



# City of Madison Proceedings - Final COMMON COUNCIL

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

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Tuesday, May 3, 2005

6:30 PM

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

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## **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: Mayor Cieslewicz, Ald. Rosas**

**ROLL CALL at 6:34 p.m., President Paul Van Rooy in the chair.**

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

**Excused:** Benford, Rosas and Mayor Cieslewicz

## **SUSPEND THE RULES**

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

**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Suspend the Rules. The motion passed by acclamation.**

**PETITIONS AND COMMUNICATIONS - None received by the agenda deadline.**

## BUSINESS BY THE MAYOR

### APPOINTMENTS

1. [01124](#) Appointments to the Common Council Organizational Committee 2005-2006.  
**A motion was made by Ald. Webber, seconded by Ald. Bruer, to Confirm. The motion passed by the following vote:**  
**Excused:** 3 - Benford, Rosas and Cieslewicz  
**Aye:** 16 - Sanborn, Brandon, Bruer, Cnare, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Verveer and Radomski  
**No:** 2 - Konkel and Webber
  
2. [01125](#) Designating Ald. Mike Verveer, District 4 to serve on the Ethics Board 2005-2006.  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Confirm. The motion passed by acclamation.**
  
3. [01132](#) Report of the mayor submitting alder committee appointments.  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Confirm. The motion passed by acclamation.**
  
4. [01153](#) Report of the Mayor submitting citizen committee appointments.  
*Confirm at the 5/17/05 Common Council Meeting (2/3 vote required for Villager Mall Committee Appointment).*  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Refer to a future Meeting to Confirm. The motion passed by acclamation.**

### REPORTS

5. [01120](#) Report of the Mayor designating emergency interim successors.  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Accept. The motion passed by acclamation.**

### RESOLUTIONS

6. [01138](#) Re-enforcing the City of Madison's opposition to any bills in the Wisconsin Legislature that result in pre-empting local units of government from regulating lawn fertilizing that is detrimental to the health and well being of Madison residents.  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00408

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

7. [00223](#) Public Hearing - New License  
Ho-Chunk Nation  
Agent: Karen Martin  
DBA: Ho-Chunk Nation DeJope Bingo (Capacity is 2,508)  
4002 Evan Acres Road  
Reserve Class B Combination Liquor & Beer (1% alcohol, 3% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.**
8. [00549](#) New License - Public Hearing  
Lando Holdings, LLC (Trade Name to be Determined)  
1601 Rowland Avenue  
Agent: Chancellor Crowther  
Class A Liquor, Class A Beer.  
*Public Hearing Closed*  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Place On File Without Prejudice. The motion passed by acclamation.**

**REPORT OF PLAN COMMISSION**

9. [00575](#) SUBSTITUTE - Creating Section 28.06(2)(a)3067 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District and creating Section 28.06(2)(a)3068 of the Madison General Ordinances rezoning property from Temp A Agriculture to R3 Single-Family and Two-Family Residence District and creating Section 28.06(2)(a)3069 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District. Proposed Use: 108 Residential Lots & 6 Outlots, 16th Ald. District: 4949 Meinders Road.  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**  
**Enactment No:** ORD-05-00088

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

10. [00756](#) New License - Public Hearing  
2 Beans, LLC (dba Real Chili; estimated capacity of 67)  
449 State Street, Suite A  
Agent: Aaron Upton  
Class B Beer (5% alcohol, 95% food)  
Non-Smoking Establishment  
*Public Hearing Closed.*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**
11. [00757](#) New License - Public Hearing  
Deja Food, LLC (dba L'Etoile; estimated capacity of 87)  
25 N. Pinckney Street  
Agent: Traci Miller  
Class B Combination Liquor & Beer (26% alcohol, 74% food)  
Non-Smoking Establishment  
*Public Hearing Closed.*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**
12. [00758](#) New License - Public Hearing  
Hot Soup, LLC (trade name to be determined; capacity of 200)  
617 Williamson Street  
Agent: Phillip Hurley  
Class B Combination Liquor & Beer  
Non-Smoking Establishment  
*Public Hearing Closed.*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**
13. [00759](#) New License - Public Hearing  
Itsmeholiday, LLC (dba Cafe Zoma; estimated capacity of 45)  
2326 Atwood Avenue  
Agent: Ann Freiwald  
Class B Beer, Class C Wine (20% alcohol, 80% food)  
Non-Smoking Establishment  
*Public Hearing Closed.*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

14. [00761](#) New License - Public Hearing  
Szechuan Palace, Inc. (dba China Palace; estimated capacity of 250)  
1291 N. Sherman Avenue  
Agent: Dan Qi  
Class B Combination Liquor & Beer (20% alcohol, 80% food)  
Non-Smoking Establishment  
*Public Hearing Closed.*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.**
15. [00762](#) New License - Public Hearing  
Winnie's, LLC (dba The Frog's Log; estimated capacity of 50)  
521 Cottage Grove Road  
Agent: Shannon Winburn  
Class B Combination Liquor & Beer (95% alcohol, 5% food)  
Non-Smoking Establishment
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

