



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, March 3, 2009

6:30 PM

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

**Roll Call at 6:40 p.m., Mayor Cieslewicz in the Chair.
Late: Ald. Palm (6:50 p.m.)**

Present: 19 - Libby Monson
David J. Cieslewicz
Jed Sanborn
Brenda K. Konkel
Lauren Cnare
Michael E. Verveer
Robbie Webber
Marsha A. Rummel
Eli Judge
Paul E. Skidmore
Tim Gruber
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Excused: 2 - Brian L. Solomon
Julia S. Kerr

OPENING REMARKS

SUSPENSION OF RULES

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

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

1. [13206](#) Declaring the week of March 22-28, 2009 as "Tap Project Week for UNICEF".
- Sponsors:** David J. Cieslewicz, Julia S. Kerr, Lauren Cnare and Satya V. Rhodes-Conway
- 1 Registrant(s) in support wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00204

2. [13822](#) Declaring the week of March 8 - March 14, 2009 as "Girl Scout Week" in Madison, Wisconsin.
- Sponsors:** David J. Cieslewicz, Tim Bruer, Mark Clear, Joseph R. Clausius, Lauren Cnare, Judy Compton, Tim Gruber, Eli Judge, Julia S. Kerr, Brenda K. Konkell, Libby Monson, Larry Palm, Thuy Pham-Remmele, Satya V. Rhodes-Conway, Marsha A. Rummel, Jed Sanborn, Michael Schumacher, Paul E. Skidmore, Brian L. Solomon, Michael E. Verveer and Robbie Webber
- 1 Registrant(s) in support wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00205

PETITIONS AND COMMUNICATIONS

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT #'s: 18, 38, 82, and 104 on a motion made by Ald. Bruer, seconded by Ald. Verveer.

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

3. [13231](#) Public Hearing - New License
Savoir Faire Cards & Gifts, Inc • dba Savoir Faire Cards Gifts & Wine Bar
20% alcohol, 5% food, 75% Other
5 N Pinckney St • Agent: Kathleen M Retelle • Estimated Capacity: 49
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 406 • Density Area

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant and Close the Public Hearing (sidewalk cafe' is included as part of original application). The motion passed by voice vote/other.

4. [13450](#) Public Hearing - New License
Five Corners Inc • dba Pinkus McBride Market & Deli
301 N Hamilton • Agent: John Wallace
Class A Beer
Aldermanic District 02 (Alder Konkel) • Police Sector 406 • Density Area

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant and Close the Public Hearing with the condition that liquor sales be limited to wine only. The motion passed by voice vote/other.

5. [13451](#) Public Hearing - New License
Mad Town Ventures LLC • dba Chasers • 45% alcohol, 55% food
319 W Gorham • Agent: William Rudy • Estimated Capacity: 144
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area
1 Registrant(s) in support not wishing to speak.

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant and Close the Public Hearing with the following conditions: Establishment must meet the definition of a restaurant as defined by MGO 38.02; stop serving alcohol 30 minutes before bar time. The motion passed by voice vote/other.

6. [13453](#) Public Hearing - Request to Transfer License
Bunky's LLC • dba Bunky's • 25% alcohol, 50% food, 25% Other
Current Address: 2827 Atwood Ave
Proposed Address: 2425 Atwood Ave
Agent: Teresa Pullara-Ouabel • Estimated Capacity: 80
Class B Beer, Class C Wine
Aldermanic District 06 (Alder Rummel) • Police Sector 602

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

7. [13479](#) Public Hearing - New License
Bangkok Cuisine Inc • dba Bangkok Cuisine • 10% alcohol, 90% food
600 Williamson St Suite G • Agent: Thao Chuekao • Estimated Capacity:
30-35
Class B Beer, Class C Wine
Aldermanic District 06 (Alder Rummel) • Police Sector 408

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

8. [13364](#) Approving Plans, Specifications, And Schedule Of Assessments For West Gilman Street Reconstruction Assessment District 1 - 2009 & West Gilman Street Reconstruction Assessment District 2 - 2009. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

2 Registrant(s) in opposition wishing to speak. 1 Registrant(s) in opposition not wishing to speak.

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by the following vote:

