WORKS

This Resolution was Adopt

Enactment No: RES-09-00927

REPORT OF PLAN COMMISSION

- 5. [16006](#) Creating Section 28.06(2)(a)3455. of the Madison General Ordinances rezoning property from R4 General Residence District and C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3456. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Gas Station and Single-Family House to Allow 31-Unit Apartment Building with 2,400 Square Feet Retail; 4th Aldermanic District: 1246-1252 Williamson Street and 308-310 South Baldwin Street.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-09-00157

- 6. [16105](#) Creating Section 28.06(3)(c) and amending Sec. 28.105(4) of the Madison General Ordinances to make Flood Storage provisions consistent with State code.

Sponsors: Lauren Cnare

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-09-00158

- 7. [16125](#) Creating Section 28.09(3)(d)36. of the Madison General Ordinances to add fish farming and growing food crops and/or raising food crops as conditional uses in the C2 district.

Sponsors: Satya V. Rhodes-Conway and Marsha A. Rummel

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-09-00159

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

- 8. [16359](#) Report of the Mayor submitting citizen committee appointments (introduced 11-3-2009; action 11-17-2009)

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Confirm. The motion passed by the following vote:

Excused: 1 -
Julia S. Kerr

Ayes: 18 -
Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Mark Clear

Abstentions: 1 -
Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

- 9. [16378](#) Report of the Mayor submitting citizen committee appointments (introduced 11-17-2009; action 12-8-2009)

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Refer to a future Meeting to Confirm . The motion passed by voice vote/other.

REPORTS OF OFFICERS

REPORT OF BOARD OF ESTIMATES

- 10. [16062](#) SECOND SUBSTITUTE - Amending the 2009-2010 Community and Neighborhood Development Program Funding Framework to delete the shared appreciation requirement for non-profit agencies.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt. The motion passed by the following vote:

Excused: 1 -
Julia S. Kerr

Ayes: 19 -

Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele and Jed Sanborn

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00930

11. [16128](#)

Recreation of an Engineering Aide 1 position to an Engineering Aide 2 in the Traffic Engineering Division and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00931

12. [16264](#)

Authorizing the carry-over of CDBG, HOME and other funds, and the extension of previously authorized projects within the Community Development program budget.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00932

13. [16313](#)

Approve the provision of \$71,850 in CDBG funds to the Madison Metropolitan School District for space and operating costs at the Meadowood Neighborhood Center, 5734 Raymond Road.

Sponsors: Shiva Bidar-Sielaff, Marsha A. Rummel and Steve King

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt. The motion passed by the following vote:

Excused: 1 -

Julia S. Kerr

Ayes: 19 -

Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele and Jed Sanborn

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00933

- 14. [16365](#) Reclassifying two existing positions of Public Health Clinic Aide (#901, #926) in Public Health as Program Assistants 1 and reallocating the incumbents to the new classification and pay range.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00934

- 15. [16369](#) Authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for the design and construction of STH 113 (First Street to Knutson Drive).

Sponsors: Larry Palm, Michael Schumacher and Satya V. Rhodes-Conway

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00935

- 16. [16377](#) Recreation of two Administrative Clerk 1 positions to two Program Assistant 1 positions in the Housing Operations Division budget and reallocating the incumbents to the new positions.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00936

- 17. [16391](#) Creation of the Municipal Clerk series within CG 20 (Municipal Clerk 1-Range 9, Municipal Clerk 2-Range 10, Certified Municipal Clerk-Range 11), creation of three (3) positions of Certified Municipal Clerk in the Clerk's office budget, and reallocation of three Administrative Clerks 1 to the appropriate levels within the new series.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00937

18. [16416](#) Authorizing the Mayor and Chief of Police to accept four (4) traffic safety grants totaling \$73,000 from Wisconsin Department of Transportation for the following activities in 2009/2010: Alcohol Enforcement (\$35,000), Speed Enforcement (\$30,000), Pedestrian Safety Enforcement (\$4,000) and Bicycle Safety Enforcement (\$4,000).

