



# City of Madison

City of Madison  
Madison, WI 53703  
[www.cityofmadison.com](http://www.cityofmadison.com)

## Proceedings - Approved COMMON COUNCIL

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Tuesday, January 4, 2011

6:30 PM

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

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### ROLL CALL

- Present:** 17 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Mark Clear
- Excused:** 3 - Jed Sanborn  
Michael Schumacher  
Thuy Pham-Remmele
- Non Voting:** 1 - David J. Cieslewicz

### SPEAKING GUIDELINES

#### 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 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. Schumacher**

### 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. Clear, seconded by Ald. Cnare, to Suspend the Rules. The motion passed by voice vote/other.**

**HONORING RESOLUTIONS**

- 1. [20905](#) Declaring January 4, 2011 as "Elmer and Mary Currie Family Day" in appreciation of the Currie family's remarkable service to our country.  
**Sponsors:** David J. Cieslewicz, Mark Clear, Lauren Cnare, Tim Bruer, Marsha A. Rummel, Paul E. Skidmore, Michael Schumacher, Shiva Bidar-Sielaff, Chris Schmidt, Steve King, Thuy Pham-Remmele, Bryon A. Eagon, Satya V. Rhodes-Conway, Joseph R. Clausius, Julia S. Kerr, Bridget R. Maniaci, Larry Palm, Jed Sanborn, Brian L. Solomon, Michael E. Verveer and Judy Compton

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

Enactment No: RES-11-00001

- 2. [20926](#) Commending, honoring and expressing appreciation to Mark Habich for his 36 years of service to the City of Madison in the Planning, Building Inspection, and Information Technology Departments.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

Enactment No: RES-11-00002

**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:

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote and are not included on the consent agenda by unanimous consent. 3) items which alderperson(s) have separated out for discussion/debate purposes.

**RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM**

**REPORT OF ALCOHOL REVIEW COMMITTEE**

- 3. [19368](#) Public Hearing - New License  
Club One Eleven LLC • dba Retro Tavern  
111 W Main St • Agent: Curtis Brink • Estimated Capacity: 399  
Class B Combination Liquor & Beer • 75% alcohol, 20% food, 5% other  
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

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

**PUBLIC HEARINGS - BEGIN AT 6:45 PM**

**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

- 4. [20591](#) Public Hearing - New License  
961Nolan Inc • dba Barriques  
961 South Park St • Agent:Matt Weygandt • Estimated Capacity: 150  
Class B Combination Liquor & Beer • 9% alcohol, 88% food, 3% other  
Aldermanic District 13 (Alder Kerr) • Police Sector 306

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Re-refer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.**

- 5. [20644](#) Public Hearing - New License  
House of Brews LLC • dba House of Brews  
4539 Helgesen Dr • Agent: Page Buchanan • Estimated Capacity: 15  
Class B Combination Liquor & Beer • 99% alcohol, 1% food  
Aldermanic District 16 (Alder Compton) • Police Sector 617

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.**

**REPORT OF BOARD OF PUBLIC WORKS**

- 6.     [20754](#)            Approving Plans, Specifications, And Schedule Of Assessments For Sherman Avenue and Brearly Street Assessment District - 2011.  
**Sponsors:**        BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00003
  
- 7.     [20755](#)            Approving Schedule of Assessments for Curb and Gutter In Conjunction with Resurfacing - 2011 Assessment District. (Various ADs)  
**Sponsors:**        BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00004
  
- 8.     [20756](#)            Approving Plans, Specifications, And Schedule Of Assessments For North Webster Street, East Dayton Street & North Pinckney Street Assessment District - 2011.  
**Sponsors:**        BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00005
  
- 9.     [20757](#)            Approving Plans, Specifications, And Schedule Of Assessments For North Carroll Street and West Dayton Street Assessment District - 2011.  
**Sponsors:**        BOARD OF PUBLIC WORKS

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

Enactment No: RES-11-00006

**REPORT OF PLAN COMMISSION**

10. [20515](#) Creating Section 28.08(2)(a)3509. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R1 Single-Family Residence District and creating Section 28.06(2)(a)3510. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2T Single-Family Residence District. Proposed Use: Hawks Valley Subdivision, creating 82 single-family lots and 3 outlots for public parkland and stormwater management; 1st Aldermanic District; 2052 Woods Road.