#### REPORT OF BOARD OF PUBLIC WORKS

16. [00912](#) Approving Plans, Specifications, And Schedule Of Assessments For Lien Road Assessment District - 2005  
*Adopt at the 6/7/05 Common Council Meeting.*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on June 7, 2005. The motion passed by acclamation.**
17. [01013](#) SUBSTITUTE - Approving Plans and Specifications, ~~And Schedule Of Assessments For~~ and authorizing the Mayor and City Clerk to execute an agreement with Dane County for cost sharing for the improvement of Cross Country Road Assessment District - 2005. (7th AD)
- A motion was made by Ald. Brandon, seconded by Ald. Golden, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00409
18. [01040](#) Approving Plans, Specifications, And Schedule Of Assessments For Curb and Gutter in Conjunction w/Resurfacing - 2005 Assessment District, Additions. (City Wide)
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00410

**REPORT OF PLAN COMMISSION**

19. [00773](#) Creating Section 28.06(2)(a)3085 of the Madison General Ordinances rezoning property C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3086 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: Relocate House to This Lot; 6th Ald. District: 901 Williamson Street/407-411 Paterson Street.
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00089
20. [00782](#) Creating Section 28.06(2)(a)3083 of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3084 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: Relocate House to This Lot; 4th Ald. District: 444-446 West Doty Street.
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00090
21. [00783](#) Creating Section 28.06(2)(a)3087 of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 164 Condominium Units, 16,000 Square Feet Commercial Space & 320 Stall Parking; 4th Ald. District: 333 West Mifflin Street.
- Adopt with the following recommendation(s): Strike the last condition which reads: "8. The applicant is directed to work with the Metropolitan Place Residential Condominium and Parking Condominium Association to address the issues as laid out in the document entitled "Metropolitan Place - Phase 11, concerns of existing owners" as provided to the Planning Unit on April 12,2005 by Nelson Flynn. The result of these continued discussions shall be provided to the Department of Planning and Development prior to final sign-off on the Specific Implementation Plan and recording of the plan." from the Planning Unit Report (the applicant already satisfied that condition).*
- 4 Registrant(s) in support not wishing to speak. 2 Registrant(s) in opposition not wishing to speak.*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**

22. [00785](#) Creating Section 28.06(2)(a)3088 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District. Proposed Use: 73 Residential Lots & 5 Outlots; 1st Aldermanic District: 9435 Valley View Road.  
*2 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00092
23. [00792](#) Creating Section 28.09(2)(c)53. and repealing Section 28.09(2)(d)26. of the Madison General Ordinances to change business and professional offices from a conditional to a permitted use in the C1 District.
- A motion was made by Ald. Golden, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00093

## END OF PUBLIC HEARINGS

**At this time, the balance of the agenda which has not been acted upon will be moved with the recommended action listed for each items EXCEPT:**

**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. SEPARATED ITEMS: ID#: 00903 & 01038**

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

24. [00487](#) Operator License Application  
Kris D. Fluckiger, 4001 Claire Street, Madison
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
25. [00594](#) Operator License Application  
Ubaldo Venegas Flores, 1002 Middleton Street, Madison
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Place On File. The motion passed by acclamation.**
26. [00657](#) Operator License Application  
Phillip C. Bonney, 50 Schroeder Court, Madison
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Place On File. The motion passed by acclamation.**

27. [00659](#) Operator License Application  
Richard A. Marvin, 1766 Fordem Avenue, Apt. 201, Madison  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Place On File.  
The motion passed by acclamation.**
28. [00660](#) Operator License Application  
Timothy M. Vogel, 5701 Dorsett Drive, Madison  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Place On File.  
The motion passed by acclamation.**
29. [00745](#) Change of Agent  
GMRI, Inc. (dba The Olive Garden Italian Restaurant #1300)  
4320 East Towne Boulevard  
Old Agent: Laurie Beth Preston  
New Agent: Todd Armbrrecht  
Class B Combination Liquor & Beer (11% alcohol, 89% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The  
motion passed by acclamation.**
30. [00751](#) Application for Change of Licensed Premise  
Jackal, Inc. (dba High Noon Saloon; capacity of 400)  
701-A E. Washington Avenue  
Agent: Catherine Dethmers  
Class B Combination Liquor & Beer (90% alcohol, 10% food)  
Request to expand bar service to outdoor patio area. Patio is approximately 1,000  
square feet, and is adjacent to the main entrance of premises.  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The  
motion passed by acclamation.**
31. [00754](#) Application for Change of Licensed Premise  
Jongyeon Lee (dba Church Key; capacity of 86)  
626 University Avenue  
Class B Combination Liquor & Beer (90% alcohol, 10% food)  
Request to expand bar to a portion of the first floor.  
*4 Registrant(s) in support not wishing to speak. 1 Registrant(s) in opposition not wishing  
to speak. 1 Registrant not taking a position not wishing to speak.*  
**A motion was made by Ald. King, seconded by Ald. Bruer, to Grant With Amended  
Condition(s) Grant with the following amended conditions: strike condition 1)  
Management will encourage patrons to use the rear exit by announcing this  
option to its customers prior to bar time. Add the following 3 conditions: 7)  
Ordinary, non-emergency entrance and exiting for patrons of the Church Key  
must use the University Avenue frontage of the property and not the rear alley. 8)  
Lighting installed to the rear of the Church Key must be directed downward and  
must be no brighter than recessing for emergency, delivery, maintenance, and  
similar purposes. 9) Sufficient sound-proofing in order to prevent excessive  
sound transfer to the property located at 632 University Avenue shall be  
incorporated into the proposed expansion of the Church Key licensed premise.  
The motion passed by acclamation.**



