



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, August 1, 2006

6:30 PM

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

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. Cnare, Ald. Gruber.

Roll Call at 6:36 p.m., Mayor Cieslewicz in the Chair.

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

Excused: Cnare, Gruber and Knox, Jr.

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 Council President King, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

CONFIRMATION HEARING

1. [03760](#) Submitting the name of Mark Hanson for confirmation of a five-year term as City Assessor.
Sponsors: David J. Cieslewicz
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00671

2. [04066](#) Submitting the name of William Vandebrook for confirmation of a five-year term as Fleet Service Superintendent.
Sponsors: David J. Cieslewicz
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00672

PETITIONS AND COMMUNICATIONS

PETITIONS

3. [03994](#) Petition dated June 7, 2006, from Lathrop & Clark on behalf of L. Norman Schweiss re: direct annexation from the Town of Burke to the City of Madison.
A motion was made by Council President King, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.

BUSINESS BY THE MAYOR

4. [04219](#) Adopting and confirming the Labor Agreement between the City of Madison and Local 311, I.A.F.F. for the period January 1, 2006, to December 31, 2007.
Sponsors: David J. Cieslewicz
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-06-00104

5. [04221](#) Report of the Mayor submitting alder committee appointments.
A motion was made by Council President King, seconded by Council President Pro Tem Skidmore, to Confirm. The motion passed by acclamation.

6. [04222](#) AMENDED Report of the Mayor submitting citizen committee appointments (introduced 8-1-2006; action 9-5-2006)
Confirm at the 9/5/06 Common Council Meeting (NOTE: 2/3 vote required for Long Range Metropolitan Planning Commission.)
A motion was made by Council President King, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm for September 5, 2006. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

7. [04186](#) Urging Charter Communications to add Free Speech TV to its programming lineup.
- Sponsors:** Judy Compton and Michael E. Verveer
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Cnare, Gruber and Knox, Jr.
- Aye:** 15 - Sanborn, Benford, Bruer, Compton, Golden, King, Konkel, Olson, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Abstain:** 2 - Brandon and Palm
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00673
8. [04218](#) Amending Section 2.01(1) of the Madison General Ordinances to establish Common Council meeting dates for 2007.
- Sponsors:** Austin W. King
- A motion was made by Council President King, seconded by Council President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00105

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

9. [03520](#) Public Hearing - New License
Estefania Garcia • dba La Zacatecana
4921 Commercial Avenue • Class A Beer
Aldermanic District 3 (Ald. Cnare) • Police Sector 609
- A motion was made by Council President King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.**

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

10. [04052](#) Public Hearing - New License
J&B Liquor, LLC • dba Packer Liquor
3506 Packers Avenue • Agent: Bruce Bailey
Class A Liquor, Class A Beer
Aldermanic District 12 (Ald. Benford) • Police Sector 511
A motion was made by Ald. Olson, seconded by Ald. Verveer, to Grant and Close the Public Hearing with the following conditions: 1) No sale of single bottles or single cans of beer or fermented malt beverages. 2) No sale of 40 ounce bottles of fermented malt beverages. The motion passed by acclamation.
11. [04053](#) Public Hearing - New License
Erin's Snug of Madison, LLC • Erin's Snug Irish Pub • estimated capacity 230
4601 American Parkway • Agent: Brad Bailey
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 520
A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
12. [04055](#) Public Hearing - New License
Madison Northeast LLC • dba Holiday Inn at the American Center
5109 West Terrace Drive • Agent: John Stauffacher
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 520
A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
13. [04057](#) Public Hearing - New License
Trader Joe's East, Inc. • dba Trader Joe's # 712
1864 Monroe Street • Agent: Melanie Lee
Class A Liquor, Class A Beer
Aldermanic District 10 (Ald. Golden) • Police Sector 301
1 Registrant(s) in support not wishing to speak.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
14. [04058](#) Public Hearing - New License
RP's Pasta Company Inc • RP's Pasta Company • estimated capacity 42
1133 E. Wilson Street • Agent: Peter Robertson
Class B Beer, Class C Wine • 2% alcohol, 8% food, 90% production/dist.
Aldermanic District 6 (Ald. Olson) • Police Sector 408
1 Registrant(s) in support not wishing to speak.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.

15. [04059](#) Public Hearing - New License
ERJ Dining III, LLC • dba Chili's Grill & Bar • capacity of 217
4344 East Towne Boulevard • Agent: Paul Thompson
Class B Combination Liquor & Beer • 12% alcohol, 88% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 515
A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
16. [04060](#) Public Hearing - New License
ERJ Dining III, LLC • dba Chili's Grill & Bar • capacity of 217
7301 Mineral Point Road • Agent: Paul Thompson
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 9 (Ald. Skidmore) • Police Sector 124
A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
17. [04064](#) Public Hearing - New License
Lora Garrett • dba Cafe Costa Rica • estimated capacity of 15
141 S. Butler Street
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 6 (Ald. Olson) • Police Sector 406
A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
18. [04065](#) Public Hearing - Transfer of License from one premises to another
Happy Valley Corporation • dba Flat Top Grill • estimated capacity of 101
Proposed Location: 538 N. Midvale • Current Location: 702 N. Midvale
Agent: Edgar C. Barker, Jr.
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 11 (Ald. Gruber) • Police Sector 108
A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.