Ayes: 17 - Jed Sanborn
Brenda K. Konkel
Lauren Cnare
Michael E. Verveer
Robbie Webber
Marsha A. Rummel
Eli Judge
Paul E. Skidmore
Tim Gruber
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Noes: 1 - Libby Monson

Excused: 2 - Brian L. Solomon
Julia S. Kerr

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-09-00206

9. [13591](#) Approving Plans, Specifications, And Schedule Of Assessments For Maple Avenue, Center Avenue, and Ludington Avenue Reconstruction Assessment District - 2009. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-09-00207

REPORT OF PLAN COMMISSION

10. [13242](#) SUBSTITUTE - Creating Section 28.06(2)(a)3407. of the Madison General Ordinances rezoning property from R2T Single-Family Residence District and PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3408. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: 14 Residential Lots and 2 Outlots - Revised GDP and First Phase SIP; 18th Aldermanic District: 542 Northport Drive.

Sponsors: Common Council By Request

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

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-09-00039

11. [13253](#) Creating Section 28.06(2)(a)3409. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3410. 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: Rezone Property to Allow Creation of Two Parcels for Two Existing Residences; 6th Aldermanic District: 1045 - 1047 East Wilson Street.

Sponsors: Common Council By Request

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

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-09-00040

12. [13256](#) SUBSTITUTE - Creating Section 28.06(2)(a)3411. of the Madison General Ordinances rezoning property from R4 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3412. 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 existing 2-Unit Building, Construct Underground Parking and New 2-Unit; 6th Aldermanic District: 430-434 South Thornton Avenue, 1526 Jenifer Street and 433 Cantwell Court.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

13. [13259](#) Creating Section 28.06(2)(a)3413. of the Madison General Ordinances rezoning property from R4L Limited General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3414. 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: Relocated 2-Unit from South Thornton Avenue onto Vacant Property; 6th Aldermanic District: 1148 Jenifer Street.

Sponsors: Common Council By Request

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

14. [13532](#) Report of the Mayor submitting citizen committee appointments (introduced 2-24-2009; action 3-3-2009).

Sponsors: David J. Cieslewicz

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

15. [13821](#) Report of the Mayor submitting citizen committee appointments (introduced 3-3-2009; action 3-17-2009).

Sponsors: David J. Cieslewicz

Confirm at the 3/17/09 Common Council Meeting.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 3/17/2009. The motion passed by voice vote/other.

16. [13827](#) Report of the Mayor submitting alder committee appointments.

Sponsors: David J. Cieslewicz

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

17. [13832](#) Report of the Mayor recommending reinstatement of committee members who have filed "Statement of Interests" forms.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Confirm appointments for reinstated committee members. The motion passed by the following vote:

Ayes: 18 - Jed Sanborn
Brenda K. Konkel
Lauren Cnare
Michael E. Verveer
Robbie Webber
Marsha A. Rummel
Eli Judge
Paul E. Skidmore
Tim Gruber
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele
Libby Monson

Excused: 2 - Brian L. Solomon
Julia S. Kerr

Non Voting: 1 - David J. Cieslewicz

18. [13833](#) Report of the Mayor recommending approval of the Housing Committee appointment (referred from the February 24 Council meeting).

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Confirm. The motion passed by the following vote:

Ayes: 14 - Michael E. Verveer
Eli Judge
Paul E. Skidmore
Tim Gruber
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele
Libby Monson
Jed Sanborn

Noes: 4 - Brenda K. Konkel
Lauren Cnare
Robbie Webber
Marsha A. Rummel

Excused: 2 - Brian L. Solomon
Julia S. Kerr

Non Voting: 1 - David J. Cieslewicz

19. [13826](#) Authorizing the City Treasurer to notify the Wisconsin Department of Administration to distribute amounts determined for the school levy tax credit and the lottery and gaming credit for the City of Madison directly to the City Treasurer.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00208

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

20. [12914](#) Operator License Application
Zachary Dean - Establishment where employed: Tornado Room

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

21. [12966](#) Change of Corporate Control -- 2 new officers
The Pub Inc • dba The Pub • 100% alcohol
552-558 State St • Agent: David Schwoegler
Class B Combination Liquor & Beer
Aldermanic District 08 (Alder Judge) • Police Sector 403

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant with the condition that the seller contact the City Clerk's office when the sale is completed. The motion passed by voice vote/other.