32.     00831           Change of Corporate Control -- 2 new Officers  
M & B, Inc. (dba Oak Crest Tavern, capacity of 78)  
5370 Old Middleton Road  
Agent: William Sweeney  
Class B Combination Liquor & Beer (49% alcohol, 51% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
33.     00849           Application for Change of Licensed Premise  
Mr. Tequila, Inc. (dba Cancun)  
704 S. Whitney Way  
Agent: Miguel Guerrero  
Class B Combination Liquor & Beer (15% alcohol, 85% food)  
Request to convert liquor service station to an eight-seat bar.  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
34.     00867           Change of Corporate Control -- vacancy of Vice President/Treasurer  
Shopko Stores, Inc. (dba Shopko #29)  
7401 Mineral Point Road  
Agent: Marc Wynne  
Class A Beer, Class A Liquor  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
35.     00873           Change of Agent  
WHG Real Estate South, LLC (dba Applebee's Neighborhood Grill & Bar)  
4710 East Towne Boulevard  
Old Agent: Ammar Anbouba  
New Agent: Benjamin J. Martinsen  
Class B Combination Liquor & Beer (15% alcohol, 85% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
36.     00899           Change of Corporate Control -- 2 new members on Board of Directors  
Nakoma Golf Club, Inc. (dba Nakoma Golf Club)  
4145 Country Club Road  
Agent: Lawrence Avery  
Class B Combination Liquor & Beer (30% alcohol, 70% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
37.     00931           Change of Agent  
Hooters of Madison, Inc. (dba Hooters of Madison, capacity of 388)  
6654 Mineral Point Road  
Old Agent: Jerri Boxer  
New Agent: Shane Beecraft  
Class B Combination Liquor & Beer (35% alcohol, 65% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**

38. [00942](#) Application for Change of Licensed Premise  
BGM Capital, LLC (dba Brocach; capacity of 291)  
7 W. Main Street  
Agent: Brad Bailey  
Class B Combination Liquor & Beer (60% alcohol, 40% food)  
Request to expand licensed premise to include outdoor seating cafe of 6-7 tables.  
*1 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
39. [00944](#) Change of Agent  
Chili's of Wisconsin, Inc. (dba Chili's Grill & Bar #327)  
4344 East Towne Boulevard  
Old Agent: Scott Dietze  
New Agent: Karen A. Marquis  
Class B Combination Liquor & Beer (20% alcohol, 80% food)
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
40. [00947](#) Change of Agent  
Lulu's Restaurant, LLC (dba Lulu's Restaurant)  
2524 University Avenue  
Old Agent: Saleh Al-Ashkar  
New Agent: Sari I. Atteyih  
Class B Beer, Class C Wine (8% alcohol, 92% food)
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
41. [00948](#) Change of Agent  
Roaring Fork, LLC (dba Qdoba Mexican Grill)  
2741 University Avenue  
Old Agent: Eric Wagner  
New Agent: Dave DeMarco  
Class B Combination Liquor & Beer (1% alcohol, 99% food)
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
42. [00949](#) Change of Agent  
Roaring Fork, LLC (dba Qdoba Mexican Grill)  
6650 Mineral Point Road  
Old Agent: Eric Wagner  
New Agent: Dave DeMarco  
Class B Combination Liquor & Beer (2% alcohol, 98% food)
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**

43. [00950](#) Change of Agent  
Roaring Fork, LLC (dba Qdoba Mexican Grill)  
548 State Street  
Old Agent: Michael McMorro  
New Agent: Dave DeMarco  
Class B Combination Liquor & Beer (1% alcohol, 99% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
44. [00951](#) Change of Agent  
GMRI, Inc. (dba Red Lobster #377; capacity of 243)  
4502 East Towne Boulevard  
Old Agent: Ann M. Schwartz  
New Agent: Minetta C. Salvatore  
Class B Combination Liquor & Beer (10% alcohol, 90% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
45. [00952](#) Change of Corporate Control -- New director/officer/stockholder  
Madison Lounge, Inc. (dba Crowne Plaza Madison)  
4402 E. Washington Avenue  
Agent: James S. Davis  
Class B Combination Liquor & Beer (24% alcohol, 76% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
46. [00953](#) Change of Corporate Control -- New director/officer/stockholder  
Madison Beverage Control Corporation (dba Holiday Inn Madison East)  
3841 E. Washington Avenue  
Agent: James S. Davis  
Class B Combination Liquor & Beer (24% alcohol, 76% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
47. [00958](#) Change of Agent  
GB'z of Madison, LLC (dba Luther's Blues)  
1401 University Avenue  
Old Agent: Steven Murphy  
New Agent: William Curtis  
Class B Combination Liquor & Beer (30% alcohol, 65% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**

