



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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

Tuesday, June 4, 2013

6:30 PM

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

ROLL CALL

6:30 PM, President Schmidt in the chair.

Present: 18 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
Sue Ellingson
John Strasser
David Ahrens
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 3 - Paul R. Soglin
Steve King
Denise DeMarb

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. DeMarb, Ald. King

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 Resnick, seconded by Cnare, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

- 1. [30414](#) Congratulating the James Madison Memorial High School Forensics Team, champions of the 2013 Wisconsin Forensic Coaches Association State Tournament.

Sponsors: Mark Clear, Paul R. Soglin, Chris Schmidt, Scott J. Resnick, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Lauren Cnare, Denise DeMarb, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

A motion was made by Clear, seconded by Skidmore, 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-13-00418

PETITIONS AND COMMUNICATIONS

PETITIONS

- 2. [30413](#) Petition received in the Madison City Clerk's Office May 7, 2013 from Richard J. Murphy and Janet A Murphy regarding attachment from the Town of Middleton to the City of Madison.

Accept at 6-18-2013 Common Council Meeting

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

COMMUNICATIONS

- 3. [29368](#) Motion by John W. Moore For A Resolution To Stop Unstatutory Use Of Police Department At 652 State Street.

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

4. [29833](#) Motion by John W. Moore for a resolution to revoke the Non-Alcoholic Beverage and Food licenses for State Street Brats, 663 State Street.

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

5. [30415](#) Motion by Timothy W. Riley for review of employment options for rehabilitated convicted sex offenders.

A motion was made by Resnick, seconded by Clausius, to Refer to the Attorney's Office. 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

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

6. [29587](#) Public Hearing - New License
Capitol Petroleum LLC • dba CP Mart North
1101 N Sherman Ave • Agent: Farooq Shahzad
Class A Beer
Aldermanic District 12 (Alder Palm) • Police Sector 503

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

7. [29998](#) Public Hearing - Transfer of License Location
Underground Kitchen and Delicatessen LLC • dba Underground Kitchen
New Address 809 Williamson St • Agent: Melinda Trudeau • Estimated
Capacity: 60
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408

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

The Conditions are:

- 1) The establishment will close at midnight;
- 2) Outdoor patio will close at 10:00 p.m.;
- 3) Food will be available at all times establishment is open;
- 4) The establishment must meet the definition of a restaurant.
- 5) Establishment may remain open until 2am January 1 only.

8. [29999](#) Public Hearing - New License
Be Cubed LLC • dba Hawks Snack Shack
66 Hawks Landing Circle • Agent: Brian McGowan • Estimated Capacity: 50
Class B Beer • 10% alcohol, 85% food
Aldermanic District 1 (Alder Subeck) • Police Sector 135

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

9. [30001](#) Public Hearing - New License
CHI Asian-Infused LLC • dba Chi Asian-Infused
301 W Johnson St • Agent: Jason Richardson • Estimated Capacity: 100
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

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

The conditions are:

- 1) Alcohol sales are limited to the First Floor and Sidewalk Cafe of establishment;
- 2) Establishment must meet the definition of a restaurant under section 38.02 Madison General Ordinance;
- 3) Food service will be available during all operating hours;
- 4) Live entertainment is not permitted.

10. [30002](#) Public Hearing - New License
T & M Ventures Inc. • dba Ancora Coffee & Tea
112 King St • Agent: Tori Rae Mitchell • Estimated Capacity: 57
Class B Combination Liquor & Beer • 15% alcohol, 20% food, 65% other
Aldermanic District 4 (Alder Verveer) • Police Sector 406 • Density Area

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

11. [30003](#) Public Hearing - New License
InnTowner LLC • dba The Highland Club
2424 University Ave • Agent: Evan Talbert • Estimated Capacity: n/a
Class B Combination Liquor & Beer • 14% alcohol, 72% food, 14% other
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301

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

12. [30004](#) Public Hearing - New License
Tang's Bistro LLC • dba Nam's Noodle & Karaoke Bar
1336 Regent St • Agent: Zhiqiang Li • Estimated Capacity: 30
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 8 (Alder Resnick) • Police Sector 402 • Density Area

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

13. [30005](#) Public Hearing - New License
Apple Hospitality Group LLC • dba Applebee's Neighborhood Grill & Bar
4710 East Towne Blvd • Agent: Gary Akridge • Estimated Capacity: 168
Class B Combination Liquor & Beer • 13% alcohol, 87% food
Aldermanic District 17 (Alder Clausius) • Police Sector 632

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

14. [30006](#) Public Hearing - New License
Apple Hospitality Group • dba Applebee's Neighborhood Grill & Bar
660 S Whitney Way • Agent: Bill Nesvacil • Estimated Capacity: 177
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

15. [30007](#) Public Hearing - New License
Manuel Cortez • dba Tienda Los Gemelos
6713 Odana Rd • Estimated Capacity: 75
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

16. [30008](#) Public Hearing - New License
Midwest Retail Group-Regent Street, Inc • dba 7-Eleven #35847A
1401 Regent St • Agent: James Fiene
Class A Beer
Aldermanic District 13 (Alder Ellingson) • Police Sector 303

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

The condition is: No sale of single cans or single bottles of beer or fermented malt beverages.

17. [30266](#) To grant Class A Liquor, Class A Beer, Class B Beer, Class B Combination Liquor & Beer, Class C Wine 2013-2014 License Renewals with restrictions as previously approved and to include any change of corporate structure and amended conditions as set forth in the report.

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

The condition is that all listed licenses granted with all existing conditions with the exception of Brocach on Monroe St which is granted with the conditions listed on their application and on their previous license:

- 1. The establishment continue to meet the definition of a restaurant under the Madison General Ordinances.**
- 2. The operating hours are: Sunday 9 am to 11 pm, Monday-Wednesday 11 am to 11pm, Thursday and Friday 11am to midnight, Saturday 9 am to midnight.**

18. [30145](#) Separated Liquor License Renewal
Gretisman Investments LLC • dba Plan B • Capacity: 300
924 Williamson St • Agent: Corey Gresen
Class B Combination Liquor & Beer • 85% alcohol, 10% food, 5% other
Aldermanic District 6 (Alder Rummel) • Police Sector 408
Separation requested by Marquette Neighborhood Association

**This License was Grant with Condition(s) and Close the Public Hearing.
Conditions are:**

1. Licensee must meet with neighborhood association on a regular basis.
2. Must abide by security plan. Parking lot to be patrolled every 30 minutes.
Encourage use of back door by patrons.
3. No outdoor music except during the Willy Street Fair.
4. Food service until 1:00 a.m.
5. Capacity of 250 Monday through Wednesday, 300 Thursday through Sunday,
can carry alcohol into smoking area. Capacity may be further limited by code.
6. Premises expanded for two events each year to include the establishment's
parking lots directly East and directly North of 924 Williamson St. Events are:
Fruit Fest 10am-9pm, Willy Street fair-identical to those of the street use
permit.

