



# City of Madison

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

## Agenda - Approved COMMON COUNCIL

---

Tuesday, March 18, 2008

6:30 PM

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

---

### SPEAKING GUIDELINES

*If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.*

*Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.*

*Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.*

*Если Вам необходима помощь устного или письменного переводчика, а также если Вам требуются материалы в иных форматах либо у Вас имеются особые пожелания в связи с доступом к данной услуге, мероприятию или программе, пожалуйста, позвоните по указанному ниже телефону и сообщите об этом не менее чем за три рабочих дня до соответствующей встречи.*

*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 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. Solomon**

### OPENING REMARKS

**SUSPENSION OF RULES**

Suspend Rules 2.04 (order of business), 2.05 (introduction of business), 2.24 (ordinances), and 2.25 (resolutions) for items so designated on the agenda.

**HONORING RESOLUTIONS**

1. [09413](#) Declaring the week of March 23 - 29 Community Development Week in Madison, and expressing appreciation for the many groups which contribute to the housing, business, and service sectors of Madison's community.

**EARLY PUBLIC COMMENT****PETITIONS AND COMMUNICATIONS**

*None received by the agenda deadline.*

**SPECIAL ORDER OF BUSINESS AT 6:45 PM****PRESENTATION OF CONSENT AGENDA**

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

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

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

2. [07614](#) Amending Section 16.23(2), creating new Section 16.24, and renumbering current Sections 16.24 and 16.25 to 16.25 and 16.26, respectively, of the Madison General Ordinances to create review of condominium instruments.

**REPORT OF PLAN COMMISSION**

3. [06956](#) SUBSTITUTE - Renumbering Section 28.04(22) to Section 28.12(12) and amending new Section 28.12(12); renumbering current Section 28.04(23)-(27) to Section 28.04(22)-(26), respectively; renumbering current Section 28.12(12) and (13) to Section 28.12(13) and (14) of the Madison General Ordinances to change various provisions of the ordinance regulating the demolition of buildings.
4. [08830](#) Amending Section 28.06(1)(h) and creating Sections 28.107(17) through (29) of the Madison General Ordinances to establish Wellhead Protection Districts Nos. 7, 8, 10, 11, 13, 16, 17, 19, 20, 23, 25, 27 and 28.

**PUBLIC HEARINGS - BEGIN AT 6:45 PM****REPORT OF BOARD OF PUBLIC WORKS**

5. [08921](#) Approving Plans, Specifications, And Schedule Of Assessments For Curb and Gutter In Conjunction with Resurfacing - 2008 Assessment District. (City Wide ADs)
6. [09204](#) Approving Plans, Specifications, And Schedule Of Assessments For Sanitary Sewer Replacement with Resurfacing - East Gorham Street 2008. (2nd AD)
7. [09205](#) Approving Plans, Specifications, And Schedule Of Assessments For Sanitary Sewer Replacement with Resurfacing Central Assessment District 2008. (Various ADs)
8. [09366](#) Approving Plans, Specifications, And Schedule Of Assessments For Jean Street and Leitch Court Reconstruction Assessment District - 2008. (2nd AD)
9. [09367](#) Approving Plans, Specifications, And Schedule Of Assessments For North Pinckney Street Reconstruction Assessment District - 2008. (2nd AD)

**REPORT OF PLAN COMMISSION**

10. [08991](#) Creating Section 28.06(2)(a)3339. 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)3340. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Relocate Multi-Family Residence to Site with Three Existing Residential Buildings: 2nd Aldermanic District; 101-109 North Franklin Street.

**END OF PUBLIC HEARINGS****BUSINESS PRESENTED BY THE MAYOR**

11. [09354](#) SUBSTITUTE - Report of the Mayor submitting citizen committee appointments (introduced 3-4-2008; action 3-18-2008)
12. [09542](#) Report of the Mayor submitting alder committee appointments (3-18-2008).
13. [09545](#) Report of the Mayor submitting citizen committee appointments (introduced 3-18-2008; action 4-8-2008)

**BUSINESS PRESENTED BY THE COUNCIL PRESIDENT**

14. [09486](#) Adopting statements of Program Area Goals and Funding Priorities to be used

by the Community Services Commission, Early Childhood Care and Education Board and Senior Citizens Advisory Committee for the 2009-2010 Community Resources Program budget review process.