48. [00964](#) Change of Agent  
Open Pantry Food Marts of Wisconsin, Inc. (Open Pantry Food Mart #1335)  
2216 University Avenue  
Old Agent: Kelly J. Mindiola  
New Agent: Ron James  
Class A Beer  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
49. [00965](#) Change of Agent  
Open Pantry Food Marts of Wisconsin, Inc. (Open Pantry Food Mart #1245)  
2201 S. Park Street  
Old Agent: Kelly J. Mindiola  
New Agent: Ron James  
Class A Beer, Class A Liquor  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
50. [00966](#) Change of Agent  
Open Pantry Food Marts of Wisconsin, Inc. (Open Pantry Food Mart #1215)  
1412 Pflaum Road  
Old Agent: Kelly J. Mindiola  
New Agent: Ron James  
Class A Beer  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
51. [00967](#) Change of Agent  
Open Pantry Food Marts of Wisconsin, Inc. (Open Pantry Food Mart #1200)  
2703 W. Beltline Highway  
Old Agent: Kelly J. Mindiola  
New Agent: Ron James  
Class A Beer, Class A Liquor  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
52. [00969](#) Change of Agent  
Center for Advanced Studies in Business (Fluno Center)  
601 University Avenue  
Old Agent: Amy McIlvaine  
New Agent: Lance Baldus  
Class B Combination Liquor & Beer (80% alcohol, 20% food)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**

53.     00986           Change of Agent  
          Open Pantry Food Marts of Wisconsin, Inc. (Open Pantry Food Mart #705)  
          1401 Regent Street  
          Old Agent: Rose K. Neumeyer  
          New Agent: Ron James  
          Class A Beer
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
54.     01146           Alcohol License Review Committee  
          Report of Operator License Applications  
          Dated: April 27, 2005  
          See attached report for list of operators.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**

**REPORT OF BOARD OF ESTIMATES**

55. [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.  
**A motion was made by Ald. Golden, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
56. [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.  
**A motion was made by Ald. Golden, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
57. [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.  
**A motion was made by Ald. Golden, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
58. [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.  
**A motion was made by Ald. Golden, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
59. [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.  
**A motion was made by Ald. Golden, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES. The motion passed by acclamation.**

**REPORT OF BOARD OF PUBLIC WORKS - BIDS**

60. [01028](#) Awarding Public Works Contracts For Bids Opened April 15, 2005. (Various ADs)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No: RES-05-00411**

**REPORT OF BOARD OF PUBLIC WORKS**

61. [00599](#) SUBSTITUTE - Affirming the City's interest in cooperating with the Wisconsin Department of Natural Resources and the City of Fitchburg on development, operation and maintenance of a multi-use path and authorizing City staff to negotiate an agreement covering such development, operation and maintenance in connection with a rails-to-trails conversion of the Union Pacific Railroad line between County Highway PD (McKee Road) and USH 18/151 (Beltline Highway). (14 AD)
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00412
62. [00834](#) SUBSTITUTE - Authorizing the Common Council to accept ownership from the Westmorland Neighborhood Association of three (3) park benches to be installed at existing Metro bus stop locations, located in public right-of-way in the 400 and 500 Blocks of Toepfer Avenue.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00413
63. [00872](#) Approving plans and specifications and authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for the construction of East Washington Avenue Segment Two (Thornton Ave to Second Street).
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00414
64. [00978](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: Nesbitt Valley First Addition. (7th AD)
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00415
65. [00979](#) Improvements accepted for Water Main by private contract to serve: Reston Heights - Second Addition. (3rd AD)
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00416
66. [00981](#) Improvements accepted for water main by private contract to serve: Grandview Commons - Phase V. (3rd AD)
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00417

67. [00983](#) Declaring the City of Madison's intention to exercise its police powers establishing the Cross Country Road Assessment District - 2005. (7th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00418
68. [00990](#) Authorizing the Mayor and City Clerk to enter into a Right of Entry agreement with the University of Wisconsin to construct Phase 2 of the Willow Creek Box Culvert Relief Storm Sewer. (5th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00419
69. [00991](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 5591, Parking Utility Reception Remodel, Madison Municipal Building (6th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00420
70. [00993](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 5593, Capitol Square North Ramp Attendant's Office Remodel. (4th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00421
71. [00994](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 5859, Olbrich Sanitary Sewer Reroute. (6th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00422
72. [01008](#) Accepting street improvements constructed by private contract in Madison Commerce Park Certified Survey Map, Private Contract No. 1877. (16th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00423



