



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, April 19, 2005

6:30 PM

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

SPEAKING GUIDELINES

If you need an interpreter, materials in alternate formats or other accommodations, please contact the Office of the Common Council at 266-4071, TTY 267-8670. Please do so 48 hours prior to the meeting so that proper arrangements can be made.

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

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

The consent agenda will be considered following Public Hearings.

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

NOTIFIED ABSENCES: Ald. Onken, Ald. Thomas

Present: Benford, Ferrell, Brandon, Onken, Bruer, Compton, Golden, Holtzman, King, Konkell, Olson, Heidt, Markle, Rosas, Skidmore, Van Rooy, Verveer, Webber and David J. Cieslewicz

Excused: Onken and Thomas

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

SPECIAL ORDER OF BUSINESS

1. [01024](#) Commending Alderperson Brenda Konkell for her service as Common Council President during the 2004 -2005 term.

Sponsors: David J. Cieslewicz and COMMON COUNCIL

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

Enactment No: RES-05-00346

2. [01026](#) Commending Alderperson Paul Van Rooy for his service as Common Council President Pro Tem during the 2004 -2005 term.
- Sponsors:** David J. Cieslewicz and COMMON COUNCIL
- A motion was made by Ald. Konkol, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00347
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3. [01027](#) Commending Alderperson Ronn Ferrell for his dedicated service to his constituents and the City of Madison from September 7, 2004 to April 20, 2005.
- Sponsors:** David J. Cieslewicz and COMMON COUNCIL
- A motion was made by Ald. Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00348
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4. [01029](#) Commending Alderperson Warren Onken for his dedicated service to his constituents and the City of Madison from April 5, 1977 to April 20, 2005.
- Sponsors:** David J. Cieslewicz and COMMON COUNCIL
- A motion was made by Ald. Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00349
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5. [01030](#) Commending Alderperson Jean M. MacCubbin for her dedicated service to her constituents and the City of Madison from April 6, 1993 to April 20, 2005.
- Sponsors:** David J. Cieslewicz and COMMON COUNCIL
- A motion was made by Ald. Konkol, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00350
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6. [01031](#) Commending Alderperson Andy Heidt for his dedicated service to his constituents and the City of Madison from September 7, 2004 to April 20, 2005.
- Sponsors:** David J. Cieslewicz and COMMON COUNCIL
- A motion was made by Ald. Konkol, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00351
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7. [01032](#) Commending Alderperson Gregory Markle for his dedicated service to his constituents and the City of Madison from April 1, 2003 to April 20, 2005.
- Sponsors:** David J. Cieslewicz and COMMON COUNCIL
- A motion was made by Ald. Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00352

8. [01035](#) Commending Alderperson Steve Holtzman for his dedicated service to his constituents and the City of Madison from April 4, 1995 to April 20, 2005.
- Sponsors:** David J. Cieslewicz and COMMON COUNCIL
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00353

**REFER ALL UNFINISHED BUSINESS TO THE ORGANIZATIONAL MEETING
ADJOURN SINE DIE**

ORGANIZATIONAL MEETING - APRIL 19, 2005

SWEARING IN OF NEWLY-ELECTED AND RE-ELECTED ALDERPERSONS

NOTIFIED ABSENCES: Ald. Thomas

Roll Call at 1:30 p.m.

Present: Benford, Ferrell, Brandon, Onken, Bruer, Compton, Golden, Holtzman, King, Konkell, Olson, Heidt, Onken, Markle, Rosas, Skidmore, Van Rooy, Verveer, Webber and David J. Cieslewicz

Excused: Thomas

9. [01063](#) Election of Common Council President: Ald. Paul Van Rooy.
- Nomination # 1: Ald. Paul Van Rooy. Nomination # 2: Ald. Austin King. Votes: 12 votes in favor of Ald. Van Rooy & 7 votes in favor of Ald. King.*
- Accept As Presented For Office**
10. [01064](#) Election of Common Council President Pro Tem: Ald. Santiago Rosas.
- Nomination: Ald. Santiago Rosas. No votes were required due to single nomination.*
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Accept As Presented For Office. The motion passed by acclamation.**

RECESS TO 6:30 P.M., APRIL 19, 2005 AT 1:35 P.M.

APRIL 19, 2005, 6:30 P.M., RECESSED COMMON COUNCIL MEETING AGENDA

ROLL CALL AT 6:35 P.M.

NOTIFIED ABSENCES: Ald. Thomas

LATE: Ald. Compton (6:50), Ald. Thomas (6:50)

Present: Benford, Ferrell, Sanborn, Brandon, Onken, Bruer, Cnare, Compton, Golden, Holtzman, Konkell, King, Gruber, Olson, Heidt, Knox, Jr., Onken, Markle, Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski, Webber and David J. 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 Ald. Van Rooy, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

CONFIRMATION HEARING

11. [00893](#) Adopting and confirming an Addendum to Employment Agreement between the City of Madison and Mr. Larry D. Nelson, City Engineer.
Sponsors: David J. Cieslewicz
A motion was made by Ald. Van Rooy, seconded by Ald. Olson, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00071
12. [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.
Sponsors: David J. Cieslewicz
A motion was made by Ald. Van Rooy, seconded by Ald. Olson, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00354
13. [00895](#) Adopting and confirming an Employment Agreement between the City of Madison and George Hank III as Inspection Unit Director.
Sponsors: David J. Cieslewicz
A motion was made by Ald. Van Rooy, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00072
14. [00896](#) Submitting the name of George Hank III for confirmation of a five year term as Inspection Unit Director.
Sponsors: David J. Cieslewicz
A motion was made by Ald. Van Rooy, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00355

PETITIONS AND COMMUNICATIONS

COMMUNICATIONS

15. [01061](#) Communication dated April 4, 2005 from S. Thornton, 1104 Jenifer St., Madison re: Madison Metro external route annuications.
A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by acclamation.