15. [09528](#) Authorizing Clerk to issue Summons to LWS Investments Two LLC, dba Good Times Neighborhood Bar, Larry Schmock, Registered Agent, to appear before the Alcohol License Review Committee

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

16. [09589](#) Alcohol License Review Committee Report of Operator License Applications March 12, 2008. See attached report for list of operators.

### REPORT OF BOARD OF ESTIMATES

17. [09022](#) Authorizing the City of Madison to issue a Request for Proposals (RFP), and providing that the Mayor and City Clerk may enter into a contract with the selected consultant, for a Northside Market Study.
18. [09119](#) 2008 Public Health Contract with the Department of Natural Resources for Testing Transient Non-Community Public Water Systems.
19. [09246](#) SUBSTITUTE - Issuing a report outlining the alternatives and details involved in the creation of a centralized constituent services system like a Dial 311 or other hotline for municipal services and information.
20. [09264](#) Approving Facade Improvement Grant to: 11 North Allen Street (The Froth House).
21. [09275](#) Resolution that the position (#3557) of Warner Park Facility Manager in Compensation Group 18, Range 08, (occupied by B. Weisinger) in the permanent salary detail of the Parks Division budget is repealed and recreated as a position of Warner Park Facility Manager in Compensation Group 18, Range 10, thereof.
22. [09276](#) Resolution that the position (#1222) of Public Works General Foreperson in Compensation Group 18, Range 07, (occupied by L. Christoph) in the permanent salary detail of the Traffic Engineering budget is repealed and recreated as a position of Traffic Operations Supervisor in Compensation Group 18, Range 09, thereof.
23. [09277](#) Authorizing the provision of CDBG funds to assist the Boys and Girls' Club to replace a roof on its Taft Street neighborhood center in ways that address City, Community and Neighborhood Development Objectives.
24. [09278](#) Approving the transfer of 2007 Emerging Neighborhood Funds from the Financial Education Center to the Community Action Coalition of Southern Wisconsin and authorizing the Mayor and the City Clerk to enter into an

agreement with that agency to implement the project.

25. [09279](#) Resolution that the vacant position (#1862) of Water Utility Administrative Services Manager in Compensation Group 18, Range 10, in the permanent salary detail of the Water Utility budget is repealed and recreated as a position of Engineer 2 in Compensation Group 18, Range 08, thereof.
26. [09280](#) Resolution that the new vacant position tentatively identified as an Overture Center Publicity Specialist/E-Marketing (no Compensation Group/Range specified) in the permanent salary detail of the Overture Center budget is repealed and recreated as a position of Overture Center Advertising Specialist 2 in Compensation Group 18, Range 06, thereof.
27. [09305](#) Authorizing the provision of Housing Trust Funds to assist Habitat for Humanity of Dane County to develop housing in ways that address City, Community and Neighborhood Development Objectives.
28. [09308](#) Resolution approving the double-filling of the position of Civil Rights Director during the time in which the current Director, Lucia Nunez, is on a Leave of Absence.
29. [09335](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the class of Traffic Operations Supervisor in Compensation Group 18, Range 09, thereof.
30. [09337](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Warner Park Facility Manager in Compensation Group 18, Range 08, and recreating said classification in Compensation Group 18, Range 10, thereof.
31. [09373](#) Amending the 2008 City Engineering Budget to show \$100,000 revenue from a DOE grant - Solar American Initiative and a \$10,000 grant from Focus on Energy and expenditures of \$110,000 for staff time, consulting services, marketing, training and other misc. expenses.
32. [09421](#) SUBSTITUTE - Authorizing an exception to the Bassett Neighborhood Small Cap TIF Loan program for the project described herein to exceed 15% of purchase price and/or conversion costs and authorizing the Mayor and City Clerk to execute a loan agreement to fund a \$60,000 Bassett Neighborhood Small Cap TIF Loan to Nicholas Moore and Heidi Lindroth ("Borrower") to purchase and renovate the property located at 541 West Doty Street to convert it from a rental to owner-occupied housing.

#### REPORT OF BOARD OF PUBLIC WORKS

33. [08995](#) SUBSTITUTE - Awarding Public Works Contract No. 6105, Sachs Street Reconstruction & N. Marquette Street Sanitary Replacement.
34. [09108](#) SUBSTITUTE - Awarding Public Works Contract No. 6150, Sanitary Sewer Replacement with Resurfacing East Assessment District - 2008.

