



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, September 18, 2007

6:30 PM

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

Roll Call at 6:36 p.m., Mayor Cieslewicz in the Chair.

Present: Sanborn, Konkell, Verveer, Webber, Rummel, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear, Pham-Remmele and David J. Cieslewicz

Absent: Cnare and Brandon

SUSPEND THE 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 Ald. Verveer, seconded by Ald. Bruer, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

1. [07474](#) Commending, honoring and expressing appreciation to Roger M. Goodwin, upon his retirement from the City of Madison, for giving more than 27 years of service to the City of Madison and its citizens.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-07-00937

PETITIONS AND COMMUNICATIONS

BUSINESS BY THE MAYOR

2. [07466](#) Authorizing a representative of the Human Resources Department to sign a contract with Home Health United to provide flu immunization clinics for City employees on City property.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-07-00938

3. [07467](#) Report of the Mayor submitting citizen committee appointments (introduced 9-18-2007; action 10-2-2007).

Confirm at the 10/2/07 Common Council Meeting.

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Refer to a future Meeting to Confirm for October 2, 2007. The motion passed by acclamation.

4. [07511](#) Report of the Mayor submitting appointments to the Jeffrey Clay Erlanger Civility in Public Discourse Award Committee.

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Confirm. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

5. [07457](#) Report of the CCOC - Recommendations Requested by Adopted Resolution, Legislative File No. 06305 Relative To Water Utility Appointments and Reports.

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Accept. The motion passed by acclamation.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

6. [07233](#) Approving Plans, Specifications, And Schedule Of Assessments For St. Paul Avenue and Dixon Street Reconstruction Assessment District - 2007. (6th AD)

Sponsors: Common Council By Request

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt and Close the Public Hearing. The motion passed by acclamation.

Enactment No: RES-07-00939

7. [07234](#) Approving Plans, Specifications, And Schedule Of Assessments For Curb and Gutter in Conjunction with Resurfacing - 2007 Assessment District: Additions. (Various ADs)

Sponsors: Common Council By Request

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt and Close the Public Hearing. The motion passed by acclamation.

Enactment No: RES-07-00940

REPORT OF PLAN COMMISSION

8. [06572](#) Creating Section 28.06(2)(a)3271. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Remove 1 House, Demolish 2 Houses and 3 Garages, and Build 4-Story Apartment Building; 2nd Aldermanic District: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street.
- Sponsors:** Common Council By Petition
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**

PUBLIC HEARINGS - BEGIN AT 6:45 PM

9. [07450](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses from 6:00 p.m., October 27 to 3:00 a.m., October 28, 2007 in the areas specified in Street Use Permit # 79000 for the benefit of Frank Productions, Inc., so that Freakfest 2007 may occur.
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-07-00941
10. [07451](#) Authorizing Frank Productions, Inc., as organizing group for FREAKFEST 2007, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event from 6:00 p.m., October 27, to 3:00 a.m., October 28, 2007, within the perimeter of the area, defined in the Street Use Permit for the event.
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-07-00942

REPORT OF BOARD OF ESTIMATES

11. [07352](#) 2008 Executive Capital Budget.
- Due back at the 10/2/07 Common Council Meeting.*
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the BOARD OF ESTIMATES, due back on October 2, 2007. The motion passed by acclamation.**

12. [07345](#) Creating Section 28.06(2)(a)3286. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Capitol West GDP Amendment for Hyatt Place Hotel; 4th Aldermanic District: 333 West Washington Avenue.
- Sponsors:** Common Council By Petition
- Due back at the 10/2/07 Common Council Meeting.*
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION, due back on October 2, 2007. The motion passed by acclamation.**
13. [07346](#) Creating Section 28.06(2)(a)3287. of the Madison General Ordinances rezoning property from Temp A Agriculture to Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3288. of the Madison General Ordinances rezoning property from Temp A Agriculture to Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3289. 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: GDP: Future Multi-Family Building; SIP: Construct 8 Single-Family Houses & 10 Duplexes: 1st Aldermanic District; 9401 Midtown Road.
- Sponsors:** Common Council By Petition
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-07-00119

END OF PUBLIC HEARINGS

At this time, the balance of the agenda which has not been acted upon will be moved with the recommended action listed for each items EXCEPT #: 14, 18, 30, 35, 36, 77, 78, 81, 86, 96 & 140 on a motion made by Ald. Verveer, seconded by Ald. Bruer.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

14. [05739](#) AMENDED SECOND SUBSTITUTE - Creating Section 38.05(9)(o) of the Madison General Ordinances to establish an Alcohol Beverage License Density Plan within the Central Commercial District.
- Sponsors:** David J. Cieslewicz, Michael E. Verveer, Joseph R. Clausius, Marsha A. Rummel, Paul E. Skidmore, Michael Schumacher and Judy Compton
- 10 Registrant(s) in support wishing to speak; 4 Registrant(s) in opposition wishing to speak; 6 Registrant(s) in support not wishing to speak; 2 Registrant(s) in opposition not wishing to speak.*
- A motion was made by Ald. Verveer, seconded by Ald. Gruber, to Adopt With Amendment(s) (see the amendments adopted below for details of the amended language). The motion passed by the following vote:**
- Aye:** 13 - Cnare, Verveer, Rummel, Skidmore, Solomon, Gruber, Kerr, Bruer, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 6 - Sanborn, Konkel, Webber, Judge, Rhodes Conway and Palm
- Abstain:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz
- Enactment No:** ORD-07-00126

