



City of Madison Proceedings - Final COMMON COUNCIL

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

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

Roll Call at 6:30 p.m., Mayor Cieslewicz in the Chair. Late: Ald. Compton (6:40 p.m.)

Present: Benford, Sanborn, Bruer, Chare, Compton, Golden, King, Konkell, Gruber,
Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer,
Radomski, Webber and David J. Cieslewicz

Excused: 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.

**A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Suspend the
Rules. The motion passed by acclamation.**

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.
A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00323

2. [03410](#) Congratulating Lorna Aaronson on her retirement after 23 years with the City of Madison.
A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00324

3. [03412](#) In recognition of the volunteer work performed by Kenneth Haak at the Kettle Pond, a City of Madison Conservation Park.
A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Adopt. The motion passed by acclamation.

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.
A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00325

5. [03409](#) Commending Alderperson Santiago Rosas for his service as Common Council President Pro Tem during the 2005 - 2006 term.
A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00327

6. [03408](#) Commending Alderperson Paul Van Rooy for his service as Common Council President during the 2005 -2006 term.
A motion was made by Ald. Rosas, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00326

RECESS REGULAR COMMON COUNCIL MEETING

A motion was made by Ald. Van Rooy, seconded by Ald. Bruer, to Take A Recess at 7:05 p.m. The motion passed by acclamation.

CONVENE AS COMMITTEE OF THE WHOLE

at 7:06 p.m., Council President Van Rooy in the Chair.

Present: Benford, Sanborn, Bruer, Cnare, Compton, Golden, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski, Webber and David J. Cieslewicz

Excused: Brandon

7. [03458](#) Election of Common Council President for 2006 - 2007: Ald. King.
Nomination # 1: Ald. Austin King. Nomination # 2: Ald. Lauren Cnare. Votes: 11 votes in favor of Ald. King and 8 votes in favor of Ald. Cnare.
A motion was made by Ald. Bruer, seconded by Ald. Compton, to Accepted As Presented For Office. The motion passed by acclamation.
8. [03459](#) Election of Common Council President Pro Tem for 2006 - 2007.
Nomination: Ald. Paul Skidmore. No votes were required due to single nomination.
A motion was made by Ald. Bruer, seconded by Ald. Rosas, to Accepted As Presented For Office. The motion passed by acclamation.

ADJOURN COMMITTEE OF THE WHOLE

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adjourn at 7:15 p.m. from the Committee of the Whole. The motion passed by acclamation.

Roll Call at 7:16 p.m., Mayor Cieslewicz in the chair.

Present: Benford, Sanborn, Bruer, Cnare, Compton, Golden, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski, Webber and David J. Cieslewicz

Excused: Brandon

PETITIONS AND COMMUNICATIONS - 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)
Confirm at the 5/2/06 Common Council Meeting (2/3 vote required for Allied Area Task Force and East Wash/Cap Gateway Comm)
A motion was made by Council President King, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm for May 2, 2006. The motion passed by acclamation.
10. [03417](#) Report of the Mayor submitting an alder committee appointment.
A motion was made by Council President King, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

11. [02320](#) Repealing Section 28.04(25) of the Madison General Ordinances to eliminate the requirements for Inclusionary Zoning.
- A motion was made by Ald. Van Rooy, seconded by Ald. Rosas to Place on File: no action taken.*
- 1 Registrant(s) in opposition not wishing to speak. Public Hearing Recessed.*
- Due back at the 6/6/06 Common Council Meeting.*
- A motion was made by Ald. Sanborn, seconded by Ald. Compton, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on June 6, 2006. The motion passed by acclamation.**
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.
- Public Hearing Recessed.*
- Adopt at the 5/16/06 Common Council Meeting.*
- A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.**
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.
- Public Hearing Recessed.*
- Adopt at the 5/16/06 Common Council Meeting.*
- A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.**

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.

