



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.co
m

Proceedings - Approved COMMON COUNCIL

Tuesday, December 4, 2007

6:30 PM

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

Roll Call at 6:40 p.m., Mayor Cieslewicz in the Chair.

Late: Ald. Brandon (6:55 p.m.); Ald. Cnare (6:44 p.m.); Ald. Sanborn (6:48 p.m.)

Present: 18 -

Jed Sanborn; Brenda K. Konkell; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele and David J. Cieslewicz

Excused: 3 -

Paul E. Skidmore; Tim Bruer and Larry Palm

SUSPEND THE RULES

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

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

SPECIAL ORDER OF BUSINESS

1. [08152](#) SECOND SUBSTITUTE - Awarding the first annual Jeffrey Clay Erlanger Civility in Public Discourse Award to R. Richard "Dick" Wagner.

Sponsors: David J. Cieslewicz and Michael E. Verveer

A motion was made by Ald. Verveer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other. A motion was made by Ald. Verveer, seconded by Ald. Webber to Table. The motion passed by voice vote/other. A motion was made by Ald. Verveer, seconded by Ald. Compton to Take off the Table. The motion passed by voice vote/other.

Enactment No: RES-07-01123

2. [08301](#) Commending, honoring and expressing thanks and appreciation to Patricia Kreitzman, Program Assistant III, upon her retirement from City service.

Sponsors: David J. Cieslewicz and COMMON COUNCIL

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

Enactment No: RES-07-01124

BUSINESS BY THE MAYOR

3. [08295](#) CPD Appointment to ADATS

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

4. [08339](#) Report of the Mayor submitting citizen committee appointments (introduced 12-4-2007; action 1-8-2008)

Sponsors: David J. Cieslewicz

Confirm at the 1/8/08 Common Council Meeting.

A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 1/8/2008. The motion passed by voice vote/other.

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

5. [08333](#) Authorizing The Mayor and the City Clerk to enter into contracts with agencies awarded some portion of the remaining 2007 Emerging Neighborhood Funds.

Sponsors: David J. Cieslewicz and Lauren Cnare

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

Enactment No: RES-07-01125

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

6. [07738](#) Creating Section 28.06(2)(a)3320. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3321. 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: Construction of 124-Unit Apartment Building; 9th Aldermanic District: 639 Pleasant View Road.

Sponsors: Common Council By Petition

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

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

Enactment No: ORD-07-00180

REPORT OF PLAN COMMISSION

7. [04532](#) Creating Section 28.06(2)(a)3223. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: 85 Condominium Units; 1st Aldermanic District: 9401 Mid Town Road.

Sponsors: Common Council By Petition

A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Place On File and Close the Public Hearing. The motion passed by voice vote/other.

8. [05465](#) Creating Section 28.06(2)(a)3241. 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)3242. 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: 60-Unit Assisted Living Building (CBRF); 9th Aldermanic District: 8210 Highview Drive.

Sponsors: Common Council By Petition

A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Place On File and Close the Public Hearing. The motion passed by voice vote/other.

9. [07736](#) Creating Section 28.06(2)(a)3318. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3319. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District; Proposed Use: Demolish 2 Houses to Construct 14-Story, 162-Unit Apartment Building; 8th Aldermanic District: 1022 West Johnson Street.

Sponsors: Common Council By Petition

A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by the following vote:

Excused: 3 -

Paul E. Skidmore; Tim Bruer and Larry Palm

Ayes: 17 -

Jed Sanborn; Brenda K. Konkel; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Brian L. Solomon; Satya V. Rhodes Conway; Julia S. Kerr; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele and David J. Cieslewicz

Abstentions: 1 -

Tim Gruber

10. [07768](#) SUBSTITUTE - Amending Section 28.11(3)(l)5.d. of the Madison General Ordinances to modify the minimum number of parking spaces required for certain uses.

