



City of Madison

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

Agenda - Amended COMMON COUNCIL

Tuesday, April 18, 2006

6:30 PM

215 Martin Luther King, Jr. Blvd.
Room 260 (Madison Municipal Building)

PLEASE NOTE THE LOCATION OF MEETING.

SPEAKING GUIDELINES

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

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

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

The consent agenda will be considered following Public Hearings.

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

NOTIFIED ABSENCES: Ald. Brandon

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.

SPECIAL ORDER OF BUSINESS

1. [03370](#) To Proclaim April 22, 2006 Earth Day Clean Up Day and endorse and encourage citizen participation in the clean-up events at City of Madison Parks.
2. [03410](#) Congratulating Lorna Aaronson on her retirement after 23 years with the City of Madison.
3. [03412](#) In recognition of the volunteer work performed by Kenneth Haak at the Kettle Pond, a City of Madison Conservation Park.
Adopt
4. [03435](#) Expressing heartfelt appreciation to the City of Key West, Florida, and the Tampa, Florida, First United States Volunteer Cavalry Regiment "Rough Riders" for their efforts

to correct a 108 year oversight and to provide a proper memorial for Frank B. Booth, one of Madison's forgotten native sons.

5. [03409](#) Commending Alderperson Santiago Rosas for his service as Common Council President Pro Tem during the 2005 - 2006 term.
6. [03408](#) Commending Alderperson Paul Van Rooy for his service as Common Council President during the 2005 -2006 term.

CONVENE AS COMMITTEE OF THE WHOLE

7. [03458](#) Election of Common Council President for 2006 - 2007: Ald. King.
8. [03459](#) Election of Common Council President Pro Tem for 2006 - 2007.

ADJOURN COMMITTEE OF THE WHOLE

PETITIONS AND COMMUNICATIONS - None received by the agenda deadline.

None received by the agenda deadline.

BUSINESS BY THE MAYOR

9. [03414](#) Report of the Mayor submitting citizen committee appointments (introduction 4-18-2006; action 5-2-2006)
10. [03417](#) Report of the Mayor submitting an alder committee appointment.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

Begin at the top of the next page.

11. [02320](#) Repealing Section 28.04(25) of the Madison General Ordinances to eliminate the requirements for Inclusionary Zoning.
12. [02720](#) Creating Section 28.06(2)(a)3161. of the Madison General Ordinances rezoning property from Temp A Agriculture District, C2 General Commercial District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3162. 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 4 Commercial Buildings, 1 Apartment Building, 1 Private Clubhouse, & Build 4-Story, 91,665 Square Foot Retail & Office Building; 14th Aldermanic District: 2810-2818 Todd Drive & 2703-2805 West Beltline.
13. [02871](#) Creating Section 28.06(2)(a)3163. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3164. 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

(Specific Implementation Plan) District. Proposed Use: Demolish Shopping Center and Build 12-Story Mixed Use Building with 134,000 Square Feet Retail, 71,000 Square Feet Offices, 97,000 Square Feet Health Center, 62,000 Square Feet Activity Center and 350 Dwelling Units; 8th Aldermanic District: 700 Block University Avenue.

14. [03163](#) Approving plans, specifications, and schedule of assessments for the installation of traffic signals at the Northbound Interstate Highway 90/94 off-ramp and High Crossing Blvd. intersection.

