



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://www.cityofmadison.com)

## Proceedings - Approved COMMON COUNCIL

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Tuesday, January 5, 2010

6:30 PM

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

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ROLL CALL at 6:30 pm

**Present:** 20 - David J. Cieslewicz  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear

**Excused:** 1 - Thuy Pham-Remmele

### 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 Ald. Bruer, seconded by Ald. Verveer, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

### HONORING RESOLUTIONS

- 1. [16954](#) Commending Jim Fleming of Wisconsin Public Radio on his retirement after 36 years of dedicated service.

**Sponsors:** David J. Cieslewicz and Common Council By Request

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

Enactment No: RES-10-00001

## **PETITIONS AND COMMUNICATIONS**

### **EARLY PUBLIC COMMENT**

### **SPECIAL ORDER OF BUSINESS AT 6:45 PM**

### **PRESENTATION OF CONSENT AGENDA**

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT:

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote and are not included on the consent agenda by unanimous consent. 3) items which alderperson(s) have separated out for discussion/debate purposes.

### **RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM**

- 2. [16442](#) Creating Section 28.06(2)(a)3458. of the Madison General Ordinances rezoning property from R4 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3459. 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 a 112-Unit Residential Condominium Development in 28 Buildings; 1st Aldermanic District: 1802 Maplecrest Drive and 9002 Hawks Reserve Lane.

**Sponsors:** Common Council By Request

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

Enactment No: ORD-10-00001

## **REPORT OF PLAN COMMISSION**

3. [15028](#) Creating Section 28.06(2)(a)3439. 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)3440. 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: The construction of a new six-unit building and additions and renovations to an existing single-family residence and a three-unit residence creating 12 total dwelling units.; 4th Aldermanic District: 115 & 117 South Bassett Street.

**Sponsors:** Common Council By Request

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

Enactment No: ORD-10-00002

## **PUBLIC HEARINGS - BEGIN AT 6:45 PM**

### **REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

4. [16151](#) Public Hearing - New License  
Bernie & Tony's Back Door LLC • dba Bernie & Tony's Back Door  
30% alcohol, 65% food, 5% Other  
4265 W Beltline Hwy • Agent: Thomas Caputo • Estimated Capacity: 100  
Class B Combination Liquor & Beer  
Aldermanic District 10 (Alder Solomon) • Police Sector 104

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

5. [16415](#) Public Hearing - New License  
Faouzi LLC • dba Excalibur Bar & Grille • 60% alcohol, 40% food  
4245 W Beltline Hwy • Agent: Said Jridi • Estimated Capacity: 160  
Class B Combination Liquor & Beer  
Aldermanic District 10 (Alder Solomon) • Police Sector 104

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Place On File Without Prejudice . The motion passed by voice vote/other.**

6. [16677](#) Public Hearing - New License  
Triple B LLC • dba Nitty Gritty, The • 46% alcohol, 53% food, 1% Other  
223 N Frances St • Agent: Eric Suemnicht • Estimated Capacity: 402  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 404 • Density Area

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

7. [16678](#) Public Hearing - New License  
RARE Hospitality International Inc • dba LongHorn Steakhouse #5361  
10% alcohol, 90% food  
418 S Gammon Rd • Agent: James Kasprzak • Estimated Capacity: 269  
Class B Combination Liquor & Beer  
Aldermanic District 09 (Alder Skidmore) • Police Sector 124

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

8. [16679](#) Public Hearing - New License  
S&K Odana LLC • dba Indian Spice N Curry Restaurant • 20% alcohol, 80% food  
6119 Odana Rd • Agent: Sukhwinder Singh • Estimated Capacity: 80  
Class B Combination Liquor & Beer  
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

9. [16688](#) Public Hearing - New License  
Madison Hotel Associates LP • dba Hyatt Place  
1.8% alcohol, 2.9% food, 95.3% Other  
333 W Washington Ave • Agent: Blaze Brigman • Estimated Capacity: 420  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 405 • Density Area

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

10. [16712](#) Public Hearing - New License  
Francesca's Madison LLC • dba Francesca's al Lago • 30% alcohol, 70% food  
111 Martin Luther King Jr Blvd • Agent: Ron Trachtenberg  
Estimated Capacity: 165  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 405 • Density Area

