



City of Madison

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

Agenda - Approved COMMON COUNCIL

Tuesday, October 3, 2006

6:30 PM

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

SPEAKING GUIDELINES

Please contact the Office of the Common Council at 266-4071, TTY/Textnet 866-704-2340.

Speaking Limits: Public Hearing - 5 Minutes, Information Hearing - 5 Minutes,
Other Items - 3 minutes

You must register before your item is considered by the Council.

The consent agenda will be considered following Public Hearings.

The use of audible cell phone ringers and active use and response to cellular phone technology by the governing body, staff and members of the public is discouraged in the Council Chambers while the Council is in session.

NOTIFIED ABSENCES: Ald. Golden

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.

CONFIRMATION HEARING

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1. [04540](#) Submitting the name of Thomas Carto for confirmation of a five-year term as Overture Center Director.

PETITIONS AND COMMUNICATIONS

None received by the agenda deadline.

BUSINESS BY THE MAYOR

2. [02944](#) Appointment of Margaret Dohm to the Warner Park Community Recreation Center Advisory Committee.
3. [04612](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 10-3-06; action 10-17-06).

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

4. [04498](#) Proclaiming Monday, October 9, 2006, as Indigenous Peoples Day.

5. [04614](#) Amending Sections 15.02(55) and 15.02(56) of the Madison General Ordinances by changing the polling location for Wards 55 and 56 for the November 2006 election.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF ALCOHOL REVIEW COMMITTEE**

6. [03522](#) Public Hearing - New License
 Le Chardonnay, Inc. • dba Le Chardonnay • capacity 65
 320 W. Johnson Street • Agent: Sami Fgaier
 Class B Combination Liquor & Beer • 30% alcohol, 70% food
 Aldermanic District 4 (Ald. Verveer) • Police Sector 403

7. [04239](#) Public Hearing - New License
 1 & 1 Food LLC • dba Ay! Caramba • est. capacity 52
 702 N. Midvale Blvd., Suite W198 • Agent: Gilmer Chan
 Class B Combination Liquor & Beer • 25% alcohol, 75% food
 Aldermanic District 11 (Ald. Gruber) • Police Sector 108

REPORT OF BOARD OF ESTIMATES

8. [04500](#) 2007 Executive Capital Budget and Amendments.

****REREFER TO THE 11/14 COMMON COUNCIL MEETING FOR A RECESSED PUBLIC HEARING****

REPORT OF PLAN COMMISSION

9. [04003](#) Creating Section 28.06(2)(a)3200. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3201. 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: 156 Apartment Units with Clubhouse & 20 Condominium Units; 1st Aldermanic District: 9201 Mid Town Road.

PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

10. [04439](#) Public Hearing - New License
HJ Madison, Inc. • dba Happy Joe's • est. capacity 200
202 S. Gammon Road • Agent: Tim Gantz
Class B Beer, Class C Wine • 2% alcohol, 82% food, 16% other
Aldermanic District 9 (Ald. Skidmore) • Police Sector 125
11. [04445](#) Public Hearing - New License
Cosi, Inc. • dba Cosi • est. capacity 116
250 State Street • Agent: Nathan Heeney
Class B Beer, Class C Wine • 2% alcohol, 98% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 403
12. [04446](#) Public Hearing - New License
Laundry 101 of Madison, LLC • dba Laundry 101 • capacity 99
437 W. Gilman Street • Agent: Richard Anderegg
Class B Combination Liquor & Beer • 3% alcohol, 7% food, 90% other
Aldermanic District 4 (Ald. Verveer) • Police Sector 403
13. [04447](#) Public Hearing - New License
GD 3, LLC • dba The Great Dane Pub • est. capacity 300
357 Price Place • Agent: Ted Peterson
Class B Combination Liquor & Beer • 38% alcohol, 60% food, 2% other
Aldermanic District 11 (Ald. Gruber) • Police Sector 108
14. [04448](#) Public Hearing - New License
The Bamboo House, LLC • dba The Bamboo Hut • est. capacity 50
1318 S. Midvale Boulevard • Agent: Tou Vue
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 10 (Ald. Golden) • Police Sector 106
15. [04460](#) Public Hearing - New License
Adair Enterprises, LLC • dba Adair's Lounge • est. capacity 99
121 W. Main Street • Agent: Rita Adair
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 405

16. [04462](#) Public Hearing - New License
Samba, LLC • dba Samba Steak House • est. capacity 358
240 W. Gilman Street • Agent: Jongyeon Lee
Class B Combination Liquor & Beer • 40% alcohol, 55% food, 5% other
Aldermanic District 8 (Ald. King) • Police Sector 403
17. [04463](#) Public Hearing - New License
Rising Sons Deli, LLC • dba Rising Sons Deli • est. capacity 40
617 State Street • Agent: Sinarack MacVilay
Class B Beer, Class C Wine • 10% alcohol, 90% food
Aldermanic District 8 (Ald. King) • Police Sector 403

REPORT OF BOARD OF PUBLIC WORKS

18. [04546](#) Approving Plans, Specifications, And Schedule Of Assessments For Chandler, Charter, and Orchard Streets Reconstruction Assessment District - 2007. (13th AD)

REPORT OF PLAN COMMISSION

19. [04156](#) Creating Section 28.06(2)(a)3210. 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)3211. 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 3 Residential Buildings & Build 4-Story, 20-Unit Condominium Building; 4th Aldermanic District: 415, 417 & 419 West Dayton Street.