Sponsors: Tim Gruber

2 Registrant(s) in support wishing to speak.

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

Enactment No: ORD-07-00181

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

11. [07962](#) Public Hearing - New License
Roxane Stillman • dba • The Junkyard 65% alcohol, 35% food
2513 Seifferth Rd. • Agent: Roxane Stillman • Estimated Capacity: 99
Class B Combination Liquor & Beer
Aldermanic District (Judy Compton) • Police Sector 619

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

Excused: 3 -
Paul E. Skidmore; Tim Bruer and Larry Palm

Ayes: 16 -
Brenda K. Konkel; Lauren Cnare; Michael E. Verveer; Robbie Webber;
Marsha A. Rummel; Eli Judge; Brian L. Solomon; Tim Gruber; Satya V.
Rhodes Conway; Julia S. Kerr; Judy Compton; Joseph R. Clausius;
Michael Schumacher; Mark Clear; Thuy Pham-Remmele and Jed Sanborn

Abstentions: 1 -
Zachariah Brandon

Non Voting: 1 -
David J. Cieslewicz

12. [07963](#) Public Hearing - New License
Field Pass LLC • dba The Field Pass • 37% alcohol, 63% food
702 W. Johnson St. • Agent: Matt Brink • Estimated Capacity: 550
Class B Combination Liquor & Beer
Aldermanic District (Eli Judge) • Police Sector 402 • Density Area
3 Registrant(s) in support wishing to speak; 1 Registrant(s) in opposition wishing to speak; 3 Registrant(s)
in support not wishing to speak.

A motion was made by Ald. Verveer, seconded by Ald. Judge, to Grant With Condition(s) and Close the Public Hearing. The motion passed by the following vote:

Excused: 3 -
Paul E. Skidmore; Tim Bruer and Larry Palm

Ayes: 16 -
Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli
Judge; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S.
Kerr; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark
Clear; Thuy Pham-Remmele; Brenda K. Konkel and Jed Sanborn

Abstentions: 1 -
Zachariah Brandon

Non Voting: 1 -
David J. Cieslewicz

13. [07964](#) Public Hearing - New License
Pelayo's Mexican Restaurant LLC • dba • 10% alcohol, 90% food
2229 S. Stoughton Rd. • Agent: Ana Pelayo • Estimated Capacity: 39
Class B Combination Liquor & Beer
Aldermanic District (Judy Compton) • Police Sector 617

A motion was made by Ald. Verveer, seconded by Ald. Schumacher, to Grant and Close the Public Hearing. The motion passed by the following vote:

Excused: 3 -
Paul E. Skidmore; Tim Bruer and Larry Palm

Ayes: 16 -

Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Brenda K. Konkell; Jed Sanborn and Lauren Cnare

Abstentions: 1 -

Zachariah Brandon

Non Voting: 1 -

David J. Cieslewicz

REPORT OF BOARD OF PUBLIC WORKS

14. [07739](#) Approving Plans, Specifications, And Schedule Of Assessments For Waubesa Street Reconstruction Assessment District - 2008. (6th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01126

15. [07740](#) Approving Plans, Specifications, And Schedule Of Assessments For Sachs Street & N. Marquette Street Assessment District - 2008. (15th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01127

16. [08162](#) Approving Schedule Of Assessments and authorizing City to advertise for and receive bids for Siggelkow Road Reconstruction Assessment District - 2008. (16th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01128

REPORT OF PLAN COMMISSION

17. [07651](#) Amending Sections 31.05(2)(b) and 31.11 of the Madison General Ordinances to remove the prohibition on relocating or replacing advertising street graphics.
- Sponsors:** Jed Sanborn and Thuy Pham-Remmele
- Additional Referral(s): Urban Design Commission, Downtown Coordinating Committee
- A motion was made by Ald. Verveer, seconded by Ald. Rummel, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**
18. [07785](#) Creating Section 28.10(3)(c)14. of the Madison General Ordinances to add certain servicing, distribution, and wholesaling establishments as permitted uses in the SM District.
- Sponsors:** Paul E. Skidmore
- A motion was made by Ald. Verveer, seconded by Ald. Rummel, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-07-00182
19. [07905](#) Creating Section 28.10(4)(d)32. of the Madison General Ordinances to make hotels a conditional use in the M1 District.
- Sponsors:** Judy Compton
- 1 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Verveer, seconded by Ald. Rummel, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-07-00183
20. [07911](#) Amending Sections 28.08(6)(f) and (7)(f) of the Madison General Ordinances to remove yard requirements for colleges and universities.
- Sponsors:** Eli Judge
- A motion was made by Ald. Verveer, seconded by Ald. Rummel, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: ORD-07-00184