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

11. [16713](#) Public Hearing - New License  
802 Regent LLC • dba Buckingham's • 48% alcohol, 51% food, 1% Other  
802 Regent St • Agent: Dan Ironmonger • Estimated Capacity: 180  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 404 • Density Area

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

12. [16717](#) Public Hearing - New License  
Luckys Madison LLC • dba Lucky's Bar & Grille • 66% alcohol, 33% food, 1% Other  
1421 Regent St • Agent: Rodney Ripley • Estimated Capacity: 160  
Class B Combination Liquor & Beer  
Aldermanic District 13 (Alder Kerr) • Police Sector 303

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

13. [16726](#) Public Hearing - New License  
Tai's Corporations • dba Tai's • 5% alcohol, 95% food  
638 S Whitney Way • Agent: Chan Li • Estimated Capacity: 50  
Class B Beer, Class C Wine  
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

14. [16727](#) Public Hearing - New License  
Bernie & Tony's Piano Bar & Sicilian Restaurante LLC  
dba Bernie & Tony's • 30% alcohol, 65% food, 5% Other  
4265 W Beltline Hwy • Agent: Thomas Caputo • Estimated Capacity: 100  
Class B Combination Liquor & Beer  
Aldermanic District 10 (Alder Solomon) • Police Sector 104

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

#### REPORT OF PLAN COMMISSION

15. [15955](#) Creating Section 28.06(2)(a)3453. of the Madison General Ordinances rezoning property from HIST-MH Mansion Hill Historic District, OR Office Residence District, and R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3454. 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: Redevelop and Expand Existing Edgewater Hotel to a 228-Room Hotel; 666 Wisconsin Avenue: 2nd Aldermanic District.

**Sponsors:** Common Council By Request

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

16. [16542](#) SUBSTITUTE Creating Section 28.06(2)(a)3460. of the Madison General Ordinances rezoning property from R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3462. 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: Construction of 46-Unit Apartment Building in Place of Surface Parking. 4th Aldermanic District: 129 West Gorham Street.

**Sponsors:** Common Council By Request

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

17. [16543](#) Creating Section 28.06(2)(a)3461. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: General Development Plan for Future Construction of a 62-Unit Apartment Building; 13th Aldermanic District: 1012 Fish Hatchery Road.

**Sponsors:** Common Council By Request

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

Enactment No: ORD-10-00003

18. [16570](#) Amending Sections 9.52, 28.08(2)(b)8.j., 28.08(9)(b)7.c., 28.08(11)(b)7.c., and 28.08(12)(b)2. of the Madison General Ordinances to change the notification requirements for keeping chickens and provide for revocation of a license.

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

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

Enactment No: ORD-10-00004

#### END OF PUBLIC HEARINGS

#### BUSINESS PRESENTED BY THE MAYOR

19. [16656](#) Report of the Mayor submitting citizen committee appointments (introduced 12-8-2009; action 1-5-2010).

**Sponsors:** David J. Cieslewicz

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

20. [16921](#) Report of the Mayor submitting citizen committee appointments (introduced 1-5-2010; action 1-19-2010)

**Sponsors:** David J. Cieslewicz

Confirm

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Refer to the COMMON COUNCIL and should be returned by 1/19/2010. The motion passed by voice vote/other.**

21. [16951](#) Report of the Mayor submitting alder committee appointments.

**Sponsors:** David J. Cieslewicz

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

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

22. [16485](#) Change of Licensed Premise  
Blue Velvet Lounge LLC • dba Blue Velvet Lounge • capacity of 168  
430 W Gilman St • Agent: Lawrence Schmock  
Class B Combination Liquor & Beer • 95% Alcohol, 5% food  
Aldermanic District 04 (Alder Verveer) • Police Sector 403  
Request to apply the results of recent capacity review to the license.

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

23. [16747](#) Operator License Application  
Jenny Justen - Establishment where employed: Fluno Center

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

24. [16960](#) Alcohol License Review Committee Report of Operator License Applications  
January 5, 2010. See attached report for list of operators.

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

### REPORT OF TRANSIT AND PARKING COMMISSION

60. [16113](#) Authorizing the Metro Transit General Manager to enter into agreements with businesses and organizations with fewer than 1,000 participants in the Metro Transit service area interested in providing a pass program to their employees, students or other affiliated individuals to take fixed route and ADA paratransit rides on Metro Transit.

