



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, February 22, 2005

6:30 PM

210 Martin Luther King Jr BLVD
Room 201 City Council Building

SPEAKING GUIDELINES

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

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

The 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.

If you need an interpreter, materials in alternate formats or other accommodations, please contact the Office of the Common Council at 266-4071, TTY 267-8670. Please do so 48 hours prior to the meeting so that proper arrangements can be made.

Roll Call at 6:35 p.m., Mayor Cieslewicz in the chair

Present: Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkol, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber

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 Council President Konkol, seconded by Ald. Webber, to Suspend the Rules. The motion passed by acclamation.

PETITIONS AND COMMUNICATIONS

BUSINESS BY THE MAYOR

1. [00562](#) Aldermanic Committee Appointment Report dated February 16, 2005.

A motion was made by Council President Konkol, seconded by Ald. MacCubbin, to Confirm. The motion passed by acclamation.

2. [00563](#) Citizen Committee Appointments dated February 16, 2005.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm. The motion passed by acclamation.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

3. [00009](#) SUBSTITUTE - Creating Section 28.06(2)(a)3028 of the Madison General Ordinances rezoning property from C1 Limited Commercial District and R2 Single-Family Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish Commercial Buildings and Build 5-Story Mixed-Use Building with 12,000 Square Feet Commercial Space and 51 Condominium Units. 10th Ald. Dist., 1802-1864 Monroe Street.

A motion was made by Ald. Golden, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on March 15, 2005. The motion passed by acclamation.

REPORT OF PLAN COMMISSION

4. [00428](#) SUBSTITUTE - Amending Section 28.04(25) of the Madison General Ordinances to provide for inclusionary dwelling units

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION, due back on March 15, 2005. The motion passed by acclamation.

PUBLIC HEARINGS - BEGIN AT 6:45 PM

5. [00334](#) AMENDED - Approving plans, specifications, and schedule of assessments for State Street & Adjacent Streets Reconstruction Assessment District (2005) and Authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for engineering and construction cost sharing.

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

Enactment No: RES-05-00131

6. [00378](#) Approving Plans, Specifications, And Schedule Of Assessments For Howard Place Reconstruction Assessment District - 2004

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

Enactment No: RES-05-00132

REPORT OF BOARD OF PUBLIC WORKS

7. [00196](#) Vacation/Discontinuance of a portion of Lone Oak Lane from Valley View Road, South to Hawks Landing Golf Club plat line.
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00133
8. [00197](#) Vacation/Discontinuance of a portion of Littlemore Drive, as platted by Reston Heights.
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00134
9. [00198](#) Vacation/Discontinuance of Spruce Street, Willow Street and Oak Street lying southerly of existing Olin Avenue, within City of Madison Park known as Goodman Park, more particularly described in resolution body.
A motion was made by Heidt, seconded by Ald. Compton, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00135
10. [00199](#) Vacation/Discontinuance of part of the West Beltline Highway Frontage Road.
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00136
11. [00243](#) Determining a Public Purpose and necessity and adopting a Relocation Order for the City of Madison to purchase the properties at 3052 and 3054 East Washington Avenue required for the planned public bike path improvements and Starkweather Creek improvements and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of said properties.
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00137

REPORT OF PLAN COMMISSION

12. [00444](#) SUBSTITUTE - Creating Section 28.06(2)(a)3065 of the Madison General Ordinances rezoning property from R2 Single-Family Residence District to PUD(GDP) Planned Unit Development (General Development Plan) and creating Section 28.06(2)(a)3066 of the Madison General Ordinances rezoning property from R2 Single-Family Residence District to PUD(SIP) Planned Unit Development (Specific Implementation Plan).
Proposed Use: Existing Barbershop with Two Apartment Units
15th Ald. Dist. 4603 Buckeye Road
1 Registrant in support.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00036
13. [00022](#) Creating Section 28.06(2)(a)3047 of the Madison General Ordinances rezoning property from C Conservancy District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3048 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: 30 Condominium Units, Open Space and Community Gardens. 18th Ald. Dist.
502 & 602 Troy Drive.
3 Registrants in support.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00037
14. [00025](#) Creating Section 28.06(2)(a)3049 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, 51-Unit Apartment Building. 3rd Ald. Dist. [734 Jupiter Drive](#).
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00038
15. [00028](#) Creating Section 28.06(2)(a)3052 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District and PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to R2T Single-Family Residence District. Proposed Use: 7 Single Family Lots, 3rd Ald. Dist., 6951 and 7001 Littlemore Drive.
1 Registrant in support.
- A motion was made by Council President Konkell, seconded by Ald. Onken, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00039

16. [00031](#) AMENDED - Creating Section 28.06(2)(a)3053 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) 3054 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: Remove 5 Buildings and Build 12-Story, 115-Unit Apartment Building. 4th Ald. Dist., 409, 411, 417, 419 & 421 W. Gorham Street.