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: 28, 39, & 77 on a motion made by Ald. Verveer, seconded by Ald. Kerr.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

21. [08337](#) Alcohol License Review Committee Report of Operator License Applications, 11-28-2007. See attached report for list of operators.

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

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

22. [07476](#) Amending Section 10.28(1) of the Madison General Ordinances to clarify the obligation of property owners to remove snow or ice accumulation from sidewalks by noon on the day following the accumulation; amending Section 10.28(2) regarding the retention and reporting of snow or ice removal expenses; and amending Section 10.28(3) to reflect a statutory renumbering.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-07-00185

23. [07590](#) Creating new Section 34.04(8) to set licensing fees for burn permits; renumbering current Sections 34.04(8) through (11) to Sections 34.04(9) through (12), respectively; amending Sections 34.28(2)(c) and 34.32(2) of the Madison General Ordinances to increase license fees.

Sponsors: Paul E. Skidmore

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

Enactment No: ORD-07-00186

REPORT OF BOARD OF ESTIMATES

24. [07848](#) Resolution that the vacant position #3877 of Overture Center Associate Director - Programming and Development in Compensation Group 18, Range15, in the permanent salary detail of the Overture Center budget is repealed and recreated as a position of Overture Center Programming Manager in Compensation Group18, Range13, thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-07-01129

25. [07850](#) Resolution that the vacant position #1091 of Engineering Program Specialist 2 in Compensation Group 16, Range 19, in the permanent salary detail of the Engineering Development budget is repealed and recreated as a position of Accountant 2 in Compensation Group 18, Range 08, thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-07-01130

26. [07868](#) SUBSTITUTE - Resolution that the position (#727) of Chief Assessor in Compensation Group 18, Range 15, (occupied by M. Kurth) in the permanent salary detail of the Assessor's Office budget is repealed and recreated as a position of Assistant City Assessor - Commercial in Compensation Group 18, Range 13; ~~and that the position (#709) of Revenue Administrative Coordinator in Compensation Group 18, Range 04 (occupied by S. Sweeney) in said budget is repealed and recreated as an Assessment Services Supervisor in Compensation Group 18, Range 08, thereof.~~ Be it further resolved that the incumbents shall be reallocated to said positions and that M. Kurth shall be red-circled.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-07-01131

27. [07872](#) That the vacant position (#1869) of Water Utility Financial 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 Public Information Officer in Compensation Group 18, Range 08, thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-07-01132

28. [07888](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the class of Water Utility Public Information Officer in Compensation Group 18, Range 08, thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-07-00187

29. [07895](#) SUBSTITUTE - Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classes of Assistant City Assessor - Commercial in Compensation Group 18, Range 13 and Assistant City Assessor - Residential in Compensation Group 18, Range 12.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-07-00188

30. [07896](#) Amending Section 3.54 (1)(b) of the Madison General Ordinances by creating the class of Overture Center Programming Manager in Compensation Group 18, Range 13 , thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-07-00189

31. [07898](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the class of Overture Center Promotions and Publications Coordinator in Compensation Group 18, Range 06, thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-07-00190

32. [07914](#) Creating Section 4.22(10) of the Madison General Ordinances to permit the Common Council to authorize the expenditure of funds from the Trust Fund Accounts for improvements in the Allied Drive Area.