**Sponsors:** Common Council By Request

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

Enactment No: ORD-11-00001

11. [20516](#) Creating Section 28.06(2)(a)3511. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3512. 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 buildings to construct mixed-use building with 130 residential units and approximately 8,600 square feet of retail space; 5th Aldermanic District; 2508-2544 University Avenue and 516-518 Highland Avenue.

**Sponsors:** Common Council By Request

**A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Kerr, to Adopt with Recommendation(s): That Outdoor eating areas and 6th floor patio hours of operation 7:00 am-9:00 pm. Hours of operation apply seven days a week. Hours of operation may be revisited as part of a minor alteration. The motion passed by voice vote/other.**

Enactment No: ORD-11-00009

12. [20632](#) Amending Sec. 28.10(2)(c)9. of the Madison General Ordinances to change the conditions for locating a health club in the RPSM District.

**Sponsors:** Paul E. Skidmore

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

Enactment No: ORD-11-00007

13. [20633](#) Amending Sec. 28.10(3)(c)14. of the Madison General Ordinances to add games to the list of products that can be serviced, wholesaled and distributed in the SM District.

**Sponsors:** Paul E. Skidmore

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

Enactment No: ORD-11-00008

#### END OF PUBLIC HEARINGS

#### BUSINESS PRESENTED BY THE MAYOR

#### APPOINTMENTS

14. [20758](#) SUBSTITUTE - Report of the Mayor submitting citizen committee appointments (introduced 12-14-2010; action 1-4-2011. Note changes to the Community Development Block Grant Committee).

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Confirm (with at least 2/3 votes) . The motion passed by voice vote/other.**

15. [20877](#) Report of the Mayor submitting citizen committee appointments (introduced 1-4-2011; action 1-18-2011).

**Sponsors:** David J. Cieslewicz

Confirm at Common Council meeting on 1/18/2011.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Confirm to the COMMON COUNCIL. The motion passed by voice vote/other.**

#### BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

16. [20912](#) Accepting the Final Report and Recommendations of the Sister City Ad Hoc Planning Committee dated November 15, 2010.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer, Mark Clear, Bryon A. Eagon, Marsha A. Rummel, Chris Schmidt, Michael Schumacher and Bridget R. Maniaci

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

Enactment No: RES-11-00007

17. [20910](#) Amending Sections 15.02(57) and (117) of the Madison General Ordinances to change the polling location for Wards 57 and 117.

**Sponsors:** Tim Bruer

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: ORD-11-00002

18. [20911](#) Amending Section 15.02(72) of the Madison General Ordinances by changing the polling location for Ward 72.

**Sponsors:** Chris Schmidt

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: ORD-11-00003

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

19. [19812](#) 21+ Entertainment License  
Club One Eleven LLC • dba Retro Tavern • Capacity: 399  
111 W Main St • Agent: Curtis V Brink  
Class B Combination Liquor & Beer • 75% alcohol, 20% food, 5% other  
Aldermanic District 4 (Alder Verveer) • Police Sector 405

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

20. [19816](#) 18+ Center for Visual & Performing Arts License  
Club One Eleven LLC • dba Retro Tavern • Capacity: 399  
111 W Main St • Agent: Curtis V Brink  
Class B Combination Liquor & Beer • 75% alcohol, 20% food, 5% other  
Aldermanic District 4 (Alder Verveer) • Police Sector 405