- [05739](#) SECOND SUBSTITUTE - Creating Section 38.05(9)(o) of the Madison General Ordinances to establish an Alcohol Beverage License Density Plan within the Central Commercial District.
- Sponsors:** David J. Cieslewicz, Michael E. Verveer, Joseph R. Clausius, Marsha A. Rummel, Paul E. Skidmore, Michael Schumacher and Judy Compton
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Table. The motion passed by acclamation.**
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Take Off The Table. The motion passed by acclamation.**
- A motion was made by Ald. Konkel, seconded by Ald. Webber, to Table. The motion failed by the following vote:**
- Aye:** 10 - Sanborn, Konkel, Webber, Rummel, Judge, Solomon, Gruber, Rhodes Conway, Bruer and Palm
- No:** 9 - Cnare, Verveer, Skidmore, Kerr, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- Abstain:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz

A motion was made by Ald. Solomon, seconded by Ald. Webber, to Adopt the following amendment : add the following sentence to 10: "This annual review will be due November 1st of each year and include the following: 1) The number of license applications for each license type filed with the City Clerk for establishments both within the density plan area & the areas immediately adjacent. 2) The number of license applications for each license type granted by the Common Council for establishments both within the density plan area & the areas immediately adjacent. 3) The frequency of alcohol related crime & disorder, both within the density plan area and in the areas immediately adjacent. 4) The correlation between alcohol license density and the occurrence of alcohol related crime & disorder. 5) An analysis of the economic impact of the ordinance over the previous year. 6) An analysis of the campus house party situation including, but not limited to the number of house parties broken up by the police & number of sexual assaults reported and number of violent crimes reported." The motion passed by acclamation.

A motion was made by Ald. Solomon, seconded by Ald. Konkol, to Adopt the following amendment : change the sunset date in 11. from four (4) years to three (3) years. The motion passed by acclamation.

A motion was made by Ald. Konkol, seconded by Ald. Sanborn, to Adopt the following amendment : strike "c. Exceptional Circumstance. ii. An establishment providing live music in a tavern environment is not considered an exceptional circumstance."

The motion passed by acclamation.

Enactment No: ORD-07-00126

RECESS

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Take A Recess at 9:15 p.m. The motion passed by acclamation.

RECONVENE

Roll Call at 9:30 p.m., Mayor Cieslewicz in the Chair.

Late: Ald. Judge (9:32 p.m.); Ald. Pham-Remmele (9:32 p.m.); Ald. Webber (9:32 p.m.)

Present: Sanborn, Konkol, Cnare, Verveer, Webber, Rummel, Brandon, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear, Pham-Remmele and David J. Cieslewicz

15. [07207](#)

Operator License Application

Anthony Kingswan - Establishment where employed: Rev. Jim's Road House

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF ESTIMATES

16. [06622](#) Authorizing buildings and other property owned by the City of Madison be insured in the Local Government Property Insurance Fund.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00943
17. [07062](#) Amending the 2007 Capital Budget by \$20,000 to accommodate more participants in the Reverse Mortgage Program.
- Sponsors:** David J. Cieslewicz and Julia S. Kerr
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Absent:** 2 - Cnare and Brandon
- Aye:** 18 - Sanborn, Konkel, Verveer, Webber, Rummel, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-00944
18. [07140](#) Creating Section 8.075 of the Madison General Ordinances to codify and amend the existing Procedures for the Disposal of Surplus City Real Property.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Cnare, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00130
19. [07156](#) SUBSTITUTE - Authorizing the City of Madison to accept a grant from the State of Wisconsin Department of Commerce in the amount of \$1,000,000 and to utilize these funds for brownfield remediation activities.
- Sponsors:** Zachariah Brandon and Julia S. Kerr
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00945

20. [07176](#) Authorizing the Information Technology 2007 Capital Budget to be amended to include \$110,000 for purchase and installation of an electrical generator in the City-County Building.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Absent:** 2 - Cnare and Brandon
- Aye:** 18 - Sanborn, Konkel, Verveer, Webber, Rummel, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-00946
21. [07318](#) That the vacant position (#87) of Overture Center Publicity Coordinator in Compensation Group 18, Range 08, in the permanent salary detail of the Overture Center budget is repealed and recreated as a position of Overture Center Publicity Specialist in Compensation Group 18, Range 06, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00947
22. [07319](#) That the position (#1612) of Streets Public Information/Recycling Coordinator in Compensation Group 18, Range 08, (occupied by G. Dreckmann) in the permanent salary detail of the Streets Division budget is repealed and recreated as a position of Streets Public Information/Recycling Coordinator in Compensation Group 18, Range 10, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00948
23. [07320](#) That the position (#1027) of Program Assistant 3 in Compensation Group 17, Range 13 (occupied by L. Daniels) in the permanent salary detail of the Housing Operations Unit budget is repealed and recreated as a position of Housing Administrative Coordinator in Compensation Group 18, Range 06, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00949

24. [07325](#) A resolution regarding application to the Dane County Board for exemption from Dane County Library tax levied under Section 43.64(2) Wisconsin Statutes.
- Sponsors:** Larry Palm
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00950
25. [07326](#) Expressing support for the efforts of TeleTruth Wisconsin in combating legislation that would lead to the elimination of local cable franchising.
- Sponsors:** Judy Compton, Tim Bruer, Mark Clear and Brenda K. Konkel
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Aye:** 19 - Sanborn, Konkel, Cnare, Verveer, Webber, Rummel, Brandon, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 0 -
- Abstain:** 1 - Judge
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-00951
26. [07329](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the class of Overture Center Publicity Coordinator in Compensation Group 18, Range 08, and creating the class of Overture Center Publicity Specialist in Compensation Group 18, Range 06, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00120
27. [07330](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the class of Police Court Services Supervisor in Compensation Group 18, Range 05, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00121