PETITIONS

16. 01058 Petition dated March 23, 2005 from H. PrahI re: direct attachment from the Town of Middleton to the City of Madison (Lambrecht - Dynatron - PrahI Attachment).
Accept at the 5/3/05 Common Council Meeting
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Refer to a future Meeting to Accept. The motion passed by acclamation.**

17. [01059](#) Petition dated January 25, 2005 from M. Lawton, Lathrop & Clark, LLP re: direct annexation from the Town of Blooming Grove to the City of Madison (Fobes Annexation).
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Refer to the PLAN COMMISSION. The motion passed by acclamation.**

BUSINESS BY THE MAYOR

APPOINTMENTS

18. [00973](#) Report of the Mayor submitting Alder Committee Appointments.
- Confirm with corrections: Ald. Mike Verveer replaces Ald. Lauren Cnare on Senior Center Board of Directors. Ald. Tim Bruer replaces Ald. King on the Streetcar Study Committee.*
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.**
19. [00974](#) Report of the Mayor submitting citizen committee appointments.
- Confirm at the 5/3/05 Common Council Meeting (2/3 vote required for appointments to: BTRB, Section 8 Adv. Com. and Villager Mall Comm.)*
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm. The motion passed by acclamation.**
20. [00975](#) Report of the Mayor submitting the balance of the citizen appointments to the Ad Hoc Task Force on Allied Strategies.
- A motion was made by Ald. Van Rooy, seconded by Ald. Bruer, to Confirm. The motion passed by acclamation.**

REPORTS

21. [01021](#) Report of the Mayor and County Executive submitting citizen committee appointments to the Board of Health for Madison and Dane County.
- Confirm at the 5/3/05 Common Council Meeting*
- A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Refer to a future Meeting to Confirm. The motion passed by acclamation.**

22. [01037](#) Report recommendations of the Department of Civil Rights Ad Hoc Committee.
- Sponsors:** David J. Cieslewicz, Brian Benford and Santiago Rosas
- A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Refer to the Mayor's Office Table ID# 01037, Van Rooy/Verveer: carry; Take ID# 01037 off the table, Van Rooy/Verveer: carry.**
- 1 registrant in opposition not wishing to speak. The motion passed by acclamation.**
- Refer to the COMMISSION ON PEOPLE WITH DISABILITIES**
- Refer to the EQUAL OPPORTUNITIES COMMISSION**
- Refer to the AFFIRMATIVE ACTION COMMISSION**
- Refer to the BOARD OF ESTIMATES**

BUSINESS BY THE PRESIDENT OF COMMON COUNCIL

APPOINTMENTS

23. [01062](#) Board of Assessor Appointments dated April 12, 2005.
- A motion was made by Ald. Van Rooy, seconded by Ald. Brandon, to Confirm. The motion passed by acclamation.**

REPORTS

24. [00956](#) Report of Landmark Commission dated March 21, 2005 regarding Landmark Nomination of the Suhr Building.
- 1 Registrant(s) in support not wishing to speak. 1 Registrant(s) in support wishing to speak.*
- A motion was made by Ald. Van Rooy, seconded by Ald. Olson, to Accept. The motion passed by acclamation.**

RESOLUTIONS

25. [01050](#) Authorizing the Mayor and the City Clerk to execute a grant agreement with the Wisconsin Department of Transportation for a Reverse Commute grant in connection with proposed commuter service to the City of Verona.
- Sponsors:** Brenda K. Konkel
- A motion was made by Ald. Van Rooy, seconded by Ald. Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No: RES-05-00356**

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

26. [00228](#) Creating Section 28.06(2)(a)3060 of the Madison General Ordinances rezoning property from M1 Limited Commercial District, C Conservancy District and R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3061 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 Ogg Hall, Expand Recreational Open Space & Build 600 Bed Residence Hall. 8th Ald. Dist., 716 & 801 West Dayton Street.
- Sponsors:** Common Council By Petition
1 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Van Rooy, seconded by Ald. Golden, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00073

PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF BOARD OF PUBLIC WORKS**

27. [00741](#) Adopting a Revised Relocation Order for the acquisition of Plat of land interests required for improvements for East Washington Avenue Segment 2 Reconstruction from Dickinson Street to Second Street (including North & South First Street from Winnebago Street to East Johnson Street and the East Washington Avenue Bridge over the Yahara River), being located in the Northeast 1/4 of Section 13, Town 7 North, Range 9 East, and part of the Southwest 1/4 of Section 6 and part of the Northwest 1/4 of Section 7, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of land interests.
- Sponsors:** Brian Benford, Brenda K. Konkel and Judy K. Olson
- A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00357
28. [00854](#) Approving Plans, Specifications, and Schedule of Assessments for South High Point and Raymond Road Street Assessment District - 2004.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.**