22. [13236](#) Change of Licensed Premise
Samba Grill LLC • dba Samba Brazilian Grill • capacity of 339
240 W Gilman St • Agent: Jongyeon Lee
Class B Combination Liquor & Beer • 25% Alcohol, 75% food
Aldermanic District 08 (Alder Judge) • Police Sector 403
Request to extend hours to be open later to better accomodate clientel.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant with the condition that the establishment will close 1/2 hour before bar time. The motion passed by voice vote/other.

23. [13240](#) Operator License Application
Gary Beckner - Establishment where employed: Tilted Kilt

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

24. [13241](#) Operator License Application
Felicia Ferraro - Establishment where employed: TGI Fridays

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

25. [13243](#) Operator License Application
Melvin Jacobson - Establishment where employed: Sim's Place

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

26. [13244](#) Operator License Application
Adam Karls - Establishment where employed: Tilted Kilt West
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by voice vote/other.**
27. [13246](#) Operator License Application
Christopher Thomas - Establishment where employed: Shell Gas Station
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by voice vote/other.**
28. [13247](#) Operator License Application
Ryan Wagner - Establishment where employed: HuHot Mongolian Grill
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by voice vote/other.**
29. [13248](#) Operator License Application
Rylee Wentworth - Establishment where employed: PDQ
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by voice vote/other.**
30. [13452](#) Change of Licensed Premise
Thompson Cafe LLC • dba The Library Cafe & Bar • capacity of 99
320 N Randall Ave • Agent: Timothy Thompson
Class B Combination Liquor & Beer • 35% Alcohol, 65% food
Aldermanic District 05 (Alder Webber) • Police Sector 402
Request to add outdoor seating area with 7 tables and 28 chairs. See attached plan.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**
31. [13467](#) Operator License Application
Kevin Walsh - Establishment where employed: Wiggies
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Deny because applicant does not meet statutory requirements. The motion passed by voice vote/other.**

32. [13470](#) Operator License Application
Krystal Baron - Establishment where employed: Bristol Club
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by voice vote/other.**
33. [13472](#) Operator License Application
Joseph Kemnitz - Establishment where employed: Applebees
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by voice vote/other.**
34. [13542](#) Change of Agent
Aldi Inc #21 • Aldi Inc • 3925 Lien Rd
New Agent: Rebekah Hawkins
Class A Beer, Class A Liquor
Aldermanic District 17 (Alder Clausisu) • Police Sector 605
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**
35. [13545](#) 21+ Entertainment License
Movin North LLC • dba Upstairs Downstairs/Lazy Oaf Lounge • Capacity:125
1617 N Stoughton Rd • Agent: Rob Burns
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 17 (Alder Clausius) • Police Sector 516
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**
36. [13634](#) Operator License Application
Megan Baranczyk - Establishment where employed: Jolly Bob's
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by voice vote/other.**

REPORT OF CITY ATTORNEY

37. [06008](#) Amending Section 3.03 and creating Section 3.015 of the Madison General Ordinances to establish term limits for the Mayor and Alderpersons.
1 Registrant(s) in opposition not wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File. The motion passed by voice vote/other.**

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

38. [12575](#) FOURTH SUBSTITUTE - Creating Sec. 34.42, amending Sec. 27.05(2)(w) and creating Secs. 32.06(2)(a)1.j. and 32.06(4) of the Madison General Ordinances to govern installation and maintenance of smoke alarms in residential buildings.
- Sponsors:** Michael E. Verveer, Paul E. Skidmore, Brenda K. Konkol, Eli Judge, Tim Bruer, David J. Cieslewicz, Joseph R. Clausius, Mark Clear, Lauren Cnare, Judy Compton, Tim Gruber, Julia S. Kerr, Libby Monson, Larry Palm, Thuy Pham-Remmele, Satya V. Rhodes-Conway, Marsha A. Rummel, Jed Sanborn, Michael Schumacher, Brian L. Solomon and Robbie Webber
- 2 Registrant(s) in support wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-09-00041

