



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, March 29, 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: NONE

ROLL CALL

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

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 Konkel, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

1. [00827](#) Proclaiming the week of April 4-9, 2005 as PUBLIC HEALTH WEEK in Madison, Wisconsin.
A motion was made by Council President Konkel, seconded by Ald. MacCubbin, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00281

PETITIONS AND COMMUNICATIONS

CONFIRMATION HEARINGS

REPORT OF BOARD OF ESTIMATES

2. [00787](#) Adopting and confirming an Employment Agreement between the City of Madison and Dean Brasser, City Comptroller.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00063

3. [00788](#) Adopting and confirming an Employment Agreement between the City of Madison and James P. Morgan, Superintendent of Parks.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00064

BUSINESS BY THE MAYOR

4. [00874](#) Report of the mayor submitting an alder committee appointment.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.

5. [00875](#) Report of the Mayor submitting citizen committee appointments for introduction 3-29-05.
Confirm at the 4/19/05 Common Council Meeting
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF COMMON COUNCIL

6. [00901](#) Authorizing the Mayor and City Clerk to execute an Employment Agreement between the City of Madison and Benedict Di Salvo, Overture Center Sponsorship Associate.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00282

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

7. [00418](#) THIRD SUBSTITUTE Creating new Section 33.02(4)(f), renumbering current Sections 33.02(4)(f) - (h) to Sections 33.02(4)(g) through (i), respectively, and amending Sections 33.02(4)(b), 28.04(24)(b) and 28.09(3)(d)24. of the Madison General Ordinances to create design requirements for large retail establishments.
- 6 Appearances in support.*
- A motion was made by Ald. Golden, seconded by Ald. Rosas, to adopt the Third Substitute.**
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Table. The motion passed by acclamation.**
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Take Off The Table. The motion passed by acclamation.**
- A motion was made by Council President Konkel, seconded by Ald. Webber, to Refer to the COMMON COUNCIL Meeting of 4-19-05 (Substitute Motion). The motion failed by the following vote:**
- Aye:** 4 - Heidt, King, Konkel and Webber
- No:** 15 - Benford, Brandon, Bruer, Compton, Ferrell, Holtzman, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy and Verveer
- Abstain:** 1 - Golden
- Non Voting:** 1 - Cieslewicz
- A Motion was made by Ald. Markle, seconded by Ald. Brandon, to adopt an amendment striking 9b ii and iii. No action taken.**
- A motion was made by Ald. Golden, seconded by Ald. MacCubbin, to Adopt an amendment striking 9b ii (Substitute Motion). The motion failed by the following vote:**
- Aye:** 3 - Brandon, Markle and Olson
- No:** 17 - Benford, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkel, MacCubbin, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
- Non Voting:** 1 - Cieslewicz
- A motion was made by Ald. Onken, seconded by Ald. Verveer, to Move the Previous Question. The motion passed by acclamation.**
- A motion was made by Ald. Golden, seconded by President Pro Tem Rosas, to Adopt the Third Substitute. The motion passed by the following vote:**
- Aye:** 18 - Benford, Bruer, Compton, Ferrell, Golden, Holtzman, King, Konkel, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
- No:** 1 - Brandon
- Abstain:** 1 - Heidt
- Non Voting:** 1 - Cieslewicz
- A Motion was made by Council President Konkel, seconded by Ald. Webber, to Amend 8b ii and iii, adding "for convenience retail only" at the beginning.**

A motion was made by Ald. King, seconded by Council President Konkol, to Adopt a Substitute Amendment ending Section 9 with "all such parking spaces shall be designated 15 minutes parking spaces." The motion failed by the following vote:

Aye: 6 - Benford, King, Konkol, MacCubbin, Verveer and Webber

No: 14 - Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, Markle, Olson, Onken, Rosas, Skidmore, Thomas and Van Rooy

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Markle, seconded by Ald. Brandon, to adopt an amendment striking 9b iii.

A motion was made by Council President Konkol, seconded by Ald. Golden, to Adopt a Substitute Amendment changing 9b iii to read, "Businesses with less than one hundred (100) employees shall have a Transportation Demand Management Plan or participate in a Transportation Management Association." The motion passed by the following vote:

Aye: 16 - Benford, Brandon, Ferrell, Golden, Heidt, Holtzman, King, Konkol, MacCubbin, Olson, Onken, Skidmore, Thomas, Van Rooy, Verveer and Webber

No: 4 - Bruer, Compton, Markle and Rosas

Non Voting: 1 - Cieslewicz

A motion was made by Ald. King, seconded by Council President Konkol, to Adopt an Amendment changing "100,000" to "80,000" in Section 9b iii. The motion failed by the following vote:

Aye: 8 - Benford, Heidt, King, Konkol, Markle, Olson, Verveer and Webber

No: 12 - Brandon, Bruer, Compton, Ferrell, Golden, Holtzman, MacCubbin, Onken, Rosas, Skidmore, Thomas and Van Rooy

Non Voting: 1 - Cieslewicz

A motion was made by Ald. King, seconded by Ald. Webber, to Adopt an Amendment striking "60 percent" in Section 9b, and replacing it with "30 percent." The motion failed by the following vote:

Aye: 8 - Benford, Heidt, King, Konkol, MacCubbin, Olson, Verveer and Webber

No: 12 - Brandon, Bruer, Compton, Ferrell, Golden, Holtzman, Markle, Onken, Rosas, Skidmore, Thomas and Van Rooy

Non Voting: 1 - Cieslewicz

A motion was made by Ald. King, seconded by Council President Konkol, to Adopt an Amendment adding, "Employees shall be compensated at least as high as the Madison living wage" at the end of Section 3. The motion failed by the following vote:

Aye: 7 - Benford, Heidt, King, Konkol, Olson, Verveer and Webber

No: 13 - Brandon, Bruer, Compton, Ferrell, Golden, Holtzman, MacCubbin, Markle, Onken, Rosas, Skidmore, Thomas and Van Rooy

Non Voting: 1 - Cieslewicz

A Motion was made by Skidmore to amend sections 1d and 1e, adding "if doing so does not impose an economic hardship on the business." The Motion was Withdrawn.

