



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://www.cityofmadison.com)

## Proceedings - Approved COMMON COUNCIL

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Tuesday, May 7, 2013

6:30 PM

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

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### ROLL CALL

6:30 PM, Mayor Paul R. Soglin in the chair

**Present:** 21 - Paul R. Soglin  
Lisa Subeck  
Ledell Zellers  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Scott J. Resnick  
Paul E. Skidmore  
Maurice S. Cheeks  
Chris Schmidt  
Larry Palm  
Sue Ellingson  
John Strasser  
David Ahrens  
Denise DeMarb  
Joseph R. Clausius  
Anita Weier  
Mark Clear  
Matthew J. Phair

### SPEAKING GUIDELINES

#### Speaking Limits:

**Public Hearing - 5 Minutes, Information Hearing - 5 Minutes, Other Items - 3 minutes.**

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

**The 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: None.**

**OPENING REMARKS****SUSPENSION OF RULES**

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

**A motion was made by Schmidt, seconded by Bidar-Sielaff, to Suspend the Rules. The motion passed by voice vote/other.**

**HONORING RESOLUTIONS**

1. [29867](#) Commending, honoring, and expressing appreciation to Percy Brown for his years of service with the City of Madison on the occasion of his retirement from public service.

**Sponsors:** Paul R. Soglin, Chris Schmidt, Scott J. Resnick, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Denise DeMarb, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

**A motion was made by Schmidt, seconded by Bidar-Sielaff, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00343

2. [29958](#) Congratulating the Madison Public Library and the Hawthorne Branch on their 100 years of continuous service to the residents of the East Side of Madison.

**Sponsors:** Marsha A. Rummel, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Denise DeMarb, Steve King, Matthew J. Phair, Larry Palm, Scott J. Resnick, Chris Schmidt, Paul E. Skidmore, John Strasser, Lisa Subeck, Paul R. Soglin, Michael E. Verveer, Anita Weier and Ledell Zellers

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00344

3. [30035](#) Resolution thanking Ruth Shelly for her many contributions to the City of Madison and wishing her well in her future endeavors
- Sponsors:** Paul R. Soglin, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Denise DeMarb, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Scott J. Resnick, Marsha A. Rummel, Chris Schmidt, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00345

4. [30032](#) Calling on the President and Congress to end all sequester cuts related to assistance for the poor, to recommit to humane Federal policies that help our challenged neighbors lead full lives and contribute to society, and to make the difficult decisions required to pass a budget.

**Sponsors:** Sue Ellingson, Matthew J. Phair, Lauren Cnare, Chris Schmidt, Paul R. Soglin, Scott J. Resnick, Marsha A. Rummel, Michael E. Verveer, Shiva Bidar-Sielaff, David Ahrens, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Denise DeMarb, Steve King, Larry Palm, Paul E. Skidmore, John Strasser, Lisa Subeck, Anita Weier and Ledell Zellers

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00346

5. [30063](#) Proclaiming Saturday, May 18, 2013 as "National Kids to Parks Day."

**Sponsors:** Paul R. Soglin, Chris Schmidt, Scott J. Resnick, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Denise DeMarb, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00347

## PETITIONS AND COMMUNICATIONS

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

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

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

**RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM****REPORT OF PLAN COMMISSION**

6. [29422](#) Creating Section 28.022 - 00046 of the Madison General Ordinances rezoning property from Temp A (Temporary Agriculture) and SR-C1 (Suburban Residential - Consistent District 1) District to TR-C3 (Traditional Residential - Consistent District 3) District; and creating Section 28.022 - 00047 of the Madison General Ordinances rezoning property from Temp A (Temporary Agriculture), TR-C3 (Traditional Residential - Consistent District 3) and SR-C2 (Suburban Residential - Consistent District 2) District to CN (Conservancy District). 1st Aldermanic District; 7960 Raymond Road

**Sponsors:** Planning Division

**A motion was made by Schmidt, seconded by Resnick, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.**

Enactment No: ORD-13-00076

7. [29464](#) Creating Section 28.022 -- 00049 of the Madison General Ordinances rezoning property from PD(GDP) Planned Development (General Development Plan) District to SE (Suburban Employment) District. Proposed Use: BioAg Gateway Replat, creating 4 lots for future office/employment uses; 1 outlot for future development and converting existing private streets to public streets; 16th Aldermanic District; 5202-5402 Graham Place; 5402-5502 Fen Oak.