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

15. [03088](#) Creating Section 28.13 of the Madison General Ordinances to prohibit negative use restrictions relating to grocery stores as against public policy.
16. [03100](#) Creating Section 28.06(2)(a)3167. of the Madison General Ordinances rezoning property from Temp A Agriculture District to C Conservancy District, and creating Section 28.06(2)(a)3168. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2T Single-Family Residence District, and creating Section 28.06(2)(a)3169. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2Y Single-Family Residence District, and creating Section 28.06(2)(a)3170. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2Z Single-Family Residence District, and creating Section 28.06(2)(a)3171. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: 207 Single-Family Lots, 11 Duplex Lots, 9 Multi-Family Lots and 15 Park/Open Space Lots; 3rd Aldermanic District: 5901 Milwaukee St.
17. [03140](#) Creating Section 28.06(2)(a)3172. of the Madison General Ordinances rezoning property from C1 Limited Commercial District and R2 Single-Family Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3173. 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 Former Service Station/Convenience Store and Build 5-Story, 16-Unit Condominium; 15th Aldermanic District: 3540 Atwood Avenue.
18. [03205](#) SUBSTITUTE - Amending Sections 28.07(6)(g)5. and (h) of the Madison General Ordinances to clarify the two provisions, make them consistent, and add six months to the time period for obtaining a permit. as well as to the ability to request an additional 24 months from the Plan Commission, and creating Section 28.12(12)(a)11, of the Madison General Ordinances to add a fee of \$500 for an application for an extension from the Plan Commission.

****NOTE: THE PLAN COMMISSION WILL CONSIDER THIS ITEM AT THEIR 4/17 MEETING. A RECOMMENDATION WILL BE MADE FROM THE FLOOR.****

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: # 25, 30, 32, 33,70,72, & 97 on a motion made by Council President King, seconded by Ald. Verveer.

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote. 3) items which alderperson(s) have separated out for discussion/debate purposes.

REPORTS OF OFFICERS**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

19. [03422](#) Alcohol License Review Committee
April 12, 2006, Report of Operator License Applications (New & Renewal)

REPORT OF BOARD OF ESTIMATES

20. [03074](#) Report of CCOC Sister Cities Grant Subcommittee - 2006 Final Report & Recommendations for 2006 Sister City Grant Program.
21. [03162](#) That the position (#518) of Administrative Clerk 1 in Compensation Group 32, Range 04, (occupied by M. Vaughn) in the permanent salary detail of the Library budget is repealed and recreated as a position of Administrative Clerk 2 in Compensation Group 32, Range 06, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
22. [03168](#) That the positions (#454 and #397) of Clerk 2 in Compensation Group 32, Range 02, occupied by K. Williams and L. Purdy, in the permanent salary detail of the Library budget are repealed and recreated as two positions of Administrative Clerk 1 in Compensation Group 32, Range 04, thereof. Be it further resolved that the incumbents shall be reallocated to said positions.
23. [03171](#) That the position (#467) of Administrative Clerk 1 in Compensation Group 32, Range 04, (occupied by T. Karls) in the permanent salary of the Library budget is repealed and recreated as an Administrative Clerk 2 in Compensation Group 32, Range 06, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
24. [03182](#) That the position (#76) of Disability Rights Specialist in Compensation Group 18, Range 08, (occupied by A. Bennett) in the permanent salary detail of the Civil Rights Department budget is repealed and recreated as a position of Disability Rights and Services Coordinator in Compensation Group 18, Range 08, thereof. Be it further resolved that the incumbent shall be reallocated to said position as a retirement.
25. [03194](#) AMENDED - Authorizing the Director of the Department of Planning and Development to submit bids to the Receiver in Dane County Circuit Court Case No. 06CV357 for the purchase of the properties located at 2317, 2345, and 2409 Allied Drive; authorizing the Mayor and Clerk to execute a management agreement for management of the properties; and to authorize the Mayor and Clerk to enter into all necessary agreements to effect the sale and management during the City's ownership, and amending the 2006 Capital Budget to appropriate \$5,875,000 to fund this purchase. 10th Ald. Dist.
26. [03221](#) Approving the Issuance by the City of Franklin of Industrial Development Revenue Bonds in One or More Series on Behalf of Waste Management of Wisconsin, Inc.
27. [03253](#) Amending the Police Department 2006 Operating Budget by transferring \$24,000 budgeted for the purchase of radios to the purchase of radio batteries.
28. [03272](#) Authorizing the Mayor and the Chief of Police to accept an additional \$25,000 in funds for public information and outreach education to accompany the Beltline enforcement grant authorized in 2005.