1 Appearance in opposition. 6 Registrants in support. 1 Registrant in opposition.

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

Enactment No: ORD-05-00040

17. [00123](#) Creating Section 28.06(2)(a)3055 of the Madison General Ordinances rezoning property from Temp A Temporary Agriculture District to M1 Limited Manufacturing District. Proposed Use: 32 Industrial Lots. 17th Ald. Dist., 4130 Hoepker Road & 4151 Anderson Road.
1 Registrant in support.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: ORD-05-00041
18. [00027](#) SUBSTITUTE - Creating Section 28.06(2)(a)3050 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: 4-Building, 48 Total Unit Apartment Development; 3rd Ald. Dist.: 302 East Hill Parkway.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION, due back on May 17, 2005 [Substitute created & approved on 2/28/05 by City Attorney's office (JP) & City Comptroller's Office] 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: Items 27, 28, 32, 63, 66, 67, 68, 71, 85, 88, 90, 91, 93, 103, 110, 151.

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote. 3) items which alderperson(s) have separated out for discussion/debate purposes.

Roll Call at 9:03 p.m., following a 10 minute recess. Mayor Cieslewicz in the chair.

Present: Benford, Ferrell, Brandon, Onken, Bruer, Compton, Golden, Holtzman, Konkel, King, MacCubbin, Olson, Heidt, Onken, Markle, Rosas, Skidmore, Thomas, Van Rooy, Verveer, Webber and Mayor Cieslewicz

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

19. [00576](#) Alcohol License Review Committee
Report of Operator License Applications
Dated: February 16, 2005
See attached report for list of operators.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

REPORT OF CITY ATTORNEY

20. [00470](#) Reinhart, Boerner, Van Deuren, S.C., attorney for Attic Angel Prairie Point, Inc. properties located at: 517 Samuel Dr., 437 Samuel Dr., 8601 Blackwolf Dr., 502 Samuel Dr., 8602 Wood Violet Way, 406 Samuel Dr., 327 Samuel Dr., 401 Wild Indigo Way, - unlawful taxation - \$108,443.71.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
21. [00467](#) Michael, Best & Friedrich, LLP, attorney for American Family Insurance, 6000 American Pkwy., 6102 American Pkwy., 6152 American Pkwy., Madison - excessive assessment - \$1,750,000.00 plus interest.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
22. [00469](#) Reinhart, Boerner, Van Deuren, S.C., attorney for United Rentals #0939, 1018 Ann Street, Madison - unlawful taxation - \$54,543.72.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
23. [00471](#) Michael, Best & Friedrich, LLP, attorney for Walgreen Co., 2909 E. Washington Ave. & 3710 E. Washington Ave., Madison - excessive assessment - \$93,063.56.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REPORT OF BOARD OF ESTIMATES # 1

24. [00084](#) Authorizing a contract between the City and Dane County for the Madison Department of Public Health to operate a Clean Sweep household hazardous waste program for Dane County.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00138
25. [00284](#) SUBSTITUTE - Directing Traffic Engineering, ~~and~~ Parking Utility and City Engineering staff to develop and implement a plan to return public parking to the Capitol Square.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00139
26. [00318](#) Permitting the CDBG/HOME funds previously approved to assist Goodwill Industries acquire a property on Old Middleton Road be transferred to a single purpose non-profit corporation called Old Middleton Road Apartments, Inc., in order to receive HUD Section 811 funds and continue to address City Community and Neighborhood Development Objectives.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00140

27. [00335](#) AMENDED - Conditionally accepting the Proposal from Statehouse West, LLC for a Mid-State Street Parking and Mixed-Use Facility, authorizing staff to negotiate the terms of the disposition of the Buckeye Lot, and for staff to submit to the Common Council the terms and conditions of any sale or redevelopment, and authorizing the Parking Utility to release a Request for Proposals for architectural and design services for an underground short-term parking facility to replace the existing Buckeye Lot.
- A motion was made by Ald. Verveer, seconded by Interim Alder Ferrell, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00141
28. [00365](#) SUBSTITUTE - Accepting an Offer to Sell from Whitson Swift Homes, Inc. for the acquisition of approximately 18 acres for the Northeast Open Space and amending the 2005 Capital Budget.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Aye:** 20 - Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkell, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
- No:** 0 -
- Enactment No:** RES-05-00142
29. [00422](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to sign an Agreement with All Saints Cottages and Condos, Inc.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00143
30. [00436](#) Revising a December 14, 2004 resolution that altered the repayment terms from three existing CDBG Loans totaling \$970,000 to Genesis Development Corporation to permit a refinancing with New Market Tax Credits, and authorizing the Mayor and the City Clerk to sign agreements to effect such a change through the Dane Fund and an entity qualifying under the NMTC laws.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00144
31. [00437](#) Authorizing the carry-over of CDBG, HOME and other funds, and the extension of previously authorized projects within the CDBG program budget.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00145