**Sponsors:** Planning Division

**A motion was made by Schmidt, seconded by Resnick, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.**

Enactment No: ORD-13-00077

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

8. [29268](#) Public Hearing - New License  
East Side Catering and Hall LLC • dba East Side Catering and Hall  
802 Atlas Ave • Agent: Joseph Reinhart • Estimated Capacity: 250  
Class B Combination Liquor & Beer • 35% alcohol, 65% food  
Aldermanic District 3 (Alder Cnare) • Police Sector 611

**A motion was made by Schmidt, seconded by Resnick, to Place On File Without Prejudice. The motion passed by voice vote/other.**

9. [29585](#) Public Hearing - New License  
Road Ranger LLC • dba Road Ranger #129  
4102 Commercial Ave • Agent: Adrianna Boyd  
Class A Combination Liquor & Beer  
Aldermanic District 15 (Alder Ahrens) • Police Sector 607

**A motion was made by Schmidt, seconded by Resnick, to Re-refer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

10. [29587](#) Public Hearing - New License  
Capitol Petroleum LLC • dba CP Mart North  
1101 N Sherman Ave • Agent: Farooq Shahzad  
Class A Beer  
Aldermanic District 12 (Alder Palm) • Police Sector 503

**A motion was made by Schmidt, seconded by Resnick, to Re-refer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

11. [29588](#) Public Hearing - New License  
Chipotle Mexican Grill of Colorado LLC • dba Chipotle Mexican Grill #1106  
4628 E Washington Ave • Agent: Brian J. Bushaw  
Estimated Capacity: 42 indoor, 36 outdoor  
Class B Combination Liquor & Beer • 2% alcohol, 98% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 518

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

12. [29590](#) Public Hearing - New License  
Chipotle Mexican Grill of Colorado LLC • dba Chipotle Mexican Grill #533  
8422 Old Sauk Rd • Agent: Brian J. Bushaw  
Estimated Capacity: 55 indoor, 24 outdoor  
Class B Combination Liquor & Beer • 2% alcohol, 98% food  
Aldermanic District 9 (Alder Skidmore) • Police Sector 127

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

13. [29591](#) Public Hearing - New License  
Chipotle Mexican Grill of Colorado LLC • dba Chipotle Mexican Grill #312  
658 State St • Agent: Brian J. Bushaw  
Estimated Capacity: 114 indoor, 20 outdoor  
Class B Combination Liquor & Beer • 2% alcohol, 98% food  
Aldermanic District 8 (Alder Resnick) • Police Sector 403 • Density Area

**A motion was made by Schmidt, seconded by Resnick, to Grant With Condition(s). The motion passed by voice vote/other.**

14. [29592](#) Public Hearing - New License  
Next Door Brewing LLC • dba Next Door Brewing Company  
2439 Atwood Ave • Agent: Keith A Symonds  
Estimated Capacity: 100 indoor, 30 outdoor  
Class B Combination Liquor & Beer • 40% alcohol, 55% food, 5% other  
Aldermanic District 6 (Alder Rummel) • Police Sector 601

**A motion was made by Schmidt, seconded by Resnick, to Grant With Condition(s). The motion passed by voice vote/other with Ald. Bidar-Sielaff voting no.**

15. [29594](#) Public Hearing - New License  
The Spot Restaurant LLC • dba The Spot  
827 E Johnson St • Agent: Joseph Tachovsky • Estimated Capacity: 60  
Class B Combination Liquor & Beer • 30% alcohol, 70% food  
Aldermanic District 2 (Alder Zellers) • Police Sector 407

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

16. [29595](#) Public Hearing - New License  
Black Olive Inc • dba Black Olive Restaurant  
751 N Hight Point Rd • Agent: Thomas Paras • Estimated Capacity: 125  
Class B Combination Liquor & Beer • 25% alcohol, 70% food, 5% other  
Aldermanic District 19 (Alder Clear) • Police Sector 126