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00938

19. [16418](#) Report of Chief of Police re: Police Overtime through the 3rd Quarter of 2009.

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

20. [16434](#) Amending Secs 9.13(6)(h)3.a.i. and iii., Sec. 9.13(6)(h)3.b.i., Secs.9.13(6)(h)3.c.i. and ii. to increase the street vending license fees for mall/concourse food vendors, merchant vendors, and license and other fees for arts and crafts vendors; and amending Sec. 31.075(2)(a) of the Madison General Ordinances to increase the permit fee for promotional banners.

Sponsors: Michael E. Verveer

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt. The motion passed by the following vote:

Excused: 1 -
Julia S. Kerr

Ayes: 18 -
Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Jed Sanborn and Bridget R. Maniaci

Noes: 1 -
Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

Enactment No: ORD-09-00160

21. [16436](#) Adopting and confirming the Labor Agreement between the City of Madison and the Association of Madison Police Supervisors (AMPS) for the period January 1, 2010 to December 31, 2011.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-09-00161

22. [16445](#) A Resolution authorizing and providing for the sale and issuance of \$49,520,000* Water Utility Revenue Refunding Bonds, Series 2009A, and all related details

Sponsors: Lauren Cnare and Michael Schumacher

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by the following vote:

Excused: 1 -
Julia S. Kerr

Ayes: 19 -
Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Jed Sanborn; Bridget R. Maniaci and Lauren Cnare

Non Voting: 1 -
David J. Cieslewicz

Enactment No: RES-09-00939

23. [16446](#) A Resolution authorizing and providing for the sale and issuance of \$1,530,000* Taxable Water Utility Revenue Refunding Bonds, Series 2009B, and all related details

Sponsors: Lauren Cnare and Michael Schumacher

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by the following vote:

Excused: 1 -
Julia S. Kerr

Ayes: 19 -
Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Jed Sanborn; Bridget R. Maniaci; Lauren Cnare and Michael E. Verveer

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00940

24. [16450](#) SECOND SUBSTITUTE - Authorizing the City of Madison to accept a grant from the U.S. Department of Energy (DOE) in the amount of \$2,384,600 and to use these funds for energy efficiency and conservation activities, amending the 2009 CDBG Operating Budget, and authorizing the Mayor and City Clerk to sign appropriate agreements to accept the funds and implement the program, and authorizing the Community Development Division to issue a Request for Proposals (RFP) for provision of services.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00941

REPORT OF BOARD OF PUBLIC WORKS

25. [16047](#) Awarding Public Works Contract No. 6399, Sanitary Sewer Point Repair - Central 2009.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00942

26. [16048](#) Awarding Public Works Contract No. 6400, Sanitary Sewer Point Repair - East 2009.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00943

27. [16187](#) Awarding Public Works Contract No. 6389, Blackhawk Road Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00944

28. [16337](#) Improvements accepted for Unit Well 29 Water Treatment Plant Expansion, Contract #6246

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00945

29. [16354](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Maintenance Facilities and Fire Stations Lighting Retrofit - 2010, Contract No. 6412. (14th, 11th, 12th, 13th & 10th ADs)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00946

30. [16419](#) Improvements accepted for Capital Square Fountains and Planters, Contract No. 5573.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00947

31. [16420](#) Improvements accepted for Chandler St., S. Charter St., & Orchard St. Reconstruction Assessment District - 2007, Contract No. 5931.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00948

32. [16421](#) Improvements accepted for CDS Device Installation - Erin St. Outfall & Starker Ave., Contract No. 6092.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00949

33. [16422](#) Improvements accepted for Concrete Pavement Joint Repair - 2008, Contract No. 6211.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-09-00950
34. [16423](#) Improvements accepted for Arboretum Storm/Pond #3 Restoration, Phase 1, Contract No. 6252.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-09-00951
35. [16424](#) Improvements accepted for Boulevard/ROW/Landscaping - 2009, Contract No. 6304.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-09-00952
36. [16431](#) Authorizing the Mayor and City Clerk to execute all necessary documentation to enter into an agreement with the State of Wisconsin to receive the City of Madison's share of the Local Road Improvement Funds.
Sponsors: BOARD OF PUBLIC WORKS
- This Resolution was Adopt**
Enactment No: RES-09-00926
37. [16437](#) Improvements accepted for Water Service Laterals by private contract to serve: Linden Park - Phase 8 Contract #2229 (1st AD)
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-09-00953

