



City of Madison

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

Proceedings - Draft COMMON COUNCIL

This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at www.madisoncitychannel.tv.

Tuesday, June 1, 2010

6:30 PM

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

ROLL CALL

6:38 PM, MAYOR CIESLEWICZ IN THE CHAIR

- Present:** 16 - David J. Cieslewicz
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Chris Schmidt
Satya V. Rhodes-Conway
Julia S. Kerr
Tim Bruer
Larry Palm
Judy Compton
Mark Clear
- Excused:** 5 - Jed Sanborn
Brian L. Solomon
Joseph R. Clausius
Michael Schumacher
Thuy Pham-Remmele

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: Ald. Joe Clausius, Ald. Michael Schumacher, Ald. Brian Solomon, Ald. Jed Sanborn, Ald. Thuy Pham-Remmele

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 Ald. Clear, seconded by Ald. Cnare, to Suspend the Rules. The motion passed by voice vote/other.

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 ALCOHOL LICENSE REVIEW COMMITTEE**

1. [16727](#) Public Hearing - New License
Bernie & Tony's Piano Bar & Sicilian Restaurant LLC
dba Bernie & Tony's • 30% alcohol, 65% food, 5% Other
4265 W Beltline Hwy • Agent: Thomas Caputo • Estimated Capacity: 100
Class B Combination Liquor & Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 104

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.

REPORT OF PLAN COMMISSION

2. [17780](#) Creating Section 28.06(2)(a)3481. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3482. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish 3 Existing Residences to Allow Construction of an 87-Unit Apartment Building; 8th Aldermanic District: 1208-1214 Spring Street.

Sponsors: Common Council By Request

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-10-00056

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

3. [17243](#) Public Hearing - New License
Faouzi LLC • dba Faouzi's Bar & Grill • 40% alcohol, 60% food
4245 W Beltline Hwy • Agent: Corey Rogers • Estimated Capacity: 120
Class B Combination Liquor & Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 104

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

4. [17930](#) Public Hearing - New License
Thao Real Estate LLC • dba Brothers Wok • 30% alcohol, 70% food
2817 E Washington Ave • Agent: Nao Nhia Thao • Estimated Capacity: 149
Class B Combination Liquor & Beer
Aldermanic District 15 (Alder Palm) • Police Sector 603

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Deny. The motion passed by voice vote/other.

5. [17934](#) Public Hearing - New License
Henry Vilas Zoological Society • dba Henry Vilas Zoological Society
606 S Randall St • Agent: Ann De Tienne
Estimated Capacity: Main tent 150; Education Pavillion 150; Visitor Center
70
Class B Combination Liquor & Beer
Aldermanic District 13 (Alder Kerr) • Police Sector 303

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.

6. [18277](#) Public Hearing - New License
China Star LLC • China Star • 5% alcohol, 95% food
515 Junction Rd • Agent: Jie Yang • Estimated Capacity: 40
Class B Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 128

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

7. [18279](#) Public Hearing - New License
Horseshoe Bar LLC • Horseshoe Bar • 70% alcohol, 30% food
3900 Dempsey Rd • Agent: Mitat Ibrahim • Estimated Capacity: 99
Class B Combination Liquor & Beer
Aldermanic District 15 (Alder Palm) • Police Sector 613

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

8. [18282](#) Public Hearing - New License
Blue Plate Catering, Inc • Blue Plate Catering • 5% alcohol, 95% food
702 South Highpoint Rd • Agent: Jodi Fowler • Estimated Capacity: 753
Class B Combination Liquor & Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 129

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

9. [18284](#) Public Hearing - New License
TGRM LLC • The Lucky Duck • 95% alcohol, 5% food
303 N Henry St • Agent: Ted Gervasi • Estimated Capacity: 240
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 403 • Density Area

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

10. [18286](#) Public Hearing - New License
Pat & Mike, Inc. • Lombardinos • 30% alcohol, 70% food
2500 University Ave • Agent: Patrick O'Halloran
Estimated Capacity: 100
Class B Combination Liquor & Beer
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.**
11. [18495](#) Separated Liquor License Renewal
Schmock, Lawrence & Thomas • dba Blue Moon
2535 University Ave • Estimated Capacity: 99
Class B Combination Liquor & Beer • 45% alcohol, 55% food
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301
Separation requested by Alderperson and Neighborhood Association.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant With Condition(s). The motion passed by voice vote/other.**
12. [18447](#) Separated Liquor License Renewal
Whiskey River LLC • dba Rev Jim's Roadhouse
6402 Millpond Rd • Agent: Kevin Weaver
Class B Combination Liquor & Beer • 75% alcohol, 20% food, 5% other
Aldermanic District 16 (Alder Compton) • Police Sector 621
Separation requested by Police Department.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.**
13. [18478](#) To grant Class A Liquor, Class A Beer, Class B Beer, Class B Combination Liquor & Beer, Class C Wine, Wholesale Beer 2010-2011 License Renewals with restrictions as previously approved and to include any change of corporate structure and amended conditions as set forth in the report.
- A motion was made by Ald. Clear, seconded by Ald. Bidar-Sielaff, to Grant With Condition(s). The motion passed by voice vote/other.**
14. [18508](#) Non-Renewal
Thao Real Estate LLC • dba Brothers Wok
2817 E Washington Ave • Agent: G. Pao Thao
Class B Beer • 3% alcohol, 90% food
Aldermanic District 15 (Alder Palm) • Police Sector 603
Separation requested by City Attorney.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Non-Renew . The motion passed by voice vote/other.**

REPORT OF BOARD OF PUBLIC WORKS

- 15. [18422](#) Approving Plans, Specifications, and Schedule Of Assessments For North Sherman Avenue Resurfacing Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00497

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

- 16. [18419](#) Report of the Mayor submitting citizen committee appointments (introduced 5-18-2010; action 6-1-2010).