REPORT OF BOARD OF ESTIMATES # 2

32. [00420](#) SUBSTITUTE - Authorizing and providing for the sale and issuance of \$3,630,000 Water Utility Mortgage Revenue Refunding Bonds, Series 2005A, and all related details.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00146

REPORT OF BOARD OF PUBLIC WORKS

33. [00383](#) Accepting bituminous pavement constructed by private contract in Apple Ridge, Private Contract No. 1884
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00147
34. [00384](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for The Aberdeen Apartments PUD, Private Contract No. 1948.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00148
35. [00385](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Churchill Heights - Phase III, Private Contract No. 1977
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00149
36. [00386](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Sauk Heights - Phase I, Private Contract No. 1944
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00150
37. [00387](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Churchill Heights - Phase II, Private Contract No. 1937
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00151

38. [00388](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Reston Heights - Phase VI, Private Contract No. 1840
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00152
39. [00389](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Reston Heights - Phase VIII, Private Contract No. 1906
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00153
40. [00391](#) Accepting sanitary sewer constructed by Private Contract In Churchill Heights - Phase II, Private Contract No. 1937
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00154
41. [00392](#) Accepting sanitary sewer constructed by Private Contract In Churchill Heights - Phase III, Private Contract No. 1977
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00155
42. [00394](#) Accepting sanitary sewer constructed by Private Contract In Reston Heights - Phase VI, Private Contract No. 1840
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00156
43. [00395](#) Accepting sanitary sewer constructed by Private Contract In Reston Heights - Phase VIII, Private Contract No. 1906
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00157
44. [00396](#) Accepting sanitary sewer constructed by Private Contract In Sauk Heights - Phase I, Private Contract No. 1944
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00158

45. 00397 Accepting storm sewer constructed by private contract in Churchill Heights - Phase II,
Private Contract No. 1937
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to
Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00159

46. [00398](#) Accepting storm sewer constructed by private contract in Churchill Heights - Phase III, Private Contract No. 1977
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00160
47. [00399](#) Accepting storm sewer constructed by private contract in Reston Heights - Phase VI, Private Contract No. 1840
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00161
48. [00400](#) Accepting storm sewer constructed by private contract in Reston Heights - Phase VIII, Private Contract No. 1906
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00162
49. [00401](#) Accepting storm sewer constructed by private contract in Sauk Heights - Phase I, Private Contract No. 1944
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00163
50. [00404](#) Accepting street improvements constructed by private contract in Reston Heights - Phase II, Private Contract No. 1721
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00164
51. [00411](#) Accepting bituminous pavement constructed by private contract in Reston Heights - Phase III, Private Contract No. 1759
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00165
52. [00477](#) Accepting storm sewer constructed by private contract in Reston Heights Second Addition, Private Contract No. 1983
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00166

53. [00478](#) Accepting sanitary sewer constructed by Private Contract In Reston Heights Second Addition, Private Contract No. 1983
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00167
54. [00390](#) Approving plans and specifications for public improvements required to serve Phase XII of the Subdivision known as Grandview Commons and authorizing construction to be undertaken by the Developer, Private Contract No. 2018
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00168
55. [00475](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Morgan Plat and authorizing construction to be undertaken by the Developer, Private Contract No. 1795
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00169
56. [00476](#) Approving plans and specifications for public improvements necessary for the project known as Churchill Crossing PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2024
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00170
57. [00380](#) Declaring the City of Madison's intention to exercise its police powers establishing the Sanitary Sewer Replacement with Resurfacing - 2005 Assessment District
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00171
58. [00381](#) Declaring the City of Madison's intention to exercise its police powers establishing the Pleasant View Road Assessment District - 2005
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00172

59. [00382](#) Declaring the City of Madison's intention to exercise its police powers establishing the Pearson Street, Pierstorff Street, and Wright Street Reconstruction Assessment District - 2005
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00191
60. [00402](#) Authorizing the Mayor and City Clerk to execute Amendment 1 to the present agreement between the City of Madison, MSA Professional Services, Inc. and the State of Wisconsin Department of Transportation for the Edgewood Avenue Bridge over the Southwest Bike Path, Contract No. 5535, for additional engineering services.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00173
61. [00403](#) Authorizing the Mayor and City Clerk to execute a contract with CGC, Inc. for the purpose of furnishing professional services to test asphalt pavement mixtures, concrete mixes and soil compaction; investigate soils; drilling and well construction on various projects administered by the City of Madison.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00174
62. [00410](#) Authorizing the Expenditure of \$7,200 to the U.W. Institute of Environmental Studies to conduct research on Starkweather Creek
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00175
63. [00433](#) Celebrating the Sesquicentennial of Public Sidewalks in the City of Madison.
1 Appearance in support.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00176
64. [00479](#) Authorizing the Mayor and City Clerk to enter into a contract with Academy Electric, Inc. to provide professional electrician services necessary at the City of Madison's landfill sites. Costs for these services are not to exceed \$43,750
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00177