**This file will be considered at a special Alcohol License Review Committee meeting
held on 6/3/13. A recommendation to Common Council will be made from the floor on
6/4/13.**

19. [30165](#) Separated Liquor License Renewal
Riley's/Badger Liquor LLC • dba Riley's Wines of the World
402 W Gorham St • Agent: Andrew Beaulieu
Class A Beer and Class A Liquor
Aldermanic District 4 (Alder Verveer) • Police Sector 403
Possible violation of previously stipulated renewal agreement

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

The condition is that all previous conditions continue on the license.

**This file will be considered at a special Alcohol License Review Committee meeting
held on 6/3/13. A recommendation to Common Council will be made from the floor on
6/4/13.**

20. [30166](#) Separated Liquor License Renewal
Church Key/Foodmarket/The Vineyard LLC • dba The Vineyard
626 University Ave • Agent: Andrew Beaulieu
Class A Liquor and Class A Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 403
Possible violation of previously stipulated renewal agreement

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

The condition is that all previous conditions continue on the license.

This file will be considered at a special Alcohol License Review Committee meeting held on 6/3/13. A recommendation to Common Council will be made from the floor on 6/4/13.

21. [30167](#) Separated Liquor License Renewal
Church Key/Foodmarket/The Vineyard LLC • dba The Churchkey
626 University Ave • Agent: Andrew Beaulieu
Class B Combination Liquor & Beer • 90% alcohol, 10% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403
Possible violation of previously stipulated renewal agreement

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

The conditions are:

- 1) All previous conditions continue on the license with the exception of #5 and #11.**
- 2) All references to Ms. Lee on the license are replaced with "the Agent."**

This file will be considered at a special Alcohol License Review Committee meeting held on 6/3/13. A recommendation to Common Council will be made from the floor on 6/4/13.

22. [30168](#) Separated Liquor License Renewal
Riley's/Badger Liquor LLC • dba Badger Liquor
402 State St • Agent: Andrew Beaulieu
Class A Liquor and Class A Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 403
Possible violation of previously stipulated renewal agreement

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

The condition is that all previous conditions continue on the license.

This file will be considered at a special Alcohol License Review Committee meeting held on 6/3/13. A recommendation to Common Council will be made from the floor on 6/4/13.

23. [30325](#) Separated Liquor License Renewal
 EDO Garden LLC • dba Osaka House • Capacity: 40
 505 State St • Agent: Jin Jiang
 Class B Combination Liquor & Beer • 10% alcohol, 90% food
 Aldermanic District 4 (Alder Verveer) • Police Sector 403
 Separation requested by Alcohol License Review Committee

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

1. The establishment shall meet the definition of a restaurant under Madison General Ordinances.
2. Food shall be available on all floors open to the public at all times.
3. Capacity is limited to 49, exclusive of a sidewalk cafe, with a 1st floor capacity of 19 and a 2nd floor capacity of 30.
4. The applicant is to appear at the next regularly scheduled ALRC meeting.

This file will be considered at a special Alcohol License Review Committee meeting held on 6/3/13. A recommendation to Common Council will be made from the floor on 6/4/13.

REPORT OF PLAN COMMISSION

24. [29816](#) Creating Section 28.022 -- 00055 of the Madison General Ordinances rezoning property from PD-GDP (Planned Development- General Development Plan) District to PD-SIP (Planned Development - Specific Implementation Plan) District. Proposed Use: Construct 50-unit apartment building; 6th Aldermanic District; 1924 Atwood Avenue.

Sponsors: Planning Division

A motion was made by Resnick, seconded by Rummel, to Adopt with the Recommendation(s) and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-13-00095

25. [29975](#) Amending Section 28.061 of the Madison General Ordinances to return non-accessory temporary outdoor events in the Traditional Shopping Street (TSS) district to a conditional use, add a supplemental regulation, and will be retroactive to January 3, 2013.

Sponsors: Sue Ellingson and Shiva Bidar-Sielaff

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

Enactment No: ORD-13-00096

26. [29992](#) Amending Section 28.141(13)(b) of the Madison General Ordinances to allow for a reduction in required loading spaces through the conditional use process.

Sponsors: Scott J. Resnick, Michael E. Verveer, Ledell Zellers and Steve King

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

Enactment No: ORD-13-00097

27. [29995](#) Amending Section 28.072 of the Madison General Ordinances to add "Accessory dwelling unit" as a Conditional Use in DR1 and DR2.

Sponsors: Scott J. Resnick, Ledell Zellers and Steve King

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

Enactment No: ORD-13-00098

28. [29996](#) Amending Section 28.082(1) of the Madison General Ordinances to allow auto rental as a conditional use, with supplemental regulations, in the Suburban Employment (SE) District.

Sponsors: Larry Palm

A motion was made by Resnick, seconded by Clausius, to Adopt with the Recommendation(s) and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-13-00099

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

29. [30151](#) Report of the Mayor submitting citizen committee appointments (introduction 5-21-2013; action 6-4-2013).

Sponsors: Paul R. Soglin

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

30. [30187](#) Update: City Legislative Governmental Affairs Activity - Nicholas Zavos, Governmental Relations Officer

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

31. [30389](#) Report of the Mayor submitting citizen committee appointments (introduction 6-4-2013; action 6-18-2013).

Sponsors: Paul R. Soglin

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

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

32. [30396](#) Supporting State investments in our public schools and opposing any attempt by the State to implement a private school voucher program.