Sponsors: David J. Cieslewicz

With at least 2/3 votes

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Confirm. The motion passed by voice vote/other.

- 17. [18454](#) Report of the Mayor submitting citizen committee appointments (introduced 6-1-2010; action 6-15-2010).

Sponsors: David J. Cieslewicz

Adopt 6-15-10

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the COMMON COUNCIL, due back on 6/15/2010. The motion passed by voice vote/other.

REPORTS OF OFFICERS

REPORT OF AFFIRMATIVE ACTION COMMISSION

- 18. [16817](#) Amending Sec. 39.02(9)(a)2.f. of the Madison General Ordinances to exempt relocation type contracts from the Affirmative Action requirements.

Sponsors: Joseph R. Clausius, Paul E. Skidmore and David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-10-00057

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

19. [17734](#) 18+ Center for Visual & Performing Arts License
TK JMPK LLC • dba Tilted Kilt Madison West • Estimated Capacity: 199
420 Gammon Rd. • Agent: Robert Rynes
Class B Combination Liquor & Beer • 40% alcohol, 58% food, 2% Other
Aldermanic District 19 (Alder Clear) • Police Sector 113

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant With Condition(s): There is to be no entertainment past 1:00 am. The motion passed by voice vote/other.

20. [17980](#) Change of Licensed Premise
Dandyfire Inc • dba Woofs • Estimated Capacity of 120
114 King St • Agent: Dino Maniaci
Class B Combination Liquor & Beer • 100% Alcohol
Aldermanic District 04 (Alder Verveer) • Police Sector 406
Request to expand licensed premise to include basement area for card parties and private gatherings.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.

21. [18082](#) Operator License Application
Renee Kubinieć - Establishment where employed: Chasers
Referred from 4/21/10 ALRC meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.

22. [18083](#) Operator License Application
Heather Zvara - Establishment where employed: Pedros
Referred from 4/21/10 ALRC meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.

23. [18084](#) Operator License Application
Tamika Bailey - Establishment where employed: Hyatt Place
Referred from 4/21/10 ALRC meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.

24. [18085](#) Operator License Application
David Miyagawa - Establishment where employed: The Pub
Referred from 4/21/10 ALRC meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.

25. [18087](#) Operator License Application
Christopher Robinson - Establishment where employed: n/a
Referred from 4/21/10 ALRC meeting.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.

26. [18402](#) Change of Agent
S & K Odana LLC • dba Spice N Curry • 6119 Odana Rd
New Agent: Ramesh K. Chhabra
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

27. [18403](#) Change of Agent
CEC Entertainment Inc • dba Chuck E Cheese's • 438 Grand Canyon Dr
New Agent: Mark Carlson
Class B Beer • 1% alcohol, 65% food, 34% other
Aldermanic District 19 (Alder Clear) • Police Sector 113

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

28. [18404](#) Change of Agent
Hy-Vee Inc. • dba Hy-Vee • 3801 E Washington Ave.
New Agent: Robert L. Budd III
Class A Beer and Class A Liquor
Aldermanic District 17 (Alder Clausius) • Police Sector 605

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

29. [18405](#) Change of Agent
LaPepe Inc • dba Tex Tubbs Taco Palace • 2009 Atwood Ave
New Agent: Nicholas D. Curran
Class B Combination Liquor & Beer • 30% alcohol, 69% food, 1% other
Aldermanic District 6 (Alder Rummel) • Police Sector 410

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

30. [18406](#) Change of Agent
Firefly LLC • dba Tex Tubbs Taco Palace 2 • 2701 University Ave
New Agent: David S. Shaffer
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 5 (Alder Bidar-Sielaff) • Police Sector 301

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

31. [18407](#) Change of Agent
Circolo LLC • dba Pasqual's Hilldale • 670 N Midvale Blvd
New Agent: Kimberly A. Taubert
Class B Combination Liquor & Beer • 17% alcohol, 80% food
Aldermanic District 11 (Alder Schmidt) • Police Sector 108

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

32. [18413](#) Change of Agent
Madison Lounge Inc • dba Crowne Plaza Madison
4402 E Washington Ave • New Agent: Karen M. Thomas
Class B Combination Liquor & Beer • 24% alcohol, 76% food
Aldermanic District 17 (Alder Clausius) • Police Sector 518

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

33. [18417](#) Change of Licensed Premise
Circolo LLC • dba Pasqual's Hilldale • Capacity: 97 indoors; 44 outdoors
670 N Midvale Blvd • Agent: Benjamin Roberts
Class B Combination Liquor & Beer • 17% Alcohol, 80% food, 3% other
Aldermanic District 11 (Alder Schmidt) • Police Sector 108
Request to add 868 sq. ft. of adjacent space.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