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

21. [20719](#) 21+ Entertainment License Change of Premise  
Vintage II Inc • Vintage Brewing Company  
674 South Whitney Way • Agent: Trent Kraemer  
Class B Combination Liquor & Beer • 55% alcohol, 44% food  
Aldermanic District 19 (Alder Clear) • Police Sector 113  
Condition: That the entertainment cease at midnight for the entire premise.  
**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant With Condition(s). The motion passed by voice vote/other.**
22. [20724](#) Change of Agent  
Aldi Inc (Wisconsin) • dba Aldi #22  
8222 Watts Rd • New Agent: Dain Z Di Mattia  
Class A Liquor & Class A Beer  
Aldermanic District 9 (Alder Skidmore) • Police Sector 129  
**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.**
23. [20725](#) Change of Corporate Control  
Capitol Lakes Inc • dba Capitol Lakes  
333 W Main St • Agent: Blair Clark  
Class B Beer & Class C Wine • 1% alcohol, 99% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 405  
1 new officer: Brian McLemore  
**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.**
24. [20731](#) Operator License Application  
Timothy A Bakken - Establishment where employed: The Coopers Tavern  
**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice . The motion passed by voice vote/other.**
25. [20733](#) Operator License Application  
Kevin R Bidinger - Establishment where employed: not yet employed  
**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice . The motion passed by voice vote/other.**

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



26. [20622](#) Creating New Sec. 34.01(12) and renumbering current Secs. 34.01(12) through (15) to Secs. 34.01(13) through (16), respectively, amending Sec. 34.315(1), creating Sec. 34.503(4) and amending Secs. 34.507(1)(c), 34.508, and 34.907 and creating Sec. 34.914 of the Madison General Ordinances to provide outdoor storage requirements and to adopt IFC Appendix D105 and to apply requirements to fire apparatus access roads and exterior walls of newly constructed dwellings and create an exception for water supply to fire pumps and to correct some typographic errors.

**Sponsors:** Lauren Cnare and Michael E. Verveer

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-11-00004

**REPORT OF BOARD OF PARK COMMISSIONERS**

27. [20601](#) Authorizing the execution of an Underground Utility Easement to Wisconsin Bell, d/b/a AT&T, across a portion of Elizabeth Link Peace Park located at 229 West Gilman Street.

**Sponsors:** Michael E. Verveer

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00008

28. [20672](#) Authorizing the execution of an Agreement between Madison Metro Youth Golf Initiative, Inc. and the City of Madison to allow use of Monona Golf Course for The First Tee program. (AD16)

**Sponsors:** Judy Compton, Joseph R. Clausius and Paul E. Skidmore

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-11-00009

**REPORT OF BOARD OF PUBLIC WORKS**

29. [20415](#) Determining a Public Purpose and Necessity and adopting Transportation Project Plat No. 5420-03-21-4.01 Amendment No. 1 - Relocation Order STH 113- (First Street to Knutson Drive) City of Madison for the acquisition of Plat of Land Interests required for the STH 113- (First Street to Knutson Drive) Engineering Project No. 53W0321 and authorizing the Mayor and City Clerk to execute all necessary documents relative to the acquisition of the necessary real estate interests to perform the improvements for STH 113- (First Street to Knutson Drive), WDOT Right-of-Way Transportation Project Plat No. 5420-03-21-4.01 Amendment No. 1.

**Sponsors:** Satya V. Rhodes-Conway

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-11-00010

30. [20436](#) Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the future renovation and expansion of the University's Charter Street Heating Plant

And

Authorizing the Mayor and City Clerk to Enter into an Agreement with the University of Wisconsin-Madison for financing costs related to the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the renovation and expansion of the University's Charter Street Heating Plant

**Sponsors:** Michael E. Verveer and Bryon A. Eagon

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00011

31. [20750](#) Amending Secs. 33.07(7)(e), (k)7. and (7)(l) and repealing Sec. 33.07(7)(q) of the Madison General Ordinances to update various subdivisions of the Best Value Contracting Ordinance.

**Sponsors:** Larry Palm

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: ORD-11-00005

32. [20763](#) Awarding Public Works Contract No. 6462, Senior Center Remodeling Phase II.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-11-00012
33. [20764](#) Awarding Public Works Contract No. 6511, Brittingham Boathouse Interior Restoration.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-11-00013
34. [20765](#) Awarding Public Works Contract No. 6559, Cross Street & Wyota Avenue Storm Sewer - 2010.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-11-00014
35. [20773](#) Declaring the City of Madison's intention to exercise its police powers establishing the North Frances Street Resurfacing Assessment District - 2011. (6th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-11-00015
36. [20774](#) Declaring the City of Madison's intention to exercise its police powers establishing the Williamson Street Sanitary Sewer Lateral Assessment District - 2011. (6th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-11-00016