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

17. [29596](#) Public Hearing - New License  
Gilbert Altschul Corp • dba Grampa's Pizzeria  
1374 Williamson St • Agent: Gilbert Altschul • Estimated Capacity: 60  
Class B Beer & Class C Wine • 20% alcohol, 80% food  
Aldermanic District 6 (Alder Rummel) • Police Sector 410

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

18. [29597](#) Public Hearing - New License  
Fox and Bird LLC • dba The Heritage Fox  
131 E Mifflin St • Agent: Daniel Fox • Estimated Capacity: 80  
Class B Combination Liquor & Beer • 35% alcohol, 65% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 406 • Density Area

**A motion was made by Schmidt, seconded by Resnick, to Grant With Conditions with Ald. Resnick abstaining. The motion passed by voice vote/other.**

19. [29730](#) Public Hearing - New License  
Hy-Vee, Inc. • dba Hy-Vee Madison #2  
675 S. Whitney Way • Agent: Robert Budd III • Estimated Capacity: 175  
Class B Combination Liquor & Beer • 15% alcohol, 75% food, 15% other  
Aldermanic District 10 (Alder Cheeks) • Police Sector 107

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

**END OF PUBLIC HEARINGS**

**BUSINESS PRESENTED BY THE MAYOR**

20. [29915](#) Report of the Mayor submitting citizen committee appointments (introduction 4-30-2013; action 5-7-2013).

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Confirm unanimously. The motion passed by voice vote/other.**

21. [30023](#) Report of the Mayor submitting citizen committee appointments (introduction 5-7-2013; action 5-21-2013).

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Refer to a future Meeting to Confirm to the COMMON COUNCIL. The motion passed by voice vote/other.**

22. [30027](#) Report of the Mayor submitting alder committee appointments.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Confirm. The motion passed by voice vote/other.**

23. [30029](#) Report of the Mayor submitting a citizen committee appointment to the Judge Doyle Square Committee.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Confirm Under Suspension of Rules 2.04, 2.05, 2.24 & 2.25. The motion passed by voice vote/other.**

## **BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL**

24. [30062](#) BY TITLE ONLY - Opposing Assembly Bill 183 which would eliminate or severely alter tenants' rights in the State of Wisconsin.

**Sponsors:** Chris Schmidt, Scott J. Resnick, Paul R. Soglin, Marsha A. Rummel and Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, to Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00349



**REPORTS OF OFFICERS**

**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

- 25.     [29250](#)           Complaint for the revocation of:  
Teddy Stevens • dba T Sushi Restaurant • Capacity: 67 indoor/28 outdoor  
301 W Johnson Street  
Class B Combination Liquor & Beer • 30% alcohol, 70% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

**A motion was made by Schmidt, seconded by Resnick, to Place On File Without Prejudice. The motion passed by voice vote/other.**

- 26.     [29355](#)           Amending Sections 38.12(3)(c), (6), and (10) of the Madison General Ordinances to revise various procedures pertaining to the Habitually Intoxicated Person ordinance.

**Sponsors:**           Michael E. Verveer and Shiva Bidar-Sielaff

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-13-00072

- 27.     [29378](#)           Complaint for the revocation of:  
My Buddies LLC • dba My Buddies • Capacity: 280 indoor; 32 outdoor  
4325 Lien Rd • Agent: Dale Wells  
Class B Combination Liquor & Beer • 70% alcohol, 30% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 605

**A motion was made by Schmidt, seconded by Resnick, to Place On File Without Prejudice. The motion passed by voice vote/other.**

28.     [29569](#)           Temporary Class B Retailer License concurrent with  
Street Use Permit  
WORT-FM Community Radio  
600 Block of E Doty St.  
May 18, 2013  
Aldermanic District 4 (Ald. Verveer) Police District 404  
16th Annual Block Party

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

29.     [29712](#)           Temporary Class B Retailer license concurrent with  
Street Use Permit  
Madison Festivals, Inc.  
Event Location: Capitol Square  
Event Dates: May 25 and May 26, 2013  
Aldermanic District 4 (Ald. Verveer)  
Police District: 405  
Madison Marathon

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

30.     [29713](#)           Temporary Class B Retailer license concurrent with  
Street Use Permit  
Madison Festivals, Inc.  
Event Location: Capitol Square  
Event Dates: August 31 and September 1, 2013  
Aldermanic District 4 (Ald. Verveer)  
Police District: 405  
Taste of Madison