REPORT OF CITY CLERK

65. [00587](#) Secondhand Article Dealer License Application
The Exclusive Company, 508 State Street
Owner: James Giombetti, 416 N. Main Street, Oshkosh
Manager: David G. Peters, 8209 Starr Grass Drive, Madison
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

66. [00006](#) AMENDED SUBSTITUTE - Amending Section 2.05(1) of the Madison General Ordinances to require a two-thirds majority vote for items to be introduced to the Common Council by title only, and creating Section 2.41 of the Madison General Ordinances to establish an Ordinance Revision Committee to review obsolete ordinances.
- A motion was made by Ald. Brandon, seconded by Council President Konkell, to Adopt the portion of the amended substitute amending to Section 2.05(1) of the Madison General Ordinances. The motion passed by acclamation.**
- A motion was made by Ald. Brandon, seconded by Ald. Compton, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE the portion of the amended substitute creating Section 2.41 of the Madison General Ordinances. The motion passed by acclamation.**
- Enactment No:** ORD-05-00046
67. [00024](#) SUBSTITUTE - Creating Section 3.46 entitled "Obsolete Committees and Commissions" of the Madison General Ordinances to establish that any committee that has not met in a calendar year would be automatically terminated by April 1 of the next year unless the Council acts before April 1 to keep the committee active or unless the committee is required by state statute or contract.
- A motion was made by Council President Konkell, seconded by Ald. Olson, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00042
68. [00102](#) SECOND SUBSTITUTE - Amending Section 10.056 of the Madison General Ordinances to clarify and revise procedure for applications, petitions, notifications, and permit fees; to update and create additional standards for issuance; to revise certain appeal timelines; and to make various organizational corrections to the Street Use Permit procedures: EXHIBIT R
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for March 1, 2005. The motion passed by acclamation.**

REPORT OF DOWNTOWN COORDINATING COMMITTEE

69. [00527](#) SUBSTITUTE - Amending Secs. 3.35(1)(n), ~~3.38(5)(b)~~, and 8.32 of the Madison General Ordinances to update references of Madison Civic Center to Overture Center.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.

Enactment No: ORD-05-00043

REPORT OF EQUAL OPPORTUNITIES COMMISSION

70. [00080](#) Amending Sections 3.45(5)(b) and (22), creating new Section 3.45(23) and renumbering current Sections 3.45(23) and (24) to (24) and (25), respectively through (16) of the Madison General Ordinances to modify portions of the minimum wage ordinance and to establish remedies for violations of the ordinance.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00047

REPORT OF PARK COMMISSION

71. [00312](#) Creating a Parks Division Special Event Review Team to support and better manage large community events conducted on public park property.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00178

REPORT OF PERSONNEL BOARD

72. [00373](#) That the position of (#3563) of Construction Inspector 1 in Compensation Group15, Range 09, (occupied by B.Schotthauer) in the permanent salary detail of the Engineering Division budget is repealed and recreated as a position of Construction Inspector 2 in Compensation Group15, Range 11, thereof, and that the incumbent shall be reallocated to said position.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00179
73. [00374](#) That the vacant position (#3232) of Public Works Foreperson, in Compensation Group 18, Range 05, in the permanent salary detail of the Water Utility budget is repealed and recreated as a Public Works Leadworker in Compensation Group 16, Range 12, thereof.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00180

REPORT OF PLAN COMMISSION

74. [00473](#) Approving the preliminary plat of "First Addition to the Meadowlands" located on Littlemore Drive. (3rd Ald. Dist.)
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00181

75. [00474](#) Approving the preliminary/final plat of "Interstate Commerce Park" located on Hoepker Road and Anderson Road. (17th Ald. Dist.)
1 Registrant in support.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00182
76. [00532](#) Approving a Certified Survey Map of property owned by Patricia D. Linton at 330 South Owen Drive. Aldermanic District 11
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00183
77. [00533](#) Approving a Certified Survey Map of property owned by Midland Builders, Inc. at 3751 Mammoth Trail. Aldermanic District 7.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00184
78. [00534](#) Approving a Certified Survey Map of property owned by Gallina Investments, LLC at 615 (formerly 3982) Pleasant View Road. Aldermanic District 9.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00185
79. [00535](#) Approving a Certified Survey Map of property owned by Fareeduddin Syed at 5206 Siggelkow Road. Aldermanic District 16.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00186

REPORT OF PUBLIC HEALTH COMMISSION

80. [00003](#) Amending Section 12.129(2) of the Madison General Ordinances to modify the restriction against idling a motor bus on a highway abutting a residential zoned district.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00044

REPORT OF RISK MANAGER

81. [00206](#) Stafford Rosenbaum, LLP, attorney for Madison Gas & Electric, 133 S. Blair St, Madison - property damage - \$1,620.51.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
82. [00453](#) G. Thompson, 3705 Goodland Dr., Madison - vehicle damage - \$733.66.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
83. [00565](#) Lee Atterbury, attorney for T. Bleckwenn, 3400 Topping Rd., Madison - medical expenses, pain & suffering, and loss of income - \$50,000.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
84. [00465](#) NOTICE OF CLAIM - Michael F. Hupy & Associates, S.C. for G. Gohedotte, P.O. Box 3413, Madison - past/future medical expenses, loss of earning capacity, pain and suffering - \$250,000.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REPORT OF TRANSIT/ PARKING COMMISSION