38. [16470](#) Declaring the City of Madison's intention to exercise its police powers establishing the Old Middleton Road Assessment District - 2010. (19th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00954

39. [16471](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Service Road / Frontage Road (W. Beltline Hwy.). (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00955

40. [16472](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on N. Broom Street. (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00956

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

41. [15099](#) Accepting the report and recommendations of the Common Council Organizational Committee Subcommittee to Review City Hiring Practices and Policies.

Sponsors: Michael Schumacher

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00957

42. [16076](#) Amending Secs. 2.01(4) and 33.01(10)(b) of the Madison General Ordinances to prohibit Common Council, Board, Commission and Committee meetings on any local, state or national election day.

Sponsors: Tim Bruer and Mark Clear

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-09-00162

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

43. [16544](#) Approving a Certified Survey Map of property owned by Kipp Street Properties, LLC located at 4002-4058 Kipp Street. 16th Ald. Dist.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00958

44. [16545](#) Approving a Certified Survey Map of property owned by the Wesley Foundation of Wisconsin located at 1121-1127 University Avenue. 8th Ald. Dist.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00959

45. [16546](#) Approving a Certified Survey Map of property owned by the University of Wisconsin Board of Regents located at 1209 University Avenue. 8th Ald. Dist.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00960

46. [16547](#) Approving a Certified Survey Map of property owned by Renaissance Properties, LLC located at 1246-1252 Williamson Street and 308-310 N. Baldwin Street. 6th Ald. Dist.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, 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-09-00961

REPORT OF SUSTAINABLE DESIGN AND ENERGY COMMITTEE

47. [16444](#) A resolution declaring the City of Madison an Energy Independent Community with the goal of procuring 25% of the City of Madison's (Operations) electricity and transportation fuels from renewable resources by 2025 and joining the Wisconsin Energy Independent Community Partnership.

Sponsors: David J. Cieslewicz, Satya V. Rhodes-Conway, Marsha A. Rummel, Brian L. Solomon and Chris Schmidt

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-09-00962

REPORT OF TRANSIT/ PARKING COMMISSION

48. [16251](#) Authorizing the Mayor and the City Clerk to execute an agreement with Badger Coaches, Inc. to help defray maintenance costs for the Dutch Mill Park & Ride lot for a term of three years, with an option for one three-year renewal to be exercised administratively by the Metro Transit General Manager .

Sponsors: Jed Sanborn and Brian L. Solomon

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-09-00963

ITEMS REFERRED TO THIS MEETING

ORDINANCES

49. [16008](#) Amending Sections 15.02(16), (17) and (118) of the Madison General Ordinances to change the polling location for Wards 16, 17 and 118.

Sponsors: Joseph R. Clausius

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-09-00163

50. [16112](#) Adopting and confirming Revision 268 of the Madison General Ordinances as of September 15, 2009 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-09-00164

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

51. [16542](#) Creating Section 28.06(2)(a)3460. of the Madison General Ordinances rezoning property from HIST-MH Mansion Hill Historic District, C2 General Commercial District, and R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: General Development Plan for Future Construction of a 46-Unit Apartment Building; 4th Aldermanic District: 129 West Gorham Street.

Sponsors: Common Council By Request

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION due back on 1/5/2010

52. [16543](#) Creating Section 28.06(2)(a)3461. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: General Development Plan for Future Construction of a 62-Unit Apartment Building; 13th Aldermanic District: 1012 Fish Hatchery Road.