39. [13474](#) Creating Section 27.085 entitled "Vacant and Damaged Buildings" and renumbering and amending Section 27.08(7) of the Madison General Ordinances to expand the ability of the Building Inspection Division to secure vacant buildings.
- Sponsors:** Tim Bruer, Satya V. Rhodes-Conway and Marsha A. Rummel
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-09-00042

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

40. [12975](#) Amending Section 7.15(7) to increase the penalty for violations and amending Sec. 1.08(3) of the Madison General Ordinances to establish a bail deposit for a violation, relating to penalties for violating the tattooing and body-piercing regulations.
- Sponsors:** Lauren Cnare
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-09-00043

REPORT OF BOARD OF PUBLIC WORKS

41. [13455](#) Authorizing the execution of a lease with the State of Wisconsin, Department of Transportation for approximately 743 square feet of land located at 5601 Eastpark Boulevard for the installation of an early warning siren.

Sponsors: Joseph R. Clausius

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

Enactment No: RES-09-00209

42. [13468](#) Amending Secs. 10.23(2) and 1.08(3)(a) of the Madison General Ordinances to strengthen the City's snow or ice depositing ordinance.

Sponsors: Brenda K. Konkel, Satya V. Rhodes-Conway, Marsha A. Rummel and Larry Palm

Adopt at the 3/17/09 Common Council Meeting.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 3/17/2009. The motion passed by voice vote/other.

43. [13486](#) Authorizing the Office of Real Estate Services to proceed with the acquisition of required land interests from the leasehold interest from The Bridges Golf Course, LLC for the property owned by Dane County Airport, as shown on the previously approved Transportation Project Plat No. 5992-08-04-4.02 and authorizing the Mayor and City Clerk to sign all required documents necessary to accomplish the acquisition of said land interests. (15th AD)

Sponsors: Larry Palm

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

Enactment No: RES-09-00210

44. [13521](#) Declaring the City of Madison's intention to exercise its police powers establishing the Oak Street and Hoard Street Reconstruction Street Assessment District - 2009. (15th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00211

45. [13522](#) Improvements accepted for Bram Street Viaduct Improvements, Contract No. 6131. (13th AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00212
46. [13524](#) Improvements accepted for Seminole Storm Sewer Reroute, Contract No. 6053. (10th AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00213
47. [13525](#) Improvements accepted for Capital Square Bus Shelters & Repairs, Contract No. 5926. (4th AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00214
48. [13526](#) Improvements accepted for Gammon Lane Street Assessment District - 2007, Contract No. 6024. (1st AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00215
49. [13527](#) Improvements accepted for Wingra Creek Parkway Improvements - Phase I, Contract No. 5889. (13th AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00216

50. [13555](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Schroeder Road. (1st AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00217

51. [13587](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on the South Madison Beltline between Whitney Way and Verona Road. (1st, 10th, 19th & 20th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00218

52. [13588](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for 2009 Parking Ramp Maintenance. (2nd, 4th & 6th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00219

53. [13590](#) Authorizing the Mayor and City Clerk to enter into an agreement with the Town of Verona for the resurfacing of Midtown Road. (1st AD & Town of Verona)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00220

54. [13592](#) Improvements accepted for Harrison Street, West Lawn Avenue & Monroe Street Reconstruction Assessment District - 2006, Contract No. 5925. (10th & 13th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00221

55. [13597](#) Improvements accepted for Kedzie St., E. Dayton St., E. Lawn Ct., & Moland St. Reconstruction Street Assessment District - 2004, Contract No. 5611.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00222

56. [13631](#) Awarding Public Works Contract No. 6269, University Avenue, West Gorham Street, and North Broom Street Pavement Rehabilitation.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00223

57. [13632](#) Awarding Public Works Contract No. 6272, South Mills Street Reconstruction Street Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00224

58. [13638](#) Declaring the City of Madison's intention to exercise its police powers establishing the Sanitary Sewer Replacement with Resurfacing Assessment District - 2009 and the School Road Area Drainage Assessment District. (10th & 18th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00225

59. [13639](#) Improvements Accepted for Tennis Court Reconstruction/Resurfacing - 2008 Contract #6183 (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00226

