



City of Madison

Proceedings - Amended

COMMON COUNCIL

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

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

Roll Call at 6:32 p.m., Mayor Cieslewicz in the Chair.

Present: Benford, Sanborn, Konkell, Brandon, Bruer, Cnare, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski, Webber and David J. Cieslewicz

Excused: 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.

A motion was made by Ald. King, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

CONFIRMATION HEARING

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

Sponsors: David J. Cieslewicz

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

Enactment No: RES-06-00828

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.
A motion was made by Ald. King, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.
3. [04612](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 10-3-06; action 10-17-06).
A motion was made by Ald. Van Rooy, seconded by Ald. King, to Refer to a future Meeting to Confirm for October 17, 2006 except the Warner Park Community Recreation Center Advisory Committee appointees. All of the appointees except for Micheal Basford should be referred back to the Mayor's office (see ID# 04664) The motion passed by acclamation.
- 3b. [04664](#) Report of Mayor submitting citizen committee appointments for the Warner Park Community Recreation Center Advisory Committee.
A motion was made by Ald. Van Rooy, seconded by Ald. King, to Refer to the Mayor's Office. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

4. [04498](#) Proclaiming Monday, October 9, 2006, as Indigenous Peoples Day.
- Sponsors:** Austin W. King, Michael E. Verveer, Tim Gruber, Judy K. Olson, Brian Benford, Brenda K. Konkel, Robbie Webber, Santiago Rosas and Isadore Knox, Jr.
- 2 Registrant(s) in support wishing to speak.*
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 18 - Sanborn, Benford, Konkel, Cnare, Bruer, Compton, King, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Abstain:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00829

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.
- Sponsors:*** Tim Bruer
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00138

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
Public Hearing Closed.
- A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.**
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
- A motion was made by Ald. King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.**

REPORT OF BOARD OF ESTIMATES

8. [04500](#) 2007 Executive Capital Budget and Amendments.
Adopt at the 11/14/06 Common Council Meeting as amended.
- A motion was made by Ald. King, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on November 14, 2006. The motion passed by acclamation.**

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.

Sponsors: Common Council By Petition

1 Registrant(s) in support not wishing to speak.

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

Enactment No: ORD-06-00139

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
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
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
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant With Condition(s) and Close the Public Hearing. The motion passed by acclamation.

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
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 18 - Sanborn, Benford, Konkel, Cnare, Bruer, Compton, King, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Abstain:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz
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
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant With Condition(s) and Close the Public Hearing. The motion passed by acclamation.**
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
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.**
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
2 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.**

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
5 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Olson, seconded by Ald. King, to Grant With Amended Condition(s) as follows: change condition 2 from 11:00 p.m. to 12:00 a.m. for live music; strike "on the first floor" in condition 4; strike condition 6 & replace with: The existing stage to be utilized for dinner music. No music played will exceed 60 dba at the property line". Close the Public Hearing. The motion passed by acclamation.**
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
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.**

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)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00830

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.
- Sponsors:** Common Council By Petition
- Due back at the 10/17/06 Common Council Meeting.*
- A motion was made by Ald. Verveer, seconded by Ald. King, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on October 17, 2006. The motion passed by acclamation.**

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.
A motion was made by Ald. King, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.
21. [04283](#) Operator License Application
Skyler Davis - Establishment where employed: Nitty Gritty.
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
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
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
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
1 Registrant(s) in support not wishing to speak.
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

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
5 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

25. [04616](#) Alcohol License Review Committee Report of Operator License Applications (New & Renewal) October 3, 2006.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

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.
- Sponsors:** Paul J. Van Rooy
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00831
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.
- Sponsors:** Lauren Cnare
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00832
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.
- Sponsors:** Jed Sanborn
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00833

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.
- Sponsors:** Santiago Rosas
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00834
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.
- Sponsors:** Zachariah Brandon
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00835
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.
- Sponsors:** Larry Palm
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00836
32. [04530](#) Authorizing the Mayor and City Clerk to sign a Frequency Reconfiguration Agreement with Nextel Communications, Inc., or their subsidiary.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00837
33. [04535](#) Approving a contract with Stay-Lite Lighting, Inc. for re-fixturing and retrofit of Fire Buildings for energy efficient upgrades.
- Sponsors:** Paul E. Skidmore
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00838

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.