Sponsors: Lisa Subeck, Shiva Bidar-Sielaff, Lauren Cnare, Larry Palm, John Strasser, Michael E. Verveer, Mark Clear, David Ahrens, Denise DeMarb, Matthew J. Phair, Ledell Zellers, Sue Ellingson, Chris Schmidt, Anita Weier, Marsha A. Rummel, Joseph R. Clausius, Steve King and Maurice S. Cheeks

A motion was made by Resnick, seconded by Subeck, 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-13-00419

REPORTS OF OFFICERS**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

33. [29729](#) SUBSTITUTE Amending Sections 9.13(4)(m) and (r), (6)(j)3., (6)(i)1., and (6)(j)2.c. and creating Section 9.13(5)(h) of the Madison General Ordinances to make the closing time for sidewalk cafés with alcohol beverage licenses consistent city-wide and amending the rules for furniture removal for sidewalk cafés.

Sponsors: Michael E. Verveer and Scott J. Resnick

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

Enactment No: ORD-13-00100

34. [30102](#) Change of Agent
Red Robin International Inc • dba Red Robin America's Gourmet Burger
2440 East Springs Dr
New Agent: Jack Maher
Class B Combination Liquor & Beer • 8% alcohol, 92% food
Aldermanic District 17 (Alder Clausius) • Police Sector 517

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

35. [30195](#) Change of Agent
M&M Pueblo Investment LLC • dba Howard Johnson Plaza • 3841 E
Washington Ave
New Agent: Erik Gigstad
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 17 (Alder Clausius) • Police Sector 605

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

36. [30196](#) Change of Agent
KBO Investments LLC • dba Fuzzy's Taco Shop • 3519 University Ave
New Agent: Jason White
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 11 (Alder Schmidt) • Police Sector 101

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

37. [30197](#) Change of Agent
Cosi, Inc • dba Cosi • 250 State St
New Agent: Becky Peterson
Class B Combination Liquor & Beer • 0.34% alcohol, 88.76% food, 10.9%
Other
Aldermanic District 4 (Alder Verveer) • Police Sector 403

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

38. [30198](#) Change of Agent
Pizza Hut of Southern Wisconsin, Inc • dba Pizza Hut • 2649 East Springs Dr
New Agent: Scott Cook
Class B Combination Liquor & Beer • 0.77% alcohol, 99.23% food
Aldermanic District 17 (Alder Clausius) • Police Sector 632

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

39. [30199](#) Change of Agent
Wisconsin Ventures Inc • dba Segredo • 624 University Ave
New Agent: Greg Kostis
Class B Combination Liquor & Beer • 85% alcohol, 5% food, 10% Other
Aldermanic District 4 (Alder Verveer) • Police Sector 403

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

40. [30200](#) Change of Licensed Premise
Cafe Cost Rica LLC • dba El Rincon Tico • Capacity: 49 indoor
1133 Williamson St • Agent: Rey Anthony Clarke
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408
Request to add sidewalk cafe and side balcony off of 2nd floor dining area.

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

41. [30201](#) Change of Agent
Wisconsin CVS Pharmacy LLC • dba CVS Pharmacy #7147 • 6701 Mineral Point Rd
New Agent: Jonathan Gerke
Class A Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

42. [30202](#) Change of Licensed Premise
The Sunbun Project Inc • dba The Sunprint on the Square • Capacity: 150 indoor
10 W Mifflin St., Suite 110 • Agent: Susan Hendrix
Class B Beer & Class C Wine • 5% alcohol, 90% food, 5% other
Aldermanic District 4 (Alder Verveer) • Police Sector 406
Request to add 10 person sidewalk cafe.

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

43. [30203](#) Change of Agent
Target Corporation • dba Target Store T-1030 • 201 Junction Rd
New Agent: Christopher Perras
Class A Liquor & Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 128

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

44. [30204](#) Change of Agent
Target Corporation • dba Target Store T-1069 • 4301 Lien Rd
New Agent: Elizabeth Brandl
Class A Liquor & Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 605

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

45. 30206 Change of Agent
Wal-Mart Stores East LP • dba Wal-Mart #2335 • 4198 Nakoosa Trail
New Agent: Eric Hillerson
Class A Liquor & Beer
Aldermanic District 15 (Alder Ahrens) • Police Sector 607

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

46. 30207 Change of Agent
Capitol Enterprises LLC • dba Veritas Bistro & Lounge • 117 E Mifflin St
New Agent: Adan Lara
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406

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

47. 30208 Change of Corporate Control
300 CGR LLC • dba Chiefs Tavern
300 Cottage Grove Rd • Agent: Brian Mason
Class B Combination Liquor & Beer • 60% alcohol, 30% food
Aldermanic District 15 (Alder Ahrens) • Police Sector 610
Removal of 1 officer: Rich Couture

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

48. 30209 Change of Agent
Ultra Mart Foods LLC • dba Copps #8131 • 6655 McKee Rd
New Agent: Cory Krisher
Class A Liquor & Beer
Aldermanic District 7 (Alder King) • Police Sector 119

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

49. 30210 Change of Agent
Delaney's Charcoal Steaks • dba Delaney's • 449 Grand Canyon Dr
New Agent: James Delaney
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

50. 30211 Change of Agent
Madison Elks Lodge #410 • dba Madison Elks Lodge • 711 Jenifer St
New Agent: Julianna Clerkin
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408

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

51. 30212 Change of Corporate Control
Crystal Corners Inc • dba Crystal Corners Bar
1302 Williamson St • Agent: David Day
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 6 (Alder Rummel) • Police Sector 410
Removal of 1 officer: Richard M. Story

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

52. 30213 Change of Agent
WDS Inc • dba Rockys Liquor • 4429 Milwaukee St
New Agent: Jim Budeau
Class A Liquor & Beer
Aldermanic District 3 (Alder Cnare) • Police Sector 611

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

53. [30214](#) Change of Corporate Control
MacTaggart's Inc • dba MacTaggart's Market & Deli
230 W Lakelawn Pl • Agent: Richard Schober
Class A Beer
Aldermanic District 2 (Alder Zellers) • Police Sector 403
1 new officer: Richard Schober

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

54. [30215](#) Change of Agent
Charley's of Madison LLC • dba The Fountain • 122 State Street
New Agent: Robert P Gilbertson III
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406

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

55. [30216](#) Change of Corporate Control
CEC Enterprises Inc • dba Chuck E Cheese's
438 Grand Canyon Dr • Agent: Shaun Van Enkenvort
Class B Beer • .8% alcohol, 48.4% food, 50.9% other
Aldermanic District 19 (Alder Clear) • Police Sector 113
1 new officer: David A. Deck
Removal of 1 officer: Meridith W. Bjorck