85. [00244](#) Approving the intent of the Parking Utility to sell the Evergreen Parking Lot located at 1802 Monroe Street to Monroe Neighbors, LLC
1 Registrant in support
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for March 15, 2005. The motion passed by acclamation.
86. [00266](#) Authorizing the Mayor and City Clerk to enter into an agreement with Dane County to provide \$19,280 in assistance to Madison Metro for transit information services, promotion efforts and operations for the calendar year 2005; and \$12,850 to the Madison Area Metropolitan Planning Organization (MPO) and Planning Unit to support the 2005 County Specialized Transportation coordination activities for the calendar year 2005.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00187
87. [00430](#) Authorizing the Transit General Manager to prepare and file an application for a Reverse Commute grant with Wisconsin Department of Transportation in connection with proposed commuter service to the City of Verona, and authorizing the Mayor to sign the application.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00188

REFERRED TO THIS MEETING

APPOINTMENTS

88. [00426](#) Citizen Appointment Report dated January 26, 2005.
- A motion was made by Council President Konkell, seconded by Ald. Compton, to Confirm. The motion passed by the following vote:**
- Aye:** 20 - Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkell, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
- No:** 0 -

ORDINANCES

89. [00239](#) Creating Section 15.01(543) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to 10th Aldermanic District the Seminole Highway Area attachment, and repealing and recreating Section 15.02(59) of the Madison General Ordinances to add the attached property to Ward 59.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00045

REPORTS

90. [00409](#) Report of City Clerk dated January 18, 2005 re: Board, Committee, Commission, Ad Hoc Committee & Subcommittee Members who have not filed the Statement of Interest Form.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

RESOLUTIONS

91. [00429](#) Accepting \$10,000 from the Downtown Madison Kiwanis Club and thanking them for their support for early childhood education.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00189

NEW BUSINESS

RESOLUTIONS

92. [00332](#) Authorizing the City Purchasing Supervisor to sign an agreement with CTR Systems Parking, Inc for a one-year maintenance contract for the Parking Utility's Revenue equipment.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**

93. [00413](#) That the City of Madison develop a plan for reducing the demand for low-income affordable housing in Madison to be entitled "The Affordable Housing Demand Reduction Plan".
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for March 1, 2005. The motion passed by acclamation.
94. [00439](#) Creating a non-partisan Madison Election Advisory Committee.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by acclamation.
95. [00493](#) Authorizing the Mayor and the City Clerk to enter into an agreement with RNL Design for a Building Needs Analysis Study.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by acclamation.
Refer to the BOARD OF ESTIMATES
Refer to the BOARD OF PUBLIC WORKS
96. [00508](#) Authorizing the Mayor and City Clerk to Execute a release of part of a platted public utility easement reserved within lots constituting the Princeton Club property located at 1702 - 1726 Eagan Road. [17th Ald. Dist.]
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.
Refer to the PLAN COMMISSION
97. [00526](#) Authorizing the Mayor and Chief of Police to accept a highway safety grant for \$25,000 from WI Department of Transportation for traffic safety alcohol campaigns in 2005.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.
98. [00529](#) Authorizing the Mayor and the City Clerk to execute a release of part of a platted public utility easement reserved within lots constituting the Jon Lancaster property located at 5314 High Crossing Boulevard and 3401/3501 Lancaster Drive. (17th AD)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.
Refer to the PLAN COMMISSION
99. [00542](#) Authorizing the installation of an additional emergency siren and amending the 2005 Capital Budget in the Amount of \$16,900 to provide the necessary funding
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.
Refer to the BOARD OF PUBLIC WORKS

100. [00561](#) Amending the 2005 Public Health Operating Budget to allow for the carryover and expenditure of 2004 Bioterrorism Grant funds.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.
Refer to the PUBLIC HEALTH COMMISSION
101. [00568](#) Authorizing the Madison Department of Public Health to accept contributions up to \$24,000 from Fit City partners to support the Fit City Program in 2005.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.
Refer to the PUBLIC HEALTH COMMISSION
102. [00570](#) Authorizing the City of Madison, through the Police Department to accept an award of \$200,000 from the State of Wisconsin Office of Justice Assistance and amending the Police Department 2005 Operating budget to allow for the hire of a 1.0 LTE - Management Information Specialist 2 position.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.
103. [00572](#) Requesting that the Madison Police Department cease the use and rescind the authorization to purchase Tasers until such time as their safety can be confirmed or alternative devices of proven safety and effectiveness can be utilized.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the PUBLIC SAFETY REVIEW BOARD. The motion passed by acclamation.
Refer to the Attorney's Office
Refer to the Police Department
105. [00581](#) Authorizing the Mayor and City Clerk to execute an intergovernmental agreement with the City of Fitchburg to the Madison Water Utility to provide public water service to the Boys and Girls Club.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF WATER COMMISSIONERS. The motion passed by acclamation.
Refer to the BOARD OF PUBLIC WORKS
Fiscal Note Required / Approval to the Comptroller's Office/Approval Group
106. [00583](#) Approving the intent of the Water Utility to sell its administrative office building located at 517-523 East Main Street to Block 115, LLC. 6th Ald. Dist.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF WATER COMMISSIONERS. The motion passed by acclamation.
Refer to the PLAN COMMISSION