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

Enactment No: RES-06-00328

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.
Public Hearing Closed. 1 Registrant(s) in support wishing to speak. 1 Registrant(s) in support not wishing to speak.
Due back at the 5/2/06 Common Council Meeting.
A motion was made by Ald. Sanborn, seconded by Ald. Van Rooy, to Refer to the Attorney's Office, due back on May 2, 2006. The motion passed by acclamation.
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.
2 Registrant(s) in support not wishing to speak.
A motion was made by Ald. Van Rooy, seconded by Ald. Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: ORD-06-00048
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.
2 Registrant(s) in support not wishing to speak.
A motion was made by Ald. Konkell, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: ORD-06-00049

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.

1 Registrant(s) in support wishing to speak.

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

Enactment No: ORD-06-00050

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)
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF ESTIMATES

20. [03074](#) Report of CCOC Sister Cities Grant Subcommittee - 2006 Final Report & Recommendations for 2006 Sister City Grant Program.
3 Registrant(s) in support not wishing to speak.
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.

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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00329
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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00330
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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00331
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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00332

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.

A motion was made by Council President King, seconded by Ald. Golden, to Adopt with the following amendment(s): add one "BE IT RESOLVED" clause, one "BE IT FURTHER RESOLVED" clause, and two "BE IT STILL FURTHER RESOLVED" clauses (for details of the amendment, see the attachment in the legislative file named "Amendment"). The motion passed by the following vote:

Excused: 1 - Brandon

Aye: 15 - Benford, Bruer, Cnare, Golden, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Van Rooy, Verveer, Radomski and Webber

No: 4 - Sanborn, Compton, Skidmore and Thomas

Non Voting: 1 - Cieslewicz

9 Registrant(s) in support wishing to speak. 1 Registrant(s) in opposition wishing to speak. 3 Registrant(s) in support not wishing to speak. 1 Registrant(s) neither in support or opposition not wishing to speak.

A motion was made by Ald. Palm, seconded by Ald. Golden, to Adopt with the following amendment: add "with maximum financial assistance provided by private and non-city capital", at the end of line 10 in the first "BE IT RESOLVED" clause of the adopted amendment. The motion passed by acclamation.

Enactment No: RES-06-00366

10 minute recess at 8:55 p.m.

A motion was made by Council President King, seconded by Ald. Verveer, to Take A Recess. The motion passed by acclamation.

Roll Call at 9:15 p.m., Mayor Cieslewicz in the Chair.

Present: Benford, Sanborn, Bruer, Cnare, Compton, Golden, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski, Webber and David J. Cieslewicz

Excused: Brandon

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.

A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00333

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.
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00334
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.
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00335
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.
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-06-00051
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.
1 Registrant(s) in support wishing to speak.
A motion was made by Council President King, seconded by Ald. Van Rooy, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.
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.
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00336

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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Brandon
- Aye:** 19 - Benford, Sanborn, Bruer, Cnare, Compton, Golden, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00368

REPORT OF BOARD OF PUBLIC WORKS

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.
- 2 Registrant(s) in support wishing to speak. 2 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President King, seconded by Ald. Compton, to Adopt. The motion passed by acclamation.**
34. [01975](#) Assessing Benefits - Crossing Place, Grand Crossing Road and Morgan Way Assessment District-2003 (17th AD)
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.**
35. [02983](#) Authorizing the Common Council to accept ownership of two neighborhood signs from the Burr Oaks Neighborhood Association.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00337
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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00338

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.
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00339
38. [03132](#) Approving plans, specifications and schedule of assessments for street lights - Nelson's Addition to Rustic Acres (3rd AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00340
39. [03214](#) Improvements accepted for water service laterals by private contract to serve: Monument Center. (17th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00341
40. [03242](#) To establish assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived).
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00342
41. [03254](#) Approving plans, specifications and schedule of assessments for street lights - Buckeye Meadows (16th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00343
42. [03256](#) Approving plans, specifications and schedule of assessments for street lights - Pine Hill Farm (1st AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00344
43. [03319](#) Improvements accepted for Jefferson Street Reconstruction Assessment District - 2003, Contract No. 5449. (13th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00345