29. [03289](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Disability Rights Specialist in Compensation Group 18, Range 08, and creating the class of Disability Rights and Services Program Coordinator in Compensation Group 18, Range 08, thereof.
30. [03305](#) Directing the TIF staff team to draft policy changes consistent with the Board of Estimates subcommittee report on TIF regarding TIF process and report back to the Common Council with a draft for introduction by June 6, 2006.
31. [03306](#) Authorizing an amendment to the sublease with Madison Community Health Center, Inc., a/k/a Access Community Health Centers, for space within the South Madison Health and Family Center.
32. [03317](#) Allocating funds appropriated in the 2006 Operating Budget for prior year encumbrances to match actual carry forward encumbrances in various departmental accounts and increasing the Contingent Reserve by \$126,220.

REPORT OF BOARD OF PUBLIC WORKS

Begins at the top of the next page.

33. [01295](#) Final Report Clean Lakes & Beaches: A Water Quality Plan - 2005. This is the report required per Substitute Resolution No. 61952, ID Number 36509 adopted by the Common Council on October 5, 2004.
34. [01975](#) Assessing Benefits - Crossing Place, Grand Crossing Road and Morgan Way Assessment District-2003 (17th AD)
35. [02983](#) Authorizing the Common Council to accept ownership of two neighborhood signs from the Burr Oaks Neighborhood Association.
36. [03038](#) Authorizing the execution of a Utility Easement to Madison Gas and Electric Company across a City-owned property located at 1902 E. Main Street. 6th Ald. Dist.
37. [03072](#) Authorizing the acceptance of a Permanent Limited Easement for Public Pedestrian/Bicycle Path Purposes from the Feldt Trust across their property located at 2801 Snowmist Trail. 7th Ald. Dist.
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38. [03132](#) Approving plans, specifications and schedule of assessments for street lights - Nelson's Addition to Rustic Acres (3rd AD)
39. [03214](#) Improvements accepted for water service laterals by private contract to serve: Monument Center. (17th AD)
40. [03242](#) To establish assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived).

41. [03254](#) Approving plans, specifications and schedule of assessments for street lights - Buckeye Meadows (16th AD)
42. [03256](#) Approving plans, specifications and schedule of assessments for street lights - Pine Hill Farm (1st AD)
43. [03319](#) Improvements accepted for Jefferson Street Reconstruction Assessment District - 2003, Contract No. 5449. (13th AD)
44. [03320](#) Improvements accepted for Greenway Tree Removals - 2004, Contract No. 5580 (City Wide AD's)
45. [03321](#) Improvements accepted for Sycamore Clean Fill Site, Contract No. 5557 (17th AD)
46. [03322](#) Declaring the City of Madison's intention to exercise its police powers establishing the Hoard Street, Upham Street and Seventh Street Reconstruction Street Assessment District - 2006 (12th AD).
47. [03323](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Raymond Road Confluence Pond Culvert - 2006, Contract No. 5955. (7th AD)
48. [03324](#) Improvements accepted for Marshall Park Shoreline Repair, Contract No. 5487. (19th AD)
49. [03325](#) Improvements accepted for Allied Drive Pedestrian Connector, Contract No. 5626 (10th AD)
50. [03326](#) Improvements Accepted - Fire Station #11, Contract No. 5774. (17th AD)
51. [03327](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Warning Sirens - 2006, Contract No. 5956. (City-Wide)
52. [03328](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for "Waterways 2006". (City Wide)
53. [03329](#) Approving the annual stormwater WPDES annual report to the WDNR. Review and approval of this report is required as a condition of the City of Madison's discharge permit from the WDNR/EPA as authorized under NR-216. (City Wide)
54. [03330](#) Authorizing the Mayor and City Clerk to execute Addendum No. 2 to an agreement with the Madison Metropolitan Sewerage District (MMSD) and the City of Verona to hire a consultant for the design of Lower Badger Mill Creek Interceptor Sewer and Drainageway. (1st & 9th ADs)
55. [03331](#) Approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2078; and rescinding RES-06-00274, ID 03108. (9th AD)
56. [03332](#) Assessing Partial Benefits - Crossing Place, Grand Crossing Road and Morgan Way Assessment District - 2003. (17th AD)