28. [07331](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Streets Public Information/Recycling Coordinator in Compensation Group 18, Range 08 and recreating said class in Compensation Group 18, Range 10.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00122
29. [07332](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the class of Housing Administrative Coordinator in Compensation Group 18, Range 06, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00123
30. [07341](#) AMENDED - Authorizing the creation of a Bassett Neighborhood Small Cap TIF Program in Tax Incremental District #28 (Bassett Neighborhood) to provide funding for the conversion of rental properties to owner-occupied properties.
- Sponsors:** Michael E. Verveer and David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: add "Borrower must bring their property up to energy efficiency standards prescribed by the Madison Energy Code. " at the end of the NOW THEREFORE BE IT RESOLVED clause, 8) Requirements: No Borrower income limits. The motion passed by acclamation.**
- Enactment No:** RES-07-01002
31. [07347](#) Authorizing the acceptance of a 2007 BUILD (Better Urban Infill Development) Grant from Dane County for consultation services to prepare a market study for a planning area that includes the Royster-Clark site and portions of the adjacent business district on Cottage Grove Road and amending the 2007 Planning Unit Adopted operating budget to recognize additional revenues and expenditures.
- Sponsors:** Larry Palm
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00952

32. [07353](#) Authorizing the Mayor and City Clerk to enter into a Settlement Agreement with David Denig-Chakroff and authorizing payments.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Aye:** 19 - Sanborn, Konkell, Cnare, Verveer, Webber, Rummel, Brandon, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 1 - Kerr
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-00953
33. [07355](#) Amending the 2007 Parks Capital Budget to fund additional costs related to the construction of the Municipal Pool.
- Sponsors:** David J. Cieslewicz, Michael E. Verveer, Tim Bruer and Julia S. Kerr
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Absent:** 2 - Cnare and Brandon
- Aye:** 18 - Sanborn, Konkell, Verveer, Webber, Rummel, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-00954
34. [07361](#) Authorizing the Engineering-Major Streets 2007 Capital Budget to be amended to include \$170,000 for the undergrounding of overhead utilities in conjunction with the S. Bedford Street Reconstruction project. (4th AD)
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Absent:** 2 - Cnare and Brandon
- Aye:** 18 - Sanborn, Konkell, Verveer, Webber, Rummel, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-00955

35. [07362](#) SUBSTITUTE - Amending the 2007 Capital Budget to allow for the completion of Phase Two of Facilities Management's project to improve City offices in the City County Building and the Madison Municipal Building, specifically, the Comptroller's Office, Traffic Engineering, Housing Operations, and Community and Economic Development Division, and Health.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Aye:** 20 - Sanborn, Konkel, Cnare, Verveer, Webber, Rummel, Brandon, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-01003
36. [07375](#) SUBSTITUTE - Approving the double-filling of a Mayoral Aide position for the period of October 1, 2007 through December 31, 2008 and amending the 2007 adopted operating budget of the Office of Community Services to provide for an additional appropriation of \$21,000 from the Contingent Reserve.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Aye:** 20 - Sanborn, Konkel, Cnare, Verveer, Webber, Rummel, Brandon, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-01004
37. [07441](#) Authorizing the execution of a lease with the Community Development Authority of the City of Madison for space within the Villager Mall to be used by the City Clerk's Office for the storage of voting and election equipment.
- Sponsors:** Tim Bruer
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00956

REPORT OF BOARD OF PUBLIC WORKS

38. [07386](#) Awarding Public Works Contract No. 6086, Repaint East Transfer Point.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00957
39. [07387](#) Awarding Public Works Contract No. 6082, Fire Station #1 Lighting Upgrade.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00958
40. [07390](#) Authorizing the Mayor and City Clerk to enter into an Amendment #1 to the contract between the City of Madison and Vierbicher Associates, Inc., for additional engineering design services for the Lower Badger Mill Creek Lift Station and Forcemain. (1st AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00959
41. [07391](#) Approving Plans and Specifications, and authorizing the Mayor and City Clerk to enter into an agreement with Balfour Beatty Rail, Inc. to install the necessary improvements pursuant to CFR Parts 222 and 229 to create Quiet Zones in the City of Madison. (2nd, 6th & 12th ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00960
42. [07392](#) Approving a Developer's Agreement for public improvements necessary for the project known as 8001 Raymond Road PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2176. (7th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00961

43. [07393](#) Approving plans and specifications for public improvements necessary for the Subdivision known as 1507 Burningwood Way - Cherokee CSM and authorizing construction to be undertaken by the Developer, Private Contract No. 2177. (18th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00962
44. [07394](#) Declaring the City of Madison's intention to exercise its police powers establishing the Regent Street, Monroe Street & Randall Court Reconstruction Assessment District - 2008. (10th, 13th, & 5th ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00963
45. [07395](#) Accepting improvements and assessing benefits for First Addition to Midtown Commons Street Light Improvement District. (1st AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00964
46. [07396](#) Improvements accepted for Local Road Traffic Calming & Arterial Pedestrian Enhancements - 2004, Contract No. 5600. (Various ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00965
47. [07400](#) Accepting improvements and assessing benefits for **Fahrenbrook Court** Street Light Improvement District. (8th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00966