34. [18418](#) Change of Licensed Premise
Capitol Hospitality LLC • dba Sprecher's Restaurant & Pub
Capacity of Patio: 267
1262 John Q Hammons Dr • Agent: Susan Getgen
Class B Combination Liquor & Beer • 25% Alcohol, 70% food, 5% other
Aldermanic District 9 (Alder Skidmore) • Police Sector 127
Request to add dining patio.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

35. [18425](#) 21+ Entertainment License
Von Kulmbach LLC • dba Knuckle Down Saloon
2513 Seiferth Rd • Agent: Christopher Kalmbach
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 16 (Alder Compton) • Police Sector 619

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

36. [18426](#) 18+ Center for Visual & Performing Arts License
Capitol Hospitality LLC • dba Sprecher's
1262 John Q Hammons Dr • Agent: Susan Getgen
Class B Combination Liquor & Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 127

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant With Condition(s): There is to be no entertainment past 1:00 am. The motion passed by voice vote/other.

37. [18437](#) 21+ Entertainment License
Madison Dough Boys Inc • dba Glass Nickel Pizza Co
2916 Atwood Ave • Agent: Timothy J. Nicholson
Class B Combination Liquor & Beer • 15% alcohol, 85% food
Aldermanic District 6 (Alder Rummel) • Police Sector 602

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

38. [18493](#) To grant 18+ Center for Visual & Performing Arts 2010-2011 License Renewals with restrictions as previously approved and amended conditions as set forth in the report.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

39. [18494](#) To grant 21+ Entertainment 2010-2011 License Renewals with restrictions as previously approved and to include any amended conditions as set forth in the report.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

REPORT OF ATTORNEY'S OFFICE

40. [00030](#) Repealing Section 9.29 of the Madison General Ordinances to eliminate the requirement of a cabaret license, and amending Sections 1.08(3)(a), 9.03 and 38.10(4)(b) to delete references to the repealed section.

Sponsors: Austin W. King

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File. The motion passed by voice vote/other.

41. [00032](#) Amending certain Subsections of 28.03, 28.07 and 28.08 and creating various Paragraphs in 28.08(2), (7), (9), (11), and (12) of the Madison General Ordinances to change some siting requirement for Community Living Arrangements and to create a definition and siting regulations for Adult Family Homes.

Sponsors: Austin W. King and Michael E. Verveer

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File. The motion passed by voice vote/other.

42. [00736](#) Amending Section 1.08(3)(a) of the Madison General Ordinances to add various violations of landlord and tenant regulations to the bail deposit schedules.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File. The motion passed by voice vote/other.

43. [03488](#) Amending Section 33.02(4)(f) to clarify requirements and Sections 28.085(3)b.2., 28.09(3)(a), (b)4., (d)25., (4)(b)5. and Section 28.12(12)(a)4. to be consistent with Section 33.02(4)(f).

Sponsors: Kenneth Golden

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File. The motion passed by voice vote/other.

44. [03687](#) Repealing and recreating Section 24.08(3)(f) of the Madison General Ordinances to reduce the permitted hours of construction noise on Saturday and Sunday.

Sponsors: Michael E. Verveer

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

45. [18348](#) UNLAWFUL TAXATION: David L. Brown, Ernst & Young LLP, One Kansas City Pl., Ste. 2500, 1200 Main St., Kansas City, MO 64105-2122, for Lee Enterprises, Inc., 200 N. Harrison St., Ste. 600, Davenport, IA 52801 - excessive taxation - refund plus interest.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Accept with the Following Conditions: See attached Report of the City Attorney. The motion passed by voice vote/other.

REPORT OF BOARD OF BUILDING CODE, FIRE CODE, AND LICENSING APPEALS

46. [18125](#) Creating Sections 7.56, 10.41, 17.13, 18.01(3), 18.01(4), 19.08(1)(c), 19.08(1)(d), 22.05(6) and (7), 23.57, 24.13, 28.12(13)(f), 29.15(5) and (6), creating Sec. 30.01(13) and renumbering current Sec. 30.01(13) to Sec. 30.01(14), creating Secs. 31.04(4)(c), 37.12(7) and renumbering current Secs. 37.12(7) and (8) to Secs. 37.12(8) and (9) of the Madison General Ordinances to allow the Director of the Building Inspection Division to assess fees for compliance inspections.

Sponsors: Tim Bruer

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-10-00058

REPORT OF CLERK'S OFFICE

47. [18657](#) To grant the following Secondhand Textbook Dealer License Renewals; Madison Area Technical College (302 S Gammon Rd), Madison Area Technical College (211 N Carroll St), Madison Area Technical College (3550 Anderson St), Rainbow Bookstore Cooperative of Madison WI Inc (426 W Gilman St), Nebraska Book Company Inc (664 State St), University Book Store (711 State St).