REPORT OF PLAN COMMISSION

29. [00577](#) Creating Section 28.06(2)(a)3077 of the Madison General Ordinances rezoning property from Temp A Agriculture to C3L Commercial Service and Distribution District, creating Section 28.06(2)(a)3078 of the Madison General Ordinances rezoning property from Temp A Agriculture to C2 General Commercial District, creating Section 28.06(2)(a)3079 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District, and creating Section 28.06(2)(a)3080 of the Madison General Ordinances rezoning property from Temp A Agriculture to R5 General Residence District.; Proposed Use: Existing Commercial and Residential Lots; 14th Aldermanic District: 2600 & 2800 Todd Drive; 2800 Ashford Lane; 2800 & 2900 Curry Parkway
- Sponsors:** Common Council By Petition
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00074
30. [00578](#) Creating Section 28.06(2)(a)3070 of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District, creating Section 28.06(2)(a)3071 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, creating Section 28.06(2)(a)3072 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District, creating Section 28.06(2)(a)3073 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)3074 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District; Proposed Use: 32 Residential Lots; 3rd Aldermanic District: 4609 & 4610 Rustic Drive.
- Sponsors:** Common Council By Petition
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**
31. [00579](#) Creating Section 28.10(3)(c)13. of the Madison General Ordinances to add certain contractor's shops and offices as a permitted use in the SM district.
- Sponsors:** Paul E. Skidmore
- A motion was made by Ald. Van Rooy, seconded by Ald. Golden, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00075

32. [00582](#) Creating Section 28.11(2)(c), repealing 28.11(2)(f), renumbering Sections 28.11(2)(g) and (h) to Sections 28.11(2)(f) and (g), respectively, and amending 28.11(3)(d) of the Madison General Ordinances to change the threshold for a conditional use for parking reduction and to clarify the concept of shared parking.

Sponsors: Kenneth Golden and Steven A. Holtzman

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

A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.

Enactment No: ORD-05-00076

33. [00584](#) Creating Section 28.06(2)(a)3081 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: Nursing Home, Assisted Living Facility & 77 Unit Senior Apartment Building; 3rd Aldermanic District; 618 & 718 Jupiter Drive
- Sponsors:** Common Council By Petition
2 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00077
34. [00781](#) Creating Section 28.06(2)(a)3082 of the Madison General Ordinances rezoning property from C1 Limited Commercial District to C2 General Commercial District. Proposed Use: Accommodate Drive-Up Window for Restaurant; 15th Ald. District: 3826 Atwood Avenue.
- Sponsors:** Common Council By Petition
3 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00078

END OF PUBLIC HEARINGS

The balance of the agenda which had not been acted on was moved with the recommended action listed for each item EXCEPT: ID #00851, 00898, 00733, 00936, 00586, 00850, 00851, 00898, 00733, 00936, 00586, 00985, 00989, 01036, 00903 Van Rooy/Verveer: carry.

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

35. [01014](#) Alcohol License Review Committee
Report of Operator License Applications
Dated: April 13, 2005
See attached report for list of operators.
- A motion was made by Ald. Van Rooy, seconded by Ald. Olson, to Grant. The motion passed by acclamation.**

REPORT OF BOARD OF ESTIMATES

36. [00668](#) Amending Section 3.38(6)(f) of the Madison General Ordinances to allow the Common Council to approve certain managers contracts by resolution only.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkell, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00079
37. [00730](#) Authorizing a contract between the City and the Madison Metropolitan School District for the provision of programming by Madison School and Community Recreation at Warner Park Community and Recreation Center for 2005.
- Sponsors:** Brian Benford and Paul J. Van Rooy
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkell, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00359
38. [00738](#) Authorizing the City to enter into a one year agreement with the possibility of a one year renewal term with Madison Metropolitan School District for the use of city park land for adult baseball and softball programs by the Madison School Community Recreation.
- Sponsors:** Judy K. Olson and Santiago Rosas
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkell, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00360
39. [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.
- Sponsors:** Austin W. King
- 9 Registrant(s) in support not wishing to speak. 3 Registrant(s) in support wishing to speak.*
- A motion was made by Ald. Van Rooy, seconded by Ald. King, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00361
40. [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.
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

41. [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.

Sponsors: Common Council By Request

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

Enactment No: ORD-05-00080

42. [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.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkol, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00081
43. [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.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkol, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00082
44. [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.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkol, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00083
45. [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.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkol, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00084
46. [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.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkol, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00362

47. [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.

Sponsors: Common Council By Request

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

Enactment No: RES-05-00363

48. [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.

Sponsors: Common Council By Request

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

Enactment No: RES-05-00364

49. [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.

Sponsors: Common Council By Request

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

Enactment No: RES-05-00365

50. [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.

Sponsors: Common Council By Request

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

Enactment No: RES-05-00366

51. [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.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkel, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00367
52. [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).
- Sponsors:** Jean M. MacCubbin and Paul J. Van Rooy
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkel, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00368
53. [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.
- Sponsors:** Santiago Rosas
- A motion was made by Ald. Van Rooy, seconded by Ald. Konkel, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00369
54. [00898](#) Creating Tax Incremental Finance (TIF) District #34 (Covance) City of Madison and approving a Project Plan and Boundary for said TIF District.
- Sponsors:** Santiago Rosas and David J. Cieslewicz
- Adopt with the following recommendations: Receive Mr. Walls materials, along with his testimony at the 4/19/05 CC Meeting as a communication (new ID# for the communication is: 01102). Refer the communication (ID# 01102) to the TIF Coordinator & Closed Meeting of the Board of Estimates (date to be determined by Mayor Cieslewicz). Board of Estimates shall report back to the Common Council at a closed meeting (date to be determined by the Mayor and Council President).*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00345