60. [13652](#) Improvements accepted for Corry Street Reconstruction Assessment District - 2003, Contract No. 5587.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00227

61. [13653](#) Improvements accepted for Domestic Solar Hot Water Heating Systems; Fire Stations #1, 2, 5, 6, 9, 10 & 11, Contract No. 6090.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00228

62. [13654](#) Authorizing the Mayor and City Clerk to enter into an inter-governmental agreement with the Dane County for continuation of an ongoing Information and Education Program as part of the Madison Area Municipal Stormwater Permit group (MAMSWaP). (City Wide)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00229

63. [13656](#) Declaring the City of Madison's intention to exercise its police powers establishing the Marquette Street Reconstruction Assessment District - 2009. (15th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00230
64. [13658](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6328, Alley Block 101 Relining. (4th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00231
65. [13660](#) Accepting sanitary sewer, storm sewer, and street improvements (including bituminous surface pavement) constructed by Private Contract In Eighth Addition to Blackhawk Phase 4, Private Contract No. 2202. (9th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00232
66. [13667](#) Authorizing The Mayor And City Clerk To Apply For And Accept A DNR Lake Planning Grant To Develop a Nowcast and Forecast Operation System Model for Lake Mendota. (Various ADs)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00233

67. [13694](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for McKee Road at Stratton Way Intersection Improvement. (7th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00234

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

68. [10663](#) Amending Section 33.13(4)(c) of the Madison General Ordinances to Limit Other Referrals to the CCOC to Matters that are not within the Mission or Jurisdiction of another City Board, Commission or Committee.

Sponsors: Larry Palm and Lauren Cnare

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

REPORT OF PLAN COMMISSION

69. [12771](#) SECOND SUBSTITUTE - Establishing sustainability goals to guide the development of the plan for the Northeast Neighborhoods.

Sponsors: David J. Cieslewicz, Lauren Cnare and Joseph R. Clausius

Additional Referral(s): Board of Park Commissioners.
Due back at the 3/31/09 Common Council Meeting.

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Refer to the PLAN COMMISSION, due back on 3/31/2009. The motion passed by voice vote/other.

70. [13702](#) Approving the final plat of The Park Homes at Northport Commons located at 542 Northport Drive. 18th Ald. Dist.

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

Enactment No: RES-09-00235

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

71. [13818](#) Approving a Certified Survey Map of property owned by Nona, LLC at 2425 Atwood Avenue. 6th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-09-00236

72. [13819](#) Approving a Certified Survey Map of property owned by Nationwide, LP at 2702-2710 Todd Drive. 14th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-09-00237

73. [13828](#) Approving a Certified Survey Map of property owned by Housing Options, LP at 1108-1120 Williamson Street. 6th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-09-00238

REPORT OF RISK MANAGER

74. [13535](#) Darla Saxby of American Family Insurance Group for L. and C. Belz, 6202 Winnequah Rd., Monona (53716) - vehicle damage - \$841.09.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.

75. [13585](#) L. Bender, SRS, Specialty Risk Services, PO Box 202200, Bloomington, MN, 55420 for G. Metz - personal injury - \$17,232.71.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.

76. [13724](#) D. Gillitzer, American Family Insurance Group for K. Scott, 8076 Lone Oak Ct., Cross Plains, 53528 - vehicle damage - \$524.10.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.

77. [13733](#) A. Attoun, 1512 Jenifer St., # 2, Madison, 53703 - vehicle damage - \$62.95.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.

ITEMS REFERRED TO THIS MEETING

ORDINANCES

78. [13703](#) Amending Sections 15.02(79) and (80) of the Madison General Ordinances to change the polling location for Wards 79 and 80.

Sponsors: Paul E. Skidmore

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

Enactment No: ORD-09-00044

RESOLUTIONS

79. [13249](#) Adopting the 2009 Economic Development Work Plan.

Sponsors: Mark Clear and David J. Cieslewicz

Adopt at the 3/31/09 Common Council Meeting.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 3/31/2009. The motion passed by voice vote/other.

80. [13258](#) Authorizing a declaration of change in use from City park land to public street right-of-way as part of the Hoepker Road reconstruction.