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

48. [18658](#) To grant the following Secondhand Dealer/Pawnbroker License Renewals; Caryl Askins-Paul's Bookstore (670 State St), Robert P. Lee-Madison Coin & Stamp (1123 S Park St), Ovens East Inc-Rick's Olde Gold (1314 Williamson St), Roesler Inc-Preplayed (7610 Mineral Point Rd), Roesler Inc-Preplayed (3868 E Washington Ave), Frugal Muse Books, Music & Video Inc (1193 N Sherman Ave), Frugal Muse Books, Music & Video Inc (235 Junction Rd), David H. Ward-Stony Hill Antiques (2140 Regent St), MadCity Music Exchange Corp of Madison-MadCity Music Exchange (600 Williamson St), AJS Enterprises Inc-Madison Music (4253 W Beltline Hwy), Paragon Video & Stereo Inc (1905 Monroe St), Larry W. Gleasman-Grampa's Gun Shop (1374 Williamson St), GameStop Inc (640 State St), GameStop Inc (128 West Towne Mall), GameStop Inc (54 East Towne Mall), GameStop Inc (8118 Mineral Point Rd), Essence Rare Coins LLC-Jim's Coin & Stamp (702 N Midvale Blvd), The Diamond Center Inc (509 S Gammon Rd), Orphan Antiques LLC-Antiques Mall of Madison (4748 Cottage Grove Rd).

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

49. [18659](#) To grant the following Auto Salvage Dealer Renewal; Schmidt's Auto Inc (1621 Beld St).

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

50. [18660](#) To grant the following Theater License Renewal: Sundance Cinemas LLC (430 N Midvale Blvd).

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

51. [18665](#) To grant the following Adult Entertainment Establishment Renewal: Chug-A-Lug Inc-Club 5 (5 Applegate Ct).

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.

REPORT OF COMMUNITY DEVELOPMENT AUTHORITY

52. [18654](#) Report of Proposed Transfer of Real Property in the Badger-Ann-Park Redevelopment Area

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

REPORT OF BOARD OF ESTIMATES

53. [18243](#) Determining a Public Purpose and Necessity and Adopting a Relocation Order for the acquisition of land interests located at 220 Merry Street, 230 Merry Street and 1626 Winnebago Street for the completion of the Yahara River Parkway and Pedestrian Path, and amending the 2010 Parks Division Capital Budget.
- Sponsors:** Marsha A. Rummel
- With minimum of 15 votes
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-10-00532
54. [18269](#) Authorizing the Mayor and City Clerk to amend the contracts with The Bower Group and Vandewalle & Associates/The Hiebing Group Inc. for consultation services to implement the East Washington Avenue Capitol Gateway Corridor Plan, and related projects within the Capitol East District, for an amount not to exceed \$201,000 total for a term of the agreement through December 31, 2010.
- Sponsors:** Satya V. Rhodes-Conway, Marsha A. Rummel and Bridget R. Maniaci
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00499
55. [18347](#) Approving the double-fill of a Parking Analyst position during the time in which the current Parking Analyst, Joanne Easland, is on a Leave of Absence.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00500
56. [18451](#) A Resolution authorizing the Mayor and City Clerk to execute contracts for software support and maintenance with Mid-America Consulting Group, Inc. and SymPro, Inc.
- Sponsors:** David J. Cieslewicz and Mark Clear
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-10-00501

57. [18456](#) Amending the Information Technology 2010 Capital Budget by transferring \$40,000 from Contingent Reserve to the Purchased Software Enhancements Project #810345 to fund modifications to the City's Tax Billing and Collection Software to accommodate multiple tax payment installments.

Sponsors: David J. Cieslewicz

Adopt 6-15-10

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer to the COMMON COUNCIL, due back on 6/15/2010. The motion passed by voice vote/other.

58. [18498](#) Repealing Sections 4.07(1) and (2) and creating Sections 4.07(1) through (11) of the Madison General Ordinances to provide for installment payment of real property tax and personal property taxes for improvements on leased land and establish payment procedures for personal property tax, special charges, special assessments and special taxes.

Sponsors: Mark Clear

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer to the COMMON COUNCIL and should be returned by 6/15/2010. The motion passed by voice vote/other.

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

59. [17962](#) Amending Section 7.01(1)(a) of the Madison General Ordinances to reduce the membership of the Pest Management Advisory Committee from six to five members.

Sponsors: Lauren Cnare

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-10-00059

REPORT OF PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION

60. [18272](#) Amending Section 12.1339(1) of the Madison General Ordinances to facilitate street cleaning by allowing the enforcement of parking restrictions.

Sponsors: Michael E. Verveer and Bryon A. Eagon

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: ORD-10-00060

REPORT OF DEPT OF PLANNING & COMMUNITY & ECONOMIC DEVELOPMENT

61. [18595](#) Approving a Certified Survey Map of property owned by Hawks Golf Land, LLC located at 88 Hawks Landing Circle. (1st Ald. Dist.)

Sponsors: Common Council By Request

A motion was made by Ald. Clear, seconded by Ald. Cnare, 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-10-00502

62. [18602](#) Authorizing the City's application to amend the Rodefeld Limited Service Area at the Rodefeld Landfill, 7102 US Highway 12 & 18, as required to provide sanitary sewer service to development in the proposed amendment area.

Sponsors: Judy Compton

A motion was made by Ald. Clear, seconded by Ald. Cnare, 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-10-00503

REPORT OF BOARD OF PUBLIC WORKS

63. [18039](#) Accepting a Proposed Settlement with the Compass Insurance Company for Landfill Remediation Claims, Authorizing the Mayor and City Clerk to Sign Settlement Agreements and any Other Documents Necessary to Complete the Settlement, including Releases and Indemnifications, and Directing that Settlement Funds Be Used to Reduce Future Remediation Fees.