107. [00588](#) Authorizing design and implementation of a Public Art Work, not to exceed \$75,000.00 for a public art work at the Goodman Swimming Pool.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the MADISON ARTS COMMISSION. The motion passed by acclamation.**
- Refer to the SWIMMING POOL AD HOC COMMITTEE**
- Refer to the BOARD OF PARK COMMISSIONERS**
- Refer to the BOARD OF PUBLIC WORKS**
- Refer to the BOARD OF ESTIMATES**
108. [00589](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a Tax Incremental Finance Loan to Monroe Neighbors, LLC to assist in the development of a mixed-use redevelopment project (Monroe Commons) located at 1864 Monroe Street in Tax Incremental Finance District No. 33 (Monroe-Harrison).
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
109. [00590](#) Authorizing the Parking Utility to exchange the Evergreen Parking Lot located at 1802 Monroe Street for a parking lot condominium in the proposed Monroe Commons redevelopment project.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
- Refer to the TRANSIT AND PARKING COMMISSION**
- Refer to the PLAN COMMISSION**
110. [00591](#) Petitioning Congress and the President to retain the CDBG program in its current format, so that local governments can continue to effectively benefit lower income persons, create housing and economic opportunities, and strengthen neighborhoods.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt. The motion passed by acclamation.**
111. [00596](#) Creating an Allied Area Task Force to make recommendations to the Mayor and Common Council regarding a focused set of strategies to strengthen the Allied area neighborhood.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt. The motion passed by acclamation.**
112. [00597](#) Resolution authorizing the Mayor and City Clerk to execute agreements with Dane County, Village of Oregon, Village of Mount Horeb, City of Monona, City of Verona, and City of Fitchburg for the operation and maintenance of traffic control signals and street lights at various locations.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**

ORDINANCES

113. [00482](#) Amending Secs. 3.38(1)(b) and 8.33 of the Madison General Ordinances to change Madison CitiARTS to Madison Arts Commission.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the MADISON ARTS COMMISSION. The motion passed by acclamation.
114. [00571](#) Amending Section 9.13(6)(e)2., deleting Section 9.13(6)(h)4., renumbering Section 9.13(6)(h)5., amending Sections 9.13(6)(j)1.b. and c., and creating Section 9.13(6)(j)4. of the Madison General Ordinances to create procedures for non-street level restaurants to have a sidewalk cafe on the State Street Mall/Capitol Concourse, creating a priority system for assigning merchant vending and sidewalk cafe sites between businesses on different levels of the same building, and amending related licensing requirements.
Due back at the 3/1/05 CC Meeting
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the VENDING OVERSIGHT COMMITTEE. The motion passed by acclamation.
115. [00573](#) Creating Section 28.06(2)(a)3075 of the Madison General Ordinances rezoning property C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3076 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: Addition to Single Room Occupancy From 7 to 15 Units; 6th Aldermanic District: 1051-1053 Williamson Street.
Plan Commission P.H. (3-21-05); Common Council P.H. (3-29-05)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.
Refer to the Zoning Administration
116. [00574](#) Creating Section 8.43 of the Madison General Ordinances regarding operation of municipal swimming pools by the Board of Park Commissioners and regarding fees for use of pools to cover direct costs and a reserve.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF PARK COMMISSIONERS. The motion passed by acclamation.
Refer to the BOARD OF ESTIMATES

117. [00575](#) Creating Section 28.06(2)(a)3067 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District and creating Section 28.06(2)(a)3068 of the Madison General Ordinances rezoning property from Temp A Agriculture to R3 Single-Family and Two-Family Residence District and creating Section 28.06(2)(a)3069 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District; Proposed Use: 108 Residential Lots & 6 Outlots; 16th Aldermanic District: 4949 Meinders Road.

Plan Commission P.H. (3-21-05); Common Council P.H. (3-29-05)

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.

Refer to the Zoning Administration

118. [00577](#) Creating Section 28.06(2)(a)3077 of the Madison General Ordinances rezoning property from Temp A Agriculture to C3L Commercial Service and Distribution District, creating Section 28.06(2)(a)3078 of the Madison General Ordinances rezoning property from Temp A Agriculture to C2 General Commercial District, creating Section 28.06(2)(a)3079 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District, and creating Section 28.06(2)(a)3080 of the Madison General Ordinances rezoning property from Temp A Agriculture to R5 General Residence District.; Proposed Use: Existing Commercial and Residential Lots; 14th Aldermanic District: 2600 & 2800 Todd Drive; 2800 Ashford Lane; 2800 & 2900 Curry Parkway

Plan Commission P.H. (4-4-05); Common Council P.H. (4-19-05)

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.