35. [09263](#) Improvements accepted for Bridge Repairs - 2007, Contract No. 5937. (Various ADs)
36. [09266](#) Improvements accepted for Hoard Street, Upham Street & Seventh Street Reconstruction Street Assessment District - 2006, Contract No. 5936. (12th AD)
37. [09268](#) Improvements accepted for Pearson Street, Pierstorff Street & Wright Street Reconstruction Assessment District - 2005, Contract No. 5803. (17th AD)
38. [09295](#) Accepting improvements and assessing benefits for 600 W. Main Street Streetlight Improvement District. (4th AD)
39. [09296](#) Accepting improvements and assessing benefits for 6300-6500 Milwaukee Street Streetlight Improvement District. (3rd AD)
40. [09303](#) Improvements accepted for Water Main by Private Contract to serve: Crosswinds at Hawks Landing - Phase 2 (1st AD).
41. [09317](#) Improvements Accepted for Cypress Spray Park Contract #5980 (14th AD)
42. [09318](#) Accepting improvements and assessing benefits for Reston Heights Drive Streetlight Improvement District. (3rd AD)
43. [09319](#) To establish assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived).
44. [09334](#) Improvements Accepted for Architectural Services for Goodman Maintenance Facility Contract #5848 (13th AD)
45. [09355](#) Awarding Public Works Contract No. 6077, Annual Sawcutting of Concrete Sidewalk & Incidental Work. (Various ADs)
46. [09356](#) Awarding Public Works Contract No. 6103, Sidewalk and Curb & Gutter, Citywide Installation and Repair - 2008. (Various ADs)
47. [09357](#) Declaring the City of Madison's intention to exercise its police powers adding street lighting to the North Pinckney Street Reconstruction Assessment District - 2008. (2nd AD)
48. [09358](#) Assessing Benefits - Buena Vista, Garrison, and Lindberg Streets Reconstruction Assessment District - 2007. (6th AD)
49. [09359](#) Assessing Benefits - Dixon, Fairview, and Ryan Streets Reconstruction Assessment District - 2007. (6th AD)
50. [09360](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Capitol Square Streetscape Updates - 2008, Contract No. 6144. (4th AD)

51. [09363](#) Improvements accepted for Danbury Street Assessment District - 2006, Contract No. 5114. (10th AD)
52. [09364](#) Improvements accepted for Annual Construction & Reconstruction of Concrete Sidewalk & Concrete Curb & Gutter Installed at the Request of the Property Owner, Contract No. 5822. (Various ADs)
53. [09365](#) Improvements accepted for 2006 Resurfacing Various Streets; Grinding & Pulverizing, Contract No. 5908. (Various ADs)
54. [09370](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Concrete Pavement Joint Repair - 2008, Contract No. 6211. (Various ADs)
55. [09371](#) Assessing Benefits Northeast Industrial Area Phase 2 Assessment District. (17th AD)
56. [09375](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for "Waterways 2008", Contract No. 6171. (Various ADs)
57. [09378](#) Approving the Developer Agreement for public improvements necessary for the project known as WID/MIR - 1301 University Avenue PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2190. (8th AD)
58. [09380](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on the South Madison Beltline and USH 51. (Various ADs)
59. [09433](#) Authorizing indemnification of the State of Wisconsin Department of Transportation from liability associated with the use of federal funds for Mineral Point Road at Owen Drive Intersection Improvement. (11th AD)

#### **REPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION**

60. [09330](#) SECOND SUBSTITUTE - Authorizing the provision of HOME/HOME Match Funds to assist Habitat for Humanity of Dane County to acquire the undeveloped portion of Northport Commons.

#### **REPORT OF PLAN COMMISSION**

61. [07613](#) Adopting the Pumpkin Hollow Neighborhood Development Plan as a supplement to the City of Madison Comprehensive Plan, and authorizing the City's applications to amend the Central Urban Service Area as required to implement the development staging recommendations in the neighborhood plan.
62. [09155](#) Authorizing the acceptance of an Offer to Sell from Wayne J. and Theresa

Murphy for a vacant residential property located at 3727 CTH M in the Town of Middleton for the future Junction Road/Mineral Point Road intersection reconstruction project.

63. [09437](#) Approving the final plat of Tradesmen Commerce Park located at 4131 Marsh Road. 16th Ald. Dist.