REPORT OF PLAN COMMISSION

19. [03831](#) Creating Sections 28.09(2)(c)55. and 56. of the Madison General Ordinances to make physical culture and health services, reducing salons and health clubs a permitted use in the C1 District.
Sponsors: Kenneth Golden
A motion was made by Council President King, seconded by Council President Pro Tem Skidmore, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: ORD-06-00106

20. [03842](#) Amending Sec. 28.10(4)(c)56.d., of the zoning code of the Madison General Ordinances to provide that the 1,000 foot buffer between adult entertainment establishments and certain other uses shall not be measured to cross state or federal highways with more than four lanes and a posted speed limit of 45 mph or more, except where legal pedestrian access exists.

Sponsors: David J. Cieslewicz and Tim Bruer

A motion was made by Council President King, seconded by Council President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.

21. [04003](#) Creating Section 28.06(2)(a)3200. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3201. 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: 156 Apartment Units with Clubhouse & 20 Condominium Units; 1st Aldermanic District: 9201 Mid Town Road.

Sponsors: Common Council By Petition

A motion was made by Council President King, seconded by Council President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.

22. [04004](#) Creating Section 28.06(2)(a)3202. of the Madison General Ordinances rezoning property from R6 General Residence District and R6H General Residence District to C2 General Commercial District. Proposed Use: Demolish Church School Wing and Build Addition to Existing Church Building; 4th Aldermanic District: 203 Wisconsin Avenue.

Sponsors: Common Council By Petition

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

A motion was made by Council President King, seconded by Council President Pro Tem Skidmore, to Adopt and Close the Public Hearing. The motion passed by acclamation.

Enactment No: ORD-06-00107

23. [04005](#) Creating Section 28.06(2)(a)3203. of the Madison General Ordinances rezoning property from C2 General Commercial and R6H General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3204. 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: Move 7-Unit Building to Pinckney Street, Demolish 2-Unit Building and Build 48-Unit Apartment Building; 4th Aldermanic District: 22 East Dayton St./208 North Pinckney St.

Sponsors: Common Council By Petition
2 Registrant(s) in support not wishing to speak.

A motion was made by Council President King, seconded by Council President Pro Tem Skidmore, to Adopt and Close the Public Hearing. The motion passed by acclamation.

Enactment No: ORD-06-00108

24. [04006](#) Creating Section 28.06(2)(a)3205. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3206. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Build 44 Condominium Units and Approximately 9,000 Square Feet of First Floor Commercial Space. 1st Aldermanic District: 8201 Mayo Drive.

Sponsors: Common Council By Petition

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

Enactment No: ORD-06-00109

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 #'s: 36, 69, 71, 72, 73, 86 & 90, King/Verveer: carry.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

25. [03235](#) Operator License Application
Tim Kennedy, 4713 Cottage Grove Road

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

26. 03500 Operator License Application
 Mitchell L. Worth, 734 Fairmont Avenue
A motion was made by Council President King, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.
27. 03656 Operator License Application
 Chase G. Garren, 6008 Jeffrey Circle, Monona
A motion was made by Council President King, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.
28. 03924 Operator License Application
 Mario Salazar, 3748 Frosted Leaf Drive
A motion was made by Council President King, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.
29. 04056 Nightclub License
 Madison Northeast LLC • dba Holiday Inn at the American Center
 5109 West Terrace Drive • Agent: John Stauffacher
 Class B Combination Liquor & Beer • 20% alcohol, 80% food
 Aldermanic District 17 (Ald. Rosas) • Police Sector 520
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
30. 04099 Change of Agent
 White Horse Inn, Inc. • dba White Horse Inn
 1625 Northport Drive • Old Agent: Drew Roznowski • New Agent: Robert Glebs
 Class B Combination Liquor & Beer
 Aldermanic District 12 (Ald. Benford) • Police Sector 505
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
31. 04103 Operator License Application
 Shawn Scott, 912 Williamson Street
A motion was made by Council President King, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.
32. 04104 Operator License Application
 Craig Bosshard, 135 N. Judson, Lake Delton
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
33. 04112 Change of Agent
 Happy Valley Corporation • dba Flat Top Grill • 538 N. Midvale Boulevard
 Old Agent: Edgar Barker Jr • New Agent: Freddie Lee
 Class B Combination Liquor & Beer
 Aldermanic District 11 (Ald. Gruber) • Police Sector 108
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

34. [04123](#) Change of Corporate Control - one additional Officer
K-Street LLC • dba Madison's
119 King Street • Agent: John Sutton
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 405
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
35. [04228](#) Alcohol License Review Committee Report of Operator License Applications (New & Renewal) August 2006. See attached report for list of operators.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by the following vote:
- Excused:** 3 - Cnare, Gruber and Knox, Jr.
- Aye:** 16 - Sanborn, Benford, Bruer, Compton, Golden, King, Konkel, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Abstain:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz

REPORT OF BOARD OF ESTIMATES

36. [03657](#) To set forth the Agreement between the City of Madison and Dane County regarding Lyckberg Park and the surrounding area.
Sponsors: Isadore Knox, Jr.
Adopt at the 9/5/06 Common Council Meeting.
A motion was made by Council President King, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for September 5, 2006. The motion passed by acclamation.
37. [03955](#) Authorizing the Madison Department of Public Health on behalf of Fit City Madison to accept a grant from the University of Wisconsin Comprehensive Cancer Center \$4,000 and amending the 2006 Public Health Operating Budget to allow for the receipt and expenditure of these grant funds.
Sponsors: Judy K. Olson
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00674

38. [04041](#) That the encumbered positions (#3878, 1309, 3883, 1302) of Parking Revenue Leadworker in Compensation Group 16, Range 10, in the permanent salary detail of the Parking Utility budget are repealed and recreated as Parking Revenue Leadworker in Compensation Group 16, Range 11, thereof. Be it further resolved that the incumbents shall be reallocated to said positions.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00675
39. [04042](#) That position #2576 of Police Administrative Services Analyst, in Compensation Group 18, Range 10, (occupied by T. Genin) in the permanent salary detail of the Police Department budget is repealed and recreated as a Police Administrative Services Manager in Compensation Group 18, Range 12, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00676
40. [04046](#) Authorizing the provision of CDBG/HOME funds to assist Common Wealth Development, Inc., develop a Yahara Homes housing project in ways that address City Community and Neighborhood Development Objectives.
- Sponsors:** Cindy Thomas and Santiago Rosas
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00677
41. [04047](#) Approving the provision of \$300,000 in Federal HOME Match funds to assist Housing Initiatives acquire housing and authorizing the Mayor and City Clerk to sign an agreement to implement the project.
- Sponsors:** Cindy Thomas and Santiago Rosas
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00678
42. [04061](#) That the vacant position #1179 of Water Resources Supervisor in Compensation Group 18, Range 08, in the permanent salary detail of the Water Utility budget is repealed and recreated as a position of Water Quality Manager in Compensation Group 18, Range 10, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00679

43. [04062](#) That the vacant position #1788 of Water Utility Operations Manager in Compensation Group 18, Range 15, in the permanent salary detail of the Water Utility budget is repealed and recreated as a position of Water Utility Operations Manager in Compensation Group 18, Range 14, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00680
44. [04063](#) That the vacant position #912 of WIC Director/Nutritionist, in Compensation Group 18, Range 09, in the permanent salary detail of the Public Health Department budget is repealed and recreated as a Public Health Supervisor in Compensation Group 18, Range 10, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00681
45. [04069](#) Amending Section 3.38(1)(c) of the Madison General Ordinances by deleting the classification of Parking Revenue Leadworker in Compensation Group 16, Range 10 and recreating said class in Compensation Group 16, Range 11, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00110
46. [04070](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Police Administrative Services Analyst in Compensation Group 18, Range 10, and creating the classification of Police Administrative Services Manager in Compensation Group 18, Range 12, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00111
47. [04076](#) Authorizing the Mayor and City Clerk, through the Office of Community Services, to enter into a Purchase of Services Contract with the Madison Area Grassroots Leadership College for their intensive workshop series.
- Sponsors:** David J. Cieslewicz, Lauren Cnare and Paul J. Van Rooy
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00682

48. [04077](#) Authorizing the Mayor and City Clerk, through the Office of Community Services, to enter into a Purchase of Services Contract with the Urban League of Greater Madison for a truancy prevention program.
- Sponsors:** David J. Cieslewicz, Lauren Cnare, Paul J. Van Rooy, Kenneth Golden, Isadore Knox, Jr. and Cindy Thomas
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00683
49. [04082](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of WIC Director/Nutritionist in Compensation Group 18, Range 09 and by creating the classification of Public Health Supervisor in Compensation Group 18, Range 10, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00112
50. [04083](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Water Resources Supervisor in Compensation Group 18, Range 08, and creating the class of Water Quality Manager in Compensation Group 18, Range 10, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00113
51. [04084](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Water Utility Operations Manager in Compensation Group 18, Range 15, and recreating said class in Compensation Group 18, Range 14, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00114
52. [04101](#) Amending Sections 4.08 and 4.081(3) of the Madison General Ordinances to modify the maximum allowable term for installment payments and change the interest rate on deferrals and installments.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00115

53. [04133](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and Local 311, International Fire Fighters Association (I.A.F.F.) for the period January 1, 2006 through December 31, 2007.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00684
54. [04136](#) Awarding Public Works Contract No. 5953, Union Corners Reconstruction Assessment District - 2006 (Union Corners, Winnebago Street) and Amending the 2006 Capital Budget to authorize the expenditure of an additional \$559,580 for the project.
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Cnare, Gruber and Knox, Jr.
- Aye:** 17 - Sanborn, Benford, Brandon, Bruer, Compton, Golden, King, Konkel, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00685
55. [04144](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a supplemental Project Safe Neighborhoods grant award in the amount of \$27,046 and to utilize these funds for additional law enforcement efforts to reduce gun-related crime and violence.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00686
56. [04146](#) Authorizing the acceptance of an offer to sell a residential property located at 311 N. Marquette Street to facilitate Starkweather Creek bank stabilization activities.
- Sponsors:** Larry Palm
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00687
57. [04147](#) Report of Police Chief dated July 12, 2006, re: 2005 & 1st Half 2006 Overtime.
- A motion was made by Council President King, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