**Sponsors:** David J. Cieslewicz, Chris Schmidt, Satya V. Rhodes-Conway, Brian L. Solomon, Jed Sanborn, Mark Clear, Marsha A. Rummel and Joseph R. Clausius

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



Enactment No: RES-10-00002

Recess at 8:04pm

**A motion was made by Ald. Kerr, seconded by Ald. Verveer, to Take A Recess. The motion passed by voice vote/other.**

Reconvene at 8:25pm

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

**Ayes:** 21 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele  
Jed Sanborn  
David J. Cieslewicz

**REPORT OF BOARD OF PUBLIC WORKS**

26. [16401](#) Resolution to adopt the City of Madison Annex to the Dane County Natural Hazard Mitigation Plan.

**Sponsors:** Larry Palm

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

Enactment No: RES-10-00003

27. [16488](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Tennis Court Resurfacing - 2010, Contract No. 6411. (2nd, & 12th ADs)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00004
28. [16636](#) Improvements accepted for Partial Resurfacing of STH 151, Contract No. 6229.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00005
29. [16651](#) Awarding Public Works Contract No. 6402, Fire Station #1 Chiller Replacement - 2010.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00006
30. [16652](#) Awarding Public Works Contract No. 6403, Monona Terrace Exhibition Hall Floor Electrical Distribution Upgrade.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00007
31. [16693](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Law Park Concrete Ramp, Contract No. 6432. (4th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00008

32. [16694](#) Improvements accepted for East Mifflin Street & North Blount Street Reconstruction Assessment District - 2007, Contract No. 6019.  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-10-00009
33. [16695](#) Improvements accepted for Warning Sirens - 2008, Contract No. 6222.  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-10-00010
34. [16696](#) Improvements accepted for Fire Station #7 Roof Replacement, Contract No. 6343.  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-10-00011
35. [16697](#) Improvements accepted for East Police PV Installation - 2009, Contract No. 6364.  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-10-00012
36. [16699](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for CIPP Rehab of Waunona Neighborhood Sanitary Sewers - 2010, Contract No. 6439. (14th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-10-00013

37. [16728](#) Improvements Accepted for Street Tree Replacement - 2009, Contract No. 6332. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00014

38. [16788](#) Improvements accepted for Repairing & Sealing Pavement Cracks, Major Streets - 2009, Contract No. 6288. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00015

39. [16789](#) Improvements accepted for 2006 Resurfacing Various Streets; Utility Casting, Adjusting & Curb Cuts & Curb & Gutter Repair with Resurfacing, Contract No. 5907. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00016

40. [16790](#) Improvements accepted for Colby St. Reconstruction Assessment District - 2007; Colby St. Storm Sewer District - 2007; S. Livingston Street Reconstruction Assessment District - 2007, Contract No. 6020.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00017

41. [16792](#) Declaring the City of Madison's intention to exercise its police powers establishing the Lien Road Underpass Assessment District - 2010. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00018

42. [16794](#) Approving plans and specifications for the reconstruction of University Avenue from Shorewood Boulevard to Segoe Road and authorizing the Mayor and City Clerk to execute agreements with Dane County and the Village of Shorewood Hills for cost sharing of the local share of the project. (11th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00019

43. [16811](#) Approving plans and specifications for public improvements necessary for the project known as 1246 & 1252 Williamson Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2239.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00020

44. [16812](#) Improvements accepted for Repairing & Sealing Pavement Cracks, Local Streets - 2009, Contract No. 6287.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00021

45. [16813](#) Improvements accepted for 2007 Resurfacing Various Streets; Utility Casting Adjusting & Curb Cuts & Curb & Gutter Repair with Resurfacing, Contract No. 5993.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00022

46. [16814](#) Improvements accepted for Chamberlain Ave. Reconstruction Assessment District - 2007 & Kendall Ave. Reconstruction Assessment District - 2007, Contract No. 6022.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00023

47. [16815](#) Improvements accepted for Sanitary Sewer Replacement with Resurfacing Central Assessment District - 2008, Contract No. 6151.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00024

48. [16816](#) Improvements accepted for Sayle Street Traffic Engineering Warehouse Building Phase 2 Building Construction, Contract No. 6218.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00025

50. [16872](#) Declaring the City of Madison's intention to exercise its police powers establishing the North & South Broom Street Resurfacing Assessment District - 2010. (4th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00026

51. [16877](#) Declaring the City of Madison's intention to exercise its police powers establishing the Edgewood Avenue Reconstruction Assessment District - 2010. (10th & 13th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00027