Enactment No: ORD-05-00067

REPORT OF ALCOHOL REVIEW COMMITTEE

8. [00223](#) Public Hearing - New License
Ho-Chunk Nation
Agent: Karen Martin
DBA: Ho-Chunk Nation DeJope Bingo (Capacity is 2,508)
4002 Evan Acres Road
Reserve Class B Combination Liquor & Beer (1% alcohol, 3% food)
- A motion was made by Council President Konkel, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.**

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

9. [00549](#) New License - Public Hearing
Lando Holdings, LLC (Trade Name to be Determined)
1601 Rowland Avenue
Agent: Chancellor Crowther
Class A Liquor, Class A Beer.
- A motion was made by Council President Konkel, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.**
10. [00550](#) New License - Public Hearing
Lao Laan Xang II, Inc. (dba Lao Laan Xang)
2098 Atwood Avenue
Agent: Christine Inthachith
Class B Beer, Class C Wine (20% alcohol, 80% food)
Non-Smoking Establishment
- A motion was made by Council President Konkel, seconded by Ald. Bruer, to Grant - Public Hearing closed. The motion passed by acclamation.**

11. 00551 New License - Public Hearing
 MadCity Restaurant Group, Inc.
 (dba Quinton's Bar & Dei; capacity of 104 inside and 40 on deck)
 319 W. Gorham Street
 Agent: Dick Glesner
 Class B Combination Liquor & Beer (48% alcohol, 52% food)
 Non-Smoking Establishment
 1 Registrant in support.

A motion was made by Council President Konkel, seconded by Ald. Bruer, to Grant With Condition(s) - Public Hearing closed. The motion passed by acclamation.

12. [00552](#) New License - Public Hearing
Perfecto Restaurant Group, Inc. (dba Tutto Pasta Cucina Italiana)
107 King Street
Agent: Jessica Escamilla
Class B Combination Liquor & Beer (33% alcohol, 67% food)
Non-Smoking Establishment
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant With Condition(s) - Public Hearing closed. The motion passed by acclamation.
13. [00553](#) New License - Public Hearing
Jeffrey C. Price (dba House of Wisconsin Cheese)
107 State Street
Class A Liquor, Class A Beer
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant - Public Hearing closed. The motion passed by acclamation.
14. [00554](#) New License - Public Hearing
Sammy Aziz, LLC (dba Zuzu Cafe; capacity of 52)
1336 Drake Street
Agent: Robert Shapiro
Class B Combination Liquor & Beer (25% alcohol, 70% food)
Non-Smoking Establishment
2 Registrants in support.
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant With Condition(s) - Public Hearing closed. The motion passed by acclamation.
15. [00555](#) New License - Public Hearing
Takara II, LLC (dba Takara Sushi & Steak House 2)
696 S. Whitney Way
Agent: Xiu Mei Ni
Class B Combination Liquor & Beer (10% alcohol, 90% food)
Non-Smoking Establishment
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant - Public Hearing closed. The motion passed by acclamation.

REPORT OF PLAN COMMISSION

16. [00405](#) Creating Section 28.06(2)(a)3064 of the Madison General Ordinances rezoning property from C2 General Commercial District to C3 Highway Commercial District. Proposed Use: Future Commercial Development. 17th Ald. Dist., 5401 and 5425 High Crossing Boulevard.
1 Appearance in support.
A motion was made by Council President Konkell, seconded by Ald. MacCubbin, to Adopt - Public Hearing closed. The motion passed by acclamation.
Enactment No: ORD-05-00066

17. [00573](#) Creating Section 28.06(2)(a)3075 of the Madison General Ordinances rezoning property C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3076 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District; Proposed Use: Addition to Single Room Occupancy From 7 to 15 Units; 6th Aldermanic District: 1051-1053 Williamson Street.
2 Registrants in support.
- A motion was made by Council President Konkell, seconded by Ald. MacCubbin, to Adopt - Public Hearing closed. The motion passed by acclamation.**
- Enactment No:** ORD-05-00065

18. [00575](#) Creating Section 28.06(2)(a)3067 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District and creating Section 28.06(2)(a)3068 of the Madison General Ordinances rezoning property from Temp A Agriculture to R3 Single-Family and Two-Family Residence District and creating Section 28.06(2)(a)3069 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District; Proposed Use: 108 Residential Lots & 6 Outlots; 16th Aldermanic District: 4949 Meinders Road.
- A motion was made by Council President Konkell, seconded by Ald. MacCubbin, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**

REPORT OF BOARD OF PUBLIC WORKS

19. [00768](#) Approving Plans, Specifications, and Schedule of Assessments for Gilson Street Reconstruction Assessment District - 2005.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt - Public Hearing closed. The motion passed by acclamation.**
- Enactment No:** RES-05-00283
20. [00769](#) Approving Plans, Specifications, and Schedule of Assessments for Adams Street, Jefferson Street, Lincoln Street & Alley Reconstruction Assessment District - 2005. (13th AD)
2 Appearances in support.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt - Public Hearing closed. The motion passed by acclamation.**
- Enactment No:** RES-05-00284
21. [00770](#) Approving Plans, Specifications, and Schedule of Assessments for Pearson Street, Pierstorff Street & Wright Street Reconstruction Assessment District - 2005. (17th AD)
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt - Public Hearing closed. The motion passed by acclamation.**
- Enactment No:** RES-05-00285