58. [04163](#) Amending Sections 3.36(6)e.2. and 3.52(1)(b)3.c. and d. of the Madison General Ordinances to make changes to the distribution of value of sick leave for non-represented employees.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00116
59. [04164](#) SUBSTITUTE - Establishing the City of Madison Post-Retirement Sick Leave Conversion Medical Reimbursement Plans and Trusts and a 401(a) Plan and Trust, authorizing execution of other documents.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00688
60. [04170](#) SUBSTITUTE - Directing the Director of Planning and Development to issue a Request for Proposals for a Housing Needs Study and directing the Mayor to appoint a committee to evaluate the proposals.
- Sponsors:** Brenda K. Konkel
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00710
61. [04203](#) Amending the 2006 Motor Equipment Capital Budget to allow for the immediate purchase of a brush chipper.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Cnare, Gruber and Knox, Jr.
- Aye:** 17 - Sanborn, Benford, Brandon, Bruer, Compton, Golden, King, Konkel, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00690

REPORT OF BOARD OF PUBLIC WORKS

62. [04134](#) Improvements accepted for Water Main by Private Contract to serve: Seventh Addition to Blackhawk Subdivision - Phase III. (AD 9)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00691
63. [04135](#) Improvements Accepted for Water Service Laterals by Private Contract to serve: Hillpoint Senior Campus - PUD (AD 9)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00692
64. [04137](#) Awarding Public Works Contract No. 5940, Yahara River Parkway Path.
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00693
65. [04138](#) Awarding Public Works Contract No. 5955, Raymond Road Confluence Pond Culvert.
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00694
66. [04139](#) Awarding Public Works Contract No. 5966, Mineral Point Road at Junction Road - Right Turn Lane.
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00695
67. [04140](#) Awarding Public Works Contract No. 5967, Woodrow Street and Edgewood Drive Cul-de-sac.
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00696

68. [04149](#) Improvements Accepted for Tornado Tree Replacements 2005 - Contract #5838 (various ADs)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00697
69. [04177](#) Authorizing the Mayor and the City Clerk to execute an agreement with MSA Professional Services, Inc., for Design Engineering Services for the 500 & 600 Blocks of State Street. (4th & 8th ADs)
Sponsors: Common Council By Request
1 Registrant(s) in support wishing to speak.
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:
Excused: 3 - Cnare, Gruber and Knox, Jr.
Aye: 16 - Sanborn, Benford, Bruer, Compton, Golden, King, Konkell, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
No: 1 - Brandon
Non Voting: 1 - Cieslewicz
Enactment No: RES-06-00698
70. [04178](#) Authorizing the Mayor and City Clerk to enter into an agreement with Dane County for the University Avenue, Thorstrand Drive, and Overlook Pass Median Widening and Intersection Improvements.
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00699
71. [04179](#) SUBSTITUTE - Approving plans and specifications for the Capital Square Bus Shelter Project and authorizing the Purchasing Division to solicit and receive bids for the fabrication and delivery of 5 bus shelters and alternate bids for two additional shelters.
Sponsors: Common Council By Request
1 Registrant(s) in support wishing to speak; 3 Registrant(s) in opposition wishing to speak.
A motion was made by Council President King, seconded by Council President Pro Tem Skidmore, to Refer to the Mayor's Office. The motion passed by acclamation.

REPORT OF BOARD OF WATER COMMISSIONERS

72. [03838](#) SUBSTITUTE - Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with EMA, Inc., to facilitate and conduct a utility-wide, participatory self-assessment of organizational issues, communication, work practices, and technology; identify opportunities for improvement; and implement recommendations.
- Sponsors:** David J. Cieslewicz and Lauren Cnare
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00700

REPORT OF ECONOMIC DEVELOPMENT COMMISSION

73. [03234](#) AMENDED - A study to determine the ability and efficacy of a local preference purchasing policy for the City of Madison.
- Sponsors:** Brenda K. Konkel, Tim Gruber, Brian Benford, Robbie Webber, Austin W. King, Michael E. Verveer, Judy K. Olson, Zachariah Brandon, Paul E. Skidmore, Noel T. Radomski, Paul J. Van Rooy, Judy Compton, Larry Palm, Tim Bruer and Lauren Cnare
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt With Amendment(s) as follows: change report back date from June 20, 2006 to October 3, 2006. The motion passed by acclamation.**
- A motion was made by Ald. Compton, seconded by Ald. Van Rooy, to Adopt With Amendment(s) as follows: add "even if it means spending a little more." The motion failed by the following vote:**
- Excused:** 3 - Cnare, Gruber and Knox, Jr.
- Aye:** 3 - Sanborn, Compton and Thomas
- No:** 14 - Benford, Brandon, Bruer, Golden, King, Konkel, Olson, Palm, Rosas, Skidmore, Van Rooy, Radomski, Verveer and Webber
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00701