Sponsors: Common Council By Request

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION due back on 1/5/2010

53. [16570](#) Amending Sections 9.52, 28.08(2)(b)8.j., 28.08(9)(b)7.c., 28.08(11)(b)7.c., and 28.08(12)(b)2. of the Madison General Ordinances to change the notification requirements for keeping chickens and provide for revocation of a license.

Sponsors: Satya V. Rhodes-Conway

Additional Referral: Housing Committee

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION due back on 1/5/2010

54. [16583](#) Creating Section 38.10(1)(h) and amending Sec. 38.10(4)(b) of the Madison General Ordinances to require an alcohol beverage licensee whose license is suspended, nonrenewed or revoked to display a sign informing the public that the establishment is closed for license suspension, nonrenewal or revocation, and to add this violation to the point schedule.

Sponsors: Michael Schumacher and Michael E. Verveer

This Ordinance was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 1/5/2010

55. [16584](#) Amending Sections 35.02(7) to establish 2010 Sewer Utility Rates effective January 1, 2010 and amending Section 37.05(4) of the Madison General Ordinances to establish 2010 rates for the Public Stormwater System.

Sponsors: David J. Cieslewicz

Additional Referral: Board of Public Works

This Ordinance was Referred to the BOARD OF ESTIMATES, due back on 1/5/2010

56. [16591](#) Amending Sec. 9.13(4)(j) regarding the appearance of vending sites and equipment; amending 9.13(4)(s) regarding equipment and safety rules for non-mall/concourse food vendors; repealing and recreating sec. 9.13(4)(t) and creating secs. 9.13(6)(l)5. and 9.13(7)(h)6. to clarify that vending site dimensions are subject to change due to construction; and repealing sec. 9.13(4)(u).

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

This Ordinance was Referred to the VENDING OVERSIGHT COMMITTEE, due back on 1/5/2010

RESOLUTIONS

57. [16113](#) Authorizing the Metro Transit General Manager to enter into agreements with businesses and organizations with fewer than 1,000 participants in the Metro Transit service area interested in providing a pass program to their employees, students or other affiliated individuals to take fixed route and ADA paratransit rides on Metro Transit.
- Sponsors:** David J. Cieslewicz, Chris Schmidt, Satya V. Rhodes-Conway, Brian L. Solomon, Jed Sanborn and Mark Clear
- Additional Referral: Board of Estimates
- This Resolution was Referred to the TRANSIT AND PARKING COMMISSION, due back on 1/5/2010**
58. [16184](#) Confirming the re-appointment of Alan C. Schumacher to the position of Streets Superintendent subject to the approval and execution of a five-year employment agreement.
- Sponsors:** David J. Cieslewicz
- This Resolution was Referred to the BOARD OF ESTIMATES, due back on 1/5/2010**
59. [16401](#) Resolution to adopt the City of Madison Annex to the Dane County Natural Hazard Mitigation Plan.
- Sponsors:** Larry Palm
- Additional Referral: Public Safety Review Committee
- This Resolution was Referred to the BOARD OF PUBLIC WORKS, due back on 1/5/2010**
60. [16462](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a 2009 Innovative Law Enforcement Program award from the State of Wisconsin, Office of Justice Assistance, in the amount of \$14,500 and to utilize these funds toward crime prevention and anti-gang community-policing enforcement efforts.
- Sponsors:** David J. Cieslewicz
- This Resolution was Referred to the BOARD OF ESTIMATES, due back on 1/5/2010**
61. [16496](#) Approving a contract with WMMIC for third party administration of the City's worker's compensation claims.
- Sponsors:** David J. Cieslewicz
- This Resolution was Referred to the BOARD OF ESTIMATES, due back on 1/5/2010**

62. [16559](#) To authorize the Mayor and City Clerk to enter into an eighteen month renewal of the existing contract for towing and vehicle storage services with Schmidt's Auto Inc.