Sponsors: David J. Cieslewicz, Joseph R. Clausius and Larry Palm

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00504

64. [18100](#) Authorizing the Common Council to accept ownership from Capitol Neighborhoods Inc. of decorative garden plantings located at three existing neighborhood entrance sign sites located on City-owned lands, in the Bassett Neighborhood area.

Sponsors: Michael E. Verveer

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00505

65. [18180](#) Authorizing the execution of a Dedication Agreement between the City of Madison and Gerald J. Tigges, and acceptance of a Warranty Deed from Gerald J. Tigges to the City of Madison for the dedication of additional public right-of-way for Lien Road, at no cost to the City of Madison, located at 4701 Lien Road.

Sponsors: Joseph R. Clausius

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00506

66. [18204](#) Determining a Public Purpose and Necessity and adopting an Amended Relocation Order for the acquisition of Plat of land interests from Mills, Sauey and the Town of Burke required for the construction of Felland Road Sanitary Sewer Phase 2 Project near Felland Road / Burke Road / Wisconsin & Southern Railroad, located in that part of the South 1/2 of Section 23 and part of the North 1/2 of Section 26, all in Town 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin. (17th AD)

Sponsors: Joseph R. Clausius

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00507

67. [18367](#) Approving Addendum No. 1 to the Traffic Signal Operation and Maintenance Agreement for Frey Street and Segoe Road Intersection. (11th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00508

68. [18369](#) Declaring the City of Madison's intention to exercise its police powers establishing the Todd Drive (Frontage Road-McDivitt Road) Streetlight Assessment District. (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00509

69. [18370](#) Declaring the City of Madison's intention to exercise its police powers establishing the Landmark Place Streetlight Assessment District. (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00510

70. [18430](#) Awarding Public Works Contract No. 6413, Ash Street & Chadbourne Avenue Reconstruction Assessment District - 2010.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00511

71. [18431](#) Awarding Public Works Contract No. 6445, Sanitary Sewer Replacement w/Resurfacing East - 2010.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00512

72. [18432](#) Awarding Public Works Contract No. 6446, Sanitary Sewer Replacement w/Resurfacing West - 2010.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00513

73. [18433](#) Awarding Public Works Contract No. 6447, Camden Road, Linda Vista, & Hob Street Assessment District - 2010.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00514

74. [18434](#) Awarding Public Works Contract No. 6500, South Segoe Road Water Main Replacement.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00515

75. [18435](#) Awarding Public Works Contract No. 6501, Fisher Street Water Main Replacement.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00516

76. [18436](#) Improvements accepted for Hawks Ridge Estates Sanitary Sewer Assessment District, Contract No. 5959.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00517

77. [18438](#) Improvements accepted for Annual Construction & Reconstruction of Concrete Sidewalk & Incidental Concrete Curb & Gutter Work Ordered (District 9) by the Common Council, Contract No. 6296.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00518

78. [18482](#) Approving plans and specifications and authorizing City Engineering to work with the University of Wisconsin, WDNR, and Dane County to design, construct, monitor and maintain beach management systems consisting of an enclosure at Bernie's Beach, a deflector at BB Clarke Beach, and an interceptor at UW Limnology.

Sponsors: David J. Cieslewicz, Julia S. Kerr and Marsha A. Rummel

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00519

79. [18502](#) Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between Madison and HNTB Corporation for additional design engineering services for CTH S and Junction Road/CTH M. (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00520

80. [18503](#) Approving plans and specifications for public improvements necessary for the project known as 3201 Anderson Street - MATC Parking and authorizing construction to be undertaken by the Developer, Private Contract No. 2243. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00521

81. [18504](#) Approving plans and specifications for public improvements required to serve Phase 1 of the Subdivision known as Woodstone and authorizing construction to be undertaken by the Developer, Private Contract No. 2257.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00522

82. [18505](#) Authorizing the Mayor and City Clerk to enter into a design engineering contract with Held Engineering Associates, Inc. for completion of stormwater analysis and design for Arboretum Pond 3 - Improvements Phase 2.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00523

83. [18524](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Raymond Road Bumpout.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00524

84. [18526](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Langdon Street Island at Frances.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00525

85. [18540](#) Approving plans and specifications for public improvements necessary for the project known as Target at Hilldale Mall and authorizing construction to be undertaken by the Developer, Private Contract No. 2247 and rescinding RES-10-00269, ID No. 17618.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00526

86. [18544](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Drinking Fountains - 2010.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00527

REPORT OF RISK MANAGER

87. [11853](#) Lisa C. Goldman, Lawton & Cates, S.C., attorney for J. Huebner, 1209 McArthur Rd., # 1A, Madison - personal injury - \$96,415.07.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow. The motion passed by voice vote/other.**
88. [18080](#) A. Heiman, 216 Nygard St., Madison, 53718 - property damage - \$222.74.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow. The motion passed by voice vote/other.**
89. [18294](#) D. Runde, 1202 Shorewood Blvd., Madison 53705 - personal injury - \$392.50
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow. The motion passed by voice vote/other.**
90. [18314](#) S. Rindy, Parkview Apartment, 1806 Blue Ridge Tr., Waunakee, 53597 - property damage - \$300.00.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**

ITEMS REFERRED TO THIS MEETING**ORDINANCES**

91. [18487](#) Amending Section 1.08(3)(a) of the Madison General Ordinances to establish a bail deposit amount for the violation of 3-hour parking restrictions in Olin-Turville Park.
- Sponsors:** Tim Bruer and Julia S. Kerr
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-10-00061

REPORTS

92. [18200](#) Low Income Bus Pass Program Committee Final Recommendation to the Madison Common Council

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Accept. The motion passed by voice vote/other.