REPORT OF BOARD OF PUBLIC WORKS -BIDS

55. [00933](#) Awarding Public Works Contract No. 5799, State Street and Adjacent Streets Reconstruction Assessment District - 2005, Opened March 25, 2005. (4th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00370
56. [00934](#) Awarding Public Works Contracts For Bids Opened April 1, 2005. (Various ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00371

REPORT OF BOARD OF PUBLIC WORKS - MISCELLANEOUS

57. [00642](#) Authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for Maintenance of the South Dutch Mill Road to Collins Bicycle/Pedestrian Path.
- Sponsors:** Judy Compton
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00372
58. [00644](#) Authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for Maintenance of the Nelson Road to Terra Court Bicycle/Pedestrian Path.
- Sponsors:** Santiago Rosas
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00373

59. [00733](#) SUBSTITUTE - Authorizing City of Madison to enter into an Agreement with the SolarBee Division of Pump Systems, Inc. to install 6 solar-powered circulation devices (SolarBees) in Monona Bay for a free trial period from April 2005 to November 2005.
- Sponsors: Andrew F. Heidt
- A motion was made by Ald. Van Rooy, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00374
-
60. [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.
- Sponsors: Andrew F. Heidt
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00375
-
61. [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]
- Sponsors: Andrew F. Heidt
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00376
-
62. [00913](#) Accepting storm sewer constructed by private contract in Sauk Heights - Phase II, Private Contract No. 1990.
- Sponsors: Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00377
-
63. [00914](#) Accepting sanitary sewer constructed by Private Contract In Sauk Heights - Phase II, Private Contract No. 1990.
- Sponsors: Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00378

64. [00916](#) Approving the City of Madison Standard Specifications for Public Works Construction, 2005 Edition.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00379
65. [00917](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Sauk Heights - Phase II, Private Contract No. 1990.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00380
66. [00918](#) Approving plans and specifications for public improvements necessary for the project known as Metropolitan Place PUD Phase II and authorizing construction to be undertaken by the Developer, Private Contract No. 2036.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00381
67. [00919](#) Accepting bituminous pavement constructed by private contract in Madison Commerce Park - Phase II, Private Contract No. 1890.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00382
68. [00921](#) Authorizing the Mayor and City Clerk to execute a future phase subdivision contract for Village at Autumn Lake, Private Contract No. 1959.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00383

69. [00922](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Nelson Road Certified Survey Map, Private Contract No. 1832.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00384
70. [00923](#) Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Cardinal Glenn and authorizing construction to be undertaken by the Developer, Private Contract No. 2028.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00385
71. [00924](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Howard Place.
- Sponsors:** Austin W. King
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00386
72. [00925](#) Approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Sauk Heights and authorizing construction to be undertaken by the Developer, Private Contract No. 2026.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00387
73. [00926](#) Approving plans and specifications for public improvements necessary for the project known as 702 N. Midvale Boulevard PUD (Hilldale Center) and authorizing construction to be undertaken by the Developer, Private Contract No. 2029.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00388

74. [00927](#) Improvements accepted for water main by Private Contract to serve Northport Commons.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00389
75. [00928](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for "Waterways 2005".
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00390
76. [00929](#) Declaring the City of Madison's intention to exercise its police powers establishing the Maple Grove Drive Street Assessment District-2005.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00391
77. [00932](#) Assessing Benefits - Curb and Gutter in Conjunction with Resurfacing - 2004.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00392
78. [00943](#) Improvements Accepted Carpet Replacement At LL-100 MMB, Contract No. 5654. (6th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00393
79. [00945](#) Improvements accepted for water main by Private Contract to serve Sauk Heights - Phase II. (9th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00394

80. [00946](#) Improvements accepted for water main by Private Contract to serve Prairie Point - Phase 2A. (9th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-05-00395

81. [00954](#) Approving plans and specifications for Edgewood Avenue Bridge & Approaches and authorizing the Mayor and City Clerk to execute agreements with the State of Wisconsin Department of Transportation for cost sharing and approval to reconstruct the structure with a reduced vertical clearance (10th & 13th ADs), and amending the 2006 Capital Improvement Program for the addition of this project.

Sponsors: Common Council By Request

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

Enactment No: RES-05-00396

82. [00955](#) Authorizing the Mayor and City Clerk to execute an agreement with the Town of Madison for cost sharing for the resurfacing of Nygard Street and Sundstrom Street. (13th AD & Town of Madison)

Sponsors: Common Council By Request

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

Enactment No: RES-05-00397

REPORT OF HOUSING COMMITTEE

83. [00673](#) SUBSTITUTE - Creating a Community Development Authority **Long Range** Planning Subcommittee.

Sponsors: Tim Bruer, David J. Cieslewicz and Andrew F. Heidt

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

Enactment No: RES-05-00398

REPORT OF PARK COMMISSION

84. [00574](#) SUBSTITUTE - Creating Section 8.43 of the Madison General Ordinances regarding operation of municipal swimming pools by the Board of Park Commissioners and regarding a goal that revenues from use of pools cover direct costs and a reserve.
- Sponsors:** Zachariah Brandon, Judy Compton, Cindy Thomas, Paul J. Van Rooy and Ronn Ferrell
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00085
85. [00780](#) SUBSTITUTE - Approving the intent of the Park Division to sell the former Dudgeon School building located at 3200 Monroe Street to the Dudgeon Center for Community Programs.
- Sponsors:** Kenneth Golden
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00399
86. [01052](#) The closing hours at Olbrich Botanical Gardens will be extended to 11:30 p.m. on Saturday, June 25, 2005 for the 18th annual Rhapsody in Bloom benefit dinner and dance.
- Sponsors:** Paul E. Skidmore and Santiago Rosas
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00400