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

56. [30219](#) Change of Corporate Control
Sam's East Inc • dba Sam's Club #8255
7050 Watts Rd • Agent: Adam Peck
Class A Combination Liquor & Beer
Aldermanic District 1 (Alder Subeck) • Police Sector 123
1 new officer: Patrick Todd Harbaugh
Removal of 1 officer: Rosalind Brewer

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

57. [30223](#) Change of Corporate Control
Wal-Mart Stores East LP • dba Walmart #1138
7202 Watts Rd • Agent: Bradley Schubert
Class A Combination Liquor & Beer
Aldermanic District 1 (Alder Subeck) • Police Sector 123
2 new officers: Michael S. Moore and Bradley M. Sikorski
Removal of 2 officers: Thomas A. Mars and Cathryn J. Santoro

Change of Corporate Control
Wal-Mart Stores East LP • dba Walmart #2335
4198 Nakoos Trl • Agent: Kirk U'Ren
Class A Combination Liquor & Beer
Aldermanic District 15 (Alder Ahrens) • Police Sector 607
2 new officers: Michael S. Moore and Bradley M. Sikorski
Removal of 2 officers: Thomas A. Mars and Cathryn J. Santoro

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

58. [30224](#) Temporary Class B Retailer license concurrent with
Street Use Permit
Hellenic Orthodox Community
Event Location: Block one of N 7th St and church grounds at 11 N 7th St
Event Dates: July 27 and 28, 2013
Aldermanic District 12 (Ald. Palm)
Police District: 501
Greek Fest 2013

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

59. [30225](#) Temporary Class B Retailer license concurrent with
Street Use Permit
Friends of Wil-Mar
Event Location: 900 block of Williamson St and parking lot of 924 Williamson St
Event Date: June 22, 2013
Aldermanic District 6 (Ald. Rummel)
Police District: 408
Fruit Fest

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

60. [30226](#) Temporary Class B Retailer license concurrent with Street Use Permit
Wisconsin Chamber Orchestra
Event Location: Corner of King St, S Pinckney St, and E Main St
Event Dates: June 16, July 3, 10, 17, 24, and 31, 2013
Aldermanic District 4 (Ald. Verveer)
Police District: 406
Concerts on the Square

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

61. [30230](#) Operator License Application
Charles E. Buehler - Establishment where employed: Tap Room at Hawk's Landing

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

62. [30265](#) To grant 21+ Entertainment and 18+ Center for Visual and Performing Arts 2013 License Renewals with restrictions as previously approved and to include any amended conditions as set forth in the report.

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

63. [30275](#) Operator License Application
Kristie Stroede - Establishment where employed: Sundown Saloon

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

REPORT OF BUILDING CODE, FIRE CODE, CONVEYANCE CODE, AND LICENSING APPEALS BOARD

64. [29611](#) Amending Sections 18.50 and 19.20 of the Madison General Ordinances to update text in the Electrical and Plumbing Codes.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-13-00101

65. [29674](#) Amending various sections of Chapter 34 to adopt the 2012 International Fire Code and update the Fire Code sections to correlate with the 2012 IFC.

Sponsors: Shiva Bidar-Sielaff, Joseph R. Clausius, Lauren Cnare, Marsha A. Rummel, Paul E. Skidmore and Michael E. Verveer

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

Enactment No: ORD-13-00102

66. [29705](#) **SUBSTITUTE** Creating Section 34.307(5) of the Madison General Ordinances to permit bonfires if certain conditions are met.

Sponsors: Marsha A. Rummel and Larry Palm

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

Enactment No: ORD-13-00103

67. [29899](#) **SUBSTITUTE** Amending Section 34.308 of the Madison General Ordinances to prohibit the use of large grills on balconies.

Sponsors: Paul E. Skidmore and Michael E. Verveer

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

Enactment No: ORD-13-00104

REPORT OF CITY CLERK'S OFFICE

68. [30339](#) Alcohol License Review Committee Report of Operator License Applications June 4, 2013. See attached report for list of operators.

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

69. [30409](#) To grant the attached 2013-2014 Secondhand Article Dealer, Secondhand Jewelry Dealer, Secondhand Textbook Dealer, Precious Metal Dealer and/or Pawnbroker License Renewals:

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

70. [30410](#) To grant the following 2013-2014 Theater License Renewals:
- Barrymore Corporation, 2090 Atwood Ave
 - Broom Street Theater LTD, 1119 Williamson St
 - Frank Productions, 216 State St
 - Gerald A Bartell Community Theatre Foundation, 113 E Mifflin St
 - Majestic Theatre LLC, 115 King St
 - Marcus Cinemas of WI LLC, 5202 High Crossing Blvd
 - Sundance Cinemas LLC, 430 N Midvale Blvd

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

71. [30411](#) To grant the following 2013-2014 Adult Entertainment License Renewals:
- Cen-Tex Corporation, 2528 E. Washington Ave
 - Chug A Lug Inc., 5 Applegate Ct
 - Summit Station Inc., 2009 Freeport Rd
 - TC Visions Inc., 3554 E Washington Ave

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

72. [30412](#) To grant the following 2013-2014 Scrap/Recycling License Renewals:
- Alter Trading Corporation, 4400 Sycamore Ave
 - Copart of Connecticut Inc, 5448 Lien Rd
 - Schmidt's Auto Inc, 1621 Beld St

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

REPORT OF CITY-COUNTY LIAISON COMMITTEE

73. [18498](#) Repealing Sections 4.07(1) and (2) and creating Sections 4.07(1) through (11) of the Madison General Ordinances to provide for installment payment of real property tax and personal property taxes for improvements on leased land and establish payment procedures for personal property tax, special charges, special assessments and special taxes.

Sponsors: Mark Clear

A motion was made by Resnick, seconded by Clausius, to Adopt Substitute. The motion passed by voice vote/other.

Enactment No: ORD-13-00105

REPORT OF BOARD OF ESTIMATES

74. [30060](#) A resolution authorizing the Mayor and the City Clerk to enter into an agreement with the consultant team of Nelson/Nygaard Consulting Associates, Inc., for Sustainable Madison Transportation Master Plan services for the City of Madison.

Sponsors: Paul R. Soglin

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

Enactment No: RES-13-00420

The Board of Estimates meets on 6/4/13 prior to the CC meeting. A recommendation to Common Council will be made from the floor.

75. [30074](#) SUBSTITUTE: Amending the 2013 adopted City operating budget to appropriate \$50,000 from the City's Fund Balance to the Community Development Division to support additional purchase of service contracts for the expansion of youth-oriented employment initiatives and other out-of-school- time programs.