Sponsors: Joseph R. Clausius

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

Enactment No: RES-09-00239

81. [13674](#) Establishing a Glass-Free Zone for the West Mifflin Street area 10:00 a.m. on May 2, 2009 through 6:00 a.m. on May 3, 2009.

Sponsors: Michael E. Verveer

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

Enactment No: RES-09-00240

REPORTS

82. [13690](#) 2009-2013 Affirmative Action Plan.

Sponsors: Joseph R. Clausius

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

**INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE
- Referred on a motion made by Ald. Bruer, seconded by Ald. Verveer.**

ORDINANCES

83. [13780](#) Creating Section 28.06(2)(a)3420. of the Madison General Ordinances rezoning property from R4 General Residence District, R6 General Residence District and C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3421. 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: Meriter Hospital Campus Master Plan GDP/Existing Conditions and Small Project SIP; 13th Aldermanic District: 202 South Park Street.

Sponsors: Common Council By Request

Due back at the 4/21/09 Common Council Meeting.

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 4/21/2009

84. [13788](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Traffic Operations Supervisor in Compensation Group 18, Range 9, and recreating said classification in Compensation Group 18, Range 8, thereof.

Sponsors: David J. Cieslewicz

Additional Referral(s): Board of Estimates

This Ordinance was Referred to the PERSONNEL BOARD

85. [13789](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating Range 01 in Compensation Group 18 with the following steps reflecting the 2009 bi-weekly base rate.

Sponsors: David J. Cieslewicz

Additional Referral(s): Board of Estimates

This Ordinance was Referred to the PERSONNEL BOARD

86. [13806](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of Senior Center Program Coordinator in Compensation Group 18, Range 04, thereof.

Sponsors: Common Council By Request

Additional Referral(s): Personnel Board

This Ordinance was Referred to the BOARD OF ESTIMATES

RESOLUTIONS

87. [13758](#) To authorize the Mayor and City Clerk to enter into a one (1) year Agreement between the City of Madison and Deano Dock and Lift, LLC. beginning with the signing of the Lease Agreement and ending on October 31, 2009 for the use of docking facilities to provide lake access at Marshall, Warner and Olin Parks. (Various ADs)

Sponsors: Michael Schumacher and Joseph R. Clausius

Additional Referral(s): Board of Estimates

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

88. [13762](#) Creation of the classification of Street Vendor Monitor and creation of a permanent half-time position of Street Vendor Monitor in the Planning Department budget, amending the budget of the Economic Development Division to provide for the position authority and additional funding, and amending the City operating budget to appropriate \$12,318 from the Contingent Reserve.

Sponsors: David J. Cieslewicz and Thuy Pham-Remmele

Additional Referral(s): Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

89. [13772](#) Authorizing the acceptance of a Site Assessment Grant (SAG) from the State of Wisconsin Department of Natural Resources (WDNR) to fund environmental testing and remediation activities at the Garver Feed Mill site.

Sponsors: Marsha A. Rummel

Additional Referral(s): Board of Park Commissioners

This Resolution was Referred to the BOARD OF ESTIMATES

90. [13775](#) Reclassifying the Traffic Operations Supervisor position from a CG 18 Range 9 to Range 8 and reallocating the currently vacant position to the new pay range.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

91. [13777](#) Repealing one position in the Police Department budget (#2589, Administrative Clerk 1) and recreating it as an Administrative Clerk 2 position.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
92. [13803](#) Repealing one position in the Parking Utility budget (#1055, Clerk Typist 2) and recreating it as an Information Clerk position.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
93. [13804](#) Reclassification of a Program Assistant 2 position in the Senior Center budget (#850) upon retirement of the incumbent and recreating it as Senior Center Program Coordinator.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
94. [13814](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" regarding Late Night food vending cart mobility and placement specifications, to coincide with ordinance amendment ID# 13729.
- Sponsors:** Thuy Pham-Remmele
- Due back at the 3/17/09 Common Council Meeting.
- This Resolution was Referred to the VENDING OVERSIGHT COMMITTEE, due back on 3/17/2009**