Sponsors: David J. Cieslewicz and Judy Compton

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

Enactment No: RES-06-00839

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.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-06-00840

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.

Sponsors: Judy K. Olson

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

Enactment No: RES-06-00841

REPORT OF BOARD OF PUBLIC WORKS

37. [04415](#) Amendment #1 to existing contract with Brickline, Inc. to provide additional epoxy pavement markings.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-06-00842

38. [04494](#) Assessing Benefits - Howard Place Reconstruction Assessment District - 2004. (8th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-06-00843

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)

Sponsors: Common Council By Request

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

Enactment No: RES-06-00844

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)

Sponsors: Common Council By Request

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

Enactment No: RES-06-00845

REPORT OF DOWNTOWN COORDINATING COMMITTEE

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

Sponsors: Michael E. Verveer

1 Registrant(s) in support not wishing to speak.

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

Enactment No: RES-06-00846

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.

Sponsors: Common Council By Request

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

Enactment No: RES-06-00847

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.

Sponsors: Common Council By Request

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

Enactment No: RES-06-00848

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.

Sponsors: Common Council By Request

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

Enactment No: RES-06-00849

REPORT OF RISK MANAGER

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

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

REFERRED TO THIS MEETING

APPOINTMENTS

46. [04525](#) Report of the Mayor submitting citizen committee appointments (introduced 9-19-06; action 10-3-06)

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

Excused: 1 - Golden

Aye: 19 - Sanborn, Benford, Brandon, Konkel, Cnare, Bruer, Compton, King, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

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.
- Sponsors:** Larry Palm
- 6 Registrant(s) in support wishing to speak; 4 Registrant(s) in opposition wishing to speak; 2 Registrant(s) neither in support or opposition 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. King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 18 - Sanborn, Benford, Brandon, Cnare, Bruer, Compton, King, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 1 - Konkel
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00852
48. [04562](#) Establishment of a Tax Incremental Financing Policy Committee.
- Sponsors:** David J. Cieslewicz, Brenda K. Konkel and Judy K. Olson
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00850
49. [04568](#) Amending the composition of the Advisory Oversight Committee for Madison's Inclusionary Zoning Ordinance.
- Sponsors:** Brenda K. Konkel
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00851

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 retirement.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board. Due back at the 10/17/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** Common Council By Petition
- Due back at the 11/21/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
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.
- Sponsors:** Common Council By Petition
- Due back at the 11/21/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
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.
- Sponsors:** Paul E. Skidmore and Noel T. Radomski
- Due back at the 11/7/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**

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.

Sponsors: Common Council By Request

Adopt at the 10/17/06 Common Council Meeting.

Refer to a future Meeting to Adopt

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.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** Larry Palm
- Additional Referral(s): Madison Public Library Board*
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** Tim Bruer, Cindy Thomas and Santiago Rosas
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** Tim Bruer, Cindy Thomas and Santiago Rosas
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**

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.
- Sponsors:** David J. Cieslewicz
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** David J. Cieslewicz
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
62. [04572](#) That the position #1475 of Clerk 2, in Compensation Group 20, Range 06 (occupied by W. Pfitzenreuter), 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.
- Sponsors:** David J. Cieslewicz
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** Cindy Thomas, Tim Buer, Santiago Rosas and Jed Sanborn
- Refer to the BOARD OF ESTIMATES**
64. [04579](#) Creating an ad hoc committee on parking strategic planning.
- Sponsors:** Kenneth Golden, Noel T. Radomski and Jed Sanborn
Additional Referral(s): Long Range Transportation Planning Commission, Plan Commission, Board of Estimates, Downtown Coordinating Committee
- Refer to the TRANSIT AND PARKING COMMISSION**

65. [04589](#) Accepting a Public Storm Sewer Easement from Marty Century Farm Family Limited Partnership across lands located in Verona Township.
- Sponsors:** Zachariah Brandon
Additional Referral(s): Plan Commission
- Refer to the BOARD OF PUBLIC WORKS**
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.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** David J. Cieslewicz
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
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.
- Sponsors:** Noel T. Radomski
Additional Referral(s): Plan Commission
- Refer to the BOARD OF PUBLIC WORKS**
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.
- Sponsors:** Cindy Thomas and Santiago Rosas
Additional Referral(s): Community Development Block Grant Commission
- Refer to the BOARD OF ESTIMATES**

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.