49. [16826](#) Authorizing the Mayor and the City Clerk to execute an amendment to the contract between Madison and Owen Ayres & Associates, Inc. for additional design engineering services for CTH M/Valley View Road Intersection and Pleasant View Road from Prairie Hill Road to CTH S. (9th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00028

52. [16886](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Chip Sealing 2010 - West, Contract No. 6417. (1st & 11th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00029

53. [16887](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Chip Sealing 2010 - East, Contract No. 6416. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00030

54. [16888](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Bridge Repairs - 2010, Contract No. 6118. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00031

55. [16889](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks, Major Streets - 2010, Contract No. 6441. (Various ADs)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00032
56. [16890](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks, Local Streets - 2010, Contract No. 6440. (Various ADs)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00033
57. [16895](#) Authorizing the Mayor and City Clerk to execute a Cooperative Agreement 2010 Renewal with the Capital Area Regional Planning Commission for the investigation of water resources within the City of Madison through the Dane County Cooperative Water Resources Monitoring Program. Said Agreement renewal covers the period of 1/1/10 thru 12/31/10.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00034
25. [16034](#) Accepting a Public Water Main Easement from Sherman Terrace Association, Inc., across property located at 1 Sherman Terrace.
- Sponsors:** Bridget R. Maniaci
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00035

**REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT**



58. [16952](#) Approving a Certified Survey Map of property owned by the Community Development Authority of the City of Madison located at 1601 Wright Street. 17th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-10-00036

59. [16953](#) Approving a Certified Survey Map of property owned by JAKS Properties, LLC located at 1-7 Hawks Landing Circle. 1st Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-10-00037

## ITEMS REFERRED TO THIS MEETING

### RECONSIDERATION(S)

61. [16786](#) Appeal by the Hammes Company of the Landmarks Commission decision not to grant a Certificate of Appropriateness and variance for the proposed Edgewater Hotel redevelopment, 666 Wisconsin Avenue; 2nd Ald. Dist.

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

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

**Noes:** 1 - Julia S. Kerr

**Excused:** 1 - Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

**INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE**

**ORDINANCES**

62. [16882](#) Creating Section 28.06(2)(a)3466. 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)3467. 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 2 Apartment Buildings to Allow Construction of a 28-Unit Apartment Building; 8th Aldermanic District: 617-619 Mendota Court.

**Sponsors:** Common Council By Request

**This Ordinance was Referred to the PLAN COMMISSION**

63. [16906](#) Amending Section 12.137(262) of the Madison General Ordinances to allow for a Badger Bus stop on the 600 Block of West Washington Avenue.

**Sponsors:** Michael E. Verveer

Additional referral to Transit and Parking Commission.

**This Ordinance was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

64. [16908](#) Amending Section 10.27 of the Madison General Ordinances regarding the fee for delivery of wood chips.

**Sponsors:** Steve King

Additional referral to Solid Waste Advisory Committee.

**This Ordinance was Referred to the BOARD OF ESTIMATES**

- 65. [16909](#) Creating Sec. 2.05(6)(j) of the Madison General Ordinances to allow the Equal Opportunities Commission, Affirmative Action Commission or Commission on People with Disabilities to sponsor ordinances and resolutions.

**Sponsors:** Brian L. Solomon, Shiva Bidar-Sielaff and Marsha A. Rummel

Additional referrals to Equal Opportunities Commission, Commission on People with Disabilities, and Affirmative Action Commission.

**This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

**RESOLUTIONS**

- 66. [16762](#) Authorizing the Mayor and City Clerk to execute a Land Use Restriction to restrict the use of a portion of Olbrich Park as parklands devoted primarily to botanical gardens.

**Sponsors:** David J. Cieslewicz, Joseph R. Clausius, Michael Schumacher and Paul E. Skidmore

**This Resolution was Referred to the BOARD OF PARK COMMISSIONERS**

- 67. [16898](#) Authorizing the Mayor and City Clerk to enter into an agreement with the Village of Shorewood Hills for the provision of fire services to the UW Hospital and Clinics located at 600 Highland Ave.

**Sponsors:** David J. Cieslewicz

Additional referral to Public Safety Review Committee

**This Resolution was Referred to the BOARD OF ESTIMATES**

- 68. [16902](#) Authorizing the CDBG Office to submit an application to the State of Wisconsin for Emergency Shelter Grant (ESG), Transitional Housing Program (THP) and Homeless Prevention Program (HPP) funds on behalf of specific agencies providing housing and services for homeless persons.