37. [20776](#) Improvements accepted for Sanitary Sewer Replacements with Resurfacing - 2007, Contract No. 5990.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00017

38. [20777](#) Improvements accepted for Bernie's Beach Bioretention, Contract No. 6475.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00018

39. [20778](#) Improvements accepted for State St. & Adjacent Streets Reconstruction Assessment District - Phase 1, Contract No. 5589.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00019

40. [20779](#) Improvements accepted for University Avenue Pavement Rehabilitation, Contract No. 6331.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00020

41. [20780](#) Improvements accepted for Hoepker Rd. & American Parkway/Rattman Rd. Assessment District - 2009, Contract No. 6265.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00021

42. [20781](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Lien Road Roundabout Landscaping and Bio-Retention Basin, Contract 6601. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00022

43. [20800](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Resurfacing 2011.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00023

44. [20802](#) Authorizing the Mayor and City Clerk to execute Addendum Number 1 to the Contract for Professional Services with Held Engineering Associates, Inc. for completion of stormwater analysis and design for Arboretum Pond 3 - Improvements Phase 2 (Legislative File No. 18505, Contract No. 6508).

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00024

45. [20803](#) Authorizing the Mayor and City Clerk to enter into an agreement with the State of Wisconsin Department of Transportation for state review services for preliminary engineering for County Trunk Highway M - Prairie Hill Road to Cross Country Road.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00025

46. [20804](#) Authorizing the Mayor and the City Clerk to execute an agreement with Foth Infrastructure and Environment, LLC for design engineering services for Mineral Point Road & South Junction Road, and authorizing the Mayor and the City Clerk to enter into an agreement(s) with Dane County for cost sharing on the project. (9th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00026

47. [20814](#) Authorizing the Mayor and City Clerk to execute Addendum No. 2 to MSA Professional Services for additional planning services for "Central Park" and amending the 2011 Central Park Capital Budget to recognize funding from a National Endowment of the Arts Grant. Project No. 53W0853.

**Sponsors:** Marsha A. Rummel and Joseph R. Clausius

Refer to Board of Estimates meeting minutes on 1/10/2011.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred . The motion passed by voice vote/other.**

48. [20815](#) Approving plans and specifications for public improvements necessary for the project known as Wisconsin Energy Institute and authorizing construction to be undertaken by the Developer, Private Contract No. 2262. (5th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00028

#### REPORT OF CITY CLERK'S OFFICE

49. [20927](#) Alcohol License Review Committee Report of Operator License Applications December 28, 2010. See attached reports for lists of operators.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.**

#### REPORT OF PLAN COMMISSION

50. [20825](#) Approving the preliminary plat of Hawks Valley located at 2052 Woods Road.  
1st Ald. Dist.

**Sponsors:** Common Council By Request

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00029

#### REPORT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

51. [20846](#) Approving a Certified Survey Map of property owned by HUM-West Wilson, LP and 10 West Family, LP located at 2508-2544 University Avenue and 516-518 Highland Avenue. 5th Ald. Dist.

**Sponsors:** Common Council By Request

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

Enactment No: RES-11-00030

52. [20847](#) Approving a Certified Survey Map of property owned by Wilde Family, LP located at 5555 High Crossing Boulevard.

**Sponsors:** Common Council By Request

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

Enactment No: RES-11-00031

#### REPORT OF PUBLIC SAFETY REVIEW COMMITTEE

53. [20627](#) Adoption of an Emergency Management Plan for the City of Madison

**Sponsors:** David J. Cieslewicz, Lauren Cnare, Paul E. Skidmore and Michael E. Verveer

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00032

#### REPORT OF RISK MANAGER

54. [20681](#) G. Hoffman, 7206 Sauk Dale Rd., Madison, 53717 - vehicle damage - \$1,275.71.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**

55. [20692](#) M. Grant, PO Box 566, Madison, 53709 - property loss - \$68.00.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**