22. [00771](#) Approving Plans, Specifications, and Schedule of Assessments for Tancho/CIC Phase 2 Assessment District - 2005. (17th AD)
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt - Public Hearing closed. The motion passed by acclamation.
Enactment No: RES-05-00286
23. [00772](#) Approving Plans, Specifications, and Schedule of Assessments for Forest Street (300 Block) Drainage Assessment District.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Place On File - Public Hearing closed. The motion passed by acclamation.

END OF PUBLIC HEARINGS

At this time, the balance of the agenda which has not been acted upon will be moved with the recommended action listed for each items EXCEPT: Items 25, 39, 40, 44, 47, 87, 97, and 114.

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

24. [00486](#) Operator License Application
Natasha S. Ellis, 887 Hughes Place #1, Madison
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.
25. [00487](#) Operator License Application
Kris D. Fluckiger, 4001 Claire Street, Madison
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.
26. [00490](#) Operator License Application
William G. Patton, 1975 E. Washington Avenue, Madison
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.

27. [00556](#) Application for Change of Licensed Premise
National Hospitality Service, LLC (dba Radisson Hotel)
517 Grand Canyon Drive
Agent: William Plummer
Class B Combination Liquor & Beer (30% alcohol, 70% food)
Request to expand licensed premise to include existing conference and banquet facilities.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
28. [00557](#) Application for Change of Agent
Vertigo Ventures, LLC (dba Opus Lounge; capacity of 99)
116 King Street
Old Agent: Vicky D'Orazio
New Agent: Susan J. Kirton
Class B Combination Liquor & Beer (10% alcohol, 90% food)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
29. [00558](#) Application for Change of Corporate Control
Vertigo Ventures, LLC (dba Opus Lounge, capacity of 99)
116 King Street
Agent: Susan J. Kirton
Class B Combination Liquor & Beer (90% alcohol, 10% food)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
30. [00559](#) Application for a Cabaret License
Tres Amigos, Inc. (dba Tres Amigos; capacity of 288)
6722 Odana Road
Agent: Leticia Hernandez
Class B Combination Liquor & Beer (40% alcohol, 60% food)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
31. [00592](#) Change of Agent
Firefly, LLC (dba Firefly; capacity of 96)
2701 University Avenue, Suite D
Old Agent: Joseph Tachorsky
New Agent: Bari Deprey
Class B Combination Liquor & Beer (20% alcohol, 80% food)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

32. [00593](#) Change of Agent
LaPepe, Inc. (dba Luna Cafe)
2009 Atwood Avenue
Old Agent: Melissa Hogg
New Agent: Joseph Tachorsky
Class B Combination Liquor & Beer (30% alcohol, 70% food)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
33. [00661](#) Change of Agent
Badger Ribs, Inc. (dba Damon's; capacity of 300)
4325 Lien Road
Old Agent: Patrick Dunn
New Agent: Michelle J. Preiss
Class B Combination Liquor & Beer (20% alcohol, 80% food)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
34. [00869](#) Alcohol License Review Committee
Report of Operator License Applications
Dated: March 23, 2005
See attached report for list of operators.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

REPORT OF CITY ATTORNEY

35. [00728](#) Axley Brynson, LLP, attorney for Oakwood Village East Lutheran Homes, Inc., 6201 Mineral Point Rd., Madison - unlawful taxation - \$5,373.93.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.
36. [00900](#) Report of City Attorney dated March 24, 2005 re: Lobbying Ordinance Activities.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.

REPORT OF BOARD OF WATER COMMISSIONERS

37. [00581](#) Authorizing the Mayor and City Clerk to execute an intergovernmental agreement with the City of Fitchburg to the Madison Water Utility to provide public water service to the Boys and Girls Club.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00287

38. [00583](#) Approving the intent of the Water Utility to sell its administrative office building located at 517-523 East Main Street to Block 115, LLC. 6th Ald. Dist.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00288

REPORT OF BOARD OF ESTIMATES

39. [00671](#) CHARTER - Amending Section 3.29 of the Madison General Ordinances to authorize adjustments to salaries for alderpersons through 2007.
- This ordinance required 2/3 vote for adoption. The motion to adopt failed due to the roll call vote (13 ayes, 7 noes).*
- A motion was made by Council President Konkell, seconded by Ald. King, to Adopt. The motion failed by the following vote:**
- Aye:** 13 - Benford, Bruer, Golden, Heidt, Holtzman, King, Konkell, MacCubbin, Markle, Olson, Onken, Verveer and Webber
- No:** 7 - Brandon, Compton, Ferrell, Rosas, Skidmore, Thomas and Van Rooy
- Non Voting:** 1 - Cieslewicz
40. [00735](#) Amending the 2005 Capital Budget to allow for the purchase of Street Cleaning Equipment.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Aye:** 20 - Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkell, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00289
41. [00789](#) Confirming the re-appointment of Mr. Dean Brassler to the position of City Comptroller subject to the approval and execution of a five-year Employment Agreement.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00344
42. [00791](#) Confirming the re-appointment of Mr. James P. Morgan to the position of Superintendent of Parks subject to the approval and execution of a five-year Employment Agreement.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00290