73. [01011](#) Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2015. (3rd AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00424
74. [01012](#) Accepting storm sewer constructed by private contract in Madison Commerce Park Certified Survey Map, Private Contract No. 1877. (16th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00425
75. [01039](#) Authorizing the Mayor and City Clerk to request funds and assistance from the Wisconsin Department of Natural Resources under the "Lake Protection Grant Program". (City Wide)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00426
76. [01080](#) Improvements accepted for Annual Construction & Reconstruction of Concrete Sidewalk & Incidental Concrete Curb & Gutter Work Ordered (District 5) by the Common Council, Contract No. 5479. (5th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00427
77. [01081](#) Improvements accepted for Troy Drive Sanitary Sewer Project, Contract No. 5426. (18th AD)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00428
78. [01097](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Local Road Traffic Calming & Arterial Pedestrian Enhancements-2005. (City Wide ADs)  
**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**  
**Enactment No:** RES-05-00429

**REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

79. [00903](#) Creating a Sustainable Design and Energy Committee.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00430

**REPORT OF PARK COMMISSION**

80. [00868](#) Authorizing the Mayor and City Clerk to sign and execute a six (6) month Agreement with three (3) six (6) month renewal periods with Organizacion Latina De Futbol, Inc. to reserve soccer fields at the following City of Madison Parks in exchange for Organizacion Latina De Futbol, Inc.'s maintenance of those fields: Hiestand Park, Warner Park and Elver Park.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00431

**REPORT OF PLAN COMMISSION**

81. [00820](#) Approving the preliminary plat known as Owl Creek Subdivision located on Meinders Road - east of Highway 51, south of Voges Road. 16th Ald. Dist.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00432
82. [00961](#) Approving the preliminary and final plat know as Pine Hill Farm located on Valley Ridge Road. 1st Ald. Dist.
- 2 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00433
83. [01121](#) Approving a Certified Survey Map of property owned by W. Math Heinzl and Rae Atira'Soncea at 4309 Green Avenue. 18th Ald. Dist.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00434

84. [01122](#) Accepting and releasing various easements related to the Certified Survey Map of property owned by Marc C. and Olga M. Damman at 423 and 501 Pflaum Road; and directing the City Clerk to record the acceptance. 16th Ald. Dist.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00435

#### REPORT OF RISK MANAGER

85. [00878](#) D. Ehle, 1015 Melvin Court, Madison - property damage - \$34.59.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Deny. The motion passed by acclamation.**
86. [01083](#) D. Brunner, 1212 Center St. # 14, Black Earth - vehicle damage - \$763.57.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Deny. The motion passed by acclamation.**

#### REPORT OF VENDING OVERSIGHT COMMITTEE

87. [00930](#) Amending Sections 9.13(6)(j)2. and 9.13(6)(j)3, to eliminate the requirement that restaurant wait staff must carry and serve all food, beverage and alcohol beverages to patrons within a sidewalk cafe, and to allow patrons of all types of sidewalk cafes to carry out their own food, beverage and alcohol beverages from the restaurant to the sidewalk cafe.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Rerefer to the VENDING OVERSIGHT COMMITTEE. The motion passed by acclamation.**
- Rerefer to the ALCOHOL LICENSE REVIEW COMMITTEE**

#### REFERRED TO THIS MEETING

#### APPOINTMENTS

88. [00974](#) Report of the Mayor submitting citizen committee appointments.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Confirm. The motion passed by the following vote:**
- Excused:** 3 - Benford, Rosas and Cieslewicz
- Aye:** 18 - Sanborn, Brandon, Bruer, Cnare, Compton, Golden, King, Konkell, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -

89.     01021     Report of the Mayor and County Executive submitting citizen committee appointments to the Board of Health for Madison and Dane County.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Confirm. The motion passed by acclamation.**

**ORDINANCES**

90. [01038](#) SUBSTITUTE - 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 the ~~46th~~ 1st Aldermanic District the Lambrecht - Dynatron - Prael Attachment, creating Section 15.02(134) of the Madison General Ordinances to add the attached property to Ward 134, and amending Section 15.03(~~46~~)(1) of the Madison General Ordinances to add Ward 134 to the ~~46th~~ 1st Aldermanic District.
- A motion was made by Ald. Sanborn, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00094
91. [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.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00095
92. [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.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00096
93. [01051](#) Amending Section 9.48 of the Madison General Ordinances to increase the fees for service of process.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00097

**PETITIONS**

94. [01058](#) Petition dated March 23, 2005 from H. Prael re: direct attachment from the Town of Middleton to the City of Madison (Lambrecht - Dynatron - Prael Attachment).
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Accept. The motion passed by acclamation.**

**RESOLUTIONS**

95. [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.
- A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00436