Refer to the Zoning Administration

119. [00578](#) Creating Section 28.06(2)(a)3070 of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District, creating Section 28.06(2)(a)3071 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, creating Section 28.06(2)(a)3072 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District, creating Section 28.06(2)(a)3073 of the Madison General Ordinances rezoning property from Temp A Agriculture to R3 Single-Family and Two-Family Residence District, and creating Section 28.06(2)(a)3074 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District; Proposed Use: 32 Residential Lots; 3rd Aldermanic District: 4609 & 4610 Rustic Drive.

Plan Commission P.H. (4-4-05); Common Council P.H. (4-19-05)

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.

Refer to the Zoning Administration

120. [00579](#) Creating Section 28.10(3)(c)13. of the Madison General Ordinances to add certain contractor's shops and offices as a permitted use in the SM district.
Plan Commission P.H. (4-4-05); Common Council P.H. (4-19-05)
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**
121. [00582](#) Creating Section 28.11(2)(c), repealing 28.11(2)(f), renumbering Sections 28.11(2)(g) and (h) to Sections 28.11(2)(f) and (g), respectively, and amending 28.11(3)(d) of the Madison General Ordinances to change the threshold for a conditional use for parking reduction and to clarify the concept of shared parking.
Plan Commission P.H. (4-4-05); Common Council P.H. (4-19-05)
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**
122. [00584](#) Creating Section 28.06(2)(a)3081 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: Nursing Home, Assisted Living Facility & 77 Unit Senior Apartment Building; 3rd Aldermanic District; 618 & 718 Jupiter Drive
Plan Commission P.H. (4-4-05); Common Council P.H. (4-19-05)
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**
- Refer to the Zoning Administration**
123. [00585](#) Repealing Section 12.128(2) and creating Section 12.82 of the Madison General Ordinances to establish new regulations for advertising on vehicles or other mobile objects when operating or parked on the highway, and amending Section 1.08(3)(a) of the Madison General Ordinances to establish a bail deposit amount for violations of new Section 12.81.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the URBAN DESIGN COMMISSION. The motion passed by acclamation.**
- Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**
124. [00586](#) Amending Section 2.205 of the Madison General Ordinances to establish that the election for President and President Pro Tem shall be conducted by instant runoff procedures.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by acclamation.**

REPORTS

125. [00416](#) Report of CCOC Sister Cities Grant Subcommittee - 2005 Final Report & Recommendations for 2005 Sister City Grant Program.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES, due back on March 15, 2005. The motion passed by acclamation.**

LICENSES

126. [00549](#) New License - Public Hearing
Lando Holdings, LLC (Trade Name to be Determined)
1601 Rowland Avenue
Agent: Chancellor Crowther
Class A Liquor, Class A Beer.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on March 29, 2005. The motion passed by acclamation.**
127. [00550](#) New License - Public Hearing
Lao Laan Xang II, Inc. (dba Lao Laan Xang)
2098 Atwood Avenue
Agent: Christine Inthachith
Class B Beer, Class C Wine (20% alcohol, 80% food)
Non-Smoking Establishment
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on March 29, 2005. The motion passed by acclamation.**
128. [00551](#) New License - Public Hearing
MadCity Restaurant Group, Inc.
(dba Quinton's Bar & Dei; capacity of 104 inside and 40 on deck)
319 W. Gorham Street
Agent: Dick Glesner
Class B Combination Liquor & Beer (48% alcohol, 52% food)
Non-Smoking Establishment
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on March 29, 2005. The motion passed by acclamation.**
129. [00552](#) New License - Public Hearing
Perfecto Restaurant Group, Inc. (dba Tutto Pasta Cucina Italiana)
107 King Street
Agent: Jessica Escamilla
Class B Combination Liquor & Beer (33% alcohol, 67% food)
Non-Smoking Establishment
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on March 29, 2005. The motion passed by acclamation.**

130. [00553](#) New License - Public Hearing
Jeffrey C. Price (dba House of Wisconsin Cheese)
107 State Street
Class A Liquor, Class A Beer
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on March 29, 2005. The motion passed by acclamation.
131. [00554](#) New License - Public Hearing
Sammy Aziz, LLC (dba Zuzu Cafe; capacity of 52)
1336 Drake Street
Agent: Robert Shapiro
Class B Combination Liquor & Beer (25% alcohol, 70% food)
Non-Smoking Establishment
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on March 29, 2005. The motion passed by acclamation.
132. [00555](#) New License - Public Hearing
Takara II, LLC (dba Takara Sushi & Steak House 2)
696 S. Whitney Way
Agent: Xiu Mei Ni
Class B Combination Liquor & Beer (10% alcohol, 90% food)
Non-Smoking Establishment
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on March 29, 2005. The motion passed by acclamation.