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

64. [09571](#) Approving a Certified Survey Map of property owned by Cherokee Park, Inc. at 5898 N. Sherman Avenue. 18th Ald. Dist.
65. [09572](#) Approving a Certified Survey Map of property owned by Bashford United Methodist Church of Madison, Inc. at 329 North Street. 12th Ald. Dist.
66. [09573](#) Re-approving a Certified Survey Map of property owned by Midvale Plaza Joint Venture, LLP located at 505-555 S. Midvale Boulevard. 11th Ald. Dist.
67. [09574](#) Approving a Certified Survey Map of property owned by Ten Twenty-Two, LLC at 101-109 N. Franklin Street. 2nd Ald. Dist.

#### **REPORT OF RISK MANAGER**

68. [07573](#) American Family Insurance for P. Howarth-Burns, 603 Wingra St., Madison - property damage - \$750.00.
69. [08329](#) G. and S. Hollman, 5760 Bittersweet Pl., Madison - property damage - \$316.00.
70. [08570](#) R. Arthur, 2105 E. Washington Ave., #2, Madison - vehicle damage - \$224.08.
71. [08739](#) D. Sikorski, 114 State St., # 4, Madison - vehicle damage - \$26.38.
72. [08740](#) J. Giles, 815 N. College Ave., # 11, Bloomington, IN - vehicle damage - \$119.62.
73. [08962](#) S. Gessler, 30 Geronimo Cir., Madison - property damage - \$57.99.
74. [09242](#) A. Meyer, 511 W. Main St., #12, Madison - vehicle damage - \$861.83.

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

#### **RESOLUTIONS**

75. [07302](#) Amending the 2008 Parks Division Capital budget to increase the appropriation for tennis court repair and renovation by \$5,432 and to annually accept donations from the adult tennis league teams for that purpose.
76. [08905](#) Approving the selection and purchase of Morning Pride firefighter safety gear



from Jefferson Fire & Safety.

77. [09338](#) Approving the transfer of \$25,000 from the Contingent Reserve to the State of Wisconsin for the purpose of studying the future of many of the coal-fired heat and power plants in Madison in partnership with the State of Wisconsin Department of Administration, the University of Wisconsin-Madison, and Dane County.
78. [09422](#) To authorize the Mayor and City Clerk to enter into a one (1) year Agreement with the possibility of a one (1) year renewal term between the City of Madison and the Madison Metropolitan School District, Madison School & Community Recreation for the operation of a Pontoon Boat Program for persons with disabilities.
79. [09428](#) To extend the closing hours at Olbrich Botanical Gardens to 11:30 p.m. on Saturday, June 21, 2008 for the 21st annual Rhapsody in Bloom benefit dinner and dance.
80. [09487](#) Accepting the report entitled "Property and Evidence Storage and Retention Report."
81. [09490](#) Amending the 2008 Fleet Service Capital Budget for coverage from the insurance fund for the replacement of a refuse truck destroyed by a fire.
82. [09508](#) Approving and adopting Transportation Project Plat No. 5992-06-32-4.01 Amendment No. 1 which simply adds a single utility company release parcel, Parcel 11, which was erroneously omitted, and correctly removes an erroneous Permanent Limited Easement reference to Parcel 3 from the previously approved and adopted Transportation Project Plat No. 5992-06-32-4.01 - Relocation Order USH 151 - East Washington Avenue City of Madison (Marquette Street-Carpenter Street) for the acquisition of Plat of Land Interests required for the East Washington Avenue - Segment 4 Reconstruction-Engineering Project No. 53B0204
83. [09512](#) Setting a goal of 65% waste diversion by recycling and composting for 2010 with progress towards the ultimate goal of zero waste.
84. [09529](#) Approving the Fire Department to conduct Reading Rocks fund raising program to purchase rocking chairs from Ayers Furniture for elementary schools with reading corners.
85. [09535](#) Establishing a Glass-Free Zone for the West Mifflin Street area 10:00 a.m. on May 3, 2008 through 6:00 a.m. on May 4, 2008.
86. [09539](#) Adopting a Community and Neighborhood Development Program Funding Framework as a guide to the CDBG Commission for the development of its funding recommendations for the 2009-2010 budgets.
87. [09546](#) Authorizing the Mayor and City Clerk, as the operator of publicly owned transit services (Transit Operator), to enter into an agreement with the Wisconsin

Department of Transportation (WisDOT) and the Madison Area Transportation Planning Board [A Metropolitan Planning Organization (MPO)] for continuing transportation planning for the Madison Metropolitan Area.

