



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, September 6, 2005

6:30 PM

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

SPEAKING GUIDELINES

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.

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

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

The consent agenda will be considered following Public Hearings.

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

NOTIFIED ABSENCES: Ald. Konkell

Roll Call at 6:35 p.m., Mayor Cieslewicz in the chair. (Late: Ald. Compton, 6:38 p.m.)

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

Excused: Konkell

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 Van Rooy, seconded by President Pro Tem Rosas, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

RESOLUTIONS

1. [01946](#) Commending and congratulating Sharon Christensen on being awarded the Wisconsin Municipal Clerks Association 2005 Lifetime Achievement Award.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00684

2. [01928](#) Honoring the late Ellsworth Snyder for his contributions to the City of Madison's Arts Commission and his numerous contributions to the arts in Madison.
1 Registrant(s) in support wishing to speak.
A motion was made by Ald. Verveer, seconded by Council President Van Rooy, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00685

3. [01942](#) That the lake rescue boat of the City of Madison Fire Department Lake Rescue Team carry the name "The Chamberlin" in honor of Firefighter (Ret.) Ralph E. Chamberlin.
A motion was made by Ald. Verveer, seconded by Council President Van Rooy, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00686

PETITIONS AND COMMUNICATIONS

PETITIONS

4. [01878](#) Petition dated July 25, 2005 from L. & P. Roe re: direct annexation from the Town of Blooming Grove to the City of Madison.
Due back at the 9/20/05 Common Council Meeting.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Refer to the PLAN COMMISSION, due back on September 20, 2005. The motion passed by acclamation.

BUSINESS BY THE MAYOR

APPOINTMENTS

5. [01862](#) Report of the Mayor submitting alder committee appointments.
A motion was made by Council President Van Rooy, seconded by Ald. Olson, to Confirm. The motion passed by acclamation.

6. [01864](#) Report of the Mayor submitting citizen committee appointments (introduced 9-6-05; action 9-20-05)
Confirm at the 9/20/05 Common Council Meeting.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm for September 20, 2005. The motion passed by acclamation.**

RESOLUTIONS

7. [01941](#) Authorizing the Mayor and Chief of Police to accept donated funds in support of the Operation Peacekeeper project as a proactive initiative to address weapons issues in the City of Madison.
- A motion was made by Council President Van Rooy, seconded by Ald. Brandon, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00687

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

ORDINANCES

8. [01844](#) Amending Section 2.01(1) of the Madison General Ordinances to set the Common Council meeting dates for 2006.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00145

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

9. [01317](#) Creating Section 28.06(2)(a)3113 of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Church, Offices, Mixed Use & Open Space; 9th Aldermanic District: 9602 Mineral Point Road.
- Public Hearing Closed. 2 registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt with Amended Condition(s) by adding the following language to condition 4 (on page 6 of the staff report): The Transportation Demand Management Plan shall be referred to the Ped Bike Motor Vehicle Commission for that commission's review and comment, on a motion by Ald. Golden, seconded by Ald. Olson. The motion passed by acclamation.**
- Enactment No:** ORD-05-00146

REPORT OF ALCOHOL REVIEW COMMITTEE

10. [01252](#) Public Hearing - New License
Salon Centinela, LLC • dba Salon Centinela
5018 Blazing Star Drive • Agent: Jeanette Leon
Class B Beer
Public Hearing Closed.

A motion was made by Council President Van Rooy, seconded by Ald. Olson, to Place On File Without Prejudice. The motion passed by acclamation.

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

11. [01623](#) Public Hearing - New License
WI Houli, LLC • dba Houlihan's • capacity of 325
1262 John Q Hammons Drive • Agent: Susan Getgen
Class B Combination Liquor & Beer • 20% alcohol, 80% food

A motion was made by Council President Van Rooy, seconded by Ald. Olson, to Grant and Close the Public Hearing. The motion passed by acclamation.

12. [01624](#) Public Hearing - New License
Red Door Productions, LLC • dba Mini Bar • estimated capacity of 102
320 N. Randall Avenue • Agent: Nicholas Wember
Class B Combination Liquor & Beer • 70% alcohol, 29% food
Applicant withdrew application.

A motion was made by Council President Van Rooy, seconded by Ald. Olson, to Place On File and Close the Public Hearing. The motion passed by acclamation.

13. [01625](#) Public Hearing - New License
McGoff, LLC • dba The Stadium Bar & Eatery • estimated capacity of 255
1419 Monroe Street • Agent: Thomas Beach
Class B Combination Liquor & Beer • 70% alcohol, 30% food

A motion was made by Council President Van Rooy, seconded by Ald. Olson, to Grant and Close the Public Hearing. The motion passed by acclamation.

REPORT OF BOARD OF PUBLIC WORKS

14. [00338](#) Approving plans, specifications, and schedule of assessments for Interstate Commerce Park-Phase 1 Assessment District-2005, and amending the 2005 Capital Budget by \$1,770,360. (17th AD)
4 Registrant(s) in support not wishing to speak. Adopt at the 9/20/05 Common Council Meeting.

A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on September 20, 2005. The motion passed by acclamation.