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

31. [29714](#) Temporary Class B Retailer license concurrent with Street Use Permit  
Madison Festivals, Inc.  
Event Location: Capitol Square  
Event Date: November 10, 2013  
Aldermanic District 4 (Ald. Verveer)  
Police District: 405  
Madison Marathon

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

32. [29761](#) Change of Corporate Control  
Target Coporation • dba Target Store T-1060 • 201 Junction Rd  
New Agent: Jessica Traub  
Class A Liquor, Class A Beer  
Aldermanic District 9 (Alder Skidmore) • Police Sector 128

Target Corporation • dba Target Store T-2765  
750 Hilldale Way • Agent: Christopher Perras  
Class A Liquor and Class A Beer  
Aldermanic District 11 (Alder Schmidt) • Police Sector 108

Target Corporation • dba Target T-1069  
4301 Lien Rd • Agent: Ryan Ostman  
Class A Beer, Class A Liquor  
Aldermanic District 17 (Alder Clausius) • Police Sector 605

Two new officers.

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

33. [29774](#) Change of Corporate Control  
Badger Meats, LLC • dba Forequarter  
708 1/4 E Johnson St • Agent: Melinda Trudeau • Estimated Capacity: 40  
Class B Combination Liquor & Beer • 37% alcohol, 73% food  
Aldermanic District 2 (Alder Zellers) • Police Sector 407  
Remove one officer

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

34. [29775](#) Change of Corporate Control  
RI Heritage Inn of Madison Inc • dba Madison Residence Inn  
4862 Hayes Rd  
Agent: Jennifer M Schneider  
Class B Combination Liquor & Beer • 2% alcohol, 4% food, 94% other  
Aldermanic District 17 (Alder Clausius) • Police Sector 518  
Add one new, remove one old officer

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

35. [29776](#) Change of Corporate Control  
Monona Catering LLC • dba Monona Catering  
1 John Nolen Dr • Agent: Mark Mueller  
Class B Combination Liquor & Beer • 13% alcohol, 87% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 405  
One new officer

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

36. [29777](#) Change of Corporate Control  
Wadsworth Old Chicago Inc • dba Old Chicago • 62% alcohol, 38% food  
7202 Mineral Point Rd • Agent: Charissa Bratt  
Class B Combination Liquor & Beer  
Aldermanic District 9 (Ald. Skidmore) • Police Sector 125  
Add one and remove one officer.

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

37. [29778](#) Change of Agent  
Ultra Mart Foods LLC • dba Copps Food Center #8183  
1312 S Park St  
New Agent: Joshua Clarke  
Class A Beer, Class A Liquor  
Aldermanic District 13 (Alder Ellingson) • Police Sector 306

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

38. [29779](#)

Change of Agent

SSP America, Inc • dba Ancora Coffee • 4000 International Lane

New Agent: Shanna Ryan

Class B Combination Liquor &amp; Beer • 20% alcohol, 80% food

Aldermanic District 17 (Alder Clausius) • Police Sector 512

SSP America, Inc • dba German Wurst Bar • 4000 International Lane

New Agent: Shanna Ryan

Class B Combination Liquor &amp; Beer • 30% alcohol, 70% food

Aldermanic District 17 (Alder Clausius) • Police Sector 512

SSP America, Inc • dba Great Dane • 4000 International Lane

New Agent: Shanna Ryan

Class B Combination Liquor &amp; Beer • 40% alcohol, 60% food

Aldermanic District 17 (Alder Clausius) • Police Sector 512

SSP America, Inc • dba Cafe Ritazza • 4000 International Lane

New Agent: Shanna Ryan

Class B Combination Liquor &amp; Beer • 17% alcohol, 83% food

Aldermanic District 17 (Alder Clausius) • Police Sector 512

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

39. [29781](#)