Sponsors: David J. Cieslewicz, Tim Bruer and Mark Clear

This Resolution was Referred to the BOARD OF ESTIMATES, due back on 1/5/2010

63. [16595](#) A RESOLUTION authorizing the Mayor and City Clerk to enter into Contracts with Tyler Technologies, Inc. for the purchase and implementation of the MUNIS system and other software products for the City's Integrated Enterprise Resource Planning System project (ERP) and for related services. BY TITLE ONLY

Sponsors: David J. Cieslewicz and Mark Clear

This Resolution was Referred to the BOARD OF ESTIMATES, due back on 12/8/2009

64. [16598](#) Authorizing the Mayor and City Clerk to execute Amendment #1 to the Contract for Purchase of Services with Accela, Inc. and amending the Information Technology 2009 Capital Budget by transferring \$127,000 from Purchased Software Enhancements Project # 810345 to the Enterprise Land and Asset Mgmt. Syst. Project # 810558 to fund Amendment #1.

Sponsors: David J. Cieslewicz and Mark Clear

This Resolution was Referred to the BOARD OF ESTIMATES, due back on 1/5/2010

65. [16599](#) Accepting ownership of the artwork "Four Lakes" by *Myklebust, Sears, & Sons*, a public art water feature located in Frances Plaza.

Sponsors: Michael E. Verveer and Marsha A. Rummel

This Resolution was Referred to the MADISON ARTS COMMISSION, due back on 1/5/2010

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

66. [16473](#) B. and C. Ray, 2514 Ravenswood Rd., Madison, 53711 - vehicle damage - \$303.70.

This Claim was Referred to the Risk Manager

67. [16509](#) NOTICE OF INJURY - A. Kammer, attorney for J. Troia, A Troia and H. Troia, 3378 Swinburne Dr., McFarland, 53558 - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

68. [16510](#) P. Helt, 1422 E. Dayton St., #23, Madison, 53703 - vehicle damage - \$1466.94.

This Claim was Referred to the Risk Manager

69. [16566](#) K. McCann for McCann's Sewer & Drain Cleaning Service, 611 N. Burr Oak Ave., Oregon (53575) - property damage - \$2,505.97.

This Claim was Referred to the Risk Manager

70. [16596](#) J. Camnitz, 2802 Kingston, Madison, 53703 - property damage - \$236.85.

This Claim was Referred

71. [16597](#) Jeanette Hild, Farmers Insurance Group, for P. Feuling, 14 Tern Cir., Madison, 53716 - vehicle damage - \$2,169.91.

This Claim was Referred to the Risk Manager

ADDENDUM

72. [16249](#) Authorizing the execution of a Permanent Limited Easement for Private Driveway Purposes to Read Properties LLC, across a portion of Outlot 25, First Addition to Linden Park, aka City Stormwater Utility Parcel 533, located at 818 Moonlight Trail.

Sponsors: Jed Sanborn

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-09-00925

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

[16662](#)

Amending Sections 32.12(8) and 32.12(9)(a) of the Madison General Ordinances to modify the regulations for showing and re-renting rental premises.

Sponsors: Bridget R. Maniaci

Additional Referral: Landlord and Tenant Issues Subcommittee

A motion was made by Ald. Maniaci, seconded by Ald. Clear, to Refer to the HOUSING COMMITTEE, due back on 1/5/2010. The motion passed by voice vote/other.

[16671](#)

Authorizing the Mayor and City Clerk to execute a lease with MLG Capital/Meadowood LLC for space within the Meadowood Plaza located at 5734 Raymond Road for the continued operation of the Meadowood Neighborhood Center. BY TITLE ONLY

Sponsors: David J. Cieslewicz, Tim Bruer and Mark Clear

A motion was made by Ald. Clear, seconded by Ald. Bruer, to Refer to the BOARD OF ESTIMATES, due back on 1/5/2010. The motion passed by voice vote/other.

[16608](#)

Appropriating \$2,778,000 from the General Fund Balance and transferring within agency budgets and to the Workers Compensation Fund to cover various unbudgeted departmental expenditures during 2009.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Bruer, to Refer to the BOARD OF ESTIMATES, due back on 1/5/2010. The motion passed by voice vote/other.

ADJOURNMENT