15. [01672](#) Approving Plans, Specifications, And Schedule Of Assessments For First Street Reconstruction Assessment District - 2005 (6th AD)
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00688
16. [01769](#) Approving Plans, Specifications, And Schedule Of Assessments for Harvest Hill Road Sidewalk Assessment District - 2005. (9th AD)
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00689
17. [01770](#) Approving Plans, Specifications, And Schedule Of Assessments For Advance Road Street Assessment District - 2005 (16th AD)
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00690
18. [01771](#) Approving Plans, Specifications, And Schedule Of Assessments For East Washington Avenue Phase 2 Sanitary Lateral Replacements. (6th & 2nd ADs)
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00691

REPORT OF PLAN COMMISSION

19. [01626](#) Creating Section 28.06(2)(a)3114. of the Madison General Ordinances rezoning property from Temp A Agriculture District to C1 Limited Commercial District. Proposed Use: Future Commercial Use; 5434 Commercial Avenue: 17th Aldermanic District.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.

20. [01627](#) Creating Section 28.06(2)(a)3115. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a) 3116. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Existing Structure and Build Convenience Store with Gas Sales; 401 North Third Street: 12th Aldermanic District.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. 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 Agenda #'s: 34, 35, 47, 48, 50, 51, 97, 116, & 121 on a motion by President Van Rooy, seconded by Ald. Verveer.

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.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

21. [01289](#) Application for Change of Licensed Premise
Raymond Sze • dba Nam's Noodle • capacity of 67
1336 Regent Street
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Request to change conditions to allow live music and DJ events.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.**
22. [01529](#) Operator License Application
Richard Remington, 2349 Upham Street, Apt. 1
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.**
23. [01579](#) Nightclub License Application
Spices Restaurante, Inc. • dba Frida Mexican Grill • capacity of 160
117 State Street • New Agent: Mohamed Barketalleh
Class B Combination Liquor & Beer • 30% alcohol, 70% food
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.**

24. 01581 Application for Change of Licensed Premise
Whole Foods Market Group, Inc. • dba Whole Foods Market
3313 University Avenue • Agent: Paul Sigmund
Class B Combination Liquor & Beer • 4% alcohol, 84% food
Request to allow free beer & wine tastings on premises.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.
25. 01644 Application for Change of Licensed Premise
Echo Tap, Inc. • dba Echo Tap & Grill • capacity 131
554 W. Main Street • Agent: Patrick H. Rynes
Class B Combination Liquor & Beer • 65% alcohol, 35% food
Request to add outdoor seating for 29 behind establishment.
1 Registrant(s) in support not wishing to speak.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
26. 01662 Center for Visual & Performing Arts Application
Brice P's, Inc. • dba Regent Street Retreat • capacity of 625
1206 Regent Street • Agent: Bruce Gerhartz
Class B Combination Liquor & Beer • 70% alcohol, 30% food

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
27. 01721 Application for Change of Licensed Premise
2 Beans, LLC • dba Real Chili • capacity of 67
449 State Street #A • Agent: Aaron Upton
Class B Beer • 5% alcohol, 95% food
Request to add sidewalk cafe to licensed premise.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
28. 01731 Nightclub License Application
Tornado, Inc. • dba Tornado Steak House • Capacity of 221
116 S. Hamilton Street • Agent: Henry Doane
Class B Combination Liquor & Beer • 40% alcohol, 60% food

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
29. 01733 Center for Visual & Performing Arts Application
Jackal, Inc. • dba High Noon Saloon • capacity of 400
701 E. Washington Avenue • Agent: Catherine Dethmers
Class B Combination Liquor & Beer • 95% alcohol, 5% food

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

30. [01735](#) Center for Visual & Performing Arts License Application
Hoops of Dane County, Inc. • dba Tailgators • capacity of 167
3737 E. Washington Avenue • Agent: Dale Beck
Class B Combination Liquor & Beer • 65% alcohol, 35% food
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
31. [01739](#) Application for Change of Licensed Premise
Hoops of Dane County, Inc. • dba Tailgators • capacity of 167
3737 E. Washington Avenue • Agent: Dale Beck
Class B Combination Liquor & Beer • 65% alcohol, 35% food
Request to add fenced outside eating area.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
32. [01740](#) Application for Change of Licensed Premise
Dailey and Company, Inc. • dba Buck's Madison Square Garden • capacity 181
802 Regent Street • Agent: James Dailey
Class B Combination Liquor & Beer • 60% alcohol, 40% food
Request to add enclosed 7'x20' outdoor seating area with 3 picnic tables.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
33. [01741](#) Nightclub License Application
State Street Brathaus of Madison, Inc. • State Street Brats • Capacity of 450
603 State Street • Agent: Kelly Meuer
Class B Combination Liquor & Beer • 51% alcohol, 49% food
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
34. [01743](#) Application for Change of Licensed Premise
The Grid, LLC • dba Grid Iron • capacity 266
1509 Monroe Street • Agent: Robert Sieger
Class B Combination Liquor & Beer • 90% alcohol, 10% food
Request to change current conditions.
A motion was made by Ald. Knox, Jr., seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.
35. [01744](#) Application for Change of Licensed Premise
LWS Investments Two, LLC • Good Times Neighborhood Bar • capacity 99
47 S. Stoughton Road • Agent: Lawrence Schmock
Class B Combination Liquor & Beer • 85% alcohol, 15% food
Request to add patio/deck to licensed premise.
A motion was made by Council President Van Rooy, seconded by Ald. Olson, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.