56. [20771](#) AFNI Insurance Service, for American Family Insurance, for P. Brahce, 854 Terry Pl, Madison, 53711 - vehicle damage - \$8,754.44.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Disallow . The motion passed by voice vote/other.**

#### REPORT OF WATER UTILITY BOARD

57. [20735](#) SUBSTITUTE: Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with Baxter & Woodman, Inc. for the preparation of plans and specifications for the construction of a new water tower at Madison Water Utility Unit Well 20 (7th AD)

**Sponsors:** Lauren Cnare and Larry Palm

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00033

#### ITEMS REFERRED TO THIS MEETING

##### ORDINANCES

58. [20621](#) SUBSTITUTE Creating Section 15.01(577) of the Madison General Ordinances entitled "City Boundaries" attaching to the Schutz Attachment and assigning a temporary zoning classification of A Agriculture District.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: ORD-11-00006



**RESOLUTIONS**

59. [20787](#) Approving an extension of a provisional appointment for Mark Olinger until such time as the position of Director of Planning and Community and Economic Development is filled on a permanent basis.

**Sponsors:** David J. Cieslewicz, Lauren Cnare and Julia S. Kerr

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-11-00027

**REPORTS**

60. [20753](#) Report: Central Park Design & Implementation Task Force - December 6, 2010 Request to Extend Work.

**Sponsors:** Marsha A. Rummel and Joseph R. Clausius

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Accept . The motion passed by voice vote/other.**

**INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE****ORDINANCES**

61. [20784](#) Creating Section 28.06(2)(a)3514. 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)3515. 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: Amend PUD to allow construction of 4,600 square foot retail building and off-premises sign; 9th Aldermanic District; 8240 Mineral Point Road and 101 Junction Road.

**Sponsors:** Common Council By Request

Plan Commission Meeting on 1/24/11; Common Council Meeting on 2/1/11

**This Ordinance was Referred for Public Hearing**

62. [20897](#) Amending Section 4.25(2) of the Madison General Ordinances to clarify the applicability of the sweatfree purchasing ordinance's \$5,000 threshold.

**Sponsors:** Satya V. Rhodes-Conway

**A motion was made to Referred to the SWEATFREE PURCHASES, COMMITTEE ON. The motion passed by voice vote/other.**

63. [20898](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Disability Rights and Program Services Specialist" in Compensation Group 18, Range 04, and deleting the classification of "Disability Rights and Program Services Coordinator" in Compensation Group 18, Range 08, thereof.

**Sponsors:** David J. Cieslewicz

Additional Referral: Personnel Board

**A motion was made to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

64. [20903](#) Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit G pursuant to Wis. Stat. § 66.0103 to repeal and recreate Chapter 37 entitled "The Public Stormwater System Including Erosion Control."

**Sponsors:** Lauren Cnare

Additional Referral: Commission on the Environment

**This Ordinance was Referred to the BOARD OF PUBLIC WORKS**

65. [20908](#) Creating Section 28.06(2)(a)3517. of the Madison General Ordinances rezoning property from Temp A Agriculture and C3L Commercial Service and Distribution District to C3L Commercial Service and Distribution District. Proposed Use: Demolish 5 commercial buildings to allow construction of 247-room hotel and conference center; 14th Aldermanic District; 2155-2205 Rimrock Road.

**Sponsors:** Common Council By Request

Plan Commission meeting on 1/24/11; Common Council meeting on 2/1/11

**A motion was made to Referred for Public Hearing . The motion passed by voice vote/other.**

66. [20909](#) Amending Sec. 21.33 of the Madison General Ordinances to increase the annual fees for nonmetallic mining sites.

**Sponsors:** Lauren Cnare

**This Ordinance was Referred to the BOARD OF PUBLIC WORKS**

**RESOLUTIONS**

- 67. [20272](#) To establish the Ad Hoc Reapportionment and Redistricting Committee to review and make a recommendation on the size of the Common Council and the City's Ward and Aldermanic District boundaries.

**Sponsors:** David J. Cieslewicz, Mark Clear and Lauren Cnare

**This Resolution was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

- 68. [20833](#) Reallocating a portion of 2011 funds previously allocated to the Urban League of Greater Madison for Employment Services to T.J.'s Support Brokerage Firm MAP/TOP program and the YWCA Comprehensive Employment Services program and authorizing the Mayor and City Clerk to enter into agreements with the three separate non-profits.