RESOLUTIONS

93. [18340](#) Adopting the report and recommendations of the Low Income Bus Pass Program Committee (see Legislative File ID# 18200)

Sponsors: Shiva Bidar-Sielaff and Brian L. Solomon

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00528

94. [18563](#) That the City of Madison takes a position that the renewable energy premium should not be increased.

Sponsors: Satya V. Rhodes-Conway and Marsha A. Rummel

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00529

95. [18594](#) SUBSTITUTE: Opposing local immigration policies that encourage discrimination on the basis of race, ethnicity and immigration status and calling on the federal government to enact and enforce uniform and effective immigration policies.

Sponsors: Shiva Bidar-Sielaff, Marsha A. Rummel, Satya V. Rhodes-Conway, Bridget R. Maniaci, Chris Schmidt, Brian L. Solomon, Michael E. Verveer, David J. Cieslewicz, Julia S. Kerr, Steve King and Judy Compton

A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Rummel, to Adopt As Substituted . The motion passed by voice vote/other.

Enactment No: RES-10-00530

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

96. [18623](#) Creating Sec. 23.24(3) to impose penalties for the intentional or negligent damage of City trees during the course of private or public work; amending Sec. 1.08(3)(a)4 to create a bond schedule for violations of this new subsection; and amending Sec. 1.08(4) of the Madison General Ordinances to provide enforcement powers for this new subsection.
- Sponsors:** Marsha A. Rummel, Michael E. Verveer, Julia S. Kerr, Chris Schmidt, Shiva Bidar-Sielaff and Bridget R. Maniaci
- Additional referral to Board of Park Commissioners
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

RESOLUTIONS

97. [18541](#) Authorizing a declaration of change in use from City park land to public street right-of-way as part of the North Sherman Avenue Resurfacing Assessment District-2009. (12th AD)
- Sponsors:** Satya V. Rhodes-Conway
- Additional Referral to Board of Park Commissioners
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**
98. [18543](#) Accepting a Permanent Limited Easement for Public Sidewalk purposes from Bankstar, LLC.
- Sponsors:** Paul E. Skidmore
- Additional referral to Plan Commission
- This Resolution was Referred to the BOARD OF PUBLIC WORKS**
99. [18560](#) To authorize the Mayor and City Clerk to enter into a Use Agreement with the YMCA of Dane County, Inc. for the YMCA's non-exclusive use of Elver Park for a summer day camp in 2010 with the possibility of two 1-year renewals. (A.D. 1)
- Sponsors:** Joseph R. Clausius, Jed Sanborn and Paul E. Skidmore
- Additional referral to Board of Park Commissioners
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
100. [18561](#) To authorize the Mayor and City Clerk to sign a lease agreement between the City and Madison Opera Inc., for use of Garner Park on July 17, 2010, for its 8th annual Opera in the Park.
- Sponsors:** Joseph R. Clausius, Mark Clear and Paul E. Skidmore
- Additional referral to Board of Park Commissioners
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

101. [18562](#) To extend the closing hours at Garner Park to 11:30 p.m. on Saturday, July 17, 2010 for the 8th annual Opera in the Park event post-concert reception for donors. (19th AD)
- Sponsors:** Joseph R. Clausius, Mark Clear and Paul E. Skidmore
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.**
102. [18573](#) Reallocating the incumbent in a Clerk Typist 1 position (CG 20-03) underfilling an Administrative Clerk 1 position (#875, CG 20-09) in the Human Resources Department budget to the Administrative Clerk 1 position.
- Sponsors:** David J. Cieslewicz
- Additional referral to Personnel Board
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
103. [18574](#) Authorizing the Mayor and City Clerk to execute a loan agreement with The Road Home Dane County, Inc. to provide up to \$308,000 in HOME or HOME Match funds to acquire one or more buildings to be used as part of the agency's Housing and Hope program.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- Additional referral to Community Development Block Grant Committee
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
104. [18589](#) Creating the new classification of Administrative Support Clerk 1 in Compensation Group 20, Range 06 and Administrative Support Clerk 2 in Compensation Group 20, Range 09 and reallocating the incumbents to the new classes and ranges.
- Sponsors:** David J. Cieslewicz
- Additional referral to Personnel Board
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
105. [18590](#) Creation of a new classification of Stage Maintenance Worker, CG16, Range 11, and deleting and recreating an existing Facility Maintenance Worker position (#4206) as a Stage Maintenance Worker in the Overture Center budget and reallocating the incumbent to the new position.
- Sponsors:** David J. Cieslewicz
- Additional referral to Personnel Board
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