36. [01745](#) Application for Change of Licensed Premise
Schmock & Schmock • dba Blue Moon Bar & Grill • capacity 99
2535 University Avenue
Class B Combination Liquor & Beer • 76% alcohol, 24% food
Request to add patio to licensed premise.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
37. [01746](#) Nightclub License Application
McGoff, LLC • Stadium Sports Bar & Eatery • Capacity of 255
1419 Monroe Street • Agent: Thomas Beach
Class B Combination Liquor & Beer • 70% alcohol, 30% food
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
38. [01747](#) Change of Agent
Spices Restaurante Inc • Frida Mexican Grill • capacity of 160 • 117 State St.
Old Agent: Vincenzo Amodeo • New Agent: Mohamed Barketalleh
Class B Combination Liquor & Beer • 30% alcohol, 70% food
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
39. [01752](#) Nightclub License Application
Curt Vaughn Brink LLC • Curt Vaughn Brink Experience • Capacity of 230
701 E. Washington Avenue #105 • Agent: Curt Brink
Class B Combination Liquor & Beer • 90% alcohol, 10% food
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
40. [01754](#) Application for Change of Licensed Premise
Rinell A. Brown • dba Dutchmill Sports Club • capacity 160
4818 Dutchmill Road
Class B Combination Liquor & Beer • 85% alcohol, 15% food
Request to add outdoor, fenced-in area to licensed premise from 1:00 to 10:00 p.m. on Saturday, September 10.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
41. [01755](#) Nightclub License Application
Pacifico's Mexican Grill, Inc. • dba Pacifico's
1617 N. Stoughton Road • Agent: Martha Hernandez
Class B Combination Liquor & Beer • 29% alcohol, 71% food
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

42. [01761](#) Center for Visual & Performing Arts License Application
Club Majestic, LLC • dba Club Majestic • Capacity of 472
115 King Street • Agent: Anthony Schiavo
Class B Combination Liquor & Beer • 90% alcohol, 10% food
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
43. [01827](#) Alcohol License Review Committee
August 31, 2005, Report of Operator License Applications (New & Renewal)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF ESTIMATES

44. [00811](#) Establishing guidelines for the use of funds received for the Inclusionary Zoning Special Revenue Fund.
1 Registrant(s) in support not wishing to speak.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00692
45. [01692](#) Approving Facade Improvement Grants to: 128 State Street (Tiger Lily), 113 East Mifflin Street (Bartell Theatre) and 2600 West Beltline Highway (Johannsen's Greenhouses).
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00693
46. [01710](#) To authorize the Mayor and City Clerk to enter into a contract on behalf of the City with Chase Bank USA, National Association for credit cards services for limited purchase of goods and services by pre-approved City employees via the JP Morgan Chase Commercial Card program.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00694

47. [01713](#) Authorizing an amendment of the Planning and Development 2005 Capital Budget project #8, "Preliminary Planning," to authorize expenditures of up to \$250,000 from available funds.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Konkel
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Golden, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00695
48. [01716](#) SUBSTITUTE--Creating Tax Incremental Finance (TIF) District #36 (Capitol Gateway Corridor) City of Madison and approving a Project Plan and Boundary for said TIF District.
- 1 Registrant(s) in support wishing to speak. 2 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. Olson, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00696
49. [01718](#) Amending the permanent salary detail of the Mayor's Office's 2005 Operating budget.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00697
50. [01722](#) Authorizing expenditure of \$50,000 from the Planning and Development Preliminary Planning capital account in support of the continuing Dane County BUILD (Better Urban Infill Development) program in conjunction with the East Washington Capitol Gateway Corridor land use planning and authorizing addenda to existing consultant contracts for the additional work.
- 1 Registrant(s) in support wishing to speak. 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. Olson, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00698

51. [01723](#) Authorizing an amendment of the Traffic Engineering 2005 Capital Budget to transfer \$24,000 from TE Traffic Safety Infrastructure (Project #5, page 276) to the Traffic Engineering Building Improvement project (project #6, page 277) in support of the Sayle Street shop heating system repair project and awarding the public works contract for bids opened 7-15-05 for the Sayle Street building heating system repair project.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:

Excused: 1 - Konkel

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

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: RES-05-00699

52. [01728](#) Authorizing the City to apply for a State Department of Transportation (DOT) Transportation Facilities Economic Assistance (TEA) Grant Application, and authorizing the Mayor and City Clerk to execute a TEA Jobs Guarantee with the State DOT, and to execute a Project Agreement with Mortenson Investment Group (a developer) for a transportation infrastructure project on Todd Drive and West Beltline Frontage Road.

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

Enactment No: RES-05-00700

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

53. [01666](#) To authorize the Mayor and City Clerk to enter into a contract on behalf of the City, with the University of Wisconsin System Board of Regents/School of Nursing to allow the use of the Madison Department of Public Health as a clinical education site for nursing students.

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

Enactment No: RES-05-00701

REPORT OF BOARD OF PUBLIC WORKS - BIDS

54. [01719](#) Awarding Public Works Contract for Bids Opened July 29, 2005 and August 12, 2005.