**Sponsors:** Lauren Cnare and Brian L. Solomon

**This Resolution was Referred to the BOARD OF ESTIMATES**

- 69. [20841](#) Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the reconstruction of a portion of Monona Drive (CTH "BB") between Winnequah Road and Cottage Grove Road

And

Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the reconstruction of a portion of Atwood Avenue from Cottage Grove Road to approximately 500 feet north.

**Sponsors:** Larry Palm

Additional Referral: Plan Commission

**This Resolution was Referred to the BOARD OF PUBLIC WORKS**

- 70. [20842](#) Amending the 2011 Capital Budget of Streets Division to fund additional costs for Yard Improvements at the Streets East Facility, located at 4602 Sycamore Avenue, Project No. 53W1034, Contract No. 6506.

**Sponsors:** Joseph R. Clausius

Additional Referral: Board of Public Works

**This Resolution was Referred to the BOARD OF ESTIMATES**

71. [20844](#) Classifying the proposed position of "Assistant Mgr." as a Program Assistant 2 (CG17-12) within the CDA Housing Operations Budget.
- Sponsors:** David J. Cieslewicz
- Additional Referral: Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES.**
72. [20848](#) Create the classification of Disability Rights and Program Services Specialist in CG18, Range 04, delete the classification of Disability Rights and Program Services Coordinator in CG18, Range 08, and recreate the vacant position (#76) of Disability Rights and Program Services Coordinator as a Disability Rights and Program Services Specialist in the Department of Civil Rights budget.
- Sponsors:** David J. Cieslewicz
- Additional Referral: Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES.**
73. [20850](#) A resolution revising the Rate Adjustment Policy as Provided by Section 37.05(4)(d) of the Madison General Ordinances.
- Sponsors:** David J. Cieslewicz
- Additional Referral: Board of Public Works
- This Resolution was Referred to the BOARD OF ESTIMATES.**
74. [20859](#) Authorizing the City of Madison to accept a grant from the State of Wisconsin Department of Commerce in the amount of \$200,000 to provide downpayment assistance to low and moderate-income homebuyers and authorizing the Mayor and the City Clerk to enter into an agreement with the State of Wisconsin Department of Commerce to accept the funds and implement the program.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- Additional Referral: Community Development Block Grant Committee.
- This Resolution was Referred to the BOARD OF ESTIMATES.**
75. [20863](#) Authorizing the execution of an Offer to Sell Real Estate with the State of Wisconsin for the purchase of four State-owned lots located at 302, 312, and 314 East Main Street and 21 South Butler Street for the expansion of the Brayton Parking Lot, a lease with the State of Wisconsin for spaces for its share-ride vans in the Parking Utility's downtown parking facilities and the amendment of the 2011 Parking Utility Capital Budget for the acquisition of the lots.
- Sponsors:** Marsha A. Rummel, David J. Cieslewicz, Chris Schmidt and Brian L. Solomon
- Additional Referrals: Transit and Parking Commission, Plan Commission.
- This Resolution was Referred to the BOARD OF ESTIMATES.**

76. [20864](#) Amending the 2011 Stormwater Utility Capital Budget to advance the Willow Creek Storm Relief Phase 4 project (#14) from 2013 to 2011 and approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the University Avenue Relief Storm Sewer Phase 4 Project. (5th & 11th ADs)

**Sponsors:** David J. Cieslewicz, Chris Schmidt and Shiva Bidar-Sielaff

Additional Referral: Board of Public Works.

**This Resolution was Referred to the BOARD OF ESTIMATES.**

77. [20876](#) Submitting the name of Steven R. Cover for confirmation of a five-year term as the Director of Planning and Community and Economic Development.

**Sponsors:** David J. Cieslewicz

**This Resolution was Referred to the BOARD OF ESTIMATES**

78. [20900](#) Amending the 2011 Adopted Operating Budget to Reappropriate \$507,248 from Direct Appropriation to Capital to the Affordable Housing Trust Fund.