Sponsors: Paul R. Soglin

A motion was made by Resnick, seconded by Clausius, to Adopt Substitute with Recommendations. The motion failed by the following vote:

Ayes: 9 - Lisa Subeck
Ledell Zellers
Michael E. Verveer
Paul E. Skidmore
Maurice S. Cheeks
Larry Palm
David Ahrens
Joseph R. Clausius
Matthew J. Phair

Noes: 9 - Lauren Cnare
Shiva Bidar-Sielaff
Marsha A. Rummel
Scott J. Resnick
Chris Schmidt
Sue Ellingson
John Strasser
Anita Weier
Mark Clear

Excused: 3 - Paul R. Soglin
Steve King
Denise DeMarb

The Board of Estimates meets on 6/4/13 prior to the CC meeting. A recommendation to Common Council will be made from the floor.

76. [30152](#) Authorizing the Mayor and City Clerk to accept a grant from the Wisconsin State Energy Office for the testing of compostable bioplastics in an anaerobic digester and the use of material shredding devices for preparing source separated organics for an anaerobic digester, and amending the 2013 Streets Division and Fleet Service Division Operating Budgets as appropriate.

Sponsors: Paul R. Soglin, David Ahrens, Paul E. Skidmore, Lisa Subeck, Michael E. Verveer and Larry Palm

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

Enactment No: RES-13-00421

The Board of Estimates meets on 6/4/13 prior to the CC meeting. A recommendation to Common Council will be made from the floor.

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

77. [29886](#) Amending Section 1.08(3)(a) of the Madison General Ordinances to update references in the bail deposit subsection.

Sponsors: Matthew J. Phair

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

Enactment No: ORD-13-00106

REPORT OF LANDMARKS COMMISSION

78. [29680](#) 511 North Carroll Street - Alano Society House - Landmark Nomination. 2nd Ald. Dist.

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

REPORT OF PLAN COMMISSION

79. [30331](#) Approving a Certified Survey Map of property owned by the University of Wisconsin Board of Regents located at 130 E. Gilman Street; 2nd Ald. Dist.

Sponsors: Planning Division and Common Council By Request

A motion was made by Resnick, seconded by Clausius, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

80. [30365](#) Approving a Certified Survey Map of property owned by Jerry Kalyniuk located at 493 Hilltop Drive; 10th Ald. Dist.

Sponsors: Planning Division

A motion was made by Resnick, seconded by Clausius, 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-13-00422

REPORT OF PUBLIC SAFETY REVIEW COMMITTEE

81. [25496](#) SUBSTITUTE Amending Section 27.04(2)(k)4. of the Madison General Ordinances to require monthly notification only if an e-mail address has been provided, it removes the requirement that the Police and Fire Department notify landlords of calls.

Sponsors: Paul E. Skidmore

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

Enactment No: ORD-13-00107

82. [29697](#) Creating Section 27.10 of the Madison General Ordinances to require persons asserting a collateral or other legal or equitable interest in a residential property to register such property with the City if the property is abandoned and to require said persons to inspect, maintain and secure such properties to promote public health, safety and welfare of the immediate neighborhood and the community.

Sponsors: Anita Weier, Lauren Chare, Lisa Subeck, Scott J. Resnick, Matthew J. Phair, Michael E. Verveer, Jill Johnson, David Ahrens, Ledell Zellers, John Strasser and Sue Ellingson

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

Enactment No: ORD-13-00108

REPORT OF BOARD OF PUBLIC WORKS

83. [29744](#) Amending Section 8.15(1)(a) of the Madison General Ordinances to permit landscape gardening on public land with a valid permit.

Sponsors: Marsha A. Rummel

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

Enactment No: ORD-13-00109

84. [30159](#) Approving plans and specifications for public improvements necessary for the project known as Domain Apartments (415 W. Johnson Street, 226 N. Broom Street and 424 W. Dayton Street) and authorizing construction to be undertaken by the Developer, Private Contract No. 2347. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-13-00424

85. [30160](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 7093, Reindahl Park Splash Pad. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-13-00425

86. [30161](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 7117, Badger Rock Path. (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-13-00426

87. [30162](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Wolfe Addition to Hawks Creek.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Clausius, 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-13-00427
88. [30163](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for John Nolen Drive Bridge Bike Path Railing Replacement and Bike Path Bridge Approach Reconstruction, 3rd Bridge Outbound
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Clausius, 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-13-00428
89. [30164](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Cottage Grove Road Resurfacing.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Clausius, 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-13-00429
90. [30172](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 7128, Garner Park Masonry Repairs - 2013. (19th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Clausius, 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-13-00430

91. [30188](#) Awarding Public Works Contract No. 6775, Baltzell Street and Cross Street Reconstruction Assessment District - 2013.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-13-00431

92. [30190](#) Awarding Public Works Contract No. 7005, West Johnson Street Curb and Terrace Repair Assessment District - 2013.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-13-00432

93. [30191](#) Awarding Public Works Contract No. 7015, Wheeler Rd, Delaware Blvd and Northland Dr Resurfacing Assessment District - 2013.

A motion was made by Resnick, seconded by Clausius, 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-13-00433

94. [30192](#) Awarding Public Works Contract No. 7027, Fleet Services Roof Replacement.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-13-00434

95. [30194](#) Awarding Public Works Contract No. 7114, Resurfacing of Femrite Drive from 300 feet East of Meier Road to CTH AB.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-13-00435

96. [30278](#) Re-Approving public works improvement plans for 6002 Cottage Grove Road - Cops Market, construction to be undertaken by the Developer, Private Contract No. 2331 and rescinding Resolution RES-13-00314, File Number 29447. (3rd AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-13-00436

REPORT OF RISK MANAGER

97. [30086](#) K. Yuds - vehicle damage - \$172.20.

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

98. [30089](#) C. Hackett, Allstate Property and Casualty Insurance Co. for D. Lickel - vehicle damage - \$8,249.10.

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

99. [30141](#) J. Spitzer-Resnick - vehicle damage - \$238.43.

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

REPORT OF WATER UTILITY BOARD

100. [29707](#) Authorizing the execution of an Underground Gas and Electric Line Easement to Madison Gas and Electric Company across a portion of a City Water Utility parcel located at 4901 Tradewinds Parkway.