**NEW BUSINESS - Referred on motion of Ald. , seconded by Ald. Verveer.****ORDINANCES**

96. [01143](#) Creating Section 28.06(2)(a)3099 of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3100 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 2 Residential Buildings & Build 4-Story, 23-Unit Apartment Building; 4th Aldermanic District: 437-441 West Mifflin Street.
- Due back at the 6/21/05 Common Council Meeting. 1 Registrant(s) in opposition not wishing to speak.*
- Refer For Public Hearing to the PLAN COMMISSION**
97. [01144](#) Creating Section 28.06(2)(a)3098 of the Madison General Ordinances rezoning property from Temp A Agriculture to R1Single-Family Residence District. Proposed Use: 8 Residential Lots, 1 Institutional Lot & 4 Outlots; 17th Aldermanic District: 5402 & 5432 Commercial Avenue
- Due back at the 6/21/05 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
98. [01145](#) Amending Section 3.38(1)(e) of the Madison General Ordinances by creating the classification of Gift Shop Sales Leadworker in Compensation Group 20, Range 11, thereof.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PERSONNEL BOARD**
99. [01147](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Botanical Center Director in Compensation Group 18, Range 10, and recreating said class in Compensation Group 18, Range 13, thereof.
- Refer to the BOARD OF ESTIMATES**

**Refer to the PERSONNEL BOARD**

100. [01148](#) Amending Section 3.38(1)(i) of the Madison General Ordinances by creating the classification of Overture Center Group Sales Coordinator in Compensation Group 19, Range 07, thereof.

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

101. [01160](#) Amending Section 1.08(4) of the Madison General Ordinances to permit Park Rangers to issue citations for a limited number of offenses occurring in City of Madison parks and adding four areas of violation for which the Parks Superintendent or designee or Park Rangers can issue citations.

**Refer to the BOARD OF PARK COMMISSIONERS**

102. [01162](#) Adopting and confirming an Employment Agreement between the City of Madison and David C. Dryer as City Traffic Engineer.  
*Due back at the 5/17/05 Common Council Meeting for a Confirmation Hearing.*

**Refer to the BOARD OF ESTIMATES****RESOLUTIONS**

103. [00982](#) Awarding Public Works Contract No. 5839, Engineering Service Building Expansion - 2005 and Amending the 2005 Capital Budget to provide an additional \$500,000 of funds necessary for construction. (14th AD)

**Refer to the BOARD OF ESTIMATES**

104. [01034](#) SUBSTITUTE - To authorize a double fill in the Parks Administrative Services Manager position from May 29 ~~June 5~~, 2005 through July 3, 2005.

**Rerefer to the BOARD OF ESTIMATES**

105. [01057](#) Authorizing the Parking Utility to sign an agreement with Adams Outdoor Advertising Limited Partnership to sell and manage advertising services for the City's Parking Utility.

**Refer to the TRANSIT AND PARKING COMMISSION****Refer to the BOARD OF ESTIMATES**

106. [01065](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 4, 2005 during Safety Saturday and authorizing the Madison Fire Department, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St., the 10 block of S. Pinckney and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

107. [01066](#) The handcrafted goods and personally prepared food vending restrictions will be SUSPENDED on June 11, 2005 during the 26th Anniversary COWS ON THE CONCOURSE and authorizing the Dane County Dairy Promotion Committee, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St. and the 100 block of Martin Luther King, Jr. Blvd.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

108. [01067](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions are SUSPENDED and to INVALIDATE Mall/Concourse vending licenses from 6:00p.m. July 8 to 9:00p.m. July 10, 2005 in the areas specified below for the benefit of the Madison Museum of Contemporary Art, so that the 47th Annual ART FAIR ON THE SQUARE may occur.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

109. [01068](#) To authorize the Madison Museum of Contemporary Art, as sponsor of the 47th Annual ART FAIR ON THE SQUARE, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, 6:00 p.m. July 8 to 9:00 p.m. July 10, 2005, within the perimeter of the area, defined in the companion resolution, involved in the event.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

110. [01069](#) The handcrafted goods, personally prepared food vending restrictions are SUSPENDED and INVALIDATED for certain Mall/Concourse vending licenses from 6:00 p.m. July 8 to 9:00 p.m. July 10, 2005 in the areas specified below for the benefit of WI Alliance of Artists & Craftspeople, so that ART FAIR OFF THE SQUARE may occur.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

111. [01070](#) The WI Alliance of Artists and Craftspeople, as sponsor of the ART FAIR OFF THE SQUARE, is authorized to have EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the ART FAIR OFF THE SQUARE, from 6:00 p.m. July 8 to 9:00p .m. July 10, 2005 on the 200 block of Martin Luther King Jr. Blvd.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**



112. [01071](#) To SUSPEND The handcrafted goods, personally prepared food vending restrictions are SUSPENDED and INVALIDATED for Mall/Concourse vending licenses on July 15 and 16, 2005 in the areas specified below for the benefit of the Greater State St. Business Association (GSSBA), so that MAXWELL ST. DAYS may occur