Sponsors: David J. Cieslewicz

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

33. [07932](#) Amending the title of Chapter 35 of the Madison General Ordinances to remove the reference to "drainage", amending Sections 35.02(7) and 35.025(4) of the Madison General Ordinances to establish 2008 Sewer Utility Rates (including Landfill Remediation Fees) effective January 1, 2008, and amending Section 37.05(4) of the Madison General Ordinances to establish 2008 rates for the Public Stormwater System.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-07-00191

34. [08027](#) Authorizing the Mayor and Clerk to execute a contract to purchase a iStan human patient simulator from Medical Education Technologies, Inc.

Sponsors: Paul E. Skidmore and Lauren Cnare

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

Enactment No: RES-07-01133

35. [08034](#) Approving the provision of \$120,000 of CDBG dollars for improvement projects in the South West area neighborhoods as a way to implement a portion of the South West Neighborhood Plan and in a manner that will address City Community and Neighborhood Development Objectives.

Sponsors: Thuy Pham-Remmele and Marsha A. Rummel

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

Enactment No: RES-07-01134

36. [08157](#) Authorizing the Mayor and City Clerk to enter into a contract with the University of Wisconsin's Applied Population Lab to develop a pilot for the Neighborhood Indicators Project.

Sponsors: David J. Cieslewicz, Michael E. Verveer and Tim Bruer

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

Enactment No: RES-07-01135

37. [08183](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a Project Safe Neighborhoods award from the State of Wisconsin, Office of Justice Assistance in the amount of \$56,726 and to utilize these funds toward anti-gang prevention and enforcement efforts.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-07-01136

38. [08184](#) Authorizing the billing of \$3,080 for costs associated with the 2007 Tree Inventory Project in TID #28 and amending the Parks 2007 Operating Budget as appropriate.

Sponsors: Michael E. Verveer

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

Enactment No: RES-07-01137

39. [08186](#) SUBSTITUTE - Appropriating \$185,605 from the Contingent Reserve, appropriating \$5,300,000 from the General Fund Balance and transferring within agency budgets to cover various unbudgeted departmental expenditures during 2007.

Sponsors: David J. Cieslewicz

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

Excused: 3 -

Paul E. Skidmore; Tim Bruer and Larry Palm

Ayes: 17 -

Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Brenda K. Konkel; Jed Sanborn; Michael E. Verveer and Lauren Cnare

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-07-01138

40. [08189](#) Amending the Library's 2007 Capital Budget by \$33,000 to accommodate increased costs for the Pinney Branch Improvements project.

Sponsors: Larry Palm

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

Excused: 3 -

Paul E. Skidmore; Tim Bruer and Larry Palm

Ayes: 17 -

Marsha A. Rummel; Zachariah Brandon; Eli Judge; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Brenda K. Konkel; Jed Sanborn; Michael E. Verveer; Robbie Webber and Lauren Cnare

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-07-01139

REPORT OF BOARD OF PARK COMMISSIONERS

41. [07277](#) Authorizing the Mayor and City Clerk to sign and execute a five (5) year Agreement with Madison F.C., Inc. for priority field scheduling at four (4) soccer fields at Reindahl Community Park in exchange for Madison F.C., Inc. maintaining said fields.

Sponsors: Michael Schumacher and Joseph R. Clausius

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

Enactment No: RES-07-01140

42. [07509](#) Accepting a donation of a parcel of land, from B & B Family Limited Partnership, for assemblage purposes to the Starkweather Creek Open Space located at 3614 Milwaukee Street.

Sponsors: Larry Palm

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

Enactment No: RES-07-01141

REPORT OF BOARD OF PUBLIC WORKS

43. [07314](#) Authorizing the acceptance of an Offer to Sell from Mark and Susan Klein, for a single unit residential income property located at 21 S. Orchard Street, and amending the 2008 Parks Division Capital Budget to add funding for Ed Klief Park expansion.