57. [03341](#) Authorizing the Mayor and City Clerk to enter into a Development Agreement for Union Corners Building Demolition with Union Corners, LLC, Private Contract No. 2090. (6th AD)
58. [03342](#) Declaring the City of Madison's intention to exercise its police powers establishing the Marsh Road Street Assessment District-2006. (16th AD)
59. [03344](#) Improvements accepted for Sanitary Sewer Rehabilitation - Cure-in-Place Pipe Sectional Liners, Contract No. 5572. (City Wide)
60. [03345](#) Improvements accepted for Far East Asphalt Paving, and Asphalt Base Patching and Base Patch Grinding, Contract No. 5584. (Various ADs)

REPORT OF CITY CLERK

61. [03368](#) Secondhand Article Dealer License Application
Guitar Center Store #351, 676 S. Whitney Way #G1
Articles of merchandise to be handled on premises: used musical instruments.

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

62. [03212](#) SUBSTITUTE - Repealing Section 3.69(22) and amending Sections 32.12(15) and (16) of the Madison General Ordinances to eliminate the Section 8 Advisory Committee.

REPORT OF PERSONNEL BOARD

Begins at the top of the next page.

63. [02553](#) THIRD SUBSTITUTE - Amending Section 3.36(11) of the Madison General Ordinances to modify the pay differential and leave accumulation for employees on military leave.

REPORT OF PLAN COMMISSION

64. [03244](#) Approving the preliminary plat of "The Second Addition to Grandview Commons" located at 5901 Milwaukee Street. 3rd Ald. Dist.
65. [03245](#) Approving the preliminary plat/final plat of "The First Addition to Ice Age Falls Subdivision" located in the 7900 Block of Raymond Road, Hickory Ridge Road. 7th Ald. Dist.

REPORT OF RISK MANAGER

66. [02110](#) NOTICE OF CLAIM - Cincinnati Insurance Companies (subrogation claim), Beaver Dam - property damage - \$10,079.93.
67. [02812](#) NOTICE OF CLAIM: J. Gann, Jr., 135 S. Hancock Street - personal injury - \$3,082.07.

NOTE: THIS WAS DENIED AT THE 4/4 MEETING WITHOUT STATING THE AMOUNT OF THE CLAIM.

68. [03266](#) NOTICE OF CLAIM: Attorney Rhonda Lanford for P. Alsum, 417 S. Dickinson Street - personal injury and lost wages - \$250,000.00.
69. [03267](#) NOTICE OF CLAIM: Allstate Insurance Company for R. Bramlett, 813 Amnicon Trail - property damage - \$861.60.

REPORT OF TRANSIT/ PARKING COMMISSION

70. [02794](#) AMENDED SUBSTITUTE - Creating an Ad Hoc Long Range Metro Transit Planning Committee.

REFERRED TO THIS MEETING**APPOINTMENTS**

71. [03295](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 4-4-06; action 4-18-2006)

ORDINANCES

Begin at the top of the next page.

72. [02634](#) SUBSTITUTE - Repealing Section 16.23(4), amending Sections 16.23(8)(a)1. and 16.23(8)(a)8.a., creating Sections 16.23(9)(d)6.h. and 16.23(9)(e)6. of the Madison General Ordinances to provide for local streets of variable size.
73. [03298](#) Adopting and confirming Revision 254 of the Madison General Ordinances as of March 15, 2006 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.

NEW BUSINESS - Referred on a motion made by Council President King, seconded by Ald. Verveer**ORDINANCES**

74. [03405](#) Repealing and recreating Section 5.08 of the Madison General Ordinances to clarify Madison Police Department's response to private alarm systems and provide minimum user and operational requirements for private alarm users and alarm companies and amending Section 1.08(3)(a) of the Madison General Ordinances to modify bail deposit amounts.
75. [03425](#) Creating Section 28.06(2)(a)3185. of the Madison General Ordinances rezoning property from R3 Single-Family and Two-Family Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3186. 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 6 houses & Build New 3-Unit, 13-Unit & 16-Unit Residential Buildings in Addition to Remaining 3-Unit Building & 6 Single Family Homes-41 Total Units in Co-Housing Development; 13th Aldermanic District: 1135 Erin Street.
76. [03429](#) Amending Sections 28.04(6)(c)1.i. and 28.11(3)(g)3. of the Madison General Ordinances to add skirting and landscaping requirements for wheelchair ramp and off street parking spaces as permitted obstructions.
77. [03448](#) Amending Section 3.27(4)(b) of the Madison General Ordinances to establish rules for motions for reconsideration by boards, committees, and commissions.