Sponsors: Jill Johnson, Shiva Bidar-Sielaff and Chris Schmidt

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

Enactment No: RES-13-00437

101. [30095](#) SUBSTITUTE: Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with Mead and Hunt for architectural programming, public participation support, ~~the preparation of final construction drawings and specifications, permitting, bidding, and construction administration~~ for the reconstruction of the Utility's Operations Center (6th AD).

Sponsors: Lauren Cnare

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

Enactment No: RES-13-00423

The Board of Estimates meets on 6/4/13 prior to the CC meeting. A recommendation to Common Council will be made from the floor.

ITEMS REFERRED TO THIS MEETING

102. [29903](#) Repealing Section 7.01(1)(a) of the Madison General Ordinances to eliminate the Pest Management Advisory Committee.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-13-00110

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

CHARTER ORDINANCES

103. [30388](#) CHARTER ORDINANCE Creating Section 8.44 of the Madison General Ordinances to establish rules for the treatment of lost or abandoned property found on public property.

Sponsors: Paul R. Soglin, David Ahrens, Joseph R. Clausius, Paul E. Skidmore, John Strasser, Marsha A. Rummel and Scott J. Resnick

Additional referral to Board of Park Commissioners

A motion was made by Resnick, seconded by Clausius, to Refer to the PUBLIC SAFETY REVIEW COMMITTEE. The motion passed by voice vote/other.

ORDINANCES

104. [29997](#) Amending Section 9.21(5) and the title of Section 9.21 of the Madison General Ordinances to combine certain licenses.
- Sponsors:** Michael E. Verveer
- A motion was made by Resnick, seconded by Clausius, to Referred to the PUBLIC SAFETY REVIEW COMMITTEE. The motion passed by voice vote/other.**
105. [30332](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classifications of "Fleet Services Program Supervisor" in CG18, Range 12, "Fleet Services Maintenance Supervisor" in CG18, Range 08, and "Fleet Parts Manager" in CG18, Range 07, and creating the classifications of "Fleet Operations Manager" and "Fleet Program Manager," both in CG18, Range 12.
- Sponsors:** Paul R. Soglin
- Additional referral to Personnel Board
- A motion was made by Resnick, seconded by Clausius, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
106. [30370](#) Amending Section 28.051 of the Madison General Ordinances to allow for greater density in the TR-U2 District.
- Sponsors:** Ledell Zellers
- A motion was made by Resnick, seconded by Clausius, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**
107. [30374](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of "Senior Center Director" in Compensation Group 18, Range 10, and recreating it in Compensation Group 18, Range 12.
- Sponsors:** Paul R. Soglin
- Additional referral to Personnel Board
- A motion was made by Resnick, seconded by Clausius, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
108. [30376](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of "Community Development Grants Supervisor" in Compensation Group 18, Range 13, and recreating it in Compensation Group 18, Range 15.
- Sponsors:** Paul R. Soglin
- Additional referral to Personnel Board
- A motion was made by Resnick, seconded by Clausius, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

109. [30379](#) Amending Section 33.05(5) and Section 10.101 of the Madison General Ordinances to update the Board of Parks Commissioners Subcommittees, their responsibilities, membership and meeting schedule.

Sponsors: Anita Weier and Joseph R. Clausius

A motion was made by Resnick, seconded by Clausius, to Referred to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.

110. [30431](#) Amending Sections 8.24(1)(ee) and (ff) of the Madison General Ordinances to permanently ban alcohol from Olbrich Park and Reindahl Park.

Sponsors: Joseph R. Clausius and David Ahrens

A motion was made by Resnick, seconded by Clausius, to Referred to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.

RESOLUTIONS

111. [30081](#) Authorizing an amendment to the loan documents of previously allocated HOME and HOME match funds to Goodwill Industries of South Central WI, Inc. for the rehabilitation of three affordable rental housing properties.

Sponsors: Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair

Additional referral to Community Development Block Grant Committee

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

112. [30146](#) Amendment to Resolution #29110 authorizing the Mayor to sign the application for funds from the State Division of Housing and authorizing the Mayor and City Clerk to execute agreements with specific non-profit agencies including an additional \$16,274 to Porchlight, Inc.

Sponsors: Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair

Additional referral to Community Development Block Grant Committee

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

113. [30170](#) Approve the use of \$146,900 in City and ESG funds to contract with Community Action Coalition for South Central Wisconsin, Inc. for the purpose of providing coordinated intake and assessment services as a pilot program and authorize the Mayor and City Clerk to enter into an agreement with CACSCW.

Sponsors: Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair

Additional referral to Community Development Block Grant Committee

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

114. [30269](#) Authorizing up to \$216,000 in Housing Development Reserve Funds to assist Housing Initiatives, Inc. to acquire and rehabilitate rental housing in 2013.
- Sponsors:** Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair
- Additional referral to Community Development Block Grant Committee
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
115. [30294](#) Approving a Facade Improvement Grant to 2000 Atwood Avenue (Vault Interiors and Design).
- Sponsors:** Marsha A. Rummel
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
116. [30295](#) Recreate the 0.8 FTE position #74 of "Secretary 1 - Confidential" (CG17-10), currently vacant, as a 1.0 FTE position of "Administrative Clerk 1 - Confidential" (CG17-09) in the Department of Civil Rights budget and, if filled, reallocate the incumbent.
- Sponsors:** Paul R. Soglin
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
117. [30298](#) Authorizing the approval of the re-structuring of the Tenney Nursery and Parent Center, Inc. deferred loan to an installment loan.
- Sponsors:** Maurice S. Cheeks, Lauren Cnare, Matthew J. Phair and Ledell Zellers
- Additional referral to Community Development Block Grant Committee
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
118. [30307](#) Reallocate incumbent Peter Holmgren to the budgeted level of Engineer 3 in the Water Utility budget.
- Sponsors:** Paul R. Soglin
- Additional referral to Personnel Board
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

119. [30311](#) Recreate the 1.0 FTE position of Fleet Parts Manager, #1159 (occupied by R. Janowski), in CG18-07, as a Fleet Operations Manager, CG18-12. Recreate the 1.0 FTE position of Fleet Services Maintenance Supervisor, #3274 (occupied by A. Meyer), in CG18-08, as a Fleet Program Manager, CG18-12 in the Fleet Services Division budget. Reallocate the respective incumbents of positions #1159 and #3274 to the new positions. Delete the vacant Fleet Services Program Supervisor (CG 18, R12), position #1170, to fund the new positions.