REPORT OF PLAN COMMISSION

74. [02152](#) Petition dated October 4, 2005, from E. Lawry re: direct annexation from the Town of Burke to the City of Madison.
- A motion was made by Council President King, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**
75. [02312](#) Petition dated October 25, 2005 from D. & J. Hoepker, W. Paulson, & R. Yelk, re: direct annexation from the Town of Burke to the City of Madison.
- A motion was made by Council President King, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

76. [04078](#) Amending the Blackhawk Neighborhood Development Plan, a supplement to the City of Madison Comprehensive Plan, to include additional lands located generally west of the current neighborhood boundary, between Blackhawk Road and Old Sauk Road.
- Sponsors:** Paul E. Skidmore
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00702
77. [04095](#) Creating Section 15.01(553) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Lawry Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(133) of the Madison General Ordinances to assign the attached property to Ward 133.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Cnare, Gruber and Knox, Jr.
- Aye:** 17 - Sanborn, Benford, Brandon, Bruer, Compton, Golden, King, Konkell, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** ORD-06-00117
78. [04096](#) Creating Section 15.01(557) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Hoepker-Paulson-Yelk Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(138) of the Madison General Ordinances to assign the attached property to Ward 138, and amending Section 15.03(17) to add Ward 138 to the 17th Aldermanic District.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Cnare, Gruber and Knox, Jr.
- Aye:** 17 - Sanborn, Benford, Brandon, Bruer, Compton, Golden, King, Konkell, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** ORD-06-00118

79. [04097](#) Creating Section 15.01(558) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 3rd Aldermanic District the Schweiss, et. al. Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(139) of the Madison General Ordinances to assign the attached property to Ward 139, and amending Section 15.03(3) to add new Ward 139 to the 3rd Aldermanic District.

Sponsors: David J. Cieslewicz

A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:

Excused: 3 - Cnare, Gruber and Knox, Jr.

Aye: 17 - Sanborn, Benford, Brandon, Bruer, Compton, Golden, King, Konkel, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: ORD-06-00119

80. [04098](#) Creating Section 15.01(559) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Zeier Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(18) of the Madison General Ordinances to assign the attached property to Ward 18.

Sponsors: David J. Cieslewicz

A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:

Excused: 3 - Cnare, Gruber and Knox, Jr.

Aye: 17 - Sanborn, Benford, Brandon, Bruer, Compton, Golden, King, Konkel, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: ORD-06-00120

81. [04113](#) Petition dated June 30, 2006, from the Zeiers, re: direct annexation from the Town of Burke to the City of Madison.

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

REPORT OF THE PLANNING UNIT

82. [04206](#) Re-approving a Certified Survey Map of property owned by Stone Crest III, LLC, at 2002 Jeffy Trail. 1st Ald. Dist.
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00703
83. [04207](#) Approving a Certified Survey Map of property owned by McAllen Properties LLC located at 3901 Hanson Road. 17th Ald. Dist.
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00704
84. [04208](#) Approving a Certified Survey Map of property owned by The First United Methodist Church of Madison and Lewis Properties, LLC, located at 203 Wisconsin Avenue, 18 East Dayton Street, 24 East Dayton Street and 208 North Pinckney Street. 4th Ald. Dist.
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00705

REPORT OF TRANSIT/ PARKING COMMISSION

85. [03979](#) SECOND SUBSTITUTE - Authorizing the Mayor and City Clerk to execute a ten year lease with the Swiss Colony Cheese Company for a Park and Ride Lot at Metro Transit's East Transfer Point; and to transfer surplus City of Madison right of way to the Leo Ritter and Company. 15th Ald. Dist.
- Sponsors:** Jed Sanborn
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00706
86. [04086](#) Creating Section 31.04(6)(e)2. as a Charter Ordinance, creating new Subdivision 3.51(4)(i) as a Charter Ordinance, and renumbering current Subdivisions 3.51(4)(i) through (k) to (j) through (l), respectively, and renumbering current Section 31.04(6)(e) as 31.04(6)(e)1, all to allow the City to place signs or ads on Transit Utility bus shelters.
- Sponsors:** David J. Cieslewicz, Robbie Webber, Jed Sanborn, Noel T. Radomski, Zachariah Brandon and Judy Compton
- 1 Registrant(s) in opposition wishing to speak.*
- A motion was made by Council President King, seconded by Ald. Verveer, to Refer to the Mayor's Office. The motion passed by acclamation.**

87. [04087](#) Authorizing the Mayor and the City Clerk to extend the agreement with Robert Beyler regarding the sale of Metro Transit Bus Advertising
- Sponsors:** Noel T. Radomski
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00707
88. [04088](#) Authorizing the Mayor and the City Clerk to extend the agreement with Jeramie Hotz regarding the installation and removal of Metro Transit Bus Advertising.
- Sponsors:** Noel T. Radomski
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00708
89. [04152](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Badger Bus Lines for provision of ADA paratransit services in a Long-Term Assignment Program to Metro Transit through September 2009 with an option to extend for up to 6 additional months.
- Sponsors:** Kenneth Golden and Jed Sanborn
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00709