REPORT OF PERSONNEL BOARD

87. [00672](#) Amending Section 3.38(1)(i)2. of the Madison General Ordinances by creating the class of "(Unified) Public Health Director" in Compensation Group 21, Range 22, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00086

REPORT OF PLAN COMMISSION

88. [00337](#) SUBSTITUTE - Adopting the Allied-Dunn's Marsh-Belmar Neighborhood's Physical Improvement Plan. 10th Ald. Dist.
- Sponsors:** David J. Cieslewicz and Kenneth Golden
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00401

89. [00760](#) Amending Section 34.01(2)(c) and creating Section 34.19(4) of the Madison General Ordinances to limit applicability so as not to preclude flexibility in street width and to not conflict with the applicability provisions of the One and Two Family Dwelling Code and the Commercial Building Code.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00087
90. [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.
- Sponsors:** Santiago Rosas
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00402
91. [01023](#) Approving a Certified Survey Map of property owned by Lockre Data Center, LLC at 5818-5830 Femrite Drive. 16th Ald. Dist.
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00403

92. [01048](#) Approving a Certified Survey Map of property owned by Premium Real Estate, LLC at 641 & 645 Hercules Trail. 3rd Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-05-00404

93. [01049](#) Approving a Certified Survey Map of property owned by Premium Real Estate, LLC at 633 & 637 Hercules Trail. 3rd Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-05-00405

REPORT OF RISK MANAGER

94. [00610](#) J. Adams, 969 Wesley Road, Oregon - vehicle damage - \$1774.36.

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

95. [00817](#) SBC, 2140 Davidson Road, Waukesha - property damage - \$6,300.00.

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

96. [00819](#) Dawn Vogel, 2806 Tucson Trail, Madison - property damage - \$863.00.

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

97. [00880](#) Dennis Sieg, attorney for S. White, 501 N. Whitney Way, Apt. 14, Madison - personal injury, pain and suffering - \$13,500.00.

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

98. [00883](#) W. & G. Harris, 4604 Maher Avenue, Madison - property damage - \$379.02.

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

99. [00885](#) W. Erich Scherr, attorney for L. Goodwin, 2414 Allied Drive, Apt. 4, Madison - personal injury, pain and suffering - \$50,000.00.

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

100. [00886](#) A. Smith, 695 Wood Violet Lane, Sun Prairie - property damage - \$1,229.74.
A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
101. [00905](#) H. Gruendemann, 4417 Hollow Ridge Rd., Madison - vehicle damage - \$959.84.
A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REFERRED TO THIS MEETING

APPOINTMENTS

102. [00875](#) Report of the Mayor submitting citizen committee appointments for introduction 3-29-05.
A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.

RESOLUTIONS

103. [00665](#) Relating to 2005-2006 Paratransit Licensing.
Sponsors: Kenneth Golden
2 Registrant(s) in support not wishing to speak.
A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00406
104. [00936](#) Opposing any bills in the Wisconsin Legislature that result in pre-empting local units of government from regulating smoking and smoke-free environments.
Sponsors: Jean M. MacCubbin, Steven A. Holtzman and Judy K. Olson
Rules Suspended to take matter out of order on a motion made by VanRooy, seconded by Bruer. The motion passed by acclamation. 3 Registrants in support not wishing to speak; 3 Registrants in support wishing to speak.
A motion was made by Ald. Van Rooy, seconded by Ald. King, to Adopt This matter was taken out of order on a motion made by VanRooy, seconded by Bruer. The motion passed by acclamation. The motion passed by acclamation.
Enactment No: RES-05-00407

RECONSIDERATIONS

105. [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.

Sponsors: Brenda K. Konkel and Austin W. King

Reconsider, Golden/Bruer.

A motion was made by Ald. Golden, seconded by Ald. Benford, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by acclamation.

NEW BUSINESS

All New Business was moved as part of the consent agenda on a motion by Ald. VanRooy, seconded by Ald. Verveer, by acclamation.

ORDINANCES

106. [00985](#) Amending Section 3.54(2) of the Madison General Ordinances to modify the composition of the Economic Development Commission.

Sponsors: David J. Cieslewicz

Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

Refer to the ECONOMIC DEVELOPMENT COMMISSION

107. [00988](#) Amending Section 2.01(1) of the Madison General Ordinances to adjust the Common Council meeting dates for November and December, 2005.

Sponsors: Brenda K. Konkel

Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

108. [00989](#) Creating Section 12.762 of the Madison General Ordinances to establish procedures by which the City of Madison may be authorized to remove bicycle racks and impound bicycles parked in the bicycle racks.