106. [18591](#) Re-creation of the existing Theater Technician series, with Theater Technician 1 in CG16, Range 12, Theater Technician 2 in 16-14, and Theater Technician 3 in 16-15. Reallocation of positions and incumbents to the new series.
- Sponsors:** David J. Cieslewicz
- Additional referral to Personnel Board
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
107. [18593](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Bridgestone Americas Tire Operations, LLC for provision of leasing tires to Metro Transit for a five-year period beginning on July 1, 2010.
- Sponsors:** Chris Schmidt, Jed Sanborn and Brian L. Solomon
- Additional referral to Board of Estimates
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.**
108. [18600](#) Authorizing the Mayor and City Clerk to enter into an agreement with Meyer Scherer & Rockcastle to provide professional architectural and engineering design services for the complete renovation, exterior improvements, and possible expansion of the Madison Central Public Library.
- Sponsors:** David J. Cieslewicz, Michael E. Verveer, Larry Palm and Mark Clear
- Additional referral to Board of Public Works and Library Board
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
109. [18603](#) Approving the double-fill of a Surveyor 2 position due to the retirement of the current Surveyor 2, Greg Jones.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
110. [18608](#) Approve the authorization of a long-term deferred loan to Wisconsin Youth Company, Inc. (WYC) for \$50,000 in CDBG funds to make improvements to the parking lot at their facility at 1201 McKenna Blvd.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- Additional referral to Community Development Block Grant Committee
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

111. [18633](#) Allowing a waiver of the re-sale restrictions for owner occupied properties assisted under the HOME or CDBG loan programs when the City of Madison receives full re-payment of the loans per the terms of the promissory notes or where the City receives payment of the net proceeds of any foreclosure action as required by HUD.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

Additional referral to Community Development Block Grant Committee

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

112. [18619](#) Authorizing the execution of an Assignment and Agreement between the City of Madison and Madison Metropolitan Sewerage District, and acceptance of a Quit Deed from Madison Metropolitan Sewerage District to the City of Madison for all rights and title to a continuous portion of the Southwest Interceptor, at no cost to the City of Madison.

Sponsors: Brian L. Solomon and Julia S. Kerr

Additional referral to Plan Commission

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

113. [18631](#) Relating to Green Cab of Madison's Taxicab Operator License Application.

Sponsors: Tim Bruer and Julia S. Kerr

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the TRANSIT AND PARKING COMMISSION. The motion passed by voice vote/other.

114. [18644](#) Authorizing an Addendum to the Facilities Use and License Agreement between the City and Mad City Broadband d/b/a Xiocom Wireless, Inc., and consenting to the transfer of MCB assets to Citynet, LLC.

Sponsors: Mark Clear

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

LICENSES

115. [18625](#) Public Hearing - New License
Walgreen Co • dba Walgreens #03343
7810 Mineral Point Rd • Agent: Ry C Chhom
Class A Liquor & Class A Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 125
Public Hearing
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
116. [18626](#) Public Hearing - New License
Walgreen Co • dba Walgreens #03393
108 Cottage Grove Rd • Agent: Jason Landro
Class A Liquor & Class A Beer
Aldermanic District 15 (Alder Palm) • Police Sector 610
Public Hearing
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
117. [18628](#) Public Hearing - New License
Walgreen Co • dba Walgreens #02848
606 S Whitney Way • Agent: Gregory P Hovel
Class A Liquor & Class A Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113
Public Hearing
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
118. [18630](#) Public Hearing - New License
Walgreen Co • dba Walgreens #04805
4518 Cottage Grove Rd • Agent: Douglas Subak
Class A Liquor & Class A Beer
Aldermanic District 3 (Alder Cnare) • Police Sector 611
Public Hearing
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

119. [18632](#) Public Hearing - New License
Walgreen Co • dba Walgreens #07536
8302 Old Sauk Rd • Agent: Alan T Welch
Class A Liquor & Class A Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 127
Public Hearing
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
120. [18634](#) Public Hearing - New License
Kevin Baccam • dba Vientiane Garden • 20% alcohol, 80% food
2105 Sherman Ave • Agent: Khamming Baccam • Estimated Capacity: 62
Class B Combination Liquor & Beer
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 501
Granting a Class Beer License and a Class C Wine License only, with the following conditions: 1) License holder will only serve alcohol with meal service. 2) License holder will not have a separate bar where drinks can be purchased without food. 3) The restaurant will not be open past 10 p.m. 4) The license holder will not rent the business out for private parties except for meal based parties during regular business hours. 5) The license holder will not have entertainment. 6) The applicant will obtain support from Alderperson Rhodes-Conway.
Public Hearing
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
121. [18635](#) Public Hearing - New License
Rainbow Clover LLC • dba Shamrock Bar • 82% alcohol, 15% food, 3% other
117 W Main St • Agent: Glenn K. Jahns • Estimated Capacity: 120
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area
Public Hearing
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**
122. [18637](#) Public Hearing - New License
Omar Cortez • dba Los Gemelos • 15% alcohol, 85% food
244 W Gilman St • Agent: Omar Cortez • Estimated Capacity: 50
Class B Beer
Aldermanic District 8 (Alder Eagon) • Police Sector 403 • Density Area
Public Hearing
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