43. [00794](#) Creating an Ad Hoc Villager Mall Master Plan Oversight Committee to guide the preparation of the Villager Mall Master Plan, which will be done to provide a vision for the longer-term revitalization and redevelopment of the Villager Mall, and to make recommendations to the Mayor, the CDA, and the Council for implementation of selected improvement activities to help realize this vision.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00291
44. [00795](#) Authorizing the Mayor and City Clerk to execute a condemnation of land and related documents between the City of Madison and Nesbitt Farms, LLC and Wilshire Developments II, LLC., and amending the 2005 Stormwater Capital Budget to appropriate the \$345,000 settlement and increase in the award of compensation and litigation costs.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Aye:** 20 - Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkell, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00292
45. [00807](#) Authorizing the Mayor and City Clerk to execute amendments to the master lease and to the various subleases pertaining to the South Madison Health & Family Center located within the Villager Shopping Center.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00293
46. [00808](#) SUBSTITUTE - Amending the 2005 Police Department Operating Budget in order to overhire 3 police officers in May 2005.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00294

47. [00810](#) Authorizing the Mayor and City Clerk to enter into Purchase of Service agreements with organizations approved for funding under the Allied and Emerging Neighborhoods Fund.
2 Appearances in support.

A motion was made by Council President Konkol, seconded by Ald. Bruer, to Adopt. The motion passed by the following vote:

Aye: 18 - Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkol, MacCubbin, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber

No: 0 -

Abstain: 2 - Markle and Olson

Non Voting: 1 - Cieslewicz

Enactment No: RES-05-00295

REPORT OF BOARD OF PUBLIC WORKS - BIDS

48. [00812](#) Awarding Public Works contracts for bids opened March 11, 2005.

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

Enactment No: RES-05-00296

REPORT OF BOARD OF PUBLIC WORKS

49. [00508](#) Authorizing the Mayor and City Clerk to Execute a release of part of a platted public utility easement reserved within lots constituting the Princeton Club property located at 1702 - 1726 Eagan Road. [17th Ald. Dist.]

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

Enactment No: RES-05-00297

50. [00529](#) Authorizing the Mayor and the City Clerk to execute a release of part of a platted public utility easement reserved within lots constituting the Jon Lancaster property located at 5314 High Crossing Boulevard and 3401/3501 Lancaster Drive. (17th AD)

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

Enactment No: RES-05-00299

51. [00742](#) Improvements accepted for water service laterals by Private Contract to serve Nelson Road C.S.M.

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

Enactment No: RES-05-00298

52. 00743 Improvements accepted for water service laterals by Private Contract to serve Lost Creek - Phase III.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00300
53. 00744 Improvements accepted for water service laterals by Private Contract to serve Stonecrest Estates - Phase III
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00301
54. 00746 Improvements accepted for water service laterals by Private Contract to serve Hawk Woods - Phase II.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00302
55. 00747 Improvements accepted for water service laterals by Private Contract to serve The Crossing - Phase V.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00303
56. 00748 Improvements accepted for water service laterals by Private Contract to serve The Crossing - Phase VI.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00304
57. 00749 Improvements accepted for water main by Private Contract to serve Seventh Addition to Blackhawk Subdivision - Phase II.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00305
58. 00750 Improvements accepted for water main by Private Contract to serve Grandview Commons - Phase IV.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00306

59. [00752](#) Improvements accepted for water main by Private Contract to serve Ice Age Falls - Phase III.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00307
60. [00755](#) Improvements accepted for Monona Terrace Community and Convention Center - 2004, Contract No. 5569.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00308
61. [00763](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for East District Police Building, Contract No. 5853.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00309
62. [00764](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Goodman Community Pool Buildings & Site Construction, Contract No. 5850.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00310
63. [00765](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Goodman Community Pool & Mechanical Construction, Contract No. 5851.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00311
64. [00766](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Willow Creek Storm Box Relief Sewer, Phase 2, Contract No. 5830.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00312

65. [00767](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for John Nolen Drive Expansion Joint Repair-2005, Contract No. 5802.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00313
66. [00793](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Unit Well No. 30 Reservoir and Pumping Station, Contract No. W7065.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00314
67. [00796](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Tancho Business Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2034.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00315
68. [00797](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 2355 University Avenue PUD, Private Contract No. 1893.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00316
69. [00798](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 331-339 West Doty Street PUD, Private Contract No. 1957.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00317
70. [00799](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 2132 Atwood Avenue PUD, Private Contract No. 1942.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00318

71. 00800 Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for Yahara River Apartments PUD, Private Contract No. 1902.

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

Enactment No: RES-05-00319

72. [00801](#) Approving plans and specifications for public improvements necessary for the project known as 409 West Gorham Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2030.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00320
73. [00802](#) Approving plans and specifications for public improvements required to serve Phase II of the Subdivision known as Secret Places at Siggelkow Preserve and authorizing construction to be undertaken by the Developer, Private Contract No. 2031.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00321
74. [00803](#) Accepting bituminous pavement constructed by private contract in Quinn Ranch, Private Contract No. 1922.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00322
75. [00804](#) Accepting storm sewer constructed by private contract in Sprecher Road Extension, Private Contract No. 1862.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00323
76. [00805](#) Accepting storm sewer constructed by private contract in Northport Commons, Private Contract No. 1982.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00324
77. [00806](#) Accepting sanitary sewer constructed by Private Contract In Northport Commons, Private Contract No. 1982.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00325
78. [00809](#) Ordering Property Owners to Install Sidewalk in the 17th Aldermanic District.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00326