Sponsors: Paul R. Soglin

Additional referral to Personnel Board

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

120. [30319](#) To extend the closing hours at Garner Park to 11:30 p.m. on Saturday, July 13, 2013 (Raindate: July 14) for the 11th annual Opera in the Park event post-concert reception for donors. (AD 11)

Sponsors: Paul R. Soglin, Joseph R. Clausius, Mark Clear and Chris Schmidt

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

121. [30321](#) To extend the closing hours at Warner Park to 11:30 p.m. on Wednesday, July 3, 2013 for the 21st annual Rhythm & Booms Independence Day fireworks event.

Sponsors: Paul R. Soglin, Larry Palm, Joseph R. Clausius, Mark Clear and Anita Weier

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

122. [30328](#) To authorize the closure of Warner Park lagoon and its connecting waterway to Lake Mendota during 2013 Rhythm and Booms celebration. (18th AD)

Sponsors: Paul R. Soglin, Larry Palm, Joseph R. Clausius, Mark Clear and Anita Weier

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

123. [30341](#) Authorizing the Transit General Manager to file an application for a Section 5337 State of Good Repair Formula public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Chris Schmidt and Sue Ellingson

Additional referral to Board of Estimates

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

124. [30342](#) Authorizing the Transit General Manager to file an application for a Section 5339 Bus and Bus Facilities Formula public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Chris Schmidt and Sue Ellingson

Additional referral to Board of Estimates

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

125. [30343](#) Authorizing the Transit General Manager to file an application for a Section 5307, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Chris Schmidt and Sue Ellingson

Additional referral to Board of Estimates

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

126. [30347](#) Retitling the classification series for Water Meter Mechanic 1-3 in Compensation Group 16, Range 9/11/13 (respectively) and Water Meter Field Leadworker to Field Service Representative 1-3 in the same ranges and reallocating incumbents (R. Crocker, N. Malacara, T. Trielof, J. Underberg) into the new classifications. Also, retitling the Water Meter Reader in Compensation Group 16, Range 9 to Field Service Representative in the same range, and reallocate the incumbent, J. Weaver, into the new classification. Lastly, retitling the Water Meter Mechanic Leadworker in Compensation Group 16, Range 15 to Field Service Leadworker in the same range, and reallocate the incumbent, A. Mazzara, into the new classification.

Sponsors: Paul R. Soglin

Additional referral to Personnel Board

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

127. [30348](#) Create the classification of Graphics Technician in CG20/R9, recreate the position (#611) of "Graphics Assistant" (CG20/R09) as a "Graphics Technician" (CG20/R09) and reallocate the incumbent (D. Collingwood) to the new position. Upon filling the position, the "Graphics Assistant" classification will be deleted.

Sponsors: Paul R. Soglin

Additional referral to Personnel Board

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

128. [30354](#) Recreate the position (#846) of Senior Center Director, currently in CG18, Range 10, in CG18, Range 12 in the Community Development Division, and reallocate the incumbent (C. Beatty) to the new position.

Sponsors: Paul R. Soglin

Additional referral to Personnel Board

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

129. [30355](#) Recreate the vacant position (#4252) of Community Development Grants Supervisor, currently in CG18, Range 13, in CG18, Range 15 in the Community Development Division budget.

Sponsors: Paul R. Soglin

Additional referral to Personnel Board

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

130. [30358](#) Approving the provision of \$129,446 of CDBG funds for improvement projects in the Arbor Hills and Leopold area neighborhoods as a way to implement a portion of the Arbor Hills-Leopold Neighborhood Plan in a manner that addresses City Community and Neighborhood Development Objectives.
- Sponsors:** Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair
- Additional referral to Community Development Block Grant Committee
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
131. [30360](#) Amending the 2013 Stormwater Utility Capital Budget to reallocate existing budget authority to use funds borrowed in 2011 prior to their expiring while allowing for continued funding of the future phase of Wingra Creek and to provide funding for needed pond dredging, box culvert replacement and storm sewer improvements associated with street reconstruction/resurfacing projects which will be completed in 2013.
- Sponsors:** Paul E. Skidmore and Sue Ellingson
- Additional referral to Board of Public Works
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
132. [30366](#) Vacation/Discontinuance of portions of public alleys as platted by Grandview Commons, being located in part of the Southeast one-quarter (1/4), of the Northwest one-quarter (1/4) and the Southwest one-quarter (1/4), of the Northeast one-quarter (1/4) of Section 11, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin. (3rd AD)
- Sponsors:** Lauren Cnare
- Additional referral to Plan Commission
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
133. [30377](#) AMENDED Adopting the *Hoyt Park Area Joint Neighborhood Plan* and the goals, recommendations, and implementation steps contained therein as a supplement to the City's *Comprehensive Plan*.
- Sponsors:** Chris Schmidt and Shiva Bidar-Sielaff
- Additional referral to: Board of Estimates, Transit and Parking Commission, Board of Park Commissioners, Sustainable Madison Committee, Urban Design Commission, Long Range Transportation Planning Committee, Landmarks Commission, Pedestrian/Bicycle/Motor Vehicle Commission, Board of Public Works, Economic Development Committee
- A motion was made by Resnick, seconded by Clausius, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.**

134. [30378](#) Adopting the Arbor Hills - Leopold Neighborhood Plan as a Supplement to the City of Madison Comprehensive Plan.
- Sponsors:** John Strasser
- Additional referrals to: Community Development Block Grant Committee, Transit and Parking Commission, Economic Development Committee, Pedestrian/Bicycle/Motor Vehicle Commission, Community Services Committee, Board of Estimates, Board of Park Commissioners
- A motion was made by Resnick, seconded by Clausius, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.**
135. [30381](#) Authorizing the execution of an easement to the County of Dane for public bicycle path purposes across a portion of Dunn's Marsh open space, located at 4899 Crescent Road.
- Sponsors:** Maurice S. Cheeks
- Additional referral to Plan Commission
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
136. [30382](#) Authorizing the execution of an Agreement to Terminate the "Agreement to Purchase and Undertake Development of the Northeast Industrial Property" executed between the City of Madison and The Center for Industry & Commerce, LLC.
- Sponsors:** Joseph R. Clausius
- Additional referral to Economic Development Committee
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
137. [30383](#) Authorizing the Mayor and City Clerk to sign a Sec. 66.0301 Intergovernmental Agreement with the City of Fitchburg for the use of conduit.
- Sponsors:** Steve King and Denise DeMarb
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
138. [30384](#) Declaring the City of Madison's intention to exercise its police powers establishing the E. Johnson Street Underground Utility District.
- Sponsors:** Ledell Zellers
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

139. [30387](#) Authorizing 1) the Mayor and City Clerk to execute a development agreement to fund a \$3,025,000 Tax Incremental Finance Loan ("TIF Loan") to W. Johnson Lending, Inc., a Wisconsin Corporation ("Lender"), which will then immediately loan the proceeds of the TIF Loan to Hovde West Johnson, LLC ("Borrower") to assist in the development of the 309 West Johnson apartments and commercial redevelopment project located at 309 West Johnson and 316 West Dayton in the proposed amendment to TID #32 (State Street) and 2) an amendment to the 2013 City of Madison Capital Budget to authorize funding of the TIF Loan.