LICENSES

95. [13796](#) Public Hearing - New License
Hawks Landing Golf Corp • dba Sunset Grille • 40% alcohol, 60% food
88 Hawks Landing Cir • Agent: Jeffrey Haen • Estimated Capacity: 375
Class B Combination Liquor & Beer
Aldermanic District 01 (Alder Sanborn) • Police Sector 135
- Due back at the 3/31/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 3/31/2009**

96. [13797](#) Public Hearing - New License
Hawks Landing Golf Corp • dba Sunset Grille Oasis • 10% alcohol, 90% food
66 Hawks Landing Cir • Agent: Jeffrey Haen • Estimated Capacity: 40
Class B Combination Liquor & Beer
Aldermanic District 01 (Alder Sanborn) • Police Sector 135
Due back at the 3/31/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 3/31/2009

97. [13799](#) Public Hearing - New License
Logans Madtown LLC • dba Logans • 40% alcohol, 60% food
322 W Johnson St • Agent: Ron Trachtenberg • Estimated Capacity: 500
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area
Due back at the 3/31/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 3/31/2009

98. [13800](#) Public Hearing - New License
Edo Garden LLC • dba Edo Steak House • 20% alcohol, 80% food
610 S Park St • Agent: Jing Jiang • Estimated Capacity: 90
Class B Combination Liquor & Beer
Aldermanic District 13 (Alder Kerr) • Police Sector 305
Due back at the 3/31/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 3/31/2009

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

99. [13790](#) R. and N. Stanzel, 1201 Amsterdam Ave., Madison, 53716 - personal property - \$548.64.
100. [13795](#) M.J. Pollock, 5125 Sudbury Way, Madison, 53714 - property damage - \$64.46.
101. [13798](#) N. Baime, 7225 Hubbard Ave., Middleton - vehicle damage - \$176.61.

102. [13801](#) S. Williams, 1910 N. Sherman Ave., Madison, 53704 - vehicle damage - \$5,798.97.
103. 13807 C.M. Collazo, USAA, for J. Boehm, 6401 Offshore Dr., #312, Madison - vehicle damage - \$1269.45.

****ADDENDUM******ITEMS REFERRED TO THIS MEETING**

104. [13465](#) CHARTER ORDINANCE - Creating Section 16.01(4)(c) of the Madison General Ordinances to add a non-voting member to the Plan Commission.
- Sponsors: David J. Cieslewicz, Tim Bruer, Mark Clear, Lauren Cnare, Tim Gruber, Julia S. Kerr and Satya V. Rhodes-Conway

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

Ayes: 17 - Lauren Cnare
Michael E. Verveer
Marsha A. Rummel
Eli Judge
Paul E. Skidmore
Tim Gruber
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele
Libby Monson
Jed Sanborn
Brenda K. Konkel

Noes: 1 - Robbie Webber

Excused: 2 - Brian L. Solomon
Julia S. Kerr

Non Voting: 1 - David J. Cieslewicz

Enactment No: CHA-09-00001

RECONSIDERATIONS

105. [13662](#) To amend Resolution #RES-09-00015 to allow the architect services to be increased by \$47,100 and authorize the Mayor and City Clerk to enter into a \$157,100 contract with Plunkett Raysich Architects for architectural services to complete the construction of the Tenney Park Shelter. (AD#2)

Sponsors: David J. Cieslewicz, Joseph R. Clausius and Michael Schumacher

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Withdraw the motion to Reconsider. The motion passed by voice vote/other.
Place On File.**

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

106. [13815](#) Stating that the policy of the City of Madison is to encourage or, where appropriate, require that incremental changes to the built environment, as well as major new policies and public works projects, shall in the aggregate cause vehicle miles traveled per capita to decrease by 25 percent, as compared with a 2005 baseline, by 2020 and that this goal shall be incorporated into the City's Comprehensive Plan.

Sponsors: Satya V. Rhodes-Conway, Brian L. Solomon and Robbie Webber

Additional Referral(s): Long Range Transportation Planning Commission, Pedestrian/Bicycle/Motor Vehicle Commission, Transit and Parking Commission

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT @ 8:20 PM

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adjourn at 8:20 p.m. The motion passed by voice vote/other.

I certify that the foregoing action of the Common Council was approved by the Mayor on March 4, 2009.

Ordinances published March 19, 2009.

MARIBETH WITZEL-BEHL, CITY CLERK