REFERRED TO THIS MEETING

APPOINTMENTS

90. [04159](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 7-18-06; action 8-1-2006)
- A motion was made by Council President King, seconded by Ald. Verveer, to Confirm except: David Simon appointment (referred to Common Council Meeting 9-5-06) The motion passed by the following vote:**
- Excused:** 3 - Cnare, Gruber and Knox, Jr.
- Aye:** 17 - Sanborn, Benford, Brandon, Bruer, Compton, Golden, King, Konkel, Olson, Palm, Rosas, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz

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

ORDINANCES

91. [04160](#) Amending Section 10.34(2) of the Madison General Ordinances to clarify that, in the event a building is assigned a new number by the City Engineer, an owner or occupant must attach or apply the new number to the building within twenty days.
- Sponsors:** Brenda K. Konkel
- Additional Referral(s): Engineering Division*
- Refer to the PUBLIC SAFETY REVIEW BOARD**
92. [04161](#) Amending Section 13.06 of the Madison General Ordinances to clarify that the maintenance of water meter pits is the responsibility of the property owner and amending Section 13.22 of the Madison General Ordinances to increase the minimum fine for violations of Chapter 13 from \$25 to \$50.
- Sponsors:** Lauren Cnare
- Refer to the BOARD OF WATER COMMISSIONERS**
93. [04209](#) Creating Section 28.06(2)(a)3217. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Major Alteration to SIP-Add 1 Floor With 10 Units to Main Tower, Add 2 Levels to Parking Structure and Minor Site Plan Alterations; 4th Aldermanic District: 309 W. Washington Ave./33 S. Broom Street.
- Sponsors:** Common Council By Petition
- Due back at the 9/19/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
94. [04210](#) Creating Section 28.06(2)(a)3215. 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) and creating Section 28.06(2)(a)3216. 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: Convert Vacant Retail Store to Bank with Drive-Up Windows; 9th Aldermanic District: 301 Junction Road.
- Sponsors:** Common Council By Petition
- Due back at the 9/5/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**

95. [04214](#) Creating Section 28.06(2)(a)3218 of the Madison General Ordinances rezoning property from R1 Single-Family Residence District to R3 Single-Family and Two-Family Residence District. Proposed Use: Demolish House & Build New Duplex; 13th Aldermanic District: 2016 Sundstrom Street.

Sponsors: Common Council By Petition

Due back at the 9/5/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

96. [04220](#) Amending Section 10.056(5)(e) of the Madison General Ordinances to clarify that time limits for sound amplification equipment which is approved as part of a Street Use Permit shall be determined by the Street Use Staff Team.

Sponsors: David J. Cieslewicz and Michael E. Verveer

Refer to the STREET USE STAFF TEAM

RESOLUTIONS

97. [04185](#) Submitting the name of Barbara Dimick for confirmation of a five-year term as Library Director.

Sponsors: David J. Cieslewicz

Due back at the 9/5/06 Common Council Meeting.

Refer for Confirmation Hearing to the BOARD OF ESTIMATES

98. [04187](#) Approving Facade Improvement Grant to: 636 South Park Street (Chiripa).

Sponsors: Isadore Knox, Jr.

Refer to the BOARD OF ESTIMATES

100. [04202](#) Accepting an Offer to Purchase from Will South Side LLC for the purchase of a surplused City-owned parcel of land within Doncaster Park located at 4335 Doncaster Drive. 10th Ald. Dist.

Sponsors: Kenneth Golden

Additional Referral(s): Board of Park Commissioners, Plan Commission

Refer to the BOARD OF ESTIMATES

101. [04211](#) Authorizing the Mayor, City Clerk and Chief of Police to accept an award from the State of Wisconsin, Office of Justice Assistance in the amount of \$20,000 and to utilize these funds to purchase and install recording equipment in order to comply with State requirements for recording interviews or interrogations.

Sponsors: David J. Cieslewicz

Refer to the BOARD OF ESTIMATES

102. [04212](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a grant award from the U.S. Dept. of Justice, Department of Community Oriented Policing Services, in the amount of \$493,614 for the implementation of technology initiatives for law enforcement.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**
103. [04213](#) Authorizing the acceptance of an Offer to Sell from Occasional Partners, LLC, for a two-unit residential income property located at 17-19 S. Orchard Street, and amending the 2006 Parks Division Capital Budget to add funding for Ed Klief Park expansion. 13th Ald. Dist.
- Sponsors:** Isadore Knox, Jr.
- Additional Referral(s): Board of Park Commissioners, Plan Commission*
- Refer to the BOARD OF ESTIMATES**
104. [04215](#) Approving a Project Plan Amendment for Tax Incremental Finance (TIF) District #29 (Allied Drive) City of Madison. 10th Ald. Dist.
- Sponsors:** David J. Cieslewicz and Kenneth Golden
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF ESTIMATES**
105. [04223](#) Authorizing a Community Prosecution / Nuisance Abatement position in the Office of the City Attorney, and amending the 2006 Operating Budget by appropriating \$11,100 from the Contingent Reserve to the City Attorney's Office.
- Sponsors:** David J. Cieslewicz, Tim Bruer, Lauren Cnare, Kenneth Golden, Michael E. Verveer and Paul J. Van Rooy
- Refer to the BOARD OF ESTIMATES**
106. [04224](#) To establish the Garver Building Reuse Committee under the guidelines of the Procedures for the Disposal of Surplus City Real Property, and to appoint the Committee members.
- Sponsors:** David J. Cieslewicz, Larry Palm and Judy K. Olson
- Adopt at the 9/5/06 Common Council Meeting.*
- Refer to a future Meeting to Adopt**
107. [04225](#) Approving additional Federal HOME funds to assist The Wisconsin Partnership for Housing Development with activities to create affordable owner-occupied housing, and authorizing the Mayor and City Clerk to sign agreements to implement the projects.
- Sponsors:** Cindy Thomas and Santiago Rosas
- Refer to the BOARD OF ESTIMATES**