48. [07401](#) Accepting improvements and assessing benefits for Hawk's Meadow Street Light Improvement District. (1st AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00967
49. [07402](#) Accepting improvements and assessing benefits for **7th Addition to Blackhawk Street** Light Improvement District. (9th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00968
50. [07403](#) Accepting improvements and assessing benefits for Linden Park Phases 3 and 4 Street Light Improvement District. (1st AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00969
51. [07404](#) Accepting improvements and assessing benefits for **1st Addition to Junction Ridge** Street Light Improvement District. (9th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00970
52. [07405](#) Assessing Benefits - TANCHO/CIC Sewer Assessment District - 2004. (17th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00971
53. [07406](#) Accepting improvements and assessing benefits for **Sauk Heights-Phase 3** Street Light Improvement District. (9th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00972

54. [07407](#) Assessing Benefits - E. Washington Ave. Phase 2 Sanitary Lateral Replacements. (6th & 2nd ADs)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00973
55. [07408](#) Accepting improvements and assessing benefits for **Watson's Middle Addition** Street Light Improvement District. (14th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00974
56. [07409](#) Accepting improvements and assessing benefits for **Buckeye Meadows** Street Light Improvement District. (16th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00975
57. [07410](#) Accepting improvements and assessing benefits for **Liberty Place Phase 3** Street Light Improvement District. (16th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00976
58. [07411](#) Assessing Benefits - Hawks Ridge Estates Sanitary Sewer Assessment District. (9th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00977
59. [07412](#) Accepting improvements and assessing benefits for **Liberty Place Phase 4** Street Light Improvement District. (16th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00978

60. [07413](#) Accepting improvements and assessing benefits for **Owl Creek Phases 1 & 2** Street Light Improvement District. (16th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00979
61. [07414](#) Assessing Benefits - First Street Reconstruction Assessment District - 2005. (6th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00980
62. [07415](#) Accepting improvements and assessing benefits for **Secret Places-Phase 3** Street Light Improvement District. (16th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00981
63. [07416](#) Assessing Benefits - Marsh Road Street Assessment District - 2006. (16th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00982
64. [07417](#) Assessing Partial Benefits - TANCHO-CIC Phase 1 Assessments. (17th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00983
65. [07418](#) Assessing Benefits - Corry Street Reconstruction Assessment District - 2003. (6th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00984

66. [07419](#) Assessing Benefits - Pearson Street, Pierstorff Street and Wright Street Reconstruction Assessment District - 2005. (17th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00985
67. [07420](#) Assessing Benefits - Harrison Street, West Lawn Avenue and Monroe Street Reconstruction Assessment District - 2006. (10th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00986
68. [07422](#) Accepting improvements and assessing benefits for 2nd Addition to Reston Heights Street Light Improvement District. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00987
69. [07423](#) Accepting improvements and assessing benefits for First Addition to Meadowlands Street Light Improvement District. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00988
70. [07424](#) Accepting improvements and assessing benefits for First Addition to Nelson's Addition to Rustic Acres Street Light Improvement District. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00989
71. [07428](#) Accepting improvements and assessing benefits for Grandview Commons Phase 13 Street Light Improvement District. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00990

72. [07429](#) Accepting improvements and assessing benefits for Meadowlands Phases 1 and 2 Street Light Improvement District. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00991
73. [07430](#) Accepting improvements and assessing benefits for Nelson's Addition to Rustic Acres Street Light Improvement District. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00992
74. [07431](#) Accepting improvements and assessing benefits for Metrotech Street Light Improvement District. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00993
75. [07432](#) Accepting improvements and assessing benefits for Grandview Commons Phase 2 Street Light Improvement District. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00994
76. [07449](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the purchase and installation of a Vertical Lifting Fabric "tunnel" door at Metro's Bus Facility. (6th AD)
Sponsors: Common Council By Request
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00995

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

77. [06008](#) Amending Section 3.03 and creating Section 3.015 of the Madison General Ordinances to establish term limits for the Mayor and Alderpersons.
- Sponsors:** Brian Benford
- A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.**
78. [06832](#) SUBSTITUTE - Creating new Section 2.04(4), renumbering current Sections 2.04(4) - (15) to 2.04(5) - (16), respectively, and amending Section 2.29 of the Madison General Ordinances to provide an Early Public Comment period at each Common Council meeting.
- Sponsors:** Brenda K. Konkel and Julia S. Kerr
- A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00128
79. [07349](#) SUBSTITUTE - Amending Section 2.01(1) of the Madison General Ordinances to establish Common Council meeting dates for 2008.
- Sponsors:** Brenda K. Konkel
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00124

REPORT OF COMMUNITY AND ECONOMIC DEVELOPMENT UNIT

80. [07455](#) Report of the TIF Policy Ad Hoc Committee.
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Accept. The motion passed by acclamation.**

REPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

81. [06939](#) SUBSTITUTE - That the City of Madison should establish a capital borrowing program for affordable rental housing.
- Sponsors:** Brenda K. Konkel, Satya V. Rhodes Conway and Julia S. Kerr
- 3 Registrant(s) in support wishing to speak; 2 Registrant(s) in support not wishing to speak; 1 Registrant(s) in opposition not wishing to speak.*
- A motion was made by Ald. Clear, seconded by Ald. Schumacher, to Place On File. The motion passed by the following vote:**
- Aye:** 13 - Sanborn, Cnare, Brandon, Judge, Skidmore, Gruber, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 7 - Konkel, Verveer, Webber, Rummel, Solomon, Rhodes Conway and Kerr
- Non Voting:** 1 - Cieslewicz

06939

That the City of Madison should establish a capital borrowing program for affordable rental housing.