Sponsors: Michael E. Verveer

Refer to the DOWNTOWN COORDINATING COMMITTEE

Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION

109. [00992](#) Creating Section 28.06(2)(a)3095 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District and PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3096 of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Mixed Use, Predominantly Residential Development of Approximately 400 Dwelling Units, including Retail, Commercial, Office Space & Parking. The Proposal also Includes the Demolition of Buildings on this Site, Retaining the Parking Ramp-328 West Main Street and the Former Clinic/Office Building Located at 345 West Washington Avenue; 4th Aldermanic District: 309-333 West Washington Avenue & 306 West Main Street.
- Sponsors:** Common Council By Petition
Plan Commission P.H. 5/16/05; CC P.H. 6/7/05
- Refer For Public Hearing to the PLAN COMMISSION**
110. [01005](#) Creating Section 28.06(2)(a)3097 of the Madison General Ordinances rezoning property from R1 Single-Family Residence District to R4 General Residence District. Proposed Use: Adjustment to Correct Legal Description & Zoning Line; 1st Aldermanic District: 1802 Maplecrest Drive.
- Sponsors:** Common Council By Petition
Plan Commission P.H. 5/16/05; CC P.H. 6/7/05
- Refer For Public Hearing to the PLAN COMMISSION**
111. [01036](#) Amending Secs. 24.12(2), (5), and (6) of the Madison General Ordinances to add intersection to Definitions and to establish the distances from intersections, sidewalk cafes and buildings where panhandling can occur.
- Sponsors:** Michael E. Verveer and Noel T. Radomski
- Refer to the DOWNTOWN COORDINATING COMMITTEE**
- Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**
112. [01038](#) Creating Section 15.01(546) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to 16th Aldermanic District the Lambrecht - Dynatron - Prah Attachment, creating Section 15.02(134) of the Madison General Ordinances to add the attached property to Ward 134, and amending Section 15.03(16) of the Madison General Ordinances to add Ward 134 to the 16th Aldermanic District.
- Sponsors:** David J. Cieslewicz
Adopt at the 5/3/05 Common Council Meeting
- Refer to a future Meeting to Adopt to the COMMON COUNCIL**
- Fiscal Note Required / Approval to the Comptroller's Office/Approval Group**

113. [01042](#) Creating Section 15.01(545) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to 16th Aldermanic District the Fobes Annexation, and amending Section 15.02(4) of the Madison General Ordinances to add the attached property to Ward 4.

Sponsors: David J. Cieslewicz

Refer to the PLAN COMMISSION

114. [01044](#) Adopting and confirming Revision 250 of the Madison General Ordinances as of March 15, 2005 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.

Sponsors: Common Council By Request

Adopt at the 5/3/05 Common Council Meeting

Refer to a future Meeting to Adopt

115. [01045](#) Amending Sections 9.05(5) and (7)(b) and Section 38.11(2) of the Madison General Ordinances to correct an inconsistency and make the initial and renewal license fees for adult entertainment establishments and adult entertainment taverns the same.

Sponsors: Michael E. Verveer

Adopt at the 5/3/05 Common Council Meeting

Refer to a future Meeting to Adopt

116. [01046](#) Amending portions of Section 11.06 to modify fees and procedures for licensing of public passenger services, to provide an exception to the 24 hour service requirement in the event of certain unsafe weather conditions, to permit a premium fare for large parties, and to allow a passenger to be charged a "no-load" fee as well as a fee for soiling or damaging a vehicle.

Sponsors: Kenneth Golden and Robbie Webber

Due back at the 6/21/05 Common Council Meeting.

Refer to the TRANSIT AND PARKING COMMISSION

117. [01051](#) Amending Section 9.48 of the Madison General Ordinances to increase the fees for service of process.

Sponsors: David J. Cieslewicz

Adopt at the 5/3/05 Common Council Meeting

Refer to a future Meeting to Adopt

RESOLUTIONS

118. [00813](#) Approving the transfer of HOME funded mortgages on two buildings on Johnson and Gorham Streets from Madison Development Corporation to ARISE Family Services to continue their use as SRO housing for lower income individuals and authorizing the Mayor and the City Clerk to sign agreements to implement the transfers.
- Sponsors:** Austin W. King, Brian Benford and Cindy Thomas
- Due back at the 5/3/05 Common Council Meeting. The Board of Estimates does not meet until 5/9/05. Will need to rerefer at the 5/3/05 CC Meeting.*
- Refer to the BOARD OF ESTIMATES**
119. [00903](#) Creating a Sustainable Design and Energy Committee.
- Sponsors:** David J. Cieslewicz
- Due back at the 5/3/05 Common Council Meeting.*
- A motion was made to Refer to a future Meeting to Adopt. The motion passed by acclamation.**
120. [00915](#) Authorizing the EOC Department to enter into a contract with the U.S. Equal Employment Opportunity Commission to provide complaint processing services.
- Sponsors:** Gregory Markle and David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**
121. [00937](#) Approving Plans and Specifications for a Parking Lot and Relocation of a Basketball Court at 4701 Jenewein Road, Authorizing a Lease with the Boys and Girls Club, and Amending the 2005 Capital Budget. (10th AD)
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**
- Refer to the BOARD OF PUBLIC WORKS**
122. [00959](#) Authorizing the Mayor and Chief of Police to accept a highway safety grant for \$7,000 from WI Department of Transportation for safety belt (Click It or Ticket Mobilization) campaign in 2005.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**
123. [00976](#) Authorizing the execution of a Quit Claim Deed to Norman C. Herro; Stuart C. Herro; and Stuart C. Herro and Carol A. Valley, as Co-Trustees of Wingra Park Trust for property commonly known as Unit Well No. 22, located at 1109 Pflaum Road. 16th Ald. Dist.
- Sponsors:** Judy Compton
- Refer to the BOARD OF WATER COMMISSIONERS**

Refer to the PLAN COMMISSION

124. [00977](#) Authorizing the Madison Department of Public Health (MDPH) to accept up to \$7,500 in store credit from a laboratory equipment company to be used towards the laboratory equipment, supplies or repairs and authorizing the Mayor and City Clerk to sign the contract for the City.

Sponsors: Judy K. Olson

Refer to the BOARD OF ESTIMATES**Refer to the PUBLIC HEALTH COMMISSION**

125. [00980](#) Approving the City of Madison to contract with the State of Wisconsin Department of Military Affairs, Division of Emergency Management for the Fire Department services as a Regional Hazardous Materials Team.