Sponsors: Julia S. Kerr

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

Enactment No: RES-07-01142

44. [07456](#) Authorizing the Common Council to accept ownership from Berkley Oaks Neighborhood Association of a decorative neighborhood garden to be located within the public right-of-way of Thackeray Road.

Sponsors: Satya V. Rhodes Conway

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

Enactment No: RES-07-01143

45. [07690](#) Authorizing the Common Council to accept ownership from Hiestand Neighborhood Association of a neighborhood entrance sign to be located within a public greenway at 402 Swanton Road.

Sponsors: Lauren Cnare

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

Enactment No: RES-07-01144

46. [07727](#) Awarding Public Works Contract No. 5982, State Street and Adjacent Streets Reconstruction Assessment District 2007.

Sponsors: Common Council By Request

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

Enactment No: RES-07-01145

47. [07767](#) Creating Section 20.08(7) of the Madison General Ordinances to establish the Felland Road Neighborhood Sanitary Sewer Improvement Impact Fee District.

Sponsors: Joseph R. Clausius

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

Enactment No: ORD-07-00192

48. [07795](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the reconstruction of Siggelkow Road from Marsh Road to Catalina Road related to Siggelkow Road Engineering Project No. 53W0324. (16TH AD)

Sponsors: Judy Compton

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

Enactment No: RES-07-01146

49. [07881](#) Authorizing the Mayor and City Clerk to enter into a contract for consulting services with Ayres Associates for design of the Wingra Dam Rehabilitation Project. (14th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01147

50. [07904](#) Awarding Public Works Contract No. 6110, Fire Administration Lighting Retrofit - 2007.

Sponsors: Common Council By Request

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

Enactment No: RES-07-01148

51. [07950](#) Improvements accepted for Water Main by Private Contract to serve: Troy Drive C.S.M. (18th AD).

Sponsors: Common Council By Request

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

Enactment No: RES-07-01149

52. [07951](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Tradewinds Business Centre (16th AD).

Sponsors: Common Council By Request

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

Enactment No: RES-07-01150

53. [08069](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Gettle Avenue Lift Station Rehabilitation, Contract No. 6153. (19th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-07-01151
54. [08072](#) Authorizing the Mayor and City Clerk to execute Addendum No. 1 to the Developer's Agreement for the 700 Block University Avenue (University Square) PUD, Contract No. 2072. (8th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-07-01152
55. [08127](#) Awarding Public Works Contract No. 5840, Wingra Park Shoreline and Dredging.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-07-01153
56. [08130](#) Awarding Public Works Contract No. 6111, Reroofing of Fire Stations 2 & 5.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-07-01154
57. [08134](#) Awarding Public Works Contract No. 6149, Fire Stations 3 & 9 Lighting Retrofit - 2008.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-07-01155

58. [08159](#) Approving plans and specifications for public improvements necessary for the project known as 611 N. Langdon Street PUD UW Hillel and authorizing construction to be undertaken by the Developer, Private Contract No. 2185. (8th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01156

59. [08160](#) Declaring the City of Madison's intention to exercise its police powers establishing the Siggelkow Road Reconstruction Assessment District -2008. (16th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01157

60. [08164](#) Improvements Accepted for Water Service Laterals by Private Contract to serve: 1802 Maplecrest Drive - Phase 2 -Hawks Landing Lot 53 (9th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01158

61. [08167](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Second Addition to Midtown Commons. (1st AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01159

62. [08168](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Blackhawk Church Town Center Plat - Phase 1. (9th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01160

63. [08170](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Blackhawk Church Town Center Plat - Phase 2. (9th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-01161

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

64. [07630](#) SUBSTITUTE - Amending and repealing various sections of the Madison General Ordinances to correct inconsistencies and improper references in the Madison General Ordinances, constituting the 2007 City Attorney Reviser's Ordinance.

Sponsors: Common Council By Request

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

Enactment No: ORD-07-00193

REPORT OF MADISON ELECTION ADVISORY COMMITTEE

65. [05155](#) Annual Report to the Common Council, Mayor, and City Clerk.

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

REