



# City of Madison

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

## Proceedings - Approved COMMON COUNCIL

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Tuesday, March 18, 2008

6:30 PM

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

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**Roll Call at 6:32 p.m., Ald. Verveer in the Chair.**

**Present:** 17 -

Jed Sanborn; Brenda K. Konkel; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Paul E. Skidmore; Tim Gruber; Satya V. Rhodes Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Mark Clear

**Excused:** 4 -

David J. Cieslewicz; Brian L. Solomon; Julia S. Kerr and Thuy Pham-Remmele

### SUSPENSION OF RULES

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

**A motion was made by Ald. Bruer, seconded by Ald. Rhodes Conway, to Suspend the Rules. The motion passed by voice vote/other.**

### 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.

**Sponsors:** Tim Bruer, Marsha A. Rummel and Thuy Pham-Remmele

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

Enactment No: RES-08-00275

**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 #: 27, 28, 32, 33, 60 and public hearing items (2-10) on a motion made by Ald. Bruer, seconded by Ald. Brandon.

**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.

**Sponsors:** Lauren Cnare

**A motion was made by Ald. Bruer, seconded by Ald. Cnare, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**

Enactment No: ORD-08-00036

**REPORT OF PLAN COMMISSION**

3. [06956](#) AMENDED 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.

**Sponsors:** Brenda K. Konkel

With the following amendment(s): add 'No demolition by fire shall be allowed on days an Air Quality watch or Air Quality Advisory has been issued by the Department of Natural Resources for particulate pollution' at the end of 1(g), Demolition by Fire; add 'the applicant shall provide' and strike 'shall be provided' in the first sentence of 1(g); strike 'five hundred (500) feet and replace with 'one thousand (1000) feet in 1(g); strike 'must' and replace with 'should', strike 'and' and replace with 'or' and strike 'If no neighborhood plan or neighborhood conservation district exists, the proposed use shall be compatible with the neighborhood's character, massing, and density' in Section 1(b); change all references in the ordinance from '1946' to '1940' and strike 'For buildings constructed prior to 1946' in Section 1(c) 1.d. The motion passed by voice vote/other.

A motion was made by Ald. Konkel, seconded by Ald. Rummel to Adopt the following amendment: add "No demolition by fire shall occur if there are residences within 500 feet of the structure to be burned" at the end of Section 1(g). The motion FAILED by voice vote/other.

A motion was made by Ald. Compton, seconded by Ald. Sanborn to Adopt the following amendment: strike 'sixty (60) days notice of demolition' and replace with 'thirty (30) days notice of demolition' in Section 1(b) 2. The motion FAILED by voice vote/other.

**A motion was made by Ald. Bruer, seconded by Ald. Gruber, to Adopt and Close the Public Hearing with amendments. The motion passed by voice vote/other.**

Enactment No: ORD-08-00041

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.

**Sponsors:** David J. Cieslewicz, Lauren Cnare and Robbie Webber

**A motion was made by Ald. Bruer, seconded by Ald. Rhodes Conway, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**

Enactment No: ORD-08-00039

**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)
- Sponsors:** BOARD OF PUBLIC WORKS
- 2 Registrant(s) in opposition wishing to speak; 2 Registrant(s) neither in support nor opposition wishing to speak; 1 Registrant(s) in opposition not wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Gruber, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-08-00323
6. [09204](#) Approving Plans, Specifications, And Schedule Of Assessments For Sanitary Sewer Replacement with Resurfacing - East Gorham Street 2008. (2nd AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Gruber, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-08-00324
7. [09205](#) Approving Plans, Specifications, And Schedule Of Assessments For Sanitary Sewer Replacement with Resurfacing Central Assessment District 2008. (Various ADs)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Gruber, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-08-00325
8. [09366](#) Approving Plans, Specifications, And Schedule Of Assessments For Jean Street and Leitch Court Reconstruction Assessment District - 2008. (2nd AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Rhodes Conway, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-08-00326

9. [09367](#) Approving Plans, Specifications, And Schedule Of Assessments For North Pinckney Street Reconstruction Assessment District - 2008. (2nd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Rhodes Conway, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**

Enactment No: RES-08-00327

#### 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.

**Sponsors:** Common Council By Request

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

**A motion was made by Ald. Bruer, seconded by Ald. Konkel, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**

Enactment No: ORD-08-00040

#### 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)

**Sponsors:** David J. Cieslewicz

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

12. [09542](#) Report of the Mayor submitting alder committee appointments (3-18-2008).

**Sponsors:** David J. Cieslewicz

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

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

**Sponsors:** David J. Cieslewicz

Confirm at the 4/8/08 Common Council Meeting.

**A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 4/8/2008. The motion passed by voice vote/other.**

## **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.

**Sponsors:** Lauren Cnare, Brian L. Solomon, Brenda K. Konkel and Michael Schumacher

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

Enactment No: RES-08-00276

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

**Sponsors:** Lauren Cnare and Michael Schumacher

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

Enactment No: RES-08-00277

## **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.

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

## 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.

**Sponsors:** Satya V. Rhodes Conway and Michael Schumacher

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

Enactment No: RES-08-00278

18. [09119](#) 2008 Public Health Contract with the Department of Natural Resources for Testing Transient Non-Community Public Water Systems.

**Sponsors:** Lauren Cnare

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

Enactment No: RES-08-00279

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.

**Sponsors:** David J. Cieslewicz and Satya V. Rhodes Conway

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

Enactment No: RES-08-00280

20. [09264](#) Approving Facade Improvement Grant to: 11 North Allen Street (The Froth House).

**Sponsors:** Robbie Webber

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

**Excused:** 4 -

Brian L. Solomon; Julia S. Kerr; Thuy Pham-Remmele and David J. Cieslewicz

**Ayes:** 16 -

Brenda K. Konkell; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Paul E. Skidmore; Tim Gruber; Satya V. Rhodes Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Mark Clear

Noes: 1 -

Jed Sanborn

Enactment No: RES-08-00281

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.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00282

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.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00283

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.

**Sponsors:** Tim Bruer, Thuy Pham-Remmele and Marsha A. Rummel

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

Enactment No: RES-08-00284

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.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00285

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.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00286

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.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00287

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.

**Sponsors:** Larry Palm, Marsha A. Rummel and Brenda K. Konkell

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

**A substitute motion was made by Ald. Compton, seconded by Ald. Sanborn to Refer to the Common Council Meeting of 4/8/08. The motion failed by voice vote/other.**

Enactment No: RES-08-00288

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.

**Sponsors:** David J. Cieslewicz

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

**Excused:** 4 -

Brian L. Solomon; Julia S. Kerr; Thuy Pham-Remmele and David J. Cieslewicz

**Ayes:** 16 -

Jed Sanborn; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Paul E. Skidmore; Tim Gruber; Satya V. Rhodes Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Mark Clear

**Abstentions:** 1 -

Brenda K. Konkel

Enactment No: RES-08-00329

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.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00037

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.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00038

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.

**Sponsors:** David J. Cieslewicz and Satya V. Rhodes Conway

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

Enactment No: RES-08-00289

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.

**Sponsors:** Michael E. Verveer

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

**Excused:** 4 -

Brian L. Solomon; Julia S. Kerr; Thuy Pham-Remmele and David J. Cieslewicz

**Ayes:** 12 -

Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Tim Gruber; Satya V. Rhodes Conway; Tim Bruer; Larry Palm; Judy Compton and Mark Clear

**Noes:** 5 -

Brenda K. Konkell; Paul E. Skidmore; Joseph R. Clausius; Michael Schumacher and Jed Sanborn

Enactment No: RES-08-00330

#### REPORT OF BOARD OF PUBLIC WORKS

33. [08995](#) AMENDED SUBSTITUTE - Awarding Public Works Contract No. 6105, Sachs Street Reconstruction & N. Marquette Street Sanitary Replacement.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt With Amendment(s) as follows: add "BE IT FURTHER RESOLVED, that Mandt Sandfill Trust having failed to meet the conditions set out above, the contract is awarded to R.G. Huston Company, Inc.; and BE IT FURTHER RESOLVED, that the City will execute a change order to Contract 6015 extending the interim and final completion dates for the contract to May 15 and June 23 respectively and will execute a change order to Contract 6069 extending the completion date to July 6, 2008." after the second "BE IT RESOLVED" clause. The motion passed by voice vote/other.**

Enactment No: RES-08-00331

34. [09108](#) SUBSTITUTE - Awarding Public Works Contract No. 6150, Sanitary Sewer Replacement with Resurfacing East Assessment District - 2008.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00290
35. [09263](#) Improvements accepted for Bridge Repairs - 2007, Contract No. 5937. (Various ADs)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00291
36. [09266](#) Improvements accepted for Hoard Street, Upham Street & Seventh Street Reconstruction Street Assessment District - 2006, Contract No. 5936. (12th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00292
37. [09268](#) Improvements accepted for Pearson Street, Pierstorff Street & Wright Street Reconstruction Assessment District - 2005, Contract No. 5803. (17th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00293
38. [09295](#) Accepting improvements and assessing benefits for 600 W. Main Street Streetlight Improvement District. (4th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00294

39. [09296](#) Accepting improvements and assessing benefits for 6300-6500 Milwaukee Street Streetlight Improvement District. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00295

40. [09303](#) Improvements accepted for Water Main by Private Contract to serve: Crosswinds at Hawks Landing - Phase 2 (1st AD).

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00296

41. [09317](#) Improvements Accepted for Cypress Spray Park Contract #5980 (14th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00297

42. [09318](#) Accepting improvements and assessing benefits for Reston Heights Drive Streetlight Improvement District. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00298

43. [09319](#) To establish assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived).

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00299

44. [09334](#) Improvements Accepted for Architectural Services for Goodman Maintenance Facility Contract #5848 (13th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00300

45. [09355](#) Awarding Public Works Contract No. 6077, Annual Sawcutting of Concrete Sidewalk & Incidental Work. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00301

46. [09356](#) Awarding Public Works Contract No. 6103, Sidewalk and Curb & Gutter, Citywide Installation and Repair - 2008. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00302

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)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00303

48. [09358](#) Assessing Benefits - Buena Vista, Garrison, and Lindberg Streets Reconstruction Assessment District - 2007. (6th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00304

49. [09359](#) Assessing Benefits - Dixon, Fairview, and Ryan Streets Reconstruction Assessment District - 2007. (6th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00305
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)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00306
51. [09363](#) Improvements accepted for Danbury Street Assessment District - 2006, Contract No. 5114. (10th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00307
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)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00308
53. [09365](#) Improvements accepted for 2006 Resurfacing Various Streets; Grinding & Pulverizing, Contract No. 5908. (Various ADs)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-08-00309

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)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00310

55. [09371](#) Assessing Benefits Northeast Industrial Area Phase 2 Assessment District. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00311

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)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00312

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)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00313

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)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00314

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)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00315

#### 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.

**Sponsors:** Michael Schumacher

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

**A substitute motion was made by Ald. Compton, seconded by Ald. Bruer to Refer to the Common Council Meeting 4/8/08. The motion failed by voice vote/other.**

Enactment No: RES-08-00332

#### RECESS

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Take A Recess at 9:05 p.m. The motion passed by voice vote/other.**

**RECONVENE****Roll Call at 9:17 p.m., Ald. Verveer in the Chair.****Late: Ald. Compton (9:20 p.m.)****Present:** 17 -

Jed Sanborn; Brenda K. Konkel; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Paul E. Skidmore; Tim Gruber; Satya V. Rhodes Conway; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Mark Clear

**Excused:** 4 -

David J. Cieslewicz; Brian L. Solomon; Julia S. Kerr and Thuy Pham-Remmele

**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.
- Sponsors:** Joseph R. Clausius
- 1 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00316
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.
- Sponsors:** Paul E. Skidmore
- A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00317
63. [09437](#) Approving the final plat of Tradesmen Commerce Park located at 4131 Marsh Road. 16th Ald. Dist.
- Sponsors:** Common Council By Request
- 1 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00318

**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.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00319

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.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00320

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.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00321

67. [09574](#) Approving a Certified Survey Map of property owned by Ten Twenty-Two, LLC at 101-109 N. Franklin Street. 2nd Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00322

## REPORT OF RISK MANAGER

68. [07573](#) American Family Insurance for P. Howarth-Burns, 603 Wingra St., Madison - property damage - \$750.00.

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

69. [08329](#) G. and S. Hollman, 5760 Bittersweet Pl., Madison - property damage - \$316.00.

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

70. [08570](#) R. Arthur, 2105 E. Washington Ave., #2, Madison - vehicle damage - \$224.08.

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

71. [08739](#) D. Sikorski, 114 State St., # 4, Madison - vehicle damage - \$26.38.

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

72. [08740](#) J. Giles, 815 N. College Ave., # 11, Bloomington, IN - vehicle damage - \$119.62.

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

73. [08962](#) S. Gessler, 30 Geronimo Cir., Madison - property damage - \$57.99.

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

74. [09242](#) A. Meyer, 511 W. Main St., #12, Madison - vehicle damage - \$861.83.

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

**INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE -  
Referred on a motion made by Ald. Bruer, seconded by Ald. Brandon.**

**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.

**Sponsors:** Michael Schumacher and Joseph R. Clausius

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

76. [08905](#) Approving the selection and purchase of Morning Pride firefighter safety gear from Jefferson Fire & Safety.