108. [04226](#) Authorizing the provision of EDI and Match funds to assist Movin' Out, Inc., to develop housing in ways that address City, Community and Neighborhood Development Objectives and authorizing the Mayor and City Clerk to sign an agreement to implement the project.
- Sponsors:** Cindy Thomas and Santiago Rosas
- Refer to the BOARD OF ESTIMATES**
109. [04227](#) Approving a fall firefighter recruit class of 10 firefighters to start on October 2, 2006.
- Sponsors:** Paul E. Skidmore
- Refer to the BOARD OF ESTIMATES**
110. [04231](#) Approving the CDA's borrowing of \$2,100,000 from Fannie Mae in order to loan the proceeds to the Wisconsin Partnership for Housing Development, Inc., for the purpose of constructing affordable condominium units in the Twin Oaks neighborhood.
- Sponsors:** Judy Compton, Tim Bruer and Isadore Knox, Jr.
- Refer to the BOARD OF ESTIMATES**
111. [04233](#) To amend the Building Inspection 2006 Operating Budget to recognize additional inter-departmental billings and offsetting expenses in recognition of the need for increased maintenance services by BI to the Madison Police Department East Station Facility and the Police Evidence Vehicle Search Facility located at 2434 Vondron Road and to increase a 50% permanent Custodial Worker 2 position to a 100% FTE.
- Sponsors:** Paul J. Van Rooy
- Refer to the BOARD OF ESTIMATES**
112. [04236](#) Authorizing the execution of a Utility Easement to Madison Gas and Electric Company across a City-owned property located at 207 West Olin Avenue. 13th Ald. Dist.
- Sponsors:** Isadore Knox, Jr.
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF PARK COMMISSIONERS**
113. [04238](#) Approving settlement of the use value penalty case entitled City of Madison v. Nesbitt Farms LLC.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**

LICENSES

114. [04229](#) Public Hearing - New License
RS/DC Investments LLC • dba State Street Bar & Grill • capacity 169
118 State Street • Agent: Robert Smith
Class B Combination Liquor & Beer • 67% alcohol, 27% food, 6% other
Aldermanic District 4 (Ald. Verveer) • Police Sector 406
Due back at the 9/5/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

115. [04232](#) Public Hearing - New License
Devinder Badwal & Sital Singh • dba Taste of India • est. capacity 58
2623 Monroe Street, Suite 150
Class B Beer, Class C Wine • 20% alcohol, 80% food
Aldermanic District 10 (Ald. Golden) • Police Sector 302
Due back at the 9/5/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

116. [04234](#) Public Hearing - New License
Darms LLC • dba South Bay Lounge • est. capacity 60
5404 Raywood Road • Agent: David Arms
Class B Combination Liquor & Beer • 45% alcohol, 55% food
Aldermanic District 14 (Ald. Bruer) • Police Sector 313
Due back at the 9/5/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

117. [04235](#) Public Hearing - New License
Duma LLC • dba The Ivory Room • est. capacity 87
116 W. Mifflin Street • Agent: Julie Stoleson
Class B Combination Liquor & Beer • 90% alcohol, 10% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 405
Due back at the 9/5/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

118. [04237](#) Public Hearing - New License
Babs French Quarter Kitchen LLC • dba Babs French Quarter Kitchen
1353 Williamson Street • Agent: Barbara Matthews • est. capacity 62
Class B Beer, Class C Wine • 15% alcohol, 85% food
Aldermanic District 6 (Ald. Olson) • Police Sector 410
Due back at the 9/5/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

119. [04239](#) Public Hearing - New License
1 & 1 Food LLC • dba Ay! Caramba • est. capacity 52
702 N. Midvale Blvd., Suite W198 • Agent: Gilmer Chan
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 11 (Ald. Gruber) • Police Sector 108
Due back at the 9/5/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
120. [04241](#) Public Hearing - New License
La Bellitalia Inc • dba La Bellitalia • est. capacity 50
1026 N. Sherman Avenue • Agent: Pietro Pipitone
Class B Beer, Class C Wine • 15% alcohol, 85% food
Aldermanic District 12 (Ald. Benford) • Police Sector 503
Due back at the 9/5/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
121. [04243](#) Public Hearing - New License
Fleming's/Great Lakes-I Limited Partnership
dba Fleming's Prime Steakhouse & Wine Bar • est. capacity 208
750 N. Midvale Boulevard • Agent: Jack Maher
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 11 (Ald. Gruber) • Police Sector 108
Due back at the 9/5/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
122. [04244](#) Public Hearing - New License
The Real Corporation • dba Stillwaters • est. capacity 279
250 State Street • Agent: Mike Rogers
Class B Combination Liquor & Beer • 43.5% alcohol, 55% food, 1.5% other
Aldermanic District 4 (Ald. Verveer) • Police Sector 403
Due back at the 9/5/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