Sponsors: Brenda K. Konkel and Satya V. Rhodes Conway

A motion was made to Adopt Substitute. The motion failed by the following vote:

Aye: 2 - Konkel and Verveer

No: 18 - Sanborn, Cnare, Webber, Rummel, Brandon, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele

Non Voting: 1 - Cieslewicz

06939

SUBSTITUTE - That the City of Madison should establish a capital borrowing program for affordable rental housing.

Sponsors: Brenda K. Konkel, Satya V. Rhodes Conway and Julia S. Kerr

A motion was made by Ald. Kerr, seconded by Ald. Rummel, to Refer to a future Meeting to Adopt (at the 10/2/07 Common Council Meeting). The motion failed by the following vote:

Aye: 9 - Konkel, Cnare, Verveer, Webber, Rummel, Solomon, Gruber, Rhodes Conway and Kerr

No: 11 - Sanborn, Brandon, Judge, Skidmore, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Sanborn, to Move the Previous Question (2/3 vote required). The motion failed by the following vote:

Aye: 11 - Sanborn, Brandon, Judge, Skidmore, Kerr, Bruer, Compton, Clausius, Schumacher, Clear and Pham-Remmele

No: 9 - Konkel, Cnare, Verveer, Webber, Rummel, Solomon, Gruber, Rhodes Conway and Palm

Non Voting: 1 - Cieslewicz

REPORT OF LANDMARKS COMMISSION

82.

07486

Landmark Nominations of June 18, 2007 Meeting.

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

REPORT OF PLAN COMMISSION

83. [07480](#) Approving a revised Certified Survey Map of property owned by Meriter Hospital, Inc. at 8001 Raymond Road. 7th Ald. Dist.
- Sponsors:** Common Council By Request
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00997

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

84. [07478](#) Approving a Certified Survey Map of property owned by Curtis J. & Melissa L. Liposcak located at 501-503 Eugenia Avenue. 11th Ald. Dist.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00998
85. [07508](#) Re-approving a Certified Survey Map of property owned by the MLG Capital/ Meadowood, LLC at 5702 Raymond Road. 20th Ald. Dist.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00999

REPORT OF PUBLIC SAFETY REVIEW BOARD

86. [04196](#) AMENDED THIRD SUBSTITUTE - Creating Section 25.09 of the Madison General Ordinances to establish that certain premises may be declared Chronic Nuisance Premises.
- Sponsors:** Tim Bruer, Jed Sanborn, Tim Gruber, Julia S. Kerr, Judy Compton, Michael Schumacher, Joseph R. Clausius, Thuy Pham-Remmele, Paul E. Skidmore, Zachariah Brandon and Lauren Cnare
- 16 Registrant(s) in support wishing to speak; 4 Registrant(s) in opposition wishing to speak; 2 Registrant(s) neither in support nor opposition wishing to speak; 25 Registrant(s) in support not wishing to speak; 4 Registrant(s) in opposition not wishing to speak.*
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) (see detail of amendments below). The motion passed by the following vote:**
- Aye:** 18 - Sanborn, Cnare, Verveer, Rummel, Brandon, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 2 - Konkel and Webber
- Non Voting:** 1 - Cieslewicz

Enactment No: ORD-07-00129

- [04196](#) THIRD SUBSTITUTE - Creating Section 25.09 of the Madison General Ordinances to establish that certain premises may be declared Chronic Nuisance Premises.
- Sponsors:** Tim Bruer, Jed Sanborn, Tim Gruber, Julia S. Kerr, Judy Compton, Michael Schumacher, Joseph R. Clausius, Thuy Pham-Remmele, Paul E. Skidmore, Zachariah Brandon and Lauren Cnare
- Adopt the following amendment . The following amendments passed by a unanimous voice vote:** 1) add "and the courtesy copy to the Alder at the Common Council office or by electronic mail." in Section 3 (a).
2) Section 12 (a) was amended and now states "The Chief of Police shall submit an interim report to the Common Council by September 1, 2008, and a final report to the Common Council by September 1, 2009, indicating the following:"
3) Section 12 (b) was amended and now states "(b) The Department of Civil Rights shall submit an interim report to the Common Council by September 1, 2008, and a final report to the Common Council by September 1, 2009, indicating whether that Department had referrals for violation of Fair Housing Laws contained in Chapter 39 or any other elements of the Equal Opportunity Ordinance that were directly related to the application of this ordinance to a Premises."
- Adopt the following amendment . The following amendments failed by a voice vote:** 1) Strike "Is a Premises which has generated three (3) or more calls for police services that have resulted in Enforcement Action for Nuisance Activities on three (3) separate days within a ninety (90) day period." in Section 2 (a)(1).
2) Strike "lodging houses, hotels, motels and tourist rooming houses" in Section 2, Definitions.
- Adopt the following amendment : "or periodic tenancy" in Section (6)(a). This amendment was withdrawn.**

A motion was made by Ald. Solomon, seconded by Ald. Webber, to Refer to the EQUAL OPPORTUNITIES COMMISSION. The motion failed by the following vote:

Aye: 8 - Konkel, Verveer, Webber, Rummel, Solomon, Gruber, Rhodes Conway and Kerr

No: 12 - Sanborn, Cnare, Brandon, Judge, Skidmore, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Compton, seconded by Ald. Bruer, to Move the Previous Question. The motion failed by the following vote:

Aye: 9 - Sanborn, Brandon, Skidmore, Bruer, Compton, Clausius, Schumacher, Clear and Pham-Remmele

No: 11 - Konkel, Cnare, Verveer, Webber, Rummel, Judge, Solomon, Gruber, Rhodes Conway, Kerr and Palm

Non Voting: 1 - Cieslewicz

Consider the Building Inspection portion of the ordinance separately.