Sponsors: David J. Cieslewicz and Paul E. Skidmore

Refer to the BOARD OF ESTIMATES

126. [00984](#) Authorizing additional funds for the acquisition of an 8-unit apartment building located at 902 Magnolia Lane and the execution of a property management agreement with Broihahn Management & Consulting, LLC.

Sponsors: Tim Bruer

Refer to the BOARD OF ESTIMATES

127. [00987](#) Approving the Redevelopment Plan and District Boundary for the Buckeye Lot Redevelopment District. 4th Ald. Dist.

Sponsors: David J. Cieslewicz and Michael E. Verveer

Refer to the PLAN COMMISSION

128. [01006](#) Creating Tax Incremental Finance (TIF) District #34 (Covance) City of Madison and approving a Project Plan and Boundary for said TIF District.

Sponsors: Santiago Rosas and David J. Cieslewicz

Duplicate of ID#: 00898

Withdraw

129. [01016](#) Authorizing the City of Madison, through the Office of Community Services, to accept a Project Safe Neighborhoods Grant from the State of Wisconsin Office of Justice Assistance, and authorizing the City to enter into a purchase of service contract for the implementation of this grant.

Sponsors: Jean M. MacCubbin and Paul J. Van Rooy

Refer to the BOARD OF ESTIMATES

130. [01022](#) Authorizing the Mayor and City Clerk to execute amendments to the Operation and Cooperation Agreement with the Madison Cultural Arts District and to the Option Agreement with Overture Development Cooperation; to execute a credit agreement with a financial institution selected to restructure the Overture Center construction financing; and to execute such other documents that may be deemed necessary by the City Attorney to implement the transaction.

Sponsors: Michael E. Verveer and David J. Cieslewicz

Refer to the BOARD OF ESTIMATES

131. [01025](#) Authorizing the Mayor and City Clerk to sign and execute a seven (7) month Agreement, with the option for three one year renewal periods, for priority scheduling at specified Madison area soccer fields in exchange for the Madison Area Youth Soccer Association ("MAYSA") providing maintenance to such fields.

Sponsors: Santiago Rosas and Paul E. Skidmore

Refer to the BOARD OF PARK COMMISSIONERS

132. [01033](#) That the new position tentatively identified as a "Fiscal Efficiency Auditor" (no Compensation Group/Range specified) in the permanent salary detail of the Mayor's Office budget is repealed and recreated as a position of "Administrative Analyst 3" in Compensation Group 18, Range 10, thereof.

Sponsors: David J. Cieslewicz

Refer to the BOARD OF ESTIMATES

Refer to the PERSONNEL BOARD

133. [01034](#) To authorize a double fill in the Parks Administrative Services Manager position from June 5, 2004 through July 3, 2005.

Sponsors: Paul E. Skidmore

Refer to the BOARD OF ESTIMATES

134. [01041](#) Adopting a Program Framework for the HOME-funded American Dream Down-payment Initiative (ADDI), authorizing the Mayor or his/her designee to approve such loans, and authorizing the CDBG Commission to make additional changes in the guidelines as needed.

Sponsors: Cindy Thomas, Austin W. King and Brian Benford

Due back at the 5/3/05 Common Council Meeting. The Board of Estimates does not meet until 5/9/05. Will need to refer at the 5/3/05 CC Meeting.

Refer to the BOARD OF ESTIMATES

135. [01054](#) Amending Madison's 2005-2006 Program Funding Framework for Community and Neighborhood Development to permit programs funded through the City CDBG Office for homebuyer, rehab, and rental housing development to offer assistance to undocumented immigrants who otherwise meet the guidelines for those programs, and authorizing the City funded rehab loans to undocumented immigrants.

Sponsors: Brian Benford

Due back at the 5/3/05 Common Council Meeting. The Board of Estimates does not meet until 5/9/05. Will need to rerefer at the 5/3/05 CC Meeting.

Refer to the BOARD OF ESTIMATES

136. [01055](#) Approving additional Federal ESG funds to assist St. Vincent de Paul in completing a housing repair that will serve as transitional housing, and authorizing the Mayor and City Clerk to sign an agreement to implement the project.

Sponsors: Austin W. King and Brian Benford

Due back at the 5/3/05 Common Council Meeting. The Board of Estimates does not meet until 5/9/05. Will need to rerefer at the 5/3/05 CC Meeting.

Refer to the BOARD OF ESTIMATES

137. [01056](#) Authorizing the provision of CDBG Acquisition/Rehab funds to help Centro Hispano acquire property for a new office center facility in a project that addresses City, Community and Neighborhood Development Objectives.

Sponsors: Cindy Thomas, Austin W. King and Brian Benford

Due back at the 5/3/05 Common Council Meeting. The Board of Estimates does not meet until 5/9/05. Will need to rerefer at the 5/3/05 CC Meeting.