Change of Agent

Madison Association of the Deaf Inc • 1109 Williamson St

New Agent: Kyle Katers

Class B Combination Liquor &amp; Beer • 20% alcohol, 30% food, 50% other

Aldermanic District 6 (Alder Rummel) • Police Sector 408

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

40. [29783](#) Change of Licensed Premises  
Charleys of Madison LLC • dba The Fountain  
Capacity: 275 indoor/36 outdoor  
122 State St • Agent: Harold Langhammer  
Class B Combination Liquor & Beer • 40% alcohol, 60% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 406
- Expand restaurant to include 2nd floor above current restaurant

**A motion was made by Schmidt, seconded by Resnick, to Grant With Condition(s). The motion passed by voice vote/other.**

41. [29785](#) Change of Licensed Premise  
Blair Street Brew & BBQ LLC • dba Blair Street Brew & BBQ  
605 E Washington Ave • Agent: Nicholas Sierzant • Estimated Capacity: 90  
Class B Combination Liquor & Beer • 15% alcohol, 80% food, 5% other  
Aldermanic District 6 (Alder Rummel) • Police Sector 408
- Add 25 additional outdoor-only capacity, add fenced outdoor seating area.

**A motion was made by Schmidt, seconded by Resnick, to Grant With Condition(s). The motion passed by voice vote/other.**

42. [29786](#) Temporary Class B Retailer license concurrent with  
Street Use Permit  
Goodman Community Center  
Event Location: 2000-2100 blocks of Atwood Ave  
Event Date: July 27 & 28, 2013  
Aldermanic District 6 (Ald. Rummel)  
Police District: 410  
Atwood Summerfest: A Goodman Community Center Event

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

43. [29974](#) Alcohol License Review Committee Report of Operator License Applications  
May 7, 2013. See attached report for list of operators.

**A motion was made by Schmidt, seconded by Resnick, to Grant. The motion passed by voice vote/other.**

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

44. [29894](#) Approving a Certified Survey Map of property owned by Dayton Square Apartments, LLC located at 401-415 W. Johnson Street and 424 W. Dayton Street; 4th Ald. Dist.

**Sponsors:** Planning Division

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00348

45. [30047](#) A Resolution authorizing an Electric Service Agreement for the Purchase of Direct Control Interruptible Electric Service with Madison Gas and Electric Company for various City locations

**Sponsors:** Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00342

46. [30048](#) Amending Section 24.08(3)(f)2. of the Madison General Ordinances to correct erroneous language.

**Sponsors:** CITY ATTORNEY

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: ORD-13-00073

#### REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

47. [29613](#) Amending Section 24.09(6) of the Madison General Ordinances to conform to state vehicle noise statutes.

**Sponsors:** Michael E. Verveer

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-13-00074

#### REPORT OF PLAN COMMISSION

48. [29417](#) Approving the preliminary plat and final plat of Wolfe Addition to Hawks Creek generally located at 7960 Raymond Road; 1st Ald. Dist.

**Sponsors:** Common Council By Request

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00350

49. [29418](#) Approving the preliminary plat and final plat of BioAg Gateway Replat generally located at 5202-5402 Graham Place and 5402-5502 Fen Oak Drive, et al; 16th Ald. Dist.

**A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-13-00351

#### REPORT OF RISK MANAGER

50. [29529](#) B. Shortreed, Avid Risk Solutions, for Takara Japanese Restaurant - property damage - \$2,468.70.

**A motion was made by Schmidt, seconded by Resnick, to Disallow. The motion passed by voice vote/other.**

#### REPORT OF VENDING OVERSIGHT COMMITTEE

51. [29765](#) Amending Section 9.13(6)(n)3.c. and creating Section 9.13(6)(n)3.d. of the Madison General Ordinances to modify the perimeter of the Broom Street Late Night Vending Area.

**Sponsors:** Michael E. Verveer and Scott J. Resnick

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-13-00075

#### ITEMS REFERRED TO THIS MEETING

#### RESOLUTIONS



52. [29457](#) Approving plans and specifications for public improvements necessary for the project known as 313-315 N. Frances Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2332. (4th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00352

53. [29460](#) Approving plans and specifications for public improvements necessary for the project known as 202-210 N. Bassett Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2333. (4th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00353

54. [29722](#) Recreate the 0.5 FTE position #760 of "Assistant Programming Coordinator" (CG20-10), currently occupied by T. Anderson, as a 0.6 FTE position of "Program Assistant 1" (CG20-11) in the Information Technology budget.