RESOLUTIONS

78. [03360](#) Authorizing the Mayor and City Clerk to execute a lease with Dennis Acker for four tracts of City-owned land comprising approximately 22 acres. 3rd Ald. Dist.

79. [03361](#) Authorizing the Common Council to accept ownership of a neighborhood sign from the Sunset Village Community Association. 11th Ald. Dist.
80. [03366](#) Authorizing the Mayor and City Clerk to enter into revised agreements with the Wisconsin Department of Transportation for South Madison Beltline Todd Drive Interchange and the Cottage Grove Road Bridge and Approaches over I 39/90, and amending the 2006 Capital Budget for Engineering - Major Streets.
81. [03403](#) Vacating a portion of Dow Court from 66 feet Southeast of W. Wilson Street to the southerly terminus, being located in the Southeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (4th AD)
82. [03406](#) Dissolving Tax Incremental District (TID) #15 (Capitol Square South).
83. [03416](#) Authorizing the execution of a Permanent Easement for Public Utility Purposes to Madison Gas and Electric Company across a portion of the City-owned parcel at 6715 Mineral Point Road. 19th Ald. Dist.
84. [03424](#) Authorizing the execution of a Permanent Limited Easement for radio tower guy wire anchors to Northwestern College Radio on a City-owned property located at 7022 Raymond Road. 1st Ald. Dist.
85. [03426](#) Recommending the selection of portions of census tract 4.04 and 5.01 (Southwest) as the focus for a concentrated neighborhood planning process and the appointment of a steering committee of residents and business representatives to help develop a neighborhood plan for the area.
86. [03427](#) Authorizing the provision of HOME, HOME Match, EDI and Housing Trust funds to assist Habitat for Humanity of Dane County to develop housing in ways that address City Community and Neighborhood Development Objectives.
87. [03432](#) Authorizing the issuance of a Request for Proposals for the development of a Housing Revitalization Strategy for the Badger-Ann-Magnolia area, the use of up to \$50,000 of Capital budget funds for the study, and authorizing the Mayor and City Clerk to sign an agreement to secure the study.

CLAIMS - REFER TO RISK MANAGER

88. [03438](#) NOTICE OF CLAIM - K. Wolf, 4766 Hwy KP, Cross Plains, WI - personal injury - amount to be determined.
89. [03439](#) P. Bansley, 5126 Wintergreen Dr., Madison - property damage - \$63.18.
90. [03440](#) J. Satkamp & E. Makward, 406 Merrill Crest Dr., Madison - property damage/property loss - \$4,541.00.
91. [03441](#) A. Jakacki, 1933 Beld St., Madison - property damage - \$718.00.
92. [03442](#) Robins, Kaplan, Miller & Ciresi, LLP, attorney for X. Gaytan, 1937 Drew Ave.,

Minneapolis, MN - personal injury - \$250,000.00.

93. [03443](#) D.L. Yang, 2841 Warner St., Madison - vehicle damage/personal injury - amount to be determined.
94. [03444](#) K. Liesl Monroy, 117 Jackson St., Madison - vehicle damage - \$272.38.
95. [03445](#) G. Boyce, 1114 Harrison St., Madison - vehicle damage - \$3,035.71.
96. [03446](#) Lake City Management, LLC, 2817 Fish Hatchery Rd., Madison - property damage - \$162.89.

****ADDENDUM****

LATE ITEMS

REPORT OF EQUAL OPPORTUNITIES COMMISSION

97. [03363](#) AMENDED SUBSTITUTE - Supporting passage of federal legislation providing for comprehensive immigration reform.