88. [09547](#) Authorizing the Mayor and City Clerk to enter into an agreement with the Capital Area Regional Planning Commission (CARPC) for the Madison Area Transportation Planning Board (TPB) to provide transportation planning work activities to the CARPC in calendar year 2008 and amending the 2008 adopted operating budget of the Planning Division to recognize additional revenues of \$25,000.
89. [09548](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a Targeting Violent Crimes Justice Assistance Grant from the Department of Justice, Office of Justice Programs in the amount of \$330,000 and to utilize these funds to develop and manage a violent career criminal intelligence system.
90. [09549](#) Authorizing an exception to the Bassett Neighborhood Small Cap TIF Loan program for the project described herein to exceed 15% of purchase price and/or conversion costs and authorizing the Mayor and City Clerk to execute a loan agreement to fund a \$60,000 Bassett Neighborhood Small Cap TIF Loan to Matthew Sweeney ("Borrower") to purchase and renovate the property located at 306-308 S. Broom Street to convert it from a rental to owner-occupied housing.
91. [09550](#) Adopting the Stoughton Road Revitalization Project Plan and the goals, recommendations, and implementation steps contained therein as a supplement to the City's Comprehensive Plan.
92. [09551](#) Authorizing the Mayor, City Clerk and Chief of Police to accept an award of thermal viewing equipment through the Department of Homeland Security's Commercial Equipment Direct Assistance Program (CEDAP).
93. [09558](#) Authorizing the Mayor and City Clerk to execute a lease with Robert Weichmann for approximately 37 acres of City-owned land within Interstate Commerce Park, located north of Hoepker Road and west of Interstate 90-94.
94. [09565](#) Designating the Wisconsin State Journal as the official newspaper of the City of Madison.

## REPORTS

95. [09488](#) Report of CCOC Sister Cities Grant Review Subcommittee - 2008 Final Report & Recommendations for 2008 Sister City Grant Program

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

### CLAIMS - REFER TO RISK MANAGER

96. [09423](#) A. Chadli, 32 Heritage Cir., #4, Madison - vehicle damage - \$146.03.

97. [09424](#) NOTICE OF CIRCUMSTANCES OF CLAIM: R. Ervin, 638 Braxton Pl., Madison - personal injury - amount to be determined.
98. [09425](#) V. Pickerell, 1001 Menomonie Ln., Madison - vehicle damage - \$369.25.
99. [09426](#) D. Lee for Union Cab, P.O. Box 8305, Madison - vehicle damage - \$4,933.95.
100. [09427](#) S. Mason, 6421 Bridge Rd., # 102, Madison - vehicle damage - \$1,412.01.
101. [09462](#) R. Moen, 2831 Harvey St., Madison - vehicle damage - \$370.19.
102. [09463](#) W. Drew, 5559 Surrey Ln., Madison - vehicle damage - \$438.64.
103. [09465](#) T. Ramer, 1418 Wayridge Dr., # 101, Madison - vehicle damage - \$88.30.
104. [09521](#) S. Barr, 1750 Fordem Ave., #402, Madison - vehicle damage - \$765.02.
105. [09522](#) T. Bubon and J. Betters-Bubon, 2402 Commonwealth Ave., Madison - property damage - \$1,809.00.
106. [09523](#) NOTICE OF CLAIM: D. Dieck, 30 Rough Lee Ct., Madison - property damage - amount to be determined.
107. [09524](#) P. Runhaar, 10 Connor Ct., Madison - property damage - \$757.81.
108. [09525](#) J. Dyar, 1209 S. Midvale Blvd., Apt. D, Madison - vehicle damage - \$1,312.36.
109. [09526](#) E. Armstrong, 883 Chandler Ln., Sun Prairie - vehicle damage - \$863.49.
110. [09527](#) J. Cerasani, 3557 Sargent St., Madison - vehicle damage - \$185.42.
111. [09585](#) Darla Saxby of American Family Insurance for B. Hogoboom, 5152 Spring Ct., Madison - vehicle damage - \$1,662.90.

**CLAIMS - REFER TO CITY ATTORNEY**

112. [09514](#) S. Barr, 2434 Sommers Ave., Madison - excessive assessment - amount to be determined.

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