A motion was made by Ald. Konkel, seconded by Ald. Webber, to Divide the Question. The motion failed by the following vote:

Aye: 4 - Konkel, Webber, Rummel and Rhodes Conway

No: 16 - Sanborn, Cnare, Verveer, Brandon, Judge, Skidmore, Solomon, Gruber, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele

Non Voting: 1 - Cieslewicz

Enactment No: ORD-07-00129

87. [06578](#) To adopt and confirm amendments to the Madison General Ordinances as set forth in attached Exhibit A pursuant to Sec. 66.0103, Wis. Stats.

Sponsors: Paul E. Skidmore

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: ORD-07-00127 & A

REPORT OF RISK MANAGER

88. [07014](#) J. Wiebe - 3149 Stratton Way # 204, Madison - vehicle damage - \$150.00.

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Disallow. The motion passed by acclamation.

89. [07202](#) M. Kowalski, 1622 Fordem Ave. # 306, Madison - vehicle damage - \$240.14.

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Disallow. The motion passed by acclamation.

90. [07203](#) A. Tilley, 1422 Nevada Rd., Madison - vehicle damage - \$206.78.
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Disallow. The motion passed by acclamation.
91. [07221](#) A. Schmidt, 5200 Camden Rd., Madison - vehicle damage - \$574.77.
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Disallow. The motion passed by acclamation.
92. [07238](#) N. Simon, 1409 Dayflower Dr., Madison - property damage - \$50.00.
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Disallow. The motion passed by acclamation.
93. [07239](#) Erie Insurance Group for B. Leitzke, 427 Oak St., Arena - vehicle damage - \$3,384.25.
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Disallow. The motion passed by acclamation.
94. [07265](#) John F. McNally, McNally Law Offices, S.C., attorney for G. Patterson, 2930 Union St., Madison - personal injury - \$50,000.00.
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Disallow. The motion passed by acclamation.

REPORT OF TRANSIT/PARKING COMMISSION

95. [07261](#) SUBSTITUTE - Accepting sponsorship of Miller Brewing Company to help offset the cost of providing free expanded transit service on New Year's Eve and authorizing the Mayor and Clerk to sign an agreement with Miller Brewing Company, which may contain an indemnification clause.
Sponsors: Robbie Webber and Brian L. Solomon
A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-01000

REFERRED TO THIS MEETING

APPOINTMENTS

96. [07344](#) Report of the Mayor submitting citizen committee appointments (introduced 9-4-2007; action 9-18-2007).

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

Aye: 20 - Sanborn, Konkel, Cnare, Verveer, Webber, Rummel, Brandon, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele

No: 0 -

Non Voting: 1 - Cieslewicz

ORDINANCES

97. [07350](#) Creating Section 15.01(565) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the Heffron Co.-Backus-Annen Attachment and amending Section 15.01(119) of the Madison General Ordinances to assign the attached property to Ward 119.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: ORD-07-00125

PETITIONS

98. [07399](#) Petition dated July 16, 2007 from Heffron Company on behalf of the Backus' and Annen's re: direct attachment from the Town of Middleton to the City of Madison.

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Accept. The motion passed by acclamation.

RESOLUTIONS

99. [07452](#) Ordering Property Owners to Replace Substandard/Defective Sidewalks and Ordering Property Owners to Install Sidewalk.

Sponsors: Common Council By Request

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.

Enactment No: RES-07-01001

**NEW BUSINESS - Referred on a motion made by Ald. Verveer,
seconded by Ald. Bruer.**

ORDINANCES

100. [07469](#) Creating Section 28.06(2)(a)3296. of the Madison General Ordinances rezoning property from R4 General Residence District to C1 Limited Commercial District. Proposed Use: Rezone Nonconforming Commercial Building; 15th Aldermanic District: 34 & 36 South Fair Oaks Avenue.
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
101. [07470](#) Creating Section 28.06(2)(a)3297. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3298. 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 UW Hillel Building & Construct New Hillel Center; 8th Aldermanic District: 611 Langdon Street.
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
102. [07471](#) Creating Section 28.06(2)(a)3299. of the Madison General Ordinances rezoning property from R6 General Residence District and C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: WID/MIR Conceptual Plan & Permission to Demolish Existing Buildings; 8th Aldermanic District: 1301 University Avenue (The block bounded by Campus Drive, University Avenue, N. Randall Avenue and N. Orchard Street.)
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
103. [07472](#) Creating Section 28.06(2)(a)3300. 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: Construct Senior-Oriented Assisted Living, CBRF & Condominiums; 3rd Aldermanic District: 719 Jupiter Drive/5801 Halley Way.
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**