79. [00836](#) Accepting bituminous pavement constructed by private contract in Midtown Commons - Phase I, Private Contract No. 1797.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00327
80. [00837](#) Accepting bituminous pavement constructed by private contract in First Addition to Midtown Commons, Private Contract No. 1813.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00328
81. [00838](#) Accepting street improvements constructed by private contract in Hawks Woods - Phase II, Private Contract No. 1883.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00329
82. [00840](#) Accepting storm sewer constructed by private contract in Hawks Woods - Phase II, Private Contract No. 1883.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00330
83. [00841](#) Accepting sanitary sewer constructed by Private Contract In Hawks Woods - Phase II, Private Contract No. 1883.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00331
84. [00842](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Midvale Boulevard Sanitary Sewer Replacement, Contract No. 5829.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00332

85. [00843](#) Authorizing the Mayor and City Clerk to Enter into an Agreement with the Board of Regents of the University of Wisconsin System for the Development of 2501 Observatory Drive, Lot 76 Parking Ramp Improvements PUD, Private Contract No. 2037.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00333

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

86. [00049](#) Requesting a review by the Plan Commission, Urban Design Commission and the Common Council Organizational Committee of the Economic Development Commission's recommendations from their report entitled " Opportunities to Make Madison City Government More Friendly to Business" dated December 2004.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Rerefer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by acclamation.**
87. [00059](#) SUBSTITUTE - Creating Section 2.40(2)(d), renumbering current Sections 2.40(2)(d) through (n) to Sections 2.40(e) through (o), amending new Section 2.40(2)(f), amending Sections 2.40(2)(h), (2)(i), (3)(e), (3)(h), creating Sections 2.40(3)(i), (j), and (k), amending Sections 2.40(6)(c), (7), (8), (9)(a), (10)(a), (11)(b) and (11)(e) and creating Section 2.40(11)(f), amending Section 2.40(12), creating new Section 2.40(13), and renumbering current Sections 2.40(13) through (15) to Sections 2.40(14) through (16) of the Madison General Ordinances to modify portions of the lobbying ordinance.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by acclamation.**
- Enactment No:** ORD-05-00150
- [00059](#) SECOND SUBSTITUTE - Amending Section 2.40(2)(e), (g), (h), (i), and (3)(e), creating Section 2.40(3)(i), amending Sections 2.40(6)(c), (7), (8), (9)(a), (10)(a), (11)(b) and (11)(e), creating Section 2.40(11)(f), amending Section 2.40(12), creating new Section 2.40(13), and renumbering current Sections 2.40(13) through (15) to Sections 2.40(14) through (16) of the Madison General Ordinances to modify portions of the lobbying ordinance.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by acclamation.**
- Enactment No:** ORD-05-00150

REPORT OF MADISON CITIARTS COMMISSION

88. [00482](#) SUBSTITUTE - Amending Secs. 3.38(1)(b) and 8.33 of the Madison General Ordinances to change Madison CitiARTS to Madison Arts Commission.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00068
89. [00588](#) Authorizing design and implementation of a Public Art Work, not to exceed \$75,000.00 for a public art work at the Goodman Swimming Pool.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00334

REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

90. [00669](#) Repealing Subsection (106) of Section 12.1334 entitled "Parking Prohibited Except Temporarily While Attended by Operator" of the Madison General Ordinances, portions Harrison Street.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00069
91. [00670](#) Amending Subsection (158) of Section 12.132 entitled "Parking Prohibited At All Times" of the Madison General Ordinances, portions Harrison Street.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00070
92. [00830](#) Directing City Staff to Install Traffic Control Devices in Accordance with MGO 3.51(d) in order to Eliminate Commuter Traffic on Local Streets in the Lake Edge Neighborhood.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00335

REPORT OF PLAN COMMISSION

93. [00640](#) Amending the Sprecher Neighborhood Development Plan, an element of the City of Madison Master Plan, to revise the recommendations for the Rustic Acres subdivision area located south of Milwaukee Street and west of Sprecher Road. 3rd Ald. Dist.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00336

94. [00641](#) Amending the Nelson Neighborhood Development Plan, an element of the City of Madison Master Plan, to revise the land use recommendation for the properties along the south frontage of High Crossing Boulevard. 17th Ald. Dist.

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

Enactment No: RES-05-00337

95. [00852](#) Approving a Certified Survey Map of property owned by Premium Real Estate, LLC and DJK Real Estate, LLC at 618-718 Jupiter Drive. 13th Ald. Dist.

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

Enactment No: RES-05-00338

96. [00853](#) Approving a Certified Survey Map of property owned by MB Real Estate I, LLC at 7449 East Pass. 7th Ald. Dist.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00339

REFERRED TO THIS MEETING

APPOINTMENTS

97. [00690](#) Report of the Mayor submitting citizen committee appointments.
(Please note that some of the Allied Task Force appointments will be submitted for introduction from the floor at the March 15 Council meeting.) **2/3 vote required for appointees on BID Bd, Streetcar Study Committee and Allied Task Force.**
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Confirm. The motion passed by the following vote:**
- Aye:** 20 - Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkell, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz

RESOLUTIONS

98. [00777](#) SUBSTITUTE - Establishing a Glass-Free Zone for the West Mifflin Street area from 10:00 a.m. on April 30, 2005 through 6:00 a.m. on May 1, 2005 and from 10:00 a.m. on May 7, 2005 through 6:00 a.m. on May 8, 2005.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00340
99. [00786](#) Recommending the selection of census tract 30.02 (Hiestand) as the focus for a concentration neighborhood planning process and encouraging the appointment of a steering committee of residents and business representatives to help develop a neighborhood plan for the area.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00341

NEW BUSINESS

Referred on a motion made by Council President Konkell, seconded by Verveer. The motion passed by acclamation.