**Sponsors:** Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Refer to the COMMON COUNCIL,. The motion failed by the following vote:**

**Ayes:** 9 - Ledell Zellers  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Scott J. Resnick  
Paul E. Skidmore  
Chris Schmidt  
John Strasser  
Anita Weier

**Noes:** 11 - Lisa Subeck  
 Lauren Cnare  
 Steve King  
 Maurice S. Cheeks  
 Larry Palm  
 Sue Ellingson  
 David Ahrens  
 Denise DeMarb  
 Joseph R. Clausius  
 Mark Clear  
 Matthew J. Phair

**Abstentions:** 1 - Paul R. Soglin

**A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-13-00354

55. [29904](#) A RESOLUTION granting Special Vending Approvals under MGO 9.13(6)(k) for 2013 Special Events as detailed on the accompanying special event resolution table.

**Sponsors:** Michael E. Verveer and Scott J. Resnick

**A motion was made by Verveer, seconded by Resnick, to Adopt As Amended. The motion passed by voice vote/other.**

**The amendment is: all events are struck from the list with the exception of the SERRV & Fair Trade event on Saturday, May 11 at 30 on the Square.**

Enactment No: RES-13-00355

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

**ORDINANCES**

56. [29870](#) Creating Section 28.022 -- 00056 of the Madison General Ordinances rezoning property from PD(GDP) Planned Development (General Development Plan) District to PD(SIP) Planned Development (Specific Implementation Plan) District. Proposed Use: Construct multi-family building complex containing 80 apartment units in 2 buildings; 1st Aldermanic District; 1723 Waldorf Boulevard.

**Sponsors:** Planning Division

**A motion was made to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

57. [29975](#) Amending Section 28.061 of the Madison General Ordinances to return non-accessory temporary outdoor events in the Traditional Shopping Street (TSS) district to a conditional use, add a supplemental regulation, and will be retroactive to January 3, 2013.

**Sponsors:** Sue Ellingson and Shiva Bidar-Sielaff

**A motion was made to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

58. [29977](#) Creating Section 4.26(6) of the Madison General Ordinances to require certain City contractors to disclose contributions to advocacy organizations.

**Sponsors:** Paul R. Soglin

**A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

59. [29978](#) Amending Sections 8.188 and 1.08(3)(a) of the Madison General Ordinances regarding the use of specified City piers and boat launches.

**Sponsors:** John Strasser, Joseph R. Clausius, Mark Clear, Paul R. Soglin and Matthew J. Phair

**A motion was made to Referred to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.**

60. [29992](#) Amending Section 28.141(13)(b) of the Madison General Ordinances to allow for a reduction in required loading spaces through the conditional use process.

**Sponsors:** Scott J. Resnick, Michael E. Verveer, Ledell Zellers and Steve King

**A motion was made to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

61. [29994](#) Creating Sections 8.24(1)(gg) and (hh) of the Madison General Ordinances to ban alcohol from Mayfair Park and Sherry (O.B.) Park.

**Sponsors:** Joseph R. Clausius and David Ahrens

**A motion was made to Referred to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.**

62. [29995](#) Amending Section 28.072 of the Madison General Ordinances to add "Accessory dwelling unit" as a Conditional Use in DR1 and DR2.

**Sponsors:** Scott J. Resnick, Ledell Zellers and Steve King

**A motion was made to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

63. [29996](#) Amending Section 28.082(1) of the Madison General Ordinances to allow auto rental as a conditional use, with supplemental regulations, in the Suburban Employment (SE) District.

**Sponsors:** Larry Palm

**A motion was made to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

64. [30051](#) CHARTER ORDINANCE Creating Section 10.42 and Section 10.31(3)(f)3. of the Madison General Ordinances to allow decorative painting on pavement.

**Sponsors:** Marsha A. Rummel and Scott J. Resnick

Additional referrals to Pedestrian/Bicycle/Motor Vehicle Commission, Madison Arts Commission

**A motion was made to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

## RESOLUTIONS

65. [29919](#) Amending the 2013 adopted operating budget of the Planning Division to accept grant monies not to exceed \$24,364 from the Wisconsin Historical Society's Certified Local Government Subgrant for Historic Preservation and authorizing the Department of Planning and Community and Economic Development to contract with a consultant or consultants.