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

113. [01072](#) The Greater State Street Business Association (GSSBA), is authorized as sponsor of MAXWELL ST. DAYS, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of MAXWELL ST. DAYS, July 15 and 16, 2005, within the perimeter of the area involved in the event.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

114. [01073](#) The handcrafted goods, personally prepared food vending restrictions are to be SUSPENDED on June 29, July 6, 13, 20, 27 and August 3, 2005 (rain dates June 30, July 7, 14, 21, 28 and August 4, 2005) from 3:00 p.m. to 11:59 p.m. for CONCERTS ON THE SQUARE and authorizes the Wisconsin Chamber Orchestra, as sponsor of the special event, to select vendors and vending sites for the duration of the event on the 10 blocks of E. & W. Main, the 10 blocks of N. & S. Pinckney and the 100 blocks of Martin Luther King, Jr. Blvd. and E. Washington.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

115. [01074](#) The handcrafted goods and personally prepared food vending restrictions will be SUSPENDED on August 10, 17, 24 and 31, 2005 during the Jazz @ 5 concert series and authorizes Jazz @ 5 Inc., as sponsor of the special event, to select vendors, vending sites and performers within the 100 block of State St. for the duration of the special event.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

116. [01075](#) The handcrafted goods and personally prepared food vending restrictions are SUSPENDED for Saturday, September 17, 2005 during the Food for Thought Festival and authorizes the Dane County REAP Food Group, as sponsor of the event, to select vendors, vending sites and performers for the duration of the event on the 100 block of Martin Luther King, Jr. Blvd.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

117. [01076](#) The handcrafted goods, personally prepared food vending restrictions are SUSPENDED and to INVALIDATE certain Mall/Concourse vending licenses from 1:00 p.m. September 3, 2005 to 11:59 p.m. on September 4, 2005 in the areas specified below for the benefit of Advertising Services Group, so that TASTE OF MADISON may occur.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

118. [01077](#) The Advertising Services Group, is authorized as sponsor of the TASTE OF MADISON, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the TASTE OF MADISON, from 1:00 p.m. September 3, 2005 to 11:59 p.m. on September 4, 2005, within the perimeter of the area involved in the event.

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

**Refer For Public Hearing to the DOWNTOWN COORDINATING COMMITTEE**

119. [01101](#) Authorizing the execution of an Underground Electric Easement to Madison Gas and Electric Company across a City-owned greenway located at 4654 Crescent Road, to serve the new Boys and Girls Club building. 10th Ald. District.

**Refer to the BOARD OF PUBLIC WORKS**

**Refer to the PLAN COMMISSION**

120. [01118](#) Approving City acceptance of a contract with the State of Wisconsin Department of Commerce for the City of Madison Fire Department to provide professional services for tank systems.

**Refer to the BOARD OF ESTIMATES**

121. [01123](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required to facilitate construction of the American Family Extension of the East Rail Path, located in the Northeast ¼ of Section 9, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin and approving plans and specifications for said project.

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

**Refer For Public Hearing to the BOARD OF PUBLIC WORKS**

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

**Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

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

**Refer to the PLAN COMMISSION**

122. [01126](#) Authorizing the Mayor and Clerk to sign a contract with May Vang, LLC for laundry services for the Fire Department. The contract period is eighteen months with options to renew for up to two one-year terms.

**Refer to the BOARD OF ESTIMATES**

123. [01128](#) That the position (#1516) of Botanical Center Director in Compensation Group 18, Range 10, (occupied by N. Ragland) in the permanent salary detail of the Parks Division budget is repealed and recreated as a position of Botanical Center Director in Compensation Group 18, Range 13, thereof, and that the incumbent shall be reallocated to said position.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PERSONNEL BOARD**
124. [01141](#) Authorizing the creation of a \$1,600,000 American Communities Capital Revolving Fund program, objectives and criteria to be administered by the Madison Community Development Authority (CDA) and capitalized by the Fannie Mae American Communities Fund line of credit.
- Refer to the BOARD OF ESTIMATES**
- Refer to the COMMUNITY DEVELOPMENT AUTHORITY**
125. [01142](#) Approving Rental Housing Project of the Community Development Authority of the City of Madison, Wisconsin located at 600 Northport Drive, a Cooperation Agreement with the Community Development Authority of the City of Ripon for a Rental Housing Project located in the City of Ripon, and the Issuance of Bonds for the Financing thereof.
- Refer to the BOARD OF ESTIMATES**
- Referral to City Attorney is to provide language to this by title only ordinance.*
- Refer For Attorney Review to the Attorney's Office/Approval Group**
126. [01149](#) That the vacant position (#3989) of Overture Command Center Operator, in Compensation Group 16, Range 02, in the permanent salary detail of the Overture Center budget is repealed and recreated as an Overture Group Sales Coordinator, in Compensation Group 19, Range 07, thereof.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PERSONNEL BOARD**
127. [01150](#) That the position (# 3782) of Sales Clerk, in Compensation Group 20, Range 06, (occupied by L. Sparks) in the permanent salary detail of the budget is repealed and recreated as an Gift Shop Sales Leadworker in Compensation Group 20, Range 11, thereof, and that the incumbent shall be reallocated to the said position.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PERSONNEL BOARD**
128. [01151](#) That the position (#777) of Account Clerk 2 in Compensation Group 20, Range 09, (occupied by K. Thompson) in the permanent salary detail of the Comptroller's Office budget is repealed and recreated as a position of Account Clerk 3 in Compensation Group 20, Range 11, thereof, and that the incumbent shall be reallocated to said position.
- Refer to the BOARD OF ESTIMATES**