ORDINANCES

100. [00844](#) Creating Section 28.06(2)(a)3089 of the Madison General Ordinances rezoning property from Temp A Agriculture to M1 Limited Manufacturing District. Proposed Use: 1 Story, 98,000 Square Feet Office Building; 16th Aldermanic District: 5818-5830 Femrite Drive.
Refer For Public Hearing to the PLAN COMMISSION
101. [00845](#) Creating Section 28.06(2)(a)3090 of the Madison General Ordinances rezoning property from Temp A Agriculture to C2 General Commercial District. Proposed Use: Future Commercial Development; 16th Aldermanic District: 6334 Millpond Road.
Refer For Public Hearing to the PLAN COMMISSION
102. [00846](#) Creating Section 28.06(2)(a)3091 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District. Proposed Use: 32 Single Family Lots & 3 Outlots; 3rd Aldermanic District, 202 & 302 Rustic Drive.
Refer For Public Hearing to the PLAN COMMISSION
103. [00847](#) Creating Section 28.06(2)(a)3092 of the Madison General Ordinances rezoning property from Temp A Agriculture to R1Single-Family Residence District, and creating Section 28.06(2)(a)3093 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2T Single-Family Residence District. Proposed Use: 33 Single Family Lots 1 Outlot; 1st Aldermanic District, 9503 Midtown Road.
Refer For Public Hearing to the PLAN COMMISSION
104. [00848](#) Creating Section 28.06(2)(a)3094 of the Madison General Ordinances rezoning property from O3 Administrative Office District to O4 Administrative Office and Research and Development District. Proposed Use: Future Office Development; 17th Ald. District: 5501 Portage Road.
Refer For Public Hearing to the PLAN COMMISSION
105. [00856](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Library Technical Operations Coordinator in Compensation Group 18, Range 11, thereof.
Refer to the BOARD OF ESTIMATES
Refer to the PERSONNEL BOARD
106. [00857](#) Amending Section 3.38(1)(i)1.g. of the Madison General Ordinances by deleting the classification of Overture Center Sponsorship and Group Sales Associate in Compensation Group 19, Range 09, and creating the class of Overture Center Sponsorship Associate in Compensation Group 19, Range 09, thereof, as a retirement.
Refer to the BOARD OF ESTIMATES
Refer to the PERSONNEL BOARD

107. [00858](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by creating the classification of Parks Event Scheduler in Compensation Group 20, Range 12.
Refer to the BOARD OF ESTIMATES
Refer to the PERSONNEL BOARD
108. [00859](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of City Channel Production Supervisor in Compensation Group 18, Range 06, and recreating said class in Compensation Group 18, Range 07, thereof.
Refer to the BOARD OF ESTIMATES
Refer to the PERSONNEL BOARD
109. [00860](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by creating the class of Overture Center Security Coordinator in Compensation Group 18, Range 04, thereof.
Refer to the BOARD OF ESTIMATES
115. [00830](#) Directing City Staff to Install Traffic Control Devices in Accordance with MGO 3.51(d) in order to Eliminate Commuter Traffic on Local Streets in the Lake Edge Neighborhood.
Enactment No: RES-05-00335
- [00860](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by creating the class of Overture Center Security Coordinator in Compensation Group 18, Range 04, thereof.
Refer to the PERSONNEL BOARD
110. [00876](#) 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 of alcohol beverages sold in kegs in the City of Madison.
Refer to the ALCOHOL LICENSE REVIEW COMMITTEE
Refer to the PUBLIC SAFETY REVIEW BOARD
Fiscal Note Required / Approval to the Comptroller's Office/Approval Group
111. [00893](#) Adopting and confirming an Addendum to Employment Agreement between the City of Madison and Mr. Larry D. Nelson, City Engineer.
Confirmation Hearing
Refer to the BOARD OF ESTIMATES
112. [00895](#) Adopting and confirming an Employment Agreement between the City of Madison and George Hank III as Inspection Unit Director.
Confirmation Hearing
Refer to the BOARD OF ESTIMATES

113. [00902](#) Creating Section 38.06(12) of the Madison General Ordinances to provide a definition for Centers for the Visual and Performing Arts and to establish licensing and operational requirements for such Centers.

Refer to the ALCOHOL LICENSE REVIEW COMMITTEE

Refer to the PUBLIC SAFETY REVIEW BOARD

RESOLUTIONS

114. [00811](#) Establishing guidelines for the use of funds received for the Inclusionary Zoning Special Revenue Fund.

Refer to the BOARD OF ESTIMATES

Refer to the PLAN COMMISSION

Refer to the HOUSING COMMITTEE

Fiscal Note Required / Approval to the Comptroller's Office/Approval Group

[00830](#)

Directing City Staff to Install Traffic Control Devices in Accordance with MGO 3.51(d) in order to Eliminate Commuter Traffic on Local Streets in the Lake Edge Neighborhood.

This was listed on the agenda twice in error. This is # 92 on the agenda & was adopted under the Report of Ped Bike Motor Vehicle Commission.

Enactment No: RES-05-00335

116. [00834](#) Authorizing the Common Council to accept ownership from the Westmorland Neighborhood Association of three (3) park benches to be installed at existing Metro bus stop locations, located in public right-of-way in the 400 and 500 Blocks of Toepfer Avenue.