44. [03320](#) Improvements accepted for Greenway Tree Removals - 2004, Contract No. 5580 (City Wide AD's)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00346
45. [03321](#) Improvements accepted for Sycamore Clean Fill Site, Contract No. 5557 (17th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00347
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).
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00348
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)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00349
48. [03324](#) Improvements accepted for Marshall Park Shoreline Repair, Contract No. 5487. (19th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00350
49. [03325](#) Improvements accepted for Allied Drive Pedestrian Connector, Contract No. 5626 (10th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00351
50. [03326](#) Improvements Accepted - Fire Station #11, Contract No. 5774. (17th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00352

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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)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00353
52. [03328](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for "Waterways 2006". (City Wide)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00354
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)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00355
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)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00356
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)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00357
56. [03332](#) Assessing Partial Benefits - Crossing Place, Grand Crossing Road and Morgan Way Assessment District - 2003. (17th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00358

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)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00359
58. [03342](#) Declaring the City of Madison's intention to exercise its police powers establishing the Marsh Road Street Assessment District-2006. (16th AD)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00360
59. [03344](#) Improvements accepted for Sanitary Sewer Rehabilitation - Cure-in-Place Pipe Sectional Liners, Contract No. 5572. (City Wide)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00361
60. [03345](#) Improvements accepted for Far East Asphalt Paving, and Asphalt Base Patching and Base Patch Grinding, Contract No. 5584. (Various ADs)
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00362

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.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: ORD-06-00052

REPORT OF PERSONNEL BOARD

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.
- Additional Referral(s): Board of Estimates*
- A motion was made by Council President King, seconded by Ald. Verveer, to Rerefer to the PERSONNEL BOARD. The motion passed by acclamation.**

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.
- 2 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: RES-06-00363
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.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: RES-06-00364

REPORT OF RISK MANAGER

66. [02110](#) NOTICE OF CLAIM - Cincinnati Insurance Companies (subrogation claim), Beaver Dam - property damage - \$10,079.93.
- A motion was made by Council President King, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.**
67. [02812](#) NOTICE OF CLAIM: J. Gann, Jr., 135 S. Hancock Street - personal injury - \$3,082.07.
- A motion was made by Council President King, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.**

68. [03266](#) NOTICE OF CLAIM: Attorney Rhonda Lanford for P. Alsum, 417 S. Dickinson Street - personal injury and lost wages - \$250,000.00.
A motion was made by Council President King, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
69. [03267](#) NOTICE OF CLAIM: Allstate Insurance Company for R. Bramlett, 813 Amnicon Trail - property damage - \$861.60.
A motion was made by Council President King, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REPORT OF TRANSIT/ PARKING COMMISSION

70. [02794](#) AMENDED SUBSTITUTE - Creating an Ad Hoc Long Range Metro Transit Planning Committee.
A motion was made by Ald. Golden, seconded by Ald. Webber, with the following amendment(s): strike "while" & add "and" in the third sentence of the "NOW THEREFORE BE IT RESOLVED" clause after "Metro service". Add "appointed by the Mayor and confirmed by the Common Council and will be" in the first sentence of the "BE IT FURTHER RESOLVED" clause after "will be". Add "or his designee" in the second sentence of the "BE IT FURTHER RESOLVED" clause after "chair". The motion passed by acclamation.
Enactment No: RES-06-00367

REFERRED TO THIS MEETING

APPOINTMENTS

71. [03295](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 4-4-06; action 4-18-2006)
A motion was made by Council President King, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.

ORDINANCES

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.
2 Registrant(s) in support wishing to speak. 1 Registrant(s) in opposition wishing to speak. 6 Registrant(s) in support not wishing to speak.
A motion was made by Council President King, seconded by Ald. Rosas, to Adopt. The motion passed by acclamation.
Enactment No: ORD-06-00054

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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00053

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.
- Refer to the PUBLIC SAFETY REVIEW BOARD**
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.
- Due back at the 6/6/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
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.
- Due back at the 6/20/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
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.
- Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

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.
Additional Referral(s): Plan Commission
- Refer to the BOARD OF PARK COMMISSIONERS**
79. [03361](#) Authorizing the Common Council to accept ownership of a neighborhood sign from the Sunset Village Community Association. 11th Ald. Dist.
- Refer to the PLAN COMMISSION**
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.
Additional Referral(s): Board of Public Works. Due back at the 5/2/06 Common Council Meeting.
- Refer to the BOARD OF ESTIMATES**
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)
Additional Referral(s): Plan Commission. Due back at the 6/6/06 Common Council Meeting for Public Hearing.
- Refer For Public Hearing to the BOARD OF PUBLIC WORKS**
82. [03406](#) Dissolving Tax Incremental District (TID) #15 (Capitol Square South).
- Refer to the BOARD OF ESTIMATES**
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.
Additional Referral(s): Plan Commission
- Refer to the BOARD OF PUBLIC WORKS**
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.
Additional Referral(s): Plan Commission
- Refer to the BOARD OF PARK COMMISSIONERS**

85. [03426](#) Recommending the selection of portions of census tract 4.04 and 5.01 (Southwest) as the focus for a concentration neighborhood planning process and the appointment of a steering committee of residents and business representatives to help develop a neighborhood plan for the area.

Refer to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

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.

Refer to the BOARD OF ESTIMATES

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.

Refer to the BOARD OF ESTIMATES

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. Bamsley, 5126 Wintergreen Dr., Madison - property damage - \$59.89.
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](#) NOTICE OF INJURY - Robins, Kaplan, Miller & Ciresi, LLP, attorney for X. Gaytan, 1937 Drew Ave., Minneapolis, MN - personal injury.
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.
10 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Rosas, seconded by Council President King, to Adopt with the following amendment(s): strike # 3 of the analysis which reads: Stricter immigration enforcement, including tighter border security and a new employment verification system. The motion passed by the following vote:**
- Excused:** 1 - Brandon
- Aye:** 13 - Benford, Bruer, Golden, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Van Rooy, Verveer, Radomski and Webber
- No:** 1 - Thomas
- Abstain:** 5 - Sanborn, Cnare, Compton, Palm and Skidmore
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00365

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

98. [03470](#) Amending Section 28.04(25)(h) of the Madison General Ordinances to modify the method of distribution of proceeds from sale of an owner-occupied inclusionary dwelling unit.
Due back at the 6/6/06 Common Council Meeting.
- A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the PLAN COMMISSION, due back on June 6, 2006. The motion passed by acclamation.**
99. [03488](#) Amending Section 33.02(4)(f) to clarify requirements and Sections 28.085(3)b.2., 28.09(3)(a), (b)4., (d)25., (4)(b)5. and Section 28.12(12)(a)4. to be consistent with Section 33.02(4)(f).
Additional Referral(s): Urban Design Commission, Economic Development Commission. Due back at Common Council Meeting 6/6/06
- A motion was made by Ald. Golden, seconded by Ald. Van Rooy, to Refer For Public Hearing to the PLAN COMMISSION, due back on June 6, 2006. The motion passed by acclamation.**

100. **03480** Amending Section 8.15 of the Madison General Ordinances to establish requirements and procedures for public greenway use permits. BY TITLE ONLY.

Additional Referral(s): Board of Public Works, City Attorney

A motion was made by Ald. Benford, seconded by Ald. Van Rooy to Refer to the COMMISSION ON THE ENVIRONMENT. The motion passed by acclamation.

ADJOURNMENT

A motion was made by Council President King, seconded by Ald. Van Rooy, to Adjourn at 11:10 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 19th of May, 2006.

Ordinances published May 4th, 2006.

SHARON CHRISTENSEN, DEPUTY CITY CLERK