**Sponsors:** Chris Schmidt and Marsha A. Rummel

**A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

66. [29966](#) Authorizing the execution of a First Amendment to the Purchase and Sale Agreement executed between the City and Hovde Properties, LLC.

**Sponsors:** Michael E. Verveer

**A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

67. [29967](#) Authorizing the City of Madison to accept ownership from Junction Ridge Neighborhood Association of two neighborhood entrance signs to be located in the public right-of-way of Junction Road.
- Sponsors:** Paul E. Skidmore
- additional referral to Plan Commission
- A motion was made to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
68. [29983](#) Authorizing the Mayor and City Clerk to execute an agreement to fund a \$7,500 Daycare Center Rehabilitation Loan to Woodland Montessori School to fund the construction of a fence at 1124 Colby Street.
- Sponsors:** Denise DeMarb and Sue Ellingson
- Additional referral to Early Childhood Care and Education Committee
- A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
69. [30017](#) Authorizing the execution of a lease at 30 West Mifflin Street for the temporary relocation of administrative space for the City of Madison's Fire Department.
- Sponsors:** Michael E. Verveer
- A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
70. [30019](#) Authorizing the City of Madison to accept ownership from Cherokee Park Neighborhood Association of an existing neighborhood entrance sign located in Cherokee Marsh Conservation Park.
- Sponsors:** Anita Weier
- Additional referral to Plan Commission
- A motion was made to Referred to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.**
71. [30020](#) Authorizing the acceptance of a Permanent Limited Easement for Public Sidewalk Purposes from the Board of Regents University of Wisconsin System over a portion of the property located at 451 S. Pleasant View Road.
- Sponsors:** Paul E. Skidmore
- Additional referral to Plan Commission
- A motion was made to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

72. [30021](#) Authorizing the City of Madison to accept ownership from Lake Edge Neighborhood Association of a gathering circle to be located in Lake Edge Park.
- Sponsors:** David Ahrens
- Additional referral to Plan Commission
- A motion was made to Referred to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.**
73. [30039](#) Amending the Monona Terrace Community and Convention Center 2013 Capital Budget to apply \$600,000 of its reserve fund to support the planned 2014 renovation.
- Sponsors:** Michael E. Verveer
- Additional referral to Monona Terrace Community and Convention Center Board of Directors
- A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
74. [30043](#) Authorizing the expenditure of unexpended funds associated with 2012 PCED Capital Budget project No. 10, "Microfiche Conversion," Account No. 810701, to allow remaining funds of approximately \$100,000 to be used for microfiche conversions for other City agencies.
- Sponsors:** Paul R. Soglin
- A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

## LICENSES

75. [29998](#) Public Hearing - Transfer of License Location  
Underground Kitchen and Delicatessen LLC • dba Underground Kitchen  
New Address 809 Williamson St • Agent: Melinda Trudeau • Estimated Capacity: 60  
Class B Combination Liquor & Beer • 40% alcohol, 60% food  
Aldermanic District 6 (Alder Rummel) • Police Sector 408
- A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
76. [29999](#) Public Hearing - New License  
Be Cubed LLC • dba Hawks Snack Shack  
66 Hawks Landing Circle • Agent: Brian McGowan • Estimated Capacity: 50  
Class B Beer • 10% alcohol, 85% food  
Aldermanic District 1 (Alder Subeck) • Police Sector 135
- A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