Refer to the BOARD OF PUBLIC WORKS

Refer to the PLAN COMMISSION

Refer to the TRANSIT AND PARKING COMMISSION

117. [00835](#) Authorizing the City of Madison to accept and administer an Urban Nonpoint Source & Stormwater Management Program grant received from the Wisconsin Department of Natural Resources for the Wingra Creek Parkway Improvements -Phase 1 Project.

Refer to the BOARD OF PUBLIC WORKS

118. [00839](#) Authorizing the City of Madison to accept volunteer release forms from residents of the neighborhood adjacent to the Parr Street stormwater outfall, allowing them to maintain a trash collection device installed in Monona Bay by the City. [13th AD]

Refer to the BOARD OF PUBLIC WORKS

Refer to the COMMISSION ON THE ENVIRONMENT

Refer to the Attorney's Office

119. [00850](#) Establishing an official city policy that no public funds shall be used in the purchase of goods made under the deplorable, inhumane conditions of a sweatshop and that the Board of Estimates, in conjunction with city staff, evaluate current purchasing decisions and create a purchasing policy to achieve the greatest possible furtherance of this policy no later than July 19, 2005.

Refer to the BOARD OF ESTIMATES**Fiscal Note Required / Approval to the Comptroller's Office/Approval Group**

120. [00855](#) Authorizing the use of non-standard indemnification language in a Permanent Limited Easement for Public Pedestrian /Bicycle Path between the City and Board of Regents of the University of Wisconsin System to provide for the construction and maintenance of the Southwest Bike Path Phase IV from Randall Avenue to Murray Street.

Refer to the BOARD OF ESTIMATES**Refer to the Risk Manager****Refer to the Attorney's Office**

121. [00861](#) That the position (#449) of Library Technical Operations Coordinator in Compensation Group 18, Range 11 (occupied by J. Grogan) in the permanent salary detail of the Library budget is repealed and recreated as a position of Library Supervisor in Compensation Group 18, Range 10, thereof, and that the incumbent shall be reallocated to said position.

Refer to the BOARD OF ESTIMATES**Refer to the PERSONNEL BOARD**

122. [00862](#) That the position (#3975) of Overture Center Sponsorship and Group Sales Associate in Compensation Group 19, Range 09, (occupied by B. DiSalvo) in the permanent salary detail of the Overture Center budget is repealed and recreated as a position of Overture Center Sponsorship Associate in Compensation Group 19, Range 09, thereof, as a retirement, and that the incumbent shall be reallocated to said position pending the negotiation of an amended employment agreement.

Refer to the BOARD OF ESTIMATES**Refer to the PERSONNEL BOARD**

123. [00863](#) That the position (#1234) of Traffic Engineer 2 in Compensation Group 18, Range 12, (occupied by B. Smith) in the permanent salary detail of the Traffic Engineering budget is repealed and recreated as an Traffic Engineer 3 in Compensation Group 18, Range 14, thereof and that the incumbent shall be reallocated to said position.

Refer to the BOARD OF ESTIMATES**Refer to the PERSONNEL BOARD**

124. [00864](#) That the new position tentatively identified as a Parks Event Planner (no Compensation Group/Range specified) in the permanent salary detail of the Parks Department budget is repealed and recreated as a Parks Event Scheduler in Compensation Group 20, Range 12, thereof.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PERSONNEL BOARD**
125. [00865](#) That the position (#759) of City Channel Production Supervisor, in Compensation Group 18, Range 06, (occupied by D. May) in the permanent salary detail of the City Channel budget is repealed and recreated as a City Channel Production Supervisor in Compensation Group 18, Range 07, thereof, and that the incumbent shall be reallocated to said position.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PERSONNEL BOARD**
126. [00866](#) That the position tentatively identified as Security Coordinator in the permanent salary detail of the Overture Center budget is repealed and recreated as a position of Overture Center Security Coordinator in Compensation Group 18, Range 04, thereof.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PERSONNEL BOARD**
127. [00868](#) Authorizing the Mayor and City Clerk to sign and execute a six (6) month Agreement with three (3) six (6) month renewal periods with Organizacion Latina De Futbol, Inc. to reserve soccer fields at the following City of Madison Parks in exchange for Organizacion Latina De Futbol, Inc.'s maintenance of those fields: Hiestand Park, Warner Park and Elver Park.
- Refer to the BOARD OF PARK COMMISSIONERS**
- Refer to the BOARD OF ESTIMATES**
128. [00871](#) Re-allocating purchase of service allocations in the 2005 City of Madison budget for services provided through the Girl Neighborhood Power program to the Bridge/ Lakepoint neighborhood from the Girl Scouts of Black Hawk Council to the Bridge/ Lakepoint/ Waunona Neighborhood Center (dba Vera Court Neighborhood Center).
- Refer to the BOARD OF ESTIMATES**
129. [00872](#) Approving plans and specifications and authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for the construction of East Washington Avenue Segment Two (Thornton Ave to Second Street).
- Refer to the BOARD OF PUBLIC WORKS**
- Refer to the BOARD OF ESTIMATES**
- Refer to the EAST WASHINGTON AVENUE DESIGN OVERSIGHT COMMITTEE**