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

Enactment No: RES-05-00702

REPORT OF BOARD OF PUBLIC WORKS

55. [01562](#) SUBSTITUTE - Determining a Public Purpose and necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for planned public storm and sanitary sewer improvements associated with City of Madison Engineering Division Corry Street Reconstruction project, City of Madison, Dane County, Wisconsin and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of necessary land interests. (6th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00703
56. [01634](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on East Washington Avenue from N Dickinson Street to Fourth Street and on First Street from East Johnson Street to Winnebago Street. (2nd, 6th & 12th ADs)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00704
57. [01667](#) To establish assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived). (Various ADs)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00705
58. [01691](#) Authorizing the Mayor and City Clerk to execute Addendum No. 1 to the Contract For Subdivision Improvements for Cardinal Glenn - Phase I, Contract No. 2028. (9th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00706
59. [01738](#) Authorizing the City of Madison and the University of Wisconsin - Madison to enter into an agreement for maintenance of North Murray Street from Regent Street to West Dayton Street. (4th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00707
60. [01753](#) Authorizing the Mayor and City Clerk to execute an agreement with Madison Metropolitan Sewerage District (MMSD) for cost sharing for the resurfacing of Advance Road from Pflaum Road to Helgesen Drive. (16th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00708

61. [01760](#) Authorizing the Mayor and City Clerk to Execute A Release of Declaration of Conditions, Covenants, and Restrictions for Lots 4, 5, and 6, Madison Corporate Center. (15th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00709
62. [01767](#) Authorizing the Mayor and City Clerk to execute a Release of the Deed Restriction on Lot 197, Reston Heights. (3rd AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00710
63. [01768](#) Declaring the City of Madison's intention to exercise its police powers establishing the East Washington Avenue Phase 2 Sanitary Lateral Replacements. (6th & 2nd ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00711
64. [01772](#) Authorizing the Mayor and City Clerk to enter into a contract with MSA Professional Services for surveying services entitled "2005 Street and Sewer Reconstruction Surveys". (Various ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00712
65. [01773](#) Declaring the City of Madison's intention to exercise its police powers establishing the Advance Road Street Assessment District - 2005. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00713
66. [01774](#) Declaring the City of Madison's intention to exercise its police powers establishing the Harvest Hill Road Sidewalk Assessment District - 2005. (9th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00714
67. [01775](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for Lakelawn Place PUD, Private Contract No. 1863. (2nd AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00715

68. [01776](#) Approving plans and specifications for Bartillon Drive from Kinsman Blvd to Portage Road and USH 51 and authorizing the Mayor and City Clerk to enter into an agreement with the Wisconsin Department of Transportation for the work. (17th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00716
69. [01777](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for "Wingra Park Shoreline & Dredging". (10th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00717
70. [01778](#) Approving plans and specifications for public improvements required to serve Phase IV of the Subdivision known as High Crossing Fifth Addition and authorizing construction to be undertaken by the Developer, Private Contract No. 2060. (17th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00718
71. [01779](#) Approving plans and specifications for public improvements required to serve Phase IV of the Subdivision known as Crosswinds At Hawks Landing and authorizing construction to be undertaken by the Developer, Private Contract No. 2059. (1st AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00719
72. [01780](#) Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Owl's Creek and authorizing construction to be undertaken by the Developer, Private Contract No. 2054. (16th AD).
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00720
73. [01781](#) Approving plans and specifications for public improvements required to serve Phase II of the Subdivision known as Owl's Creek and authorizing construction to be undertaken by the Developer, Private Contract No. 2055. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00721

74. [01794](#) Improvements accepted for Annual Construction & Reconstruction of Concrete Sidewalk & Incidental Concrete Curb & Gutter Work Ordered (District 19) by the Common Council, Contract No. 5596. (19th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00722
75. [01800](#) Authorizing the Mayor and City Clerk to execute a Cooperative Agreement Between The City of Madison and the City of Monona for the Maintenance of the West Broadway Median, between Frazier Road/South Towne Drive and Bridge Road. (14th AD & the City of Monona)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00723
76. [01805](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Fritz-Mil Certified Survey Map and authorizing construction to be undertaken by the Developer, Private Contract No. 2061. (14th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00724
77. [01806](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Buckeye Meadows and authorizing construction to be undertaken by the Developer, Private Contract No. 1872. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00725
78. [01807](#) Declaring the City of Madison's intention to exercise its police powers establishing the South Park Street Sanitary Lateral Replacements. (13th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00726
79. [01809](#) Approving plans, specifications, and schedule of assessments and authorizing the Board of Public Works to advertise and receive bids for Rosa Road Sidewalk. (19th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00727

REPORT OF BOARD OF WATER COMMISSIONERS

80. [01782](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 1 to the Professional Services Agreement with Black and Veatch Corporation for the preparation of the Water Utility's Master Plan and the Infrastructure Management Plan to include additional work, costs due to project time extension, and revisions and modifications to the Utility's system computer model.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00728

REPORT OF CITY CLERK

81. [01823](#) New Theater Licenses
Orpheum Theatre Company of Madison • Orpheum Theatre
216 State Street • Licenses 072275 and 072276
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

82. [01550](#) SUBSTITUTE - Amending Section 3.38(6)(c)3. of the Madison General Ordinances to streamline the process for aldermanic participation in the evaluation of City managers.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00147

REPORT OF COMMUNITY AND ECONOMIC DEVELOPMENT UNIT

83. [01804](#) Community Development Authority Report on Certification of 800 Block East Washington Avenue Redevelopment Plan.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

REPORT OF INSPECTION UNIT

84. [01372](#) Creating Section 22.01(10) of the Madison General Ordinances to permit enforcement of price verification scanners.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00148

REPORT OF MADISON METRO TRANSIT SYSTEM

85. [01799](#) Report re: Metro Progress Report on 2004 - 2009 State Performance Audit Recommendations (8/10/2005).
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.