**Sponsors:** David J. Cieslewicz, Satya V. Rhodes-Conway and Bridget R. Maniaci

Additional Referrals: Housing Committee, Community Development Block Grant

**This Resolution was Referred to the BOARD OF ESTIMATES**

79. [20901](#) Approving Amendment to the 2011 Planning Division Budget for the Madison Area Transportation Planning (the Metropolitan Planning Organization) transferring funding from permanent salaries to consulting services

**Sponsors:** Mark Clear, Paul E. Skidmore, Chris Schmidt and Steve King

**This Resolution was Referred to the BOARD OF ESTIMATES.**

80. [20922](#) To authorize the Mayor and City Clerk to enter into a one year contract with four optional one-year renewal extensions on behalf of the City with Country Plumber, Inc. for portable toilet rental and servicing. (Various ADs)

**Sponsors:** David J. Cieslewicz and Joseph R. Clausius

**This Resolution was Referred to the BOARD OF ESTIMATES.**

- 81. [20923](#) Authorizing the Mayor and City Clerk to execute a property management agreement with Broihahn Management Consulting, LLC for properties located at 640 & 646 East Gorham Street and for 1917 Lake Point Drive.

**Sponsors:** Bridget R. Maniaci and Tim Bruer

Additional Referral: Board of Park Commissioners

**This Resolution was Referred to the BOARD OF ESTIMATES.**

- 82. [20925](#) Authorizing the execution of an Underground Utility Easement to Wisconsin Department of Transportation Division of Business Management across a portion of a City-owned Stormwater Utility parcel located at 5709 Femrite Drive.

**Sponsors:** Judy Compton

Additional Referral: Plan Commission.

**This Resolution was Referred to the BOARD OF PUBLIC WORKS.**

**LICENSES**

- 83. [20913](#) Public Hearing - New License  
Jose Gonzalez Arias • dba Pepe's Casa on State  
449 State St • Agent: Jose Gonzalez • Estimated Capacity: 40  
Class B Combination Liquor & Beer • 20% alcohol, 80% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 403 • Density Area

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

- 84. [20915](#) Public Hearing - New License  
Faouzi LLC • dba Faouzi's Restaurant  
4245 W Beltline Hwy • Agent: Said Ridi • Estimated Capacity: 85  
Class B Beer and Class C Wine • 10% alcohol, 90% food  
Aldermanic District 10 (Alder Solomon) • Police Sector 104

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

- 85. [20917](#) Public Hearing - New License  
Puerto Escondido LLC • dba Puerto Escondido Mexican Restaurant  
2705 W Beltline Hwy • Agent: Luis Gonzalez • Estimated Capacity: 100  
Class B Beer and Class C Wine • 10% alcohol, 90% food  
Aldermanic District 14 (Alder Bruer) • Police Sector 308

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

- 86. [20919](#) Public Hearing - New License  
Stalzy's Deli LLC • dba Stalzy's Deli  
2701 Atwood Ave • Agent: Corbin Reynolds • Estimated Capacity: 60  
Class B Combination Liquor & Beer • 5% alcohol, 85% food, 10% other  
Aldermanic District 6 (Alder Rummel) • Police Sector 601

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

- 87. [20920](#) Public Hearing - New License  
Target Corporation • dba Target Store T-2765  
750 Hilldale Way • Agent: Christopher Perras  
Class A Liquor and Class A Beer  
Aldermanic District 11 (Alder Schmidt) • Police Sector 108

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

## **PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON**

### **CLAIMS - REFER TO RISK MANAGER**

- 88. [20809](#) P. Arena, 3569 Richie Rd., Verona, 53593 - vehicle damage - \$338.26.  
  
**This Claim was Referred to the Risk Manager**
- 89. [20811](#) R. Gilpatrick, 1718 Vahlen St., Madison, 53704 - vehicle damage - \$616.23.  
  
**This Claim was Referred to the Risk Manager**
- 90. [20812](#) B. Keleny, 5501 Ethelwyn Rd., Madison, 53713 - property damage - \$225.00.  
  