**Refer to the PERSONNEL BOARD**

129. [01154](#) Authorizing the Mayor and City Clerk to enter into a Second Amendment to the agreement between the City and Princeton Soccer Club, Inc., to allow the Princeton Club build a storage box in a designated area at Reindahl Park.

**Refer to the BOARD OF PARK COMMISSIONERS**

130. [01155](#) Authorizing the City to apply for a State DOT Transportation Facilities Economic Assistance Grant and authorizing the Mayor and City Clerk to execute a Transportation Economic Assistance Jobs Guarantee with the State DOT and to execute a Project Agreement with Covance Laboratories, Inc. for a transportation infrastructure project on Pearson, Pierstorff and Wright Streets.

**Refer to the BOARD OF ESTIMATES****Refer to the BOARD OF PUBLIC WORKS****Refer to the ECONOMIC DEVELOPMENT COMMISSION****Fiscal Note Required / Approval to the Comptroller's Office/Approval Group**

131. [01158](#) Authorizing the Mayor and City Clerk to sign Addendum IV to the Franchise Agreement with KMC Telecom to consent to the assignment of the Agreement to Century Tel Acquisitions, LLC.

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

**Refer to the BOARD OF ESTIMATES**

132. [01159](#) Confirming the appointment of David C. Dryer to the position of City Traffic Engineer subject to the approval and execution of a five-year Employment Agreement.

*Due back at the 5/17/05 Common Council Meeting for a Confirmation Hearing.*

**Refer to the BOARD OF ESTIMATES****REPORTS**

133. [01180](#) Report of Police Chief dated April 26, 2005 re: 2004 Overtime & 1st Quarter 2005 Overtime.

**Refer to the BOARD OF ESTIMATES****CLAIMS - REFER TO RISK MANAGER**

134. [01164](#) K. Behrend, 87 Merrill Springs Rd., Madison - property damage - \$1772.88.

**Refer to the Risk Manager**

135. [01166](#) State Farm Insurance for C. Anderson, 1714 Erie Ct., Madison - vehicle damage - \$4210.93.

**Refer to the Risk Manager**

136. [01167](#) Holiday Inn Express, 7184 Morrisonville Rd., DeForest - property damage - \$227.00.

**Refer to the Risk Manager**

137. [01168](#) T. Decker, W152 N7870 Countryside Drive., Menomonee Falls - personal injury - \$586.70.

**Refer to the Risk Manager**

## ITEMS INTRODUCED FROM THE COUNCIL FLOOR

138. [00876](#) SUBSTITUTE - Amending Section 38.02 and creating Section 38.07(14) of the Madison General Ordinances to create a definition for keg and to regulate the sale and possession of alcohol beverages sold in kegs in the City of Madison.

**Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**

**Refer to the PUBLIC SAFETY REVIEW BOARD**

139. [00935](#) Authorizing the Mayor and City Clerk to enter into a Second Amendment to the Agreement between the City and Madison Fireworks Fund, Inc. (MFF) to allow MFF to operate a full event on any rescheduled rain date.

*Adopt at the 5/17/05 Common Council Meeting.*

**Refer to a future Meeting to Adopt**

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

140. [01190](#) Authorizing the City to amend the Engineering Department's Capital Expenditure Budget for infrastructure improvements on Pierstorff, Pearson and Wright Streets related to the expansion of Covance Laboratories, Inc. Said improvements include storm sewer, sanitary sewer, water main, street reconstruction and new street and sidewalk construction. (17th AD)

**Refer to the BOARD OF ESTIMATES**

**Refer to the BOARD OF PUBLIC WORKS**

**Refer to the ECONOMIC DEVELOPMENT COMMISSION**

## RECONSIDERATIONS

141. [00854](#) Approving Plans, Specifications, and Schedule of Assessments for South High Point and Raymond Road Street Assessment District - 2004.

*As of 5/13/05, the Clerk's office did not receive a corrected schedule of assessments or a substitute resolution to be considered at the 5/17/05 Common Council Meeting.*

**A motion was made by Ald. Brandon, seconded by Ald. Golden, to Reconsider and refer to a future meeting for May 17, 2005. The motion passed by acclamation**

ADJOURNMENT

*at 7:05 p.m.*

**A motion was made by Ald. Golden, seconded by Ald. Bruer, to Adjourn. The motion passed by acclamation.**

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

Ordinances published May 24th, 2005.

RAY FISHER, CITY CLERK