REPORT OF PLAN COMMISSION

86. [01571](#) Approving the preliminary plat of "Blackhawk Church Town Center". 9th Ald. Dist.
1 Registrant(s) in support not wishing to speak.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00729
87. [01795](#) Approving the preliminary plat of "Fritz Mill, LLC Plat" located in the 2100 Block of West Badger Road. 14th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00730
88. [01824](#) Approving the final plat of "Hawk's Meadow" located at 9503 Mid-Town Road. 1st Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00731
89. [01825](#) Approving Certified Survey Map/deep residential lot of the property located at 1615 Norman Way. 19th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00732
90. [01828](#) Approving a Certified Survey Map of property owned by the University of Wisconsin Credit Union at 1433 Monroe Street. 5th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00733

91. [01829](#) Approving a Certified Survey Map of property owned by Fritz Mill, LLC at 2198 West Badger Road. 14th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00734
92. [01830](#) Approving a Certified Survey Map of property owned by the Madison Metropolitan School District at 55 South Gammon Road. 19th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00735
93. [01840](#) Reapproving the final plat of Eighth Addition to Blackhawk Subdivision located at 9702 Old Sauk Road.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00736
94. [01909](#) Reapproving the final plat of Interstate Commerce Park located on Hoepker Road and Anderson Road. 17th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00737

REPORT OF PUBLIC SAFETY REVIEW BOARD

95. [01599](#) Communication dated 6/26/05 from W. Dabbs, 4222 Dwight Drive, Madison re: parking restrictions for Continental Lane.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.

REPORT OF RISK MANAGER

96. [01563](#) American Family Insurance for H. Spangler - vehicle damage (subrogation claim) - \$4,700.00.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REFERRED TO THIS MEETING

APPOINTMENTS

97. [01709](#) Report of the Mayor submitting citizen committee appointments. (introduction 8-2-05; action 9-6-05).

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Confirm. The motion passed by the following vote:

Excused: 1 - Konkel

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

No: 0 -

Non Voting: 1 - Cieslewicz

ORDINANCES

98. [01628](#) SUBSTITUTE - Creating Section 15.01(549) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 13th and 14th Aldermanic Districts the Badger-Ann-Park Street Attachment, amending Sections 15.02(106), (57) and creating Section 15.02 (136) of the Madison General Ordinances to add portions of the attached property to Wards 106, 57 and new Ward 136, respectively, and amending Section 15.03(13) to establish Ward 136 in the 13th Aldermanic District.

Due back date to Common Council to be determined by the City Attorney's office (refer indefinitely).

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Rerefer to the COMMON COUNCIL. The motion passed by acclamation.

99. [01715](#) Creating Section 15.01(550) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to 9th Aldermanic District the Blackhawk Church Attachment and amending Section 15.02(112) of the Madison General Ordinances to add the attached property to Ward 112.

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

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

Enactment No: ORD-05-00149

PETITIONS

100. [01669](#) Petition dated July 19, 2005 from Axley Brynelson, LLP, attorney for Blackhawk Evangelical Free Church re: direct attachment from the Town of Middleton to the City of Madison.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

**NEW BUSINESS - Referred on motion of President Van Rooy,
seconded by Ald. Verveer.**

ORDINANCES

101. [01839](#) Amending, creating and repealing various sections of the Madison General Ordinances to correct inconsistencies and improper references in the Madison General Ordinances, constituting the 2005 City Attorney Revisor's Ordinance.
- Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**
102. [01841](#) Creating Section 15.01(551) of the Madison General Ordinances entitled City Boundaries and being part of the chapter entitled Aldermanic Districts and Wards annexing to the Sixteenth Aldermanic District the Roe Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(131) of the Madison General Ordinances to add the annexed property to Ward 131.
- Due back at the 9/20/05 Common Council Meeting.*
- Refer to the PLAN COMMISSION**
103. [01849](#) Creating Section 28.06(2)(a)3131. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R1 Single-Family Residence District and creating Section 28.06(2)(a)3132. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R5 General Residence District. Proposed Use: 35 Single Family Lots, 2 Multi-Family Lots, and 1 Outlot; 1st Aldermanic District: 9201 Midtown Road.
- Due back at the 10/18/05 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
104. [01850](#) Creating Section 28.06(2)(a)3127 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3128 of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Church, Parking Structure, Offices and Mixed-Use Development; 9th Aldermanic District: 9602 Mineral Point Road.
- Due back at the 10/18/05 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**

105. [01851](#) Creating Section 28.06(2)(a)3129. of the Madison General Ordinances rezoning property from R3 Single-Family and Two-Family Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3130 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: 43 Condominium Units; 6th Aldermanic District: 1833 Winnebago Street.
Due back at the 10/18/05 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

106. [01852](#) Creating Section 28.06(2)(a)3125 of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3126 of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 10 Townhouse Units; 7th Aldermanic District: 7449 East Pass.
Due back at the 10/11/05 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

107. [01853](#) Amending Secs. 1.08, 3.23, 3.35, 3.36, 3.38, 3.48, 3.51, 3.52, 3.59, 3.72, 8.35, 9.13, 11.06, 12.03, 22.14, 23.56, 27.05, 28.03, 28.04, 28.08, 28.11, 28.12, and 31.04 of the Madison General Ordinances to update references to handicapped and/or disabled utilizing People First language.

Refer to the COMMISSION ON PEOPLE WITH DISABILITIES

108. [01854](#) Amending Section 3.58(3)(a) of the Madison General Ordinances to modify the composition of the Affirmative Action Commission.
Additional Referral(s): Affirmative Action Commission

Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

109. [01855](#) Amending Section 3.62(2) of the Madison General Ordinances to modify the composition of the Commission on People with Disabilities.
Additional Referral(s): Commission on People with Disabilities

Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

110. [01856](#) Amending Section 3.23(10) of the Madison General Ordinances to modify the composition of the Equal Opportunities Commission.
Additional Referral(s): Equal Opportunities Commission

Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

111. [01865](#) Repealing Sections 8.18, 8.186, 8.187, 8.189 and recreating them as Section 8.18 of the Madison General Ordinances to unify parking regulations for City parks under one section number and add parking regulations for Henry Vilas Park, and amending Section 1.08(3)(a) of the Madison General Ordinances to update references for violations of Sections 8.18, 8.186, 8.187 and 8.189 in the bail deposit schedule.
Additional Referral(s): Transit and Parking Commission
- Refer to the BOARD OF PARK COMMISSIONERS**
112. [01881](#) Creating Section 23.05(7)(f) of the Madison General Ordinances to create a hardship exemption to the smoking regulations for taverns which meet certain requirements.
Additional Referral(s): Economic Development Commission. Due back at the 9/20/05 Common Council Meeting. 1 Registrant(s) in support not wishing to speak.
- Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY**
113. [01924](#) Amending Section 38.02 and creating Section 38.07(14) of the Madison General Ordinances to create a definition for keg and to regulate the sale and possession of alcohol beverages sold in kegs in the City of Madison.
Additional Referral(s): Public Safety Review Board
- Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**
114. [01926](#) Repealing Paragraph 4. of Subdivision (g) of Subsection (12) of Section 38.06 of the Madison General Ordinances to allow patrons to re-enter premise without repayment.
Adopt at the 9/20/05 Common Council Meeting.
- Refer to a future Meeting to Adopt**
115. [01953](#) Amending Section 11.045 of the Madison General Ordinances to delete as ordinance violations all Madison Metro transit behavioral regulations except smoking, possession of an open container of alcohol beverage or consumption of alcohol beverages.
- Refer to the TRANSIT AND PARKING COMMISSION**
116. [01954](#) Creating Section 31.04(6)(m), and amending other sections of Chapter 31, the Street Graphics Control Ordinance of the Madison General Ordinances to prohibit hand-carried or permanent signs on bridges and overpasses and to delete references to promotional banners.
Additional Referral(s): Traffic Engineering Division
- Refer to the PUBLIC SAFETY REVIEW BOARD**
117. [01971](#) Creating Section 11.06(9)(n) of the Madison General Ordinances establishing a temporary fuel charge per taxicab trip.
Additional Referral(s): Comptroller (for fiscal note)
- Refer to the TRANSIT AND PARKING COMMISSION**

118. [01985](#) Amending Sections 23.05(1) and 23.05(3)(c), repealing Sections 23.05(3)(s), (t) & (u) and amending Section 23.05(7) of the Madison General Ordinances to eliminate prohibition of smoking in certain public, non City-owned places.
Additional Referral(s): Economic Development Commission. Due back at the 9/20/05 Common Council Meeting. 1 Registrant(s) in support not wishing to speak.
Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

RESOLUTIONS

119. [01759](#) Authorizing the Mayor and Chief of Police to accept a highway safety grant totaling \$50,000 from the Wisconsin Department of Transportation for enforcement activities related to speeding and aggressive driving on Highways 12 and 18 (also known as the West and East Beltline) and roadways adjacent to the area.
Refer to the BOARD OF ESTIMATES
120. [01801](#) Vacate/discontinue Kelab Drive, formerly known and platted as Hilldale Drive by the Kelab Replat, from Segoe Road to the northeasterly terminus, in the City of Madison, Wisconsin. (11th AD)
Additional Referral(s): Plan Commission. Due back at the 10/18/05 Common Council Meeting.
Refer For Public Hearing to the BOARD OF PUBLIC WORKS
121. [01821](#) Authorizing the issuance of \$37,330,000 General Obligation Promissory Notes, Series 2005-A, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor.
Additional Referral(s): Plan Commission. Due back at the 9/20/05 Common Council Meeting.
A motion was made to Refer to the BOARD OF ESTIMATES, due back on September 20, 2005. The motion passed by the following vote:
Excused: 1 - Konkel
Aye: 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Golden, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
No: 0 -
Non Voting: 1 - Cieslewicz
122. [01836](#) That the vacant position (#1507) of Public Works Supervisor in Compensation Group 18, Range 05, in the permanent salary detail of the Parks Division budget be repealed and recreated as a position of Parks Construction Leadworker in Compensation Group 16, Range14, thereof.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES

123. [01837](#) That the position (#3652) of Planner 2 in Compensation Group 18, Range 08, (occupied by W. Schaefer) in the permanent salary detail of the Planning Unit budget is repealed and recreated as a position of Planner 3 in Compensation Group 18, Range 10, thereof, and that the incumbent shall be reallocated to said position.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
124. [01838](#) That the position (#1262) of Administrative Clerk 1, in Compensation Group 20, Range 09 (occupied by J. Cottom), in the permanent salary detail of the Parking Utility budget is repealed and recreated as an Administrative Clerk 2 in Compensation Group 20, Range 11, thereof, and that the incumbent shall be reallocated to said position.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
125. [01858](#) A resolution regarding application to the Dane County Board for exemption from Dane County Library tax levied under Section 43.64(2) Wisconsin Statutes.
Additional Referral(s): Madison Public Library Board
Refer to the BOARD OF ESTIMATES
126. [01861](#) That the position (#3432) of Engineer 2 in Compensation Group 18, Range 08, (occupied by G. Yoerger) in the permanent salary detail of the Engineering Division budget is repealed and recreated as a position of Engineer 3 in Compensation Group 18, Range 10, thereof, and that the incumbent shall be reallocated to said position.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
127. [01863](#) That the position (0.5 FTE) vacant position (#611) of Word Processing Operator 1 in Compensation Group 20, Range 06, in the permanent salary detail of the Planning and Development budget is repealed and recreated as a position of Clerk Typist 2 in Compensation Group 20, Range 06, thereof.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
128. [01880](#) Establishing an advisory referendum on Madison's Smoking Ban.
Additional Referral(s): Economic Development Commission. Due back at the 9/20/05 Common Council Meeting. 1 Registrant(s) in support not wishing to speak.
Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

129. [01921](#) Authorizing the Common Council to accept ownership from Park Street Partners and the South Madison Metropolitan Planning Council of five (5) decorative gardens within median areas of South Park Street. 13th Ald. Dist.
Additional Referral(s): Plan Commission
- Refer to the BOARD OF PUBLIC WORKS**
130. [01922](#) Authorize the increase of the Fall firefighter recruit class from 8 to 16 recruits and appropriating \$39,000 from the contingent reserve to the Fire Department's operating budget.
- Refer to the BOARD OF ESTIMATES**
131. [01923](#) Authorizing the Mayor, City Clerk and Chief of Police to accept the FY 2005 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$199,681 and to utilize these funds to support several law enforcement initiatives.
- Refer to the BOARD OF ESTIMATES**
132. [01925](#) Authorizing the Mayor and City Clerk to enter into an agreement with Laidlaw Transit Services for provision of ADA paratransit services to Metro Transit in a "Long-Term Assignment Pilot Program" through September 30, 2006.
Additional Referral(s): Transit and Parking Commission
- Refer to the BOARD OF ESTIMATES**
133. [01927](#) Authorizing the Parks Department to enter into a short term Use Agreement with Covance to allow Covance to park 350 employee vehicles at Warner Park for a fee of \$12 per stall per month.
- Refer to the BOARD OF PARK COMMISSIONERS**
135. [01937](#) Amending the 2005 Storm Water Utility Capital Budget to increase funding for Project # 14 (~~810394~~) - Upper Badger Mill Creek (810391). (1st & 7th ADs)
Additional Referral(s): Board of Public Works, Comptroller (for fiscal note)
- Refer to the BOARD OF ESTIMATES**
136. [01939](#) Authorizing the Mayor and City Clerk to execute a Lease Termination Agreement providing for the early termination of the lease with The Collins House, Inc. pertaining to 704 East Gorham Street.
- Refer to the BOARD OF ESTIMATES**
137. [01940](#) Authorizing the Mayor and City Clerk to execute a release of the Public Sanitary Sewer easement in and over Lot 14, Countryside Addition, also know as 5929 University Avenue, Madison, Wisconsin. 19th Ald. Dist.
Additional Referral(s): Plan Commission
- Refer to the BOARD OF PUBLIC WORKS**

138. [01943](#) Approving the budget for events associated with Madison's 150th celebration.
- Refer to the BOARD OF ESTIMATES**
140. [01955](#) Establishing a Glass-Free Zone for the State Street area on October 27, 2005, October 28, 2005, October 29, 2005, October 30, 2005, and October 31, 2005 from 9:30 p.m. to 6:00 a.m.
- Adopt at the 9/20/05 Common Council Meeting.*
- Refer to a future Meeting to Adopt**
141. [01956](#) To authorize the Mayor and City Clerk to sign a contract on behalf of the City with Employee Benefits Corporation (EBC) for third party administration of the city's flexible spending account, authorizing a 2-year contract for the 2006-2007 plan years, with options for renewal.
- Due back at the 9/20/05 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
142. [01961](#) Authorizing an amendment of the Traffic Engineering 2005 Capital Budget Project # 1 "Street Light Infrastructure," (Account # 810411) to authorize total expenditures of up to \$1,000,000 from available funds; Project #2, "URD/UCD Street Lighting," (Account # 810412) to authorize total expenditures of up to \$650,000 from available funds; Project #7, "Traffic Signal Infrastructure" (Account #810417) to authorize total expenditures of up to \$925,000 from available funds; Project #11, and "Semi-Permanent Pavement Marking" (Account #810436) to authorize total expenditures of up to \$450,000 from available funds.
- Refer to the BOARD OF ESTIMATES**
143. [01962](#) Substitute: Authorizing the City of Madison to use \$100,000 of available TIF funds to hire a consulting firm to assist City staff and the community in the development of a redevelopment implementation plan for the Allied area, and further authorizing the City of Madison to use up to \$150,000 of CDBG funds to acquire the property at 2330-34 Allied Drive for approximately \$35,000 and relocate the current tenants for approximately \$35,000 and demolish the property for approximately \$80,000, and amending the 2005 Planning and Development Capital Budget, project #15, "TID 29-Allied Terrace," to provide for the additional expenditure of \$100,000 from TIF funds.
- Additional Referral(s): Community Development Block Grant Commission, Comptroller's Office (for fiscal note).*
- Refer to the BOARD OF ESTIMATES**
144. [01968](#) Accepting the release of existing easements from Madison Metropolitan Sewerage District and authorizing the grant of new easements to Madison Metropolitan Sewerage District for the Northeast Interceptor Pflaum Road Sanitary Sewer Replacement Project. 16th Ald. Dist.
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF PUBLIC WORKS**

145. [01969](#) To Vacate/Discontinue Moulton Court, declare portions of Eastwood Drive and South First Street as surplus right-of-way and authorize the Mayor and City Clerk to execute all necessary documents associated with both actions. (6th AD)
Additional Referral(s): Ped Bike Motor Vehicle Commission, Plan Commission

Refer For Public Hearing to the BOARD OF PUBLIC WORKS

146. [01972](#) Authorizing the expenditure of \$45,000 of privately contributed funds to cover anticipated neighborhood conference costs.

Refer to the BOARD OF ESTIMATES

CAPITAL BUDGET

147. [01945](#) 2006 Executive Capital Budget and amendments.
Due back at the 9/20/05 Common Council Meeting for Public Hearing.

Refer For Public Hearing to the BOARD OF ESTIMATES

CLAIMS - REFER TO RISK MANAGER, on motion of President Van Rooy, seconded by Ald. Verveer.

148. [01810](#) Denise Hettrick, 4933 Mineral Point Road, Madison - vehicle damage - \$43.50.
149. [01811](#) Julia Bonfiglio of State Farm Insurance for C. MacLeod and D. Feldbruegge, 4634 Treichel Street, Madison - property damage - \$6,128.09.
150. [01812](#) T. Falkenstein, 4524 Camden Road, Madison - vehicle damage - \$224.68.
151. [01813](#) Wisconsin Mutual Insurance Company for J. Graves, 3612 N. 61st Street, Milwaukee - vehicle damage - \$1,736.50.
152. [01814](#) Attorney Anne MacArthur for V. Gee-Fleming, 1708 Fisher Street, Madison - vehicle damage - amount to be determined.
153. [01815](#) S. Collins, 209 Ellen Court, Mount Horeb - vehicle damage - \$469.06.
154. [01816](#) Attorney Alexander Kammer for H. Johnson, 1738 Roth Street, Madison - personal injury, pain and suffering - amount to be determined.
155. [01817](#) M. Walsh, 4211 Beverly Road, Madison - personal injury - amount to be determined.

156. [01818](#) Notice of Injury - Attorney Michael Lawton for Monona Grove School District, 5301 Monona Drive, Monona - improper and illegal condemnation of school district's property rights and unreasonable use of police power.
157. [01819](#) E. Fadali, 709 N. Midvale Boulevard, Apt. 3, Madison - vehicle damage - \$206.85.
158. [01820](#) Liberty Mutual Insurance for R. Hochman, 202 N. Hamilton #601, Madison - vehicle damage - \$2,841.00.
159. [01981](#) J. Jordan, 1109 Pine Street, Sun Prairie - vehicle damage - \$1,722.90.
160. [01982](#) E. Harris, 5411 Westhire, Waunakee - vehicle damage - \$613.59.
161. [01983](#) E. Muwonge, attorney for Paul Morris, 1802 Fordem Avenue, Apt. 9, Madison - personal injury and damages - \$8,987.56.
162. [01984](#) T. Washington, 121 N. Fair Oaks Avenue, Madison - vehicle damage - \$2,092.28.

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

163. [02001](#) Authorizing the issuance of \$4,380,000 Taxable General Obligation Promissory Notes, Series 2005-B, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by the following vote:**
- Excused:** 1 - Konkel
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Golden, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz

ADJOURNMENT

A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adjourn at 7:15 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 9th of September, 2005.

Ordinances published September 24th, 2005.

RAY FISHER, CITY CLERK