104. [07476](#) Amending Section 10.28(1) of the Madison General Ordinances to clarify the obligation of property owners to remove snow or ice accumulation from sidewalks by noon on the day following the accumulation; amending Section 10.28(2) regarding the retention and reporting of snow or ice removal expenses; and amending Section 10.28(3) to reflect a statutory renumbering.
- Sponsors:** Michael E. Verveer
- Refer to the BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD**
105. [07481](#) Creating Section 28.06(2)(a)3301. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 814 & 826 North Avenue & 1802, 1804, 1814-1824 South Park Street to M1 Limited Manufacturing District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 13th Aldermanic District: 814 & 826 North Avenue & 1802, 1804, 1814-1824 South Park Street.
- Sponsors:** Common Council By Petition
- Due back at the 11/6/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
106. [07482](#) Creating Section 28.06(2)(a)3302. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 1901-1907 South Park Street to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 13th Aldermanic District: 1901-1907 South Park Street.
- Sponsors:** Common Council By Petition
- Due back at the 11/6/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
107. [07485](#) Creating Section 28.06(2)(a)3303. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 801 North Avenue & 1920 South Park Street to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 13th Aldermanic District: 801 North Avenue & 1920 South Park Street.
- Sponsors:** Common Council By Petition
- Due back at the 11/6/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
108. [07487](#) Creating Section 28.06(2)(a)3304. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 2008 South Park Street to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 13th Aldermanic District: 2008 South Park Street.
- Sponsors:** Common Council By Petition
- Due back at the 11/6/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**

109. [07488](#) Creating Section 28.06(2)(a)3305. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 809 Ridgewood Way & 2200 South Park Street to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 13th Aldermanic District: 809 Ridgewood Way & 2200 South Park Street.

Sponsors: Common Council By Petition

Due back at the 11/6/07 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

110. [07489](#) Creating Section 28.06(2)(a)3306. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 2301-2309 South Park Street to R4 General Residence District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 2301-2309 South Park Street.

Sponsors: Common Council By Petition

Due back at the 11/6/07 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

111. [07490](#) Creating Section 28.06(2)(a)3307. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 2342 South Park Street to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 2342 South Park Street.

Sponsors: Common Council By Petition

Due back at the 11/6/07 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

112. [07491](#) Creating Section 28.06(2)(a)3308. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 818 West Badger Road to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 818 West Badger Road.

Sponsors: Common Council By Petition

Due back at the 11/6/07 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

113. [07492](#) Creating Section 28.06(2)(a)3309. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 700 West Badger Road to R4 General Residence District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 700 West Badger Road.

Sponsors: Common Council By Petition

Due back at the 11/6/07 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

114. [07493](#) Creating Section 28.06(2)(a)3310. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 833, 836, 840, 844 Hughes Place to R4 General Residence District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 833, 836, 840, 844 Hughes Place.
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
115. [07494](#) Creating Section 28.06(2)(a)3311. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 826 West Badger Road to R4 General Residence District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 826 West Badger Road.
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
116. [07495](#) Creating Section 28.06(2)(a)3312. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 2432-2436 Perry Street to R4 General Residence District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 2432-2436 Perry Street.
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
117. [07496](#) Creating Section 28.06(2)(a)3313. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 2440-2448 Perry Street to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 2440-2448 Perry Street.
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
118. [07499](#) Creating Section 28.06(2)(a)3314. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 2501-2509 Perry Street to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 2501-2509 Perry Street.
- Sponsors:** Common Council By Petition
Due back at the 11/6/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**

119. [07502](#) Creating Section 28.06(2)(a)3315. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 2510 Perry Street to C2 General Commercial District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 2510 Perry Street.
- Sponsors:** Common Council By Petition
- Due back at the 11/6/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
120. [07506](#) Creating Section 28.06(2)(a)3316. of the Madison General Ordinances to zone lands attached from the Town of Madison located at 2502 Perry Street to R4 General Residence District. Proposed Use: Continue Existing Use; Permanent City Zoning Following Attachment; 14th Aldermanic District: 2502 Perry Street.
- Sponsors:** Common Council By Petition
- Due back at the 11/6/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
121. [07507](#) Amending Section 12.138(10)(a) of the Madison General Ordinances to clarify that any transfer of license plate to a vehicle currently issued a Residential Parking Permit requires a new permit to be issued.
- Sponsors:** Brian L. Solomon, Jed Sanborn and Robbie Webber
- Refer to the TRANSIT AND PARKING COMMISSION**

RESOLUTIONS

122. [07314](#) Authorizing the acceptance of an Offer to Sell from Mark and Susan Klein, for a single unit residential income property located at 21 S. Orchard Street, and amending the 2008 Parks Division Capital Budget to add funding for Ed Klief Park expansion.
- Sponsors:** Julia S. Kerr
- Additional Referral(s): Plan Commission, Board of Park Commissioners*
- Refer to the BOARD OF PUBLIC WORKS**
123. [07380](#) Double-Fill Authorization of Program Assistant III - Neighborhood Preservation & Inspection Division.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**