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

Additional referral to Community Development Block Grant Committee.

**This Resolution was Referred to the BOARD OF ESTIMATES**

- 69. [16911](#) Amending the 2010 Community Development Division Operating Budget to increase a Grants Administrator 1 position from 0.75 FTE to 1.00 FTE.

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

**This Resolution was Referred to the BOARD OF ESTIMATES**

70. [16926](#) Accepting VHF radios funded in a grant to Dane County, amending the 2010 Fire Operating Budget and appropriating \$7,974 from the Contingent Reserve.

**Sponsors:** Paul E. Skidmore and Lauren Cnare

**This Resolution was Referred to the BOARD OF ESTIMATES**

71. [16927](#) Recreating the vacant position (#4006) of Parks Event Scheduler (CG20-11) in the Parks Division Budget as a Recreation Services Assistant (CG16-10).

**Sponsors:** David J. Cieslewicz

Additional referral to Personnel Board.

**This Resolution was Referred to the BOARD OF ESTIMATES**

72. [16932](#) Creation of an hourly Command Center Operator classification in Compensation Group 16.

**Sponsors:** David J. Cieslewicz

Additional referral to Personnel Board.

**This Resolution was Referred to the BOARD OF ESTIMATES**

73. [16933](#) Recreating the vacant (as of January 9, 2010) position (#4140) of Accounting Technician 2 (CG20-14) in the Overture Center Budget as an Accountant 1 (CG18-06).

**Sponsors:** David J. Cieslewicz

Additional referral to Personnel Board.

**This Resolution was Referred to the BOARD OF ESTIMATES**

74. [16934](#) Authorizing the Mayor and Chief of Police to accept a grant award from the U.S. Dept. of Justice, Office of Community Oriented Policing Services, in the amount of \$125,170 for a grant award to be used by the Madison Metropolitan School District to purchase security equipment to enhance school safety.

**Sponsors:** David J. Cieslewicz

**This Resolution was Referred to the BOARD OF ESTIMATES**

75. [16935](#) Recreation of an Engineer 2 position (#3844) to a Traffic Engineer 2 in the Traffic Engineering Division and reallocating the incumbent as an underfill to a Traffic Engineer 1.

**Sponsors:** David J. Cieslewicz

Additional referral to Personnel Board.

**This Resolution was Referred to the BOARD OF ESTIMATES**

76. [16936](#) Accepting \$4,500 from the Madison Gas & Electric Foundation for the purchase of the Guardian Safety Seat for an ambulance and amending the 2010 Fire Operating Budget.

**Sponsors:** Lauren Cnare and Paul E. Skidmore

**This Resolution was Referred to the BOARD OF ESTIMATES**

77. [16938](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Old Middleton Road from Capital Avenue to Countryside Lane - Engineering Project No. 53B0765. (17th AD)

**Sponsors:** Mark Clear

Additional referrals to Plan Commission, Pedestrian/Bicycle/Motor Vehicle Commission.

**This Resolution was Referred to the BOARD OF PUBLIC WORKS**

78. [16941](#) Authorizing the subordination of previously approved loan to YWCA of Madison, Inc. to Forward Community Investments (FCI) and authorizing the Mayor and City Clerk to sign agreements to effect such subordination.

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

Additional referral to Community Development Block Grant Commission.

**This Resolution was Referred to the BOARD OF ESTIMATES**

79. [16942](#) Authorizing the subordination of previously approved loans to Housing Initiatives, Inc. to Wisconsin Housing and Economic Development Authority (WHEDA) and authorizing the Mayor and City Clerk to sign agreements to effect such a change.

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

Additional referral to Community Development Block Grant Commission.

**This Resolution was Referred to the BOARD OF ESTIMATES**

80. [16945](#) A resolution authorizing the Mayor and City Clerk to petition the State of Wisconsin Commissioner of Railroads to make a determination to add a new crossing of the railroad track currently operated by the Wisconsin and Southern Railroad at Few Street in accordance with the adopted master plan for Central Park.

**Sponsors:** David J. Cieslewicz, Marsha A. Rummel and Joseph R. Clausius

**This Resolution was Referred to the BOARD OF PUBLIC WORKS**

81. [16946](#) Submitting the name of Paul A. Kronberger for confirmation of a five-year term as Information Technology Director.