123. [18639](#) Public Hearing - New License
Two Dudes & A Chick LLC • dba King & Mane • 40% alcohol, 60% food
102 King St • Agent: Sue Kirton • Estimated Capacity: 300
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 406 • Density Area
Public Hearing
A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.
124. [18640](#) Public Hearing - New License
Chetan LLC • dba Swagat Indian Restaurant • 5% alcohol, 95% food
707 N High Point Rd • Agent: Resham Singh • Estimated Capacity: 115
Class B Combination Liquor & Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 126
Public Hearing
A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.
125. [18641](#) Public Hearing - New License
China Star LLC • dba China Star • 5% alcohol, 95% food
515 Junction Rd • Agent: Jie Yang • Estimated Capacity: 40
Class C Wine
Aldermanic District 9 (Alder Skidmore) • Police Sector 128
Public Hearing
A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.
126. [18642](#) Public Hearing - New License
Salsapants Inc • dba Pasquals on Monroe • 12.5% alcohol, 87.5% food
1851 Monroe St • Agent: Theresa Taggart • Estimated Capacity: 96
Class B Combination Liquor & Beer
Aldermanic District 10 (Alder Kerr) • Police Sector 302
Public Hearing
A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

127. [18643](#) Public Hearing - New License
Tropical Cuisine LLC • dba Tropical Cuisine • 20% alcohol, 80% food
15 N Broom St • Agent: Daryl Malone • Estimated Capacity: 49
Class B Beer & Class C Wine
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area
Public Hearing

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

128. 18531 P. Neese, 7643 East Rockmont Rd., Poplar, 54864 - vehicle damage - \$1,040.44.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

129. [18542](#) Waddell of Columbus, attorney for Alpha Gamma Rho Educational Foundation of Iota Chapter, Inc., 233 West Lakelawn Place - property tax exemption denial - Amount Unknown.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Attorney's Office. The motion passed by voice vote/other.

130. 18556 T. Arneson, 227 Garfield Ave., Evansville, 53536 - vehicle damage - \$1,336.74.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

131. 18559 N. Graupner, 6115 North Highlands Ave., Madison, 53705 - vehicle damage - \$1,800.00.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

132. 18605 D. Fawcett, 5333 Beilfuss Dr., Madison, 53704 - vehicle damage - \$484.24.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

133. [18611](#) B. Tate, 3702 Susan Ln., Madison, 53704 - property damage - \$5,968.75.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

134. [18612](#) State Farm Insurance for B. Dimick, 41 Knutson Dr., Madison, 53704 - vehicle damage - \$4,329.94.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

135. [18617](#) Boardwalk Investments, LLC., 210 N. Bassett St., Ste. 100, Madison, 53703 - property damage - \$1,298.43.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the Risk Manager. The motion passed by voice vote/other.

136. [18646](#) K. Prem, 4134 Mineral Point Rd., Madison, 53705 - vehicle damage - \$1,066.95.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred 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.

137. [18555](#) To amend ownership and contract product provision of the contract for Purchase of Services between City of Madison and MSA Professional Services, Inc..

Sponsors: Marsha A. Rummel

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

138. [18563](#) That the City of Madison takes a position that the renewable energy premium should not be increased.

Sponsors: Satya V. Rhodes-Conway and Marsha A. Rummel

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-10-00529

139. [18564](#) Amending the 2010 Operating Budget of the Community Development Division by appropriating \$40,000 from the Contingent Reserve Fund and utilizing these funds to contract with a variety of agencies focused on youth engagement in neighborhoods on the southwest side.
- Sponsors:** David J. Cieslewicz, Lauren Cnare, Mark Clear, Steve King and Shiva Bidar-Sielaff

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the COMMON COUNCIL and should be returned by 6/15/2010. The motion passed by voice vote/other.

140. [18565](#) SUBSTITUTE - Accepting the 2010 Madison Public Market (MPM) Site Analysis for locating a Madison Public Market and the Economic Contribution of the Proposed Madison Public Market to the Regional Economy Reports (collective "the Reports"), and the Recommendation that the Government East Parking Ramp be selected as the preferred site for the development of a Madison Public Market, and authorizing the Mayor and City Clerk to enter into an agreement with Common Wealth Development, Inc., to provide \$100,000 in funds to proceed with the preparation of documents and materials for the preliminary architectural and engineering services; management of budget, fundraising, and outreach; market operations; and updates to tenant leasing reports.

Sponsors: Marsha A. Rummel

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the COMMON COUNCIL. The motion passed by voice vote/other.

141. [18594](#) SUBSTITUTE: Opposing local immigration policies that encourage discrimination on the basis of race, ethnicity and immigration status and calling on the federal government to enact and enforce uniform and effective immigration policies.

Sponsors: Shiva Bidar-Sielaff, Marsha A. Rummel, Satya V. Rhodes-Conway, Bridget R. Maniaci, Chris Schmidt, Brian L. Solomon, Michael E. Verveer, David J. Cieslewicz, Julia S. Kerr, Steve King and Judy Compton

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.

Enactment No: RES-10-00530

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

18696

Amending RES-09-00309, in reference to the Midwest BioLink Commercialization and Business Center, by removing the 50% pre-lease requirement.

Sponsors: David J. Cieslewicz, Mark Clear, Judy Compton and Joseph R. Clausius

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

18713

Authorizing the Mayor and City Clerk to enter into an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display at Elver Park; amending the 2010 City of Madison Parks Division Budget for costs related to the Independence Day celebration at Elver Park.

Sponsors: David J. Cieslewicz, Joseph R. Clausius, Steve King, Jed Sanborn, Paul E. Skidmore and Thuy Pham-Remmele

A motion was made by Ald. King, seconded by Ald. Verveer, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

ADJOURNMENT @ 9:24 PM

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adjourn at 9:24 pm. The motion passed by voice vote/other.