**This Claim was Referred to the Risk Manager**
- 91. [20813](#) Progressive Universal Insurance for A. Ahmad, 202 N. Pinckney St., #204, Madison, 53703 - vehicle damage - \$1,237.93.

**This Claim was Referred to the Risk Manager**

92.     **20826**           Valerie Blanchard, Progressive, P.O. Box 89440, Cleveland, OH 44101, for P. Rodriguez, 15539 Willow Ct., Homer Glen, IL 60491 - vehicle damage - \$1,000.00.

**This Claim was Referred to the Risk Manager**

93.     [20834](#)           NOTICE OF CIRCUMSTANCES: Eric Ryberg, Habush, Habush & Rottier, attorney for B. Bullock, 1124 Morraine View Dr., #306, Madison, 53719 - personal injury - amount to be determined.

**This Claim was Referred to the Risk Manager**

94.     **20835**           S. Klentz, 2324 Kendall Ave., #2, Madison, 53726 - vehicle damage - \$3,279.37.

**This Claim was Referred to the Risk Manager**

95.     **20836**           D. Grindrod & S. Byrns-Grindrod, 2376 West Lawn Ave., Madison, 53711 - property damage - \$480.23.

**This Claim was Referred to the Risk Manager**

96.     [20837](#)           D. Saxby, American Family Insurance Group, for J. Padgham, 7603 Widgeon Way, Madison, 53717 - vehicle damage - \$2,473.05.

**This Claim was Referred to the Risk Manager**

97.     **20838**           A. Hawley, 213 Madison St., DeForest, 53532 - vehicle damage - \$1,274.54.

**This Claim was Referred to the Risk Manager**

98.     [20839](#)           J. Wilschke, P.O. Box 1374, Madison, 53704 - monetary compensation - \$5,000.00.

**This Claim was Referred to the Risk Manager**

99.     [20840](#)           C. Steeves, 4619 Valor Way, Madison, 53718 - vehicle damage - \$1,431.14.

**This Claim was Referred to the Risk Manager**



100. 20849 Cheryl Leddon, PHH Arval Vehicle Accident Services, insurance for Knowledge Learning Corporation, 7126 Old Sauk Rd., Madison, 53717 - vehicle damage - \$674.27.

**This Claim was Referred to the Risk Manager**

101. 20895 B. Miller, 915 Lake Court, Madison, 53715 - vehicle damage - \$4,320.66.

**This Claim was Referred to the Risk Manager**

102. [20904](#) NOTICE OF CLAIM: Joshua Roeber, Halloin and Murdock S.C., attorney for Cherokee II Condominium Homes, 839 N. Jefferson St., 5th Fl., Milwaukee, 53202-3759 - property damage - amount to be determined.

**This Claim was Referred to the Risk Manager**

#### **ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR**

103. [20945](#) Accepting various grants of easement for public access and use on the Edgewater Hotel property, authorizing the termination of two existing easements, and authorizing the Mayor and City Clerk to execute any necessary documents related thereto.

**Sponsors:** Mark Clear and David J. Cieslewicz

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the PLAN COMMISSION. The motion passed by voice vote/other.**

104. [20953](#) Authorizing a 5-year service contract for escalator/elevator maintenance at the Monona Terrace Community and Convention Center with Schindler Elevator Corporation.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

105. [20939](#) Adopting and confirming the Labor Agreement between the City of Madison and Dane County, Wisconsin Municipal Employees Local 60, AFSCME, AFL-CIO from January 1, 2010 to December 31, 2012.

**Sponsors:** Common Council By Request

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

106. [20930](#) To place on the April 5, 2011 ballot a referendum on corporate personhood and money as speech.

**Sponsors:** Satya V. Rhodes-Conway, Chris Schmidt, Michael E. Verveer,  
Marsha A. Rummel and Brian L. Solomon

Adopt at Common Council meeting on 1/18/11.

**A motion was made by Ald. Rhodes-Conway, seconded by Ald. Schmidt, to Referred to the COMMON COUNCIL. The motion passed by voice vote/other.**

**ADJOURNMENT at 7:41 PM**

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adjourn at 7:41 PM. The motion passed by voice vote/other.**