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

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

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.

**Sponsors:** Satya V. Rhodes Conway

Additional Referral(s): Commission on the Environment

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

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.

**Sponsors:** Joseph R. Clausius, Brenda K. Konkell and Michael Schumacher

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

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.

**Sponsors:** Joseph R. Clausius, Michael Schumacher and Marsha A. Rummel

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

80. [09487](#) Accepting the report entitled "Property and Evidence Storage and Retention Report."

**Sponsors:** David J. Cieslewicz

Additional Referral(s): Plan Commission, Public Safety Review Board, Common Council Organizational Committee

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

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.

**Sponsors:** David J. Cieslewicz

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

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

**Sponsors:** Joseph R. Clausius and Larry Palm

Additional Referral(s): Plan Commission

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

83. [09512](#) Setting a goal of 65% waste diversion by recycling and composting for 2010 with progress towards the ultimate goal of zero waste.

**Sponsors:** Tim Gruber, Larry Palm, Satya V. Rhodes Conway and Robbie Webber

Additional Referral(s): Commission on the Environment

**This Resolution was Refer to the SOLID WASTE ADVISORY COMMITTEE**

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.

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

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

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.

**Sponsors:** Michael E. Verveer

Adopt at the 4/8/08 Common Council Meeting.

**This Resolution was Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 4/8/2008**

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.

**Sponsors:** Thuy Pham-Remmele

Adopt at the 4/8/08 Common Council Meeting.

**This Resolution was Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 4/8/2008**

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.

**Sponsors:** Satya V. Rhodes Conway, Joseph R. Clausius, Robbie Webber and Paul E. Skidmore

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

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.

**Sponsors:** Satya V. Rhodes Conway, Joseph R. Clausius, Robbie Webber and Paul E. Skidmore

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

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.

Sponsors: David J. Cieslewicz

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

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.

Sponsors: Michael E. Verveer

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

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.

Sponsors: Judy Compton, Larry Palm and Lauren Cnare

Additional Referral(s): Urban Design Commission, Pedestrian/Bicycle/Motor Vehicle Commission, Long Range Transportation Planning Commission, Transit and Parking Commission, Board of Park Commissioners, Board of Estimates

**This Resolution was Refer to the PLAN COMMISSION**

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).

Sponsors: David J. Cieslewicz

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

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.

Sponsors: Joseph R. Clausius

**This Resolution was Refer to the PLAN COMMISSION**

94. [09565](#) Designating the Wisconsin State Journal as the official newspaper of the City of Madison.

Sponsors: David J. Cieslewicz

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

#### REPORTS

95. [09488](#) Report of CCOC Sister Cities Grant Review Subcommittee - 2008 Final Report & Recommendations for 2008 Sister City Grant Program  
Additional Referral(s): Common Council Organizational Committee, Common Council Meeting 4/22/08

**This Report was Refer to the BOARD OF ESTIMATES**

#### 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.

**INTRODUCTION OF ITEMS FROM THE FLOOR**

113. [09649](#) To establish the Downtown Hotel Feasibility Study Committee and to designate and confirm its members. Additionally, to amend the 2008 Capital Budget TID25-Wilson Street Corridor to purchase services for a Downtown Hotel Feasibility Study.

**Sponsors:** David J. Cieslewicz and Marsha A. Rummel

**A motion was made by Ald. Rummel, seconded by Ald. Bruer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

114. [09659](#) Recognizing the contributions of Madison City Channel to the community, requesting development of a plan to identify alternative funding options for Madison City Channel and calling on the State Legislature to pass legislation protecting existing funding for Madison City Channel.

**Sponsors:** Judy Compton, David J. Cieslewicz, Mark Clear, Michael Schumacher, Joseph R. Clausius, Larry Palm, Tim Bruer, Satya V. Rhodes Conway, Michael E. Verveer, Tim Gruber, Brenda K. Konkel, Lauren Cnare, Robbie Webber, Marsha A. Rummel and Paul E. Skidmore

Adopt at the 4/8/08 Common Council Meeting.

**A motion was made by Ald. Compton, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 4/8/2008. The motion passed by voice vote/other.**

**ADJOURNMENT**

**A motion was made by Ald. Bruer, seconded by Ald. Rhodes Conway, to Adjourn at 10:07 p.m. The motion passed by voice vote/other.**

I certify that the foregoing action of the Common Council was approved by the Mayor on March 20, 2008.

Ordinances published April 4, 2008.

MARIBETH WITZEL-BEHL, CITY CLERK