Sponsors: Kenneth Golden

Additional Referral(s): Board of Estimates

Refer to the TRANSIT AND PARKING COMMISSION

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.

Sponsors: David J. Cieslewicz

Refer to the BOARD OF ESTIMATES

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)

Sponsors: Paul J. Van Rooy

Additional Referral(s): Board of Public Works. After a motion for reconsideration of this item was approved, Ald. Compton added the following referral(s): Board of Estimates, Plan Commission, Board of Park Commissioners, Long Range Transportation Planning Commission.

Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION

73. [04631](#) To Approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2005/06 Maintenance Charges.

Sponsors: Michael E. Verveer

Due back at the 11/7/06 Common Council Meeting.

Refer For Public Hearing to the BOARD OF ESTIMATES

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.

Sponsors: Paul J. Van Rooy and Lauren Cnare

Refer to the BOARD OF ESTIMATES

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.

Sponsors: Judy Compton

Refer to the PLAN COMMISSION

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.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board. Due back at the 10/17/06 Common Council Meeting.

Refer to the BOARD OF ESTIMATES

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
Due back at the 11/7/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

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
Due back at the 11/7/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

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
Due back at the 11/7/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

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.

Additional Referral(s): Economic Development Commission

Refer to the BOARD OF ESTIMATES

OPERATING BUDGET

81. [04501](#) 2007 Executive Operating Budget and Amendments.
Due back at the 10/17/06 Common Council Meeting.

Refer For Public Hearing to the BOARD OF ESTIMATES

CLAIMS - REFER TO RISK MANAGER

82. [04596](#) G. Goss, 1405 Danbury Bay, Waunakee - vehicle damage - \$667.60.
83. [04598](#) N. Truttmann, 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.

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

ORDINANCES

88. [04658](#) Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit S pursuant to Sec. 66.0103, Wis. Stats. to provide salary increases for Compensation Groups 18, 19, 21 and 44.

Sponsors: David J. Cieslewicz

A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.

89. [04662](#) Creating Section 28.10(4)(c)67. of the Madison General Ordinances to allow adult day care facilities as a permitted use in the M1 Districts.

Sponsors: Santiago Rosas

Due back at the 11/21/06 Common Council Meeting

A motion was made by Ald. King, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION, due back on November 21, 2006. The motion passed by acclamation.

90. [04663](#) Creating Section 7.09 of the Madison General Ordinances, which creates a signage requirement for pharmacies regarding where emergency contraception may be obtained if the pharmacy does not carry it or if it is out of stock, requires the Board of Health to create written materials regarding emergency contraception, creates an investigation process for the Director of the Public Health Department, and creates penalties for violating this Section.

Sponsors: Zachariah Brandon, Austin W. King, Lauren Cnare, Larry Palm, Noel T. Radomski, Brenda K. Konkel, Brian Benford, Michael E. Verveer, Robbie Webber, Judy K. Olson, Paul E. Skidmore, Tim Gruber, Isadore Knox, Jr., Tim Bruer, Paul J. Van Rooy and David J. Cieslewicz

Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

RESOLUTIONS

91. [04661](#) Amending the 2006 Operating Budget by authorizing the expenditure of \$35,000 from the contingent reserve, requesting the creation of a new Madison Police departmental policy, and conveying an apology.
- Sponsors:** Austin W. King, Brenda K. Konkel, Robbie Webber, Judy K. Olson, Michael E. Verveer, Tim Gruber, Brian Benford, Santiago Rosas and Kenneth Golden
- Adopt at the 10/17/06 Common Council Meeting (3/4 vote required)*
- A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for October 17, 2006. The motion passed by acclamation.**
92. [04641](#) SUBSTITUTE Creating an Ad Hoc Committee for the Warner Park Stadium Renovation.
- Sponsors:** David J. Cieslewicz, Brian Benford and Paul J. Van Rooy
- Adopt at the 10/17/06 Common Council Meeting.*
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for October 17, 2006. The motion passed by acclamation.**

ADJOURNMENT

A motion was made by Ald. King, seconded by Ald. Verveer, to Adjourn at 8:19 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on October 4, 2006.

Ordinances published October 19, 2006.

MARIBETH WITZEL-BEHL, CITY CLERK