130. [00889](#) Authorizing the Mayor and City Clerk to sign an Agreement with Oakwood Village East Lutheran Homes, Inc. and Oakwood Village East Apartment Homes, Inc., for the payment of a fee for municipal services.
- Refer to the BOARD OF ESTIMATES**
- Refer to the Assessor's Office**
- Fiscal Note Required / Approval to the Comptroller's Office/Approval Group**
131. [00890](#) Retaining Attorney Ronald Ragatz and DeWitt, Ross & Stevens, S.C. for landfill remediation work and amending the 2005 Engineering Division Operating Budget to allow for the expenditure of \$150,000 in related legal fees and costs.
- Refer to the BOARD OF ESTIMATES**
- Refer to the BOARD OF PUBLIC WORKS**
132. [00892](#) Authorizing the Mayor and City Clerk to execute a lease with Robert Weichman for an approximately 25-acre City-owned parcel located at Hoepker Road and Interstate 90-94.
- Refer to the PLAN COMMISSION**
133. [00894](#) Confirming the re-appointment of Mr. Larry D. Nelson to the position of City Engineer, subject to the approval and execution of an Addendum to Employment Agreement.
- Confirmation Hearing*
- Refer to the BOARD OF ESTIMATES**
134. [00896](#) Submitting the name of George Hank III for confirmation of a five year term as Inspection Unit Director.
- Confirmation Hearing*
- Refer to the BOARD OF ESTIMATES**
135. [00898](#) Creating Tax Incremental Finance (TIF) District #34 (Covance) City of Madison and approving a Project Plan and Boundary for said TIF District.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PLAN COMMISSION**

REPORTS

136. [00851](#) Regarding the Establishment of a Program to Reimburse Property Owners for Losses Sustained as a Result of Backups or Stoppages in the Public Sewerage System.
- Refer to the BOARD OF ESTIMATES**

CLAIMS - REFER TO RISK MANAGER

137. [00877](#) A. Ozeki, 218 S. Basset Street #308, Madison - property damage - \$1,657.59.
138. [00878](#) D. Ehle, 1015 Melvin Court, Madison - property damage - \$34.59.
139. [00879](#) J. Sarbacker, 4608 Maher Avenue, Madison - property damage - \$6,915.52.
140. [00880](#) Dennis Sieg, attorney for S. White, 501 N. Whitney Way, Apt. 14, Madison - personal injury, pain and suffering - \$13,500.00.
141. [00881](#) Anne MacArthur, attorney for J. & D. Kunz, 822 Fairmont Avenue, Madison - personal injury and pain and suffering - amount to be determined.
142. [00882](#) American Family Insurance Group for W. Cruzen - property damage - \$1,370.86.
143. [00883](#) W. & G. Harris, 4604 Maher Avenue, Madison - property damage - \$379.02.
144. [00884](#) Alexander S. Kammer, attorney for T. Dolphin, 3302 Olson Road, Dodgeville - amount to be determined.
145. [00885](#) W. Erich Scherr, attorney for L. Goodwin, 2414 Allied Drive, Apt. 4, Madison - personal injury, pain and suffering - \$50,000.00.
146. [00886](#) A. Smith, 695 Wood Violet Lane, Sun Prairie - property damage - \$1,229.74.
147. [00887](#) M. Rahman, 2922 Brandon Road, Madison - property damage - \$90.00.
148. [00905](#) H. Gruendemann, 4417 Hollow Ridge Rd., Madison - vehicle damage - \$959.84.

SPECIAL ORDER OF BUSINESS**RESOLUTION**

149. [00891](#) Proclaiming the evening of April 16, 2005 as "Take Back the Night" and the month of April as "Sexual Assault Awareness Month", and in recognition of the important efforts of the Dane County Take Back the Night Coalition, urge all citizens to actively participate in the "Take Back the Night March and Rally" along with other Sexual Assault Awareness Month activities.

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

Enactment No: RES-05-00342

150. [00920](#) Honoring the Spartan players, coaches and fans of the Division 1 state champion Madison Memorial Basketball Team.
- A motion was made by Ald. Holtzman, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00343

NEW BUSINESS

RESOLUTION

151. [00665](#) Relating to 2005-2006 Paratransit Licensing.
- Adopt at the 4/19/05 Common Council Meeting*
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL, due back on April 19, 2005. The motion passed by acclamation.**

ITEMS INTRODUCED FROM THE FLOOR

- [00930](#) Amending Sections 9.13(6)(j)2. and 9.13(6)(j)3, to eliminate the requirement that restaurant wait staff must carry and serve all food, beverage and alcohol beverages to patrons within a sidewalk cafe, and to allow patrons of all types of sidewalk cafes to carry out their own food, beverage and alcohol beverages from the restaurant to the sidewalk cafe.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the VENDING OVERSIGHT COMMITTEE, due back on May 3, 2005. The motion passed by acclamation.**

Refer to the ALCOHOL LICENSE REVIEW COMMITTEE

- [00936](#) Opposing any bills in the Wisconsin Legislature that result in pre-empting local units of government from regulating smoking and smoke-free environments.
- Adopt at the 4/19/05 Common Council Meeting*
- A motion was made by Ald. MacCubbin, seconded by Ald. Olson, to Refer to a future Meeting to Adopt. The motion passed by acclamation.**

RECONSIDERATIONS

- [00586](#) Amending Section 2.205 of the Madison General Ordinances to establish that the election for President and President Pro Tem shall be conducted by instant runoff procedures.
- Refer to Common Council Meeting 4-19-05.*
- A motion was made by Ald. Golden, seconded by Council President Konkell, to Reconsider and refer to a future meeting. The motion passed by acclamation.**

ADJOURNMENT

A motion was made by Ald. Onken, seconded by Ald. Webber, to Adjourn at 11:50 p.m. The motion passed by acclamation.

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

Ordinances published April 16th, 2005.

RAY FISHER, CITY CLERK