124. [07456](#) Authorizing the Common Council to accept ownership from Berkley Oaks Neighborhood Association of a decorative neighborhood garden to be located within the public right-of-way of Thackeray Road.
- Sponsors:** Satya V. Rhodes Conway
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF PUBLIC WORKS**
125. [07458](#) Authorizing the Mayor and City Clerk to enter into a contract on behalf of the City with Cuningham Group Architecture who will lead a team of consultants to prepare a new Zoning Code and map for the City of Madison, and amending the Planning Division 2007 Operating Budget to move \$24,000 from Permanent Salaries to Consulting Services.
- Sponsors:** David J. Cieslewicz and Lauren Cnare
- Refer to the BOARD OF ESTIMATES**
126. [07468](#) Authorizing the Madison Department of Public Health to accept a grant from the State Department of Health and Family Services-Division of Public Health for \$60,434.
- Sponsors:** Lauren Cnare
- Additional Referral(s): Board of Health for Madison and Dane County*
- Refer to the BOARD OF ESTIMATES**
127. [07477](#) Authorizing the Mayor and City Clerk to enter into Purchase of Service Agreements with the West Madison Senior Coalition, Madison Apprenticeship Program, Wisconsin Youth Company, and a Drivers License Recovery Program (provider to be determined) utilizing funds from the City's 2007 adopted operation budget.
- Sponsors:** David J. Cieslewicz, Tim Gruber, Lauren Cnare, Brian L. Solomon and Michael Schumacher
- Refer to the BOARD OF ESTIMATES**
128. [07484](#) Authorizing the Mayor, City Clerk and Chief of Police to accept the FY 2007 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$196,252 and to utilize these funds to support several law enforcement initiatives.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**
129. [07509](#) Accepting a donation of a parcel of land, from B & B Family Limited Partnership, for assemblage purposes to the Starkweather Creek Open Space located at 3614 Milwaukee Street.
- Sponsors:** Larry Palm
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF PARK COMMISSIONERS**

130. [07513](#) Authorizing the acceptance of an offer to sell from the Madison Gas and Electric Company a 2.8-acre property located at 4014 Hanson Road in the Town of Burke, to facilitate the completion of construction improvements from Hanson Road and Portage Road from Manufacturer Drive to Interstate 39/90/94.

Sponsors: Joseph R. Clausius

Additional Referral(s): Board of Estimates. Due back at the 10/2/07 Common Council Meeting.

Refer to the PLAN COMMISSION

131. [07519](#) Authorizing Mayor Dave Cieslewicz and Chief Noble Wray to accept a highway safety grant up to \$21,000 from Safe Communities for 'Tween Safety Restraint Initiative activities, i.e., informational contacts and overtime enforcement scheduled for October through December 2007.

Sponsors: David J. Cieslewicz

Refer to the BOARD OF ESTIMATES

132. [07522](#) Dissolving Tax Incremental District (TID) #24 (Southeast Industrial).

Sponsors: David J. Cieslewicz

Additional Referral(s): Economic Development Commission

Refer to the BOARD OF ESTIMATES

133. [07523](#) Dissolving Tax Incremental District (TID) #28 (Bassett Neighborhood).

Sponsors: David J. Cieslewicz

Additional Referral(s): Economic Development Commission

Refer to the BOARD OF ESTIMATES

134. [07559](#) To approve the 2008 Operating Plan for Madison's Central Business Improvement District (#1).

Sponsors: Michael E. Verveer

Refer to the DOWNTOWN COORDINATING COMMITTEE

LICENSES

135. [07465](#) Public Hearing - Transfer of License from one location to another
Circolo LLC • dba Pasqual's • 17% alcohol, 80% food, 3% other
670 N. Midvale Boulevard (transferred from 702 N. Midvale Boulevard)
Agent: Benjamin Roberts
Class B Combination Liquor & Beer
Aldermanic District 11 (Alder Gruber) • Police Sector 108
Due back at the 10/2/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

CLAIMS - REFER TO RISK MANAGER

136. [07398](#) K. Simmons of Geico for P. Warner - vehicle damage - \$8,293.97.
137. [07462](#) J. Ackerman, 4920 Goldfinch Dr., Madison - vehicle damage - \$2,006.76.
138. [07463](#) J. Lang, American Family Insurance, for Y. and Y. H Ren Zheng, 1105 Velvet Leaf Dr., Madison - vehicle damage - \$1,340.91.
139. [07464](#) R. and J. Rindy, 6241 Perrot Pl., McFarland - vehicle damage - \$573.87.

LATE ITEMS

140. [07359](#) Authorizing the Issuance of \$44,850,000 General Obligation Promissory Notes, Series 2007-A, of the City of Madison, Wisconsin, Providing the Details Thereof, Establishing Interest Rates Thereon and Levying Taxes Therefor.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:**
- Absent:** 2 - Cnare and Brandon
- Aye:** 18 - Sanborn, Konkol, Verveer, Webber, Rummel, Judge, Skidmore, Solomon, Gruber, Rhodes Conway, Kerr, Bruer, Palm, Compton, Clausius, Schumacher, Clear and Pham-Remmele
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-00996

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

141. [07220](#) Amending the 2007 Operating Budget to appropriate \$100,000 from Contingent Reserve for Citywide Neighborhood Safety Initiatives.
- Sponsors:** David J. Cieslewicz, Jed Sanborn, Thuy Pham-Remmele, Judy Compton and Michael E. Verveer
- A motion was made by Ald. Verveer, seconded by Ald. Brandon, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**

142. [07569](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to allow the Vending Coordinator to grant a variance to a Mall/Concourse vendor to allow a vending cart with a size up to 10% larger than the current maximum of 56 square feet.

Sponsors: Michael E. Verveer

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Refer to the VENDING OVERSIGHT COMMITTEE. The motion passed by acclamation.

ADJOURNMENT

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adjourn at 3:35 a.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on September 20, 2007.

Ordinances published October 5, 2007.

MARIBETH WITZEL-BEHL, CITY CLERK