Sponsors: Michael E. Verveer

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

140. [30399](#) Amending the 2013 Public Health Capital Budget to authorize the repair of a Water Incubator in the Public Health Lab.

Sponsors: Matthew J. Phair

Additional referral to Board of Health for Madison and Dane County

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

141. [30405](#) Authorizing the City of Madison to accept an Evjue Foundation grant in the amount of \$20,000, and amending the Community Development Division operating budget to reflect this revenue, and to authorize the City to enter into a purchase of service contract with the Boys and Girls Club of Dane County for the implementation of the grant.

Sponsors: Paul R. Soglin and Matthew J. Phair

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

142. [30406](#) Supporting the application by the City of Madison Parks Division for a Dane County Partners for Recreation and Conservation (PARC) grant for development of a skatepark in Madison Central Park and authorizing the Mayor and City Clerk to enter into a contract with Dane County to receive and use these funds should they be awarded.

Sponsors: Marsha A. Rummel, Joseph R. Clausius and John Strasser

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

LICENSES

143. [30390](#) Public Hearing - New License
Brat und Brau Inc • dba Brat und Brau
2933 N Sherman Ave • Agent: Patrick Hiebing • Estimated Capacity: 88
Class B Beer, Class C Wine • 25% alcohol, 75% food
Aldermanic District 12 (Alder Palm) • Police Sector 504

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

144. [30391](#) Public Hearing - New License
La Taguara LLC • dba La Taguara
3502 E Washington Ave • Agent: Jeykell Badell • Estimated Capacity: 40
Class B Beer, Class C Wine • 5% alcohol, 95% food
Aldermanic District 15 (Alder Ahrens) • Police Sector 503

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

145. [30392](#) Public Hearing - New License
BBC Harmony Bar LLC • dba Hamony Bar and Grill
2201 Atwood Ave • Agent: Bradley Czachor • Estimated Capacity: 195
Class B Combination Liquor & Beer • 55% alcohol, 45% food
Aldermanic District 6 (Alder Rummel) • Police Sector 601

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

146. [30393](#) Public Hearing - New License
R & I Investment • dba Crandalls Restaurant
334 State St • Agent: Ivan Pimentel • Estimated Capacity: 100
Class B Beer, Class C Wine • 10% alcohol, 90% food
Aldermanic District 4 (Alder Verveer) • Police Sector 403 • Density Area

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

147. [30394](#) Public Hearing - New License
FT Acquisition LLC • dba Flat Top Grill
538 N Midvale Blvd • Agent: Adam Dunnington • Estimated Capacity: 101
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 11 (Alder Schmidt) • Police Sector 108

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

REPORTS

148. [30297](#) Report on Position Study Outcomes - 2012
- Additional referral to Personnel Board
- A motion was made by Resnick, seconded by Clausius, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON**CLAIMS - REFER TO RISK MANAGER**

149. [30290](#) P. Anderson, Green Cab of Madison - vehicle damage - greater than \$1.00.
- A motion was made to Referred to the Risk Manager. The motion passed by voice vote/other.**
150. 30291 The Hartford Insurance Group for L. & D. White - vehicle damage - \$1,221.51.
- A motion was made to Referred to the Risk Manager. The motion passed by voice vote/other.**
151. 30292 L. Meister - vehicle damage - \$5,021.62.
- A motion was made to Referred to the Risk Manager. The motion passed by voice vote/other.**
152. [30293](#) M. Demo of Wagner, Falconer & Judd LTD for K. Berry - personal injury - \$26,166.20.
- A motion was made to Referred to the Risk Manager. The motion passed by voice vote/other.**
153. [30359](#) M. Grant - breach of circumstances - \$4,836.00.
- A motion was made to Referred to the Risk Manager. The motion passed by voice vote/other.**
154. 30362 M. Munson - vehicle damage - \$1,197.43.
- A motion was made to Referred to the Risk Manager. The motion passed by voice vote/other.**

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR**30450**

Accepting a Selection Committee's recommendation of the Gebhardt Development, LLC proposal for the purchase and redevelopment of City-owned properties located at 802 and 854 East Washington Avenue and authorizing the execution of a Purchase and Sale Agreement with Gebhardt Development, LLC for the purchase and redevelopment of these properties.

Sponsors: Ledell Zellers, Marsha A. Rummel and John Strasser

Additional referrals to: Plan Commission, Economic Development Committee

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

30451

Amending Section 28.067(3)(a) and Section 28.068(3)(a) of the Madison General Ordinances to establish front yard setback standards appropriate for buildings smaller than those regulated by Sec. 33.24(4)(f).

Sponsors: Joseph R. Clausius, Mark Clear and Paul E. Skidmore

A motion was made by Skidmore, seconded by Clausius, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

30452

Creating Section 28.031(2)(d) of the Madison General Ordinances to allow for an exception to the sidewall offset requirement for new single family homes with attached garages.

Sponsors: Lisa Subeck

A motion was made by Subeck, seconded by Resnick, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

30453

Requesting the Community Development Division provide a report on the Green Madison program and options for continuation of such program by August 6, 2013.

Sponsors: Shiva Bidar-Sielaff, Marsha A. Rummel, Larry Palm, Scott J. Resnick, John Strasser and Denise DeMarb

Common Council 8-6-2013

A motion was made by Bidar-Sielaff, seconded by Resnick, to Refer to the COMMON COUNCIL meeting of 8-6-2013. The motion passed by voice vote/other.

ADJOURNMENT @ 9:39 PM

A motion was made by Resnick, seconded by Clausius, to Adjourn at 9:39 PM. The motion passed by voice vote/other.