CLAIMS - REFER TO RISK MANAGER

133. [00601](#) State Farm Insurance for M. Neumaier, 8022 Lueth Road, Sauk City - vehicle damage - \$839.21.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
134. [00602](#) J. Schmidt, Schmidt's Auto, Inc., 1621 Beld Street, Madison - fence damage - \$664.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
135. [00603](#) E. Getter, 1518 Sheridan Drive, Madison - vehicle damage - \$195.34.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.

136. [00604](#) Cliff Insurance Agency for R. Carpenter, 910 Rockefeller Lane #4, Madison - vehicle damage - \$827.45.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
137. [00605](#) K. Li, 7333 W. Branford Lane, Madison - vehicle damage - \$863.68.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
138. [00606](#) R. Yao, 2816 Girard Avenue S., Apt. 201, Minneapolis, MN - vehicle damage - \$2,426.13.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
139. [00607](#) American Family Insurance Group for L. Dorjee, 6620 Offshore Drive, Madison - vehicle damage - \$1,679.81.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
140. [00608](#) SBC, 2140 Davidson Road, Waukesha - buried service wire damage - \$683.75.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
141. [00609](#) M. Le Mieux, 4516 Camden Road, Madison - flooded basement - \$1740.38.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
142. [00610](#) J. Adams, 969 Wesley Road, Oregon - vehicle damage - \$1774.36.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
143. [00611](#) E. Knudson, 4338 Windflower Way, Madison - vehicle damage - \$100.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
144. [00612](#) M. MacKenzie, 5318 Frosty Lane, Madison - vehicle damage - \$1,925.25.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
145. [00613](#) American Family Insurance Group for M. Fox, 489 Union Road, Brooklyn - vehicle damage - \$659.48
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.

146. [00614](#) Main Appliance & TV, Inc., 2050 S. Stoughton Road, Madison - vehicle damage - \$5682.91.
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.

CLAIMS - REFER TO CITY ATTORNEY

147. [00615](#) Attic Angel Prairie Point - unlawful taxation
517 Samuel Drive, Madison - first installment payment \$16,436.46
437 Samuel Drive, Madison - first installment payment \$12,076.24
401 Wild Indigo Lane, Madison - first installment payment \$4,682.79
327 Samuel Drive, Madison - first installment payment \$28,975.42
406 Samuel Drive, Madison - first installment payment \$14,745.76
8602 Wood Violet Way, Madison - first installment payment \$4,864.09
8601 Blackwolf Drive, Madison - first installment payment \$6,701.61
502 Samuel Drive, Madison - first installment payment \$19,961.34
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.
148. [00616](#) Videoville, LLC, 4915 Commercial Avenue, Madison - Excessive Assessment - \$2,135.62.
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.
149. [00617](#) United Rentals (North America), Inc., 1018 Ann Street, Madison - Unlawful Taxation - \$56,478.14.
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.

ADDENDUM

LATE ITEMS

PUBLIC HEARINGS - BEGIN AT 6:45 PM

150. [00377](#) Approving Plans And Specifications For Resurfacing - 2005 And Approving The Schedule Of Assessments For Curb And Gutter In Conjunction With Resurfacing - 2005 Assessment District
A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00190

RECONSIDERATION

RESOLUTION

151. [00245](#) Authorizing the Mayor and City Clerk to execute an Intergovernmental Agreement Between Town of Blooming Grove and City of Madison regarding boundary changes and other urban growth and delivery of municipal services issues, pursuant to an approved cooperative plan under Sec. 66.0307, Wis. Stats.; authorizing participation in the preparation of the cooperative plan for public hearing and submittal to the Wisconsin Department of Administration for approval.
- A motion was made by Council President Konkell, seconded by Ald. Onken, to Reconsider. The motion passed by acclamation.**
- A motion was made by Council President Konkell, seconded by Ald. MacCubbin, to Adopt. The motion passed by acclamation.**
- Enactment No: RES-05-00087**

ITEMS INTRODUCED FROM THE FLOOR

- [00656](#) Amending the 2005 Parks Division Capital Budget to increase the authorization for the Goodman Pool project to \$4,125,000.
- A motion was made by Ald. MacCubbin, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES and the March 1, 2005, Common Council meeting. The motion passed by acclamation.**
- [00653](#) Communication dated December 9, 2004 from T. Wall Properties, 2418 Crossroads Dr., Madison re: the Center for Industry and Commerce Proposed Amendment.
- A motion was made by Council President Konkell, seconded by Ald. Webber, to Refer to the Attorney's Office. The motion passed by acclamation.**
- Refer to the BOARD OF ESTIMATES**

ADJOURNMENT

A motion was made by Council President Konkell, seconded by Ald. Bruer, to Adjourn at 9:30 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 1st of March, 2005.

Ordinances published March 16th, 2005.

RAY FISHER, CITY CLERK