**Sponsors:** David J. Cieslewicz

**This Resolution was Referred to the BOARD OF ESTIMATES**

82. [16950](#) Authorizing an amendment to the contract between the City of Madison and Ken Saiki Designs, Inc., in the amount of \$62,300 for additional architectural and engineering design services for the Lisa Link Park Improvements project.

**Sponsors:** Michael E. Verveer, Joseph R. Clausius and Paul E. Skidmore

Additional referral to Board of Park Commissioners.

**This Resolution was Referred to the BOARD OF ESTIMATES**

## LICENSES

83. [16944](#) Public Hearing - New License  
Two Kool Kids LLC • dba Jade Monkey Cocktail Lounge  
109 Cottage Grove Road • Agent: Hawk Schenkel  
95% alcohol, 5% food • Estimated Capacity: 100  
Class B Combination Liquor & Beer  
Aldermanic District 15 (Alder Palm) • Police Sector 613

**This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 1/20/2010**

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

### CLAIMS - REFER TO RISK MANAGER

84. [16796](#) G. Walker, Fox Lake Correctional Institution, PO Box 200, Fox Lake, 53933-0200 - property loss - \$75.00 (estimate from website).

**This Claim was Referred to the Risk Manager**

85. 16808 NOTICE OF INJURY: Timothy J. Rymer, Gendlin Liverman & Rymer S.C., attorney for S. Barrientes, 1602 Fordem Ave., #204, Madison, 53704 - personal injury - greater than \$1.00.

**This Claim was Referred to the Risk Manager**

86. 16809 NOTICE OF CLAIM: D. Kynard, State Farm Insurance Companies, for D. Vertanen, 453 W. Washington Ave., Madison, 53711, vehicle damage - \$2,400.96.

**This Claim was Referred to the Risk Manager**

87. 16825 G. Brown, 308 S. Dickinson St., #1, Madison, 53703 - personal injury - \$559.44.

**This Claim was Referred to the Risk Manager**

88. 16869 K. Hoffschmidt, 529 Elmside Blvd., Madison, 53704 - vehicle damage - \$4,101.68.

**This Claim was Referred to the Risk Manager**

89. 16879 L. Leitzke for Tilsen Roofing Company, 1421 Gilson St., Madison, 53715 - vehicle damage - \$664.01.

**This Claim was Referred to the Risk Manager**

90. 16880 NOTICE OF INJURY - Brandon Derry, Huby and Abraham, attorney for D. Beasley, 4353 W. Beltline Hwy., #30, Madison, 53711 - personal injury - greater than \$1.00.

**This Claim was Referred to the Risk Manager**

91. [16900](#) T. Nix, 2602 Green Ridge Dr., Madison, 53704 - vehicle damage - \$894.64.

**This Claim was Referred to the Risk Manager**

92. [16920](#) K. Cleasby, 707 McEwen St., Brodhead, 53520 - vehicle damage - \$130.98.

**This Claim was Referred to the Risk Manager**

93. 16937 NOTICE OF INJURY - Robert Kay, attorney for Alanya Peaks, Robert Kay Law Office, 119 Martin Luther King, Jr. Blvd., Madison, 53703 - personal injury - greater than \$1.00.

**This Claim was Referred to the Risk Manager**

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

17009 Authorizing the execution of a Purchase Agreement with the Natural Heritage Land Trust, Inc. for the City's acquisition of lands for the expansion of the Cherokee Marsh Conservation Park and amending the 2010 Parks Capital Budget to authorize the expenditure of funds for this acquisition.

**Sponsors:** Michael Schumacher, David J. Cieslewicz, Paul E. Skidmore and Joseph R. Clausius

Additional referrals to Board of Park Commissioners and Plan Commission.

**This Resolution was Referred to the BOARD OF ESTIMATES**

17007 Authorizing the City of Madison, within its 2010 Adopted Operating Budget, to affirm the continuation of the two-year purchase of services contracts entered into in 2009, as recommended by the Community Services and CDBG Committees and administered by the Community Development Division, and previously approved by Council.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer, Lauren Cnare, Marsha A. Rummel and Brian L. Solomon

**This Resolution was Referred to the BOARD OF ESTIMATES**

#### **ADJOURNMENT @ 9:07 PM**

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adjourn at 9:07pm . The motion passed by voice vote/other.**