CLAIMS - REFER TO RISK MANAGER

123. [04247](#) NOTICE OF CLAIM - General Casualty Insurance for M. Catlin, 10 W. Creek Water Court, Appleton - vehicle damage - \$1,622.22.
124. [04248](#) NOTICE OF CLAIM - The Cincinnati Insurance Company for D. Denning - vehicle damage - \$10,333.13.
125. [04249](#) NOTICE OF CLAIM - Attorney D. Phebus for L. Zarate, 1140 Morrairie View Drive - personal injury - \$50,000.00.

126. **04252** NOTICE OF CLAIM - Rural Mutual Insurance for A. Krantz - vehicle damage - \$1,559.69.
127. **04253** NOTICE OF CLAIM - American Family Insurance for D. Hansey, 938 Foxfield Road, Oregon - vehicle damage - \$662.61.

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

[04230](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the relocation and construction associated with the Union Corners Development - involving the relocation of Winnebago Street Phase 2 from S. Sixth Street to LaFollette Avenue-Engineering Project No. 53W0387 and amending the 2006 Capital Budget to authorize the expenditure of an additional \$100,000 for the estimated acquisition costs associated with this project. (6th AD)

Sponsors: Judy K. Olson

Additional Referral(s): Board of Estimates, Plan Commission

Refer For Public Hearing to the BOARD OF PUBLIC WORKS

[04242](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a Tax Incremental Finance Loan not to exceed \$195,000 to Monroe Neighbors, LLC to assist in the construction of a Plaza adjacent to the Monroe Commons project located at 1864 Monroe Street in Tax Incremental Finance District No. 33 (Monroe-Harrison).

Sponsors: Kenneth Golden

Refer to the BOARD OF ESTIMATES

[04262](#) To provide for coordination and cooperation between the City of Madison and Dane County in finding short- and long-term locations for service providers currently serving Allied Drive.

Sponsors: Kenneth Golden

Additional Referral(s): City-County Liason Committee

Refer to the ALLIED AREA TASK FORCE

[04263](#) Establishing a Glass-Free Zone for the State Street area on October 27, 2006, October 28, 2006 and October 29, 2006 from 9:30 p.m. to 6:00 a.m.

Sponsors: David J. Cieslewicz, Michael E. Verveer and Austin W. King

Additional Referral(s): Downtown Coordinating Committee, Public Safety Review Board

Refer to the BOARD OF ESTIMATES

[04264](#)

SUBSTITUTE Authorizing the Police Department, Engineering Division and Parks Division to accept donated funds, to utilize a fencing and admission system, and to utilize those funds to offset costs associated with the 2006 Halloween event on State Street.

Sponsors: David J. Cieslewicz and Michael E. Verveer

Additional Referral(s): Public Safety Review Board, Downtown Coordinating Committee

Refer to the BOARD OF ESTIMATES

[04265](#)

Amending the Police Department, Engineering Division, and Parks Division 2006 Operating Budgets by appropriating \$85,692 from the Contingent Reserve, and to utilize these funds for various expenses related to the Halloween event; and authorizing the receipt of revenues derived from admission fees and donations.

Sponsors: David J. Cieslewicz and Michael E. Verveer

Additional Referral(s): Downtown Coordinating Committee, Public Safety Review Board

Refer to the BOARD OF ESTIMATES

[04271](#)

Authorizing the Mayor and City Clerk to sign an amendment to the Intergovernmental Records Management System (RMS) Agreement with 16 Dane County police agencies, to add the Village of Cross Plains, Village of Brooklyn and City of Stoughton; and to create a procedure to allow other agencies to be added to the agreement in the future at the option of the Madison Police Chief.

Sponsors: Paul E. Skidmore

Additional Referral(s): Public Safety Review Board

Refer to the BOARD OF ESTIMATES

[04272](#)

Creating Section 12.792 entitled "Neighborhood Electric Vehicles Allowed" to permit and regulate the operation of such vehicles on Madison streets and amending Section 1.08(3)(a) to establish a bail deposit amount for violations of the section.

Additional Referral(s): Pedestrian-Motor-Vehicle Commission, Municipal Judge

Refer to the PUBLIC SAFETY REVIEW BOARD

[04391](#)

Amending the 2006 Operating Budget of the Community and Economic Development Unit to transfer up to \$50,000 in permanent salaries to Purchased Services to enable the hiring of a consultant to serve as a Project Manager for redevelopment of The Villager site, and authorizing the issuance of a Request for Proposals and providing that the Mayor and City Clerk may enter into a contract with the selected consultant.

Sponsors: David J. Cieslewicz

Additional Referral(s): Community Development Authority

Refer to the BOARD OF ESTIMATES

ADJOURNMENT

A motion was made by Council President King, seconded by Ald. Verveer, to Adjourn at 7:55 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on August 7, 2006.

Ordinances published August 22, 2006.

MARIBETH WITZEL-BEHL, INTERIM CITY CLERK