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 #'s: 3, 4, 23, 41, & 47 on a motion made by Council President King, seconded by Ald. Verveer.

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.

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

20. [04276](#) Change of License Premise Application
Irish Waters Inc • dba Irish Waters • capacity 315
702 N Whitney Way • Agent: Christine Campion
Class B Combination Liquor & Beer • 38% alcohol, 62% food
Aldermanic District 19 (Ald. Radomski) • Police Sector 109
Request to expand licensed premise to include deck.
21. [04283](#) Operator License Application
Skyler Davis - Establishment where employed: Nitty Gritty.
22. [04435](#) Change of Agent
Team R n' B Wisconsin, LLC • dba Famous Dave's • 900 S Park Street
Old Agent: Terry Meeks • New Agent: Kyle Seedorf
Class B Combination Liquor & Beer
Aldermanic District 13 (Ald. Knox) • Police Sector 306
23. [04436](#) Change of Corporate Control - one additional Officer
Schwoegler Park Towne Lanes, Inc. • dba Schwoegler Park Towne Lanes
444 Grand Canyon Drive • Agent: Daniel A. Schwoegler
Class B Combination Liquor & Beer • 28% alcohol, 13% food
Aldermanic District 19 (Ald. Radomski) • Police Sector 113
24. [04510](#) Nightclub License Application
Samba, LLC • dba Samba Steak House • est. capacity 358

240 W. Gilman Street • Agent: Jongyeon Lee
Class B Combination Liquor & Beer • 40% alcohol, 55% food, 5% other
Aldermanic District 8 (Ald. King) • Police Sector 403

25. [04616](#) Alcohol License Review Committee Report of Operator License Applications (New & Renewal) October 3, 2006.

REPORT OF BOARD OF ESTIMATES

26. [04449](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 1202 Northport Drive. 18th Ald. Dist.
27. [04451](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 5815 Milwaukee Street. 3rd Ald. Dist.
28. [04452](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 910 South High Point Road. 1st Ald. Dist.
29. [04456](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 4701 Bunker Hill Lane. 17th Ald. Dist.
30. [04457](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 2829 Prairie Road. 7th Ald. Dist.
31. [04458](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 4740 Spaanem Avenue, and authorizing the related conveyance to TDS of an existing equipment shelter at the site. 15th Ald. Dist.
32. [04530](#) Authorizing the Mayor and City Clerk to sign a Frequency Reconfiguration Agreement with Nextel Communications, Inc., or their subsidiary.
33. [04535](#) Approving a contract with Stay-Lite Lighting, Inc. for re-fixturing and retrofit of Fire Buildings for energy efficient upgrades.
34. [04547](#) Authorizing an amendment to an Option to Purchase with FHB Investments, LLC to acquire lots within the World Dairy Center for the Wisconsin BioAg Gateway Project.
35. [04559](#) Authorizing an amendment to the contract between the City of Madison and Potter Lawson, Inc., in the amount of \$99,905 for additional architectural and engineering design services for the City-County Building and Madison Municipal Building Tenant Improvements.

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

36. [04528](#) Authorizing the Madison Department of Public Health to accept a grant from the Children's Health Alliance of Wisconsin for \$4,133 for Halloween Sealant Day 2006.

REPORT OF BOARD OF PUBLIC WORKS

37. [04415](#) Amendment #1 to existing contract with Brickline, Inc. to provide additional epoxy pavement markings.
38. [04494](#) Assessing Benefits - Howard Place Reconstruction Assessment District - 2004. (8th AD)
39. [04534](#) Approving plans and specifications for public improvements required to serve the Subdivision known as Hawks Creek and authorizing construction to be undertaken by the Developer, Private Contract No. 2105; and Rescinding Legistar File ID 04071, RES-06-00661 adopted on July 18, 2006. (1st AD)
40. [04565](#) Authorizing the Mayor and City Clerk to execute Addendum No. 2 to the Contract for Subdivision Improvements for Twin Oaks, Contract No. 1930. (16th AD)

REPORT OF DOWNTOWN COORDINATING COMMITTEE

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41. [04555](#) To approve the 2007 Operating Plan for Madison's Central Business Improvement District (#1).

REPORT OF THE PLANNING UNIT

42. [04512](#) Re-approving the final plat of "Hawks Creek," formerly known as "Badger Mill Creek," located at 3120-3160 Jeffy Trail. 1st Ald. Dist.
43. [04591](#) Approving a Certified Survey Map of property owned by Harold J. and Betty F. Willmore at 2720-24 Waunona Way. 14th Ald. Dist.
44. [04592](#) Approving a Certified Survey Map of property owned by Warren Carlson Properties, LLC at 2305 Daniels Street and 2250-58 Mustang Way. 16th Ald. Dist.

REPORT OF RISK MANAGER

45. [04543](#) J. Taylor, 4963 Bultman Rd., Madison - vehicle damage - \$248.00.

REFERRED TO THIS MEETING**APPOINTMENTS**

46. [04525](#) Report of the Mayor submitting citizen committee appointments (introduced 9-19-06;

action 10-3-06)

RESOLUTIONS

47. [04550](#) SUBSTITUTE - Regarding a long-term closure and operational plan for the closure of Jerome Street at Coldspring Avenue and a gated traffic diverter on Coldspring Avenue at Bainbridge Street with limited hours of passage.
48. [04562](#) Establishment of a Tax Incremental Financing Policy Committee.
49. [04568](#) Amending the composition of the Advisory Oversight Committee for Madison's Inclusionary Zoning Ordinance.

NEW BUSINESS - Referred on a motion made by Council President King, seconded by Ald. Verveer.**ORDINANCES**

50. [04433](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Madison Arts Commission Administrator in Compensation Group 18, Range 10, and creating the class of Madison Arts Program Administrator in Compensation Group 18, Range 10 as a retitlement.
51. [04594](#) Creating Section 28.06(2)(a)3224. 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: 3 Story, 46,000 Square Foot Office Building; 1st Aldermanic District: 9701 Brader Way.
52. [04597](#) Creating Section 28.06(2)(a)3225. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3226. 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 4 Structures & Build Mixed-Use Development With 13 Apartment Units & 5,243 Square Feet of Commercial & Retail Space; 13th Aldermanic District: 1516, 1610 Gilson Street and 1507 Beld Street.
53. [04601](#) Amending Section 28.03(2) of the Madison General Ordinances to add yard sales as an accessory use and add a definition of yard sale, and amending Sections 28.08(2)(b)8., 28.08(9)(b)7. and 28.08(11)(b)7. of the Madison General Ordinances to add yard sales, with limits on duration and frequency, as a specific accessory use in residential districts.
54. [04610](#) Adopting and confirming Revision 256 of the Madison General Ordinances as of September 15, 2006 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.

RESOLUTIONS

55. [04390](#) That the vacant position #632 of CitiArts Program Administrator, in Compensation Group 18, Range 10, in the permanent salary detail of the Planning and Development budget is deleted and created as the class of Madison Arts Program Administrator in Compensation Group 18, Range 10, as a retirement.
56. [04551](#) A resolution regarding application to the Dane County Board for exemption from Dane County Library tax levied under Section 43.64(2) Wisconsin Statutes.
57. [04563](#) Approving \$250,000 in Federal HOME funds to provide additional downpayment assistance to qualified homebuyers as part of the American Dream Downpayment Initiative.
58. [04567](#) Approving the provision of \$50,000 in Federal HOME funds to assist Wisconsin Initiatives in Sustainable Housing acquire housing and authorizing the Mayor and City Clerk to sign an agreement to implement the project.
59. [04569](#) That the position #1159 of Fleet Parts Manager in Compensation Group 18, Range 05, (occupied by A. Meyer) in the permanent salary detail of the Fleet Services budget is repealed and recreated as a position of Fleet Parts Manager in Compensation Group 18, Range 07, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
60. [04570](#) That the 0.5 position #855 of Clerk Typist 2 in Compensation Group 20, Range 06, (occupied by S. Becker) in the permanent salary detail of the Human Resources budget is repealed and recreated as a 0.5 position of Administrative Clerk 1 in Compensation Group 20, Range 09, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
61. [04571](#) That the position #870 of Secretary 1 in Compensation Group 20, Range 10, (occupied by P. White) in the permanent salary detail of the Human Resources budget is repealed and recreated as a position of Program Assistant 1 in Compensation Group 20, Range 11, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
62. [04572](#) That the position #1475 of Clerk 2, in Compensation Group 20, Range 06 (occupied by W. Pfutzenreuter), in the permanent salary detail of the Parks Division budget is repealed and recreated as an Administrative Clerk 1 in Compensation Group 20, Range 09, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
63. [04573](#) Authorizing the provision of CDBG funds to assist the Wisconsin Youth Company improve its neighborhood center facility in ways that address City, Community and Neighborhood Development Objectives.
64. [04579](#) Creating an ad hoc committee on parking strategic planning.
65. [04589](#) Accepting a Public Storm Sewer Easement from Marty Century Farm Family Limited Partnership across lands located in Verona Township.
66. [04593](#) Requiring non-represented employees in Compensation Groups 18, 19, 21, and 44 to make a co-payment for health insurance coverage for 2007.

67. [04602](#) That the position #1462 of Administrative Clerk 2 in Compensation Group 20, Range 11 (occupied by P. Hario), in the permanent salary detail of the Parks Division budget is repealed and recreated as an Administrative Assistant in Compensation Group 20, Range 14, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
68. [04606](#) Authorizing acceptance of a Sanitary Sewer Easement from Owners to the City of Madison which will include permission for Owners to build a skywalk over the Easement from the house to the garage. 19th Ald. Dist.
69. [04613](#) Approving the provision of \$110,000 in Federal HOME/Match Funds and \$10,000 in Housing Trust Funds to assist Housing Initiatives acquire housing and authorizing the Mayor and City Clerk to sign an agreement to implement the project.
70. [04620](#) Authorizing the Mayor and City Clerk to execute a Memorandum of Understanding with the Board of Regents of the University of Wisconsin on behalf of the University of Wisconsin-Madison that would provide for dedication of two of Metro's five anticipated hybrid buses for use in UW campus service, in return for an upfront cash contribution by UW to reduce Metro's borrowing expense for the hybrid buses.
71. [04622](#) Authorizing the allocation of funds for the 2006 Neighborhood Conference and amending the 2006 operating budget of the Office of Community Resources to allocate \$15,000 toward the Neighborhood Conference.
72. [04629](#) Approving Geometrics for Monona Drive from W. Broadway through the Pflaum Road/Nichols Road intersection (includes roundabout at Pflaum/Nichols intersection). (16th AD / City of Monona)
73. [04631](#) To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2005/06 Maintenance Charges.
74. [04633](#) Requesting the Mayor and Common Council to continue funding for the M.A.P. program and the Transit For Jobs program through the 2007 Emerging Neighborhoods Fund and for the Mayor and City Clerk to enter into Purchase of Service agreements with T.J.'s. Support Brokerage Firm and Porchlight, Inc. to manage those programs.
75. [04634](#) Amending the Cottage Grove Neighborhood Development Plan, a supplement to the City of Madison Comprehensive Plan, to include additional lands located east of Interstate Highway 39-90, between Buckeye Road and the Union Pacific Railroad right-of-way. 16th Ald. Dist.
76. [04637](#) Amending Section 3.38 (1)(b) of the Madison General Ordinances by deleting the classification of Fleet Parts Manager in Compensation Group 18, Range 05, and recreating said class in Compensation Group 18, Range 07, thereof.

LICENSES

77. [04618](#) Public Hearing - New License
Blue Plate Catering, Inc. • dba Blue Plate Catering
1625 Northport Drive • Agent: Jodi Fowler
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 12 (Ald. Benford) • Police Sector 505

78. [04619](#) Public Hearing - New License
Blue Plate Catering, Inc. • dba Blue Plate Catering
3330 Atwood Avenue • Agent: Jodi Fowler
Class B Combination Liquor & Beer • 45% alcohol, 55% food
Aldermanic District 6 (Ald. Olson) • Police Sector 602
79. [04621](#) Public Hearing - New License
PDQ Food Stores, Inc. • dba PDQ Store #135
401 N. Third Street • Agent: Tom Hoffman
Class A Liquor, Class A Beer • 2.5% alcohol, 77.5% food, 20% other
Aldermanic District 12 (Ald. Benford) • Police Sector 501

REPORTS

80. [04617](#) Report of City Comptroller and City Attorney: Information Requested by the Common Council Regarding a Local Preference Purchasing Policy for the City of Madison, re: File ID 03234.

OPERATING BUDGET

81. [04501](#) 2007 Executive Operating Budget and Amendments.

CLAIMS - REFER TO RISK MANAGER

82. **04596** G. Goss, 1405 Danbury Bay, Waunakee - vehicle damage - \$667.60.
83. **04598** N. Truttman, 4302 Doncaster Dr., Madison - loss of wages and business - \$4,503.51.
84. [04600](#) K. Bartelt, 4400 Abbott Ave. N., Robbinsdale, MN - vehicle damage and car rental - \$2,776.81.
85. **04603** A. Lensing, 27 N. Butler St., # 305, Madison - vehicle damage - \$653.89.
86. [04604](#) D. Hudson, 1340 Rutledge Ave., # 1, Madison - vehicle damage - \$479.44.
87. **04605** M. Olsen, 7878 N. 76th St., Milwaukee - vehicle damage - \$294.60.