77. [30000](#) Public Hearing - New License  
RBSchultz LLC • dba Baldwin St. Grille  
1304 E Washington Ave • Agent: Ryan Schultz • Estimated Capacity: 84  
Class B Combination Liquor & Beer • 50% alcohol, 50% food  
Aldermanic District 2 (Alder Zellers) • Police Sector 409
- A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
78. [30001](#) Public Hearing - New License  
CHI Asian-Infused LLC • dba Chi Asian-Infused  
301 W Johnson St • Agent: Jason Richardson • Estimated Capacity: 100  
Class B Combination Liquor & Beer • 30% alcohol, 70% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area
- A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
79. [30002](#) Public Hearing - New License  
T & M Ventures Inc. • dba Ancora Coffee & Tea  
112 King St • Agent: Tori Rae Mitchell • Estimated Capacity: 57  
Class B Combination Liquor & Beer • 15% alcohol, 20% food, 65% other  
Aldermanic District 4 (Alder Verveer) • Police Sector 406 • Density Area
- A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
80. [30003](#) Public Hearing - New License  
InnTowner LLC • dba The Highland Club  
2424 University Ave • Agent: Evan Talbert • Estimated Capacity: n/a  
Class B Combination Liquor & Beer • 14% alcohol, 72% food, 14% other  
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301
- A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
81. [30004](#) Public Hearing - New License  
Tang's Bistro LLC • dba Nam's Noodle & Karaoke Bar  
1336 Regent St • Agent: Zhiqiang Li • Estimated Capacity: 30  
Class B Combination Liquor & Beer • 10% alcohol, 90% food  
Aldermanic District 8 (Alder Resnick) • Police Sector 402 • Density Area
- A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

82.     30005           Public Hearing - New License  
Apple Hospitality Group LLC • dba Applebee's Neighborhood Grill & Bar  
4710 East Towne Blvd • Agent: Gary Akridge • Estimated Capacity: 168  
Class B Combination Liquor & Beer • 13% alcohol, 87% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 632

**A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

83.     30006           Public Hearing - New License  
Apple Hospitality Group • dba Applebee's Neighborhood Grill & Bar  
660 S Whitney Way • Agent: Bill Nesvacil • Estimated Capacity: 177  
Class B Combination Liquor & Beer • 10% alcohol, 90% food  
Aldermanic District 19 (Alder Clear) • Police Sector 113

**A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

84.     30007           Public Hearing - New License  
Manuel Cortez • dba Tienda Los Gemelos  
6713 Odana Rd • Estimated Capacity: 75  
Class B Combination Liquor & Beer • 20% alcohol, 80% food  
Aldermanic District 19 (Alder Clear) • Police Sector 113

**A motion was made to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

85.     30008           Public Hearing - New License  
Midwest Retail Group-Regent Street, Inc • dba 7-Eleven #35847A  
1401 Regent St • Agent: James Fiene  
Class A Beer  
Aldermanic District 13 (Alder Ellingson) • Police Sector 303

**A motion was made to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

## REPORTS

86.     29993           Report of Chief of Police: Police Overtime for 2012 and 1st Quarter 2013

**A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON



**CLAIMS - REFER TO RISK MANAGER**

87. [29959](#) J. Laufenberg - vehicle damage - \$648.21.

**A motion was made to Refer to the Risk Manager. The motion passed by voice vote/other.**

88. [29960](#) S. Seeliger - property damage - \$609.54.

**A motion was made to Refer to the Risk Manager. The motion passed by voice vote/other.**

89. [29971](#) State Farm for A. Padhi - vehicle damage - \$4090.52.

**A motion was made to Refer to the Risk Manager. The motion passed by voice vote/other.**

90. [30024](#) J. Holgate - personal injury - greater than \$1.00.

**A motion was made to Refer to the Risk Manager. The motion passed by voice vote/other.**

THE FOLLOWING ITEMS WERE INTRODUCED FROM THE FLOOR AT THE LAST COMMON COUNCIL MEETING AND ARE ON THIS AGENDA PURSUANT TO SEC. 2.05(1)(B), MGO, SOLELY FOR THE PURPOSE OF ADDING ADDITIONAL REFERRALS.

91. [30011](#) Resilient Communities for America Agreement

**Sponsors:** Paul R. Soglin, Denise DeMarb, Chris Schmidt, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Scott J. Resnick, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

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

**30097**

A RESOLUTION granting Special Vending Approvals under MGO 9.13(6)(k) for 2013 Special Events as detailed on the accompanying special event resolution table.

**Sponsors:** Michael E. Verveer and Scott J. Resnick

Adopt 5-21-2013

**A motion was made by Verveer, seconded by Resnick, to Refer to the COMMON COUNCIL. The motion passed by voice vote/other.**

**ADJOURNMENT @ 8:48 PM**

**A motion was made by Bidar-Sielaff, seconded by Ellingson, to Adjourn at 8:48 PM. The motion passed by voice vote/other.**