Refer to the BOARD OF ESTIMATES

LICENSES

138. [01000](#) Public Hearing - New License
Curt Vaughn Brink, LLC (dba Curt Vaughn Brink Experience; estimated capacity of 282)
701 E. Washington Avenue
Agent: Curt Vaughn Brink
Class B Combination Liquor & Beer (90% alcohol, 5% food)
Non-Smoking Establishment

Due back at the 6/7/05 Common Council Meeting

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

139. [01003](#) Public Hearing - New License
GHL II, LLC (dba Monona Market)
4624 Monona Drive
Agent: Jagdish Agrawal
Class A Beer
Due back at the 6/7/05 Common Council Meeting
Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE
140. [01004](#) Public Hearing - New License
Mark Rechlicz Enterprises, Inc (dba Yahara Hills Golf Course)
6701 E. Broadway
Agent: Mark Rechlicz
Class B Combination Liquor & Beer (48% alcohol, 52% food)
Non-Smoking Establishment
Due back at the 6/7/05 Common Council Meeting
Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE
141. [01007](#) Public Hearing - New License
RJM Pro Golf, Inc (dba Monona Golf Course)
111 E. Dean Avenue
Agent: Rob Muranyi
Class B Combination Liquor & Beer (30% alcohol, 60% food)
Non-Smoking Establishment
Due back at the 6/7/05 Common Council Meeting
Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE
142. [01009](#) Public Hearing - New License
Reel Big Fish, LLC • dba Joey's Seafood & Grill • estimated capacity of 92
6602 Mineral Point Road • Agent: Keith Stoesz
Class B Combination Liquor & Beer • 7% alcohol, 93% food
Due back at the 6/7/05 Common Council Meeting
Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE
143. [01010](#) Public Hearing - New License
Verona Road BP Mart, LLC (dba Verona Road BP)
4501 Verona Road
Agent: Suchinder Singh
Class A Beer
Due back at the 6/7/05 Common Council Meeting
Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

CLAIMS - REFER TO RISK MANAGER

144. 01079 B. Rosenbalm, 29598 Needle Ln., Lone Rock - vehicle damage - \$563.37.
Refer to the Risk Manager
145. [01082](#) Project Home, 1966 S. Stoughton Rd., Madison - property damage - \$830.50.
Refer to the Risk Manager
146. [01083](#) D. Brunner, 1212 Center St. # 14, Black Earth - vehicle damage - \$763.57.
Refer to the Risk Manager
147. [01084](#) NOTICE OF CLAIM - A.S. Porter, attorney for C. McDonnell, 2355 Hwy. AB, McFarland - public attorney's fees, humiliation, mental pain, suffering & distress, and other injuries and damages - amount to be determined.
Refer to the Risk Manager
148. 01085 American Family Insurance for T. Benell, 104 Stone Ridge Ct., Verona - vehicle damage - \$3,134.94.
Refer to the Risk Manager
149. [01086](#) NOTICE OF CLAIM - G. Montie, attorney for L. Brown, 910 W. Badger Rd. # 4, Madison - personal injury & loss of earnings - \$8,500
Refer to the Risk Manager
150. 01088 M. Liepitz, 934 Jana Ln. # 2, Madison - vehicle damage - \$913.41.
Refer to the Risk Manager
151. 01089 Progressive Insurance for O. Oyerinde, 221 Langdon St. # 401, Madison - vehicle damage - \$1,517.93.
Refer to the Risk Manager
152. 01092cont'd B. Odom, 540 W. Olin Ave. # 223, Madison - vehicle damage - \$589.11.
Refer to the Risk Manager
153. [01093](#) R. Bennett, 416 S. Park St., Madison - vehicle damage - \$188.16.
Refer to the Risk Manager
154. 01094 P. & D. Carnitz, 3216 Burke Ave., Madison - property damage/property loss - \$11,099.10.
Refer to the Risk Manager

155. **01095** K. & J. Pionek, 537 S. Randall Ave., Madison - vehicle damage -\$533.93.

Refer to the Risk Manager

BUSINESS BY THE MAYOR

156. [01078](#) Report of the Mayor submitting appointments to the Board of Estimates TIF Subcommittee.
**A motion was made by Ald. Van Rooy, seconded by Ald. Konkel, to Confirm.
The motion passed by acclamation.**

ITEMS INTRODUCED FROM THE COUNCIL FLOOR

157. [01099](#) Authorizing the City to enter into a one-year agreement with Dane County, Community Action Coalition, Inc., and the Community Development Authority for the use of a deprogrammed CDA unit as a base for social and health support services for the Theresa Terrace neighborhood, and authorizing the City's indemnification of CDA for purposes of this agreement.

Sponsors: Cindy Thomas and Jed Sanborn

Adopt at the 5/3/05 Common Council Meeting

Refer to a future Meeting to Adopt

158. [01100](#) Authorizing the Mayor and the City Clerk to execute an amended agreement with the State of Wisconsin Department of Transportation for the construction of the East Johnson Street Pedestrian Underpass, and amending the 2005 Capital Budget for Bikeways. (2nd AD)

Sponsors: Common Council By Request

Due back at the 5/17/05 Common Council Meeting

Refer to the BOARD OF PUBLIC WORKS

Refer to the BOARD OF ESTIMATES

- [01102](#) Communication from T. Wall regarding TIF District # 34.

This communication was created as a result of a motion by Ald. Golden on ID# 00898. It was referred to the Board of Estimates (date to be determined by Mayor Cieslewicz) for a closed session meeting & referred to the TIF Coordinator. The TIF Coordinator should submit his recommendation to the Board of Estimates. The Board of Estimates should include the TIF Coordinator's recommendation when they report back to the Common Council (which will be in closed session). The report back date to be determined by the Mayor and Council President.

A motion was made by Ald. Golden, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.

ADJOURNMENT

A motion was made by Ald. Van Rooy, seconded by Ald. Olson, to Adjourn at 8:45 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 25th of April, 2005.

Ordinances published May 10th, 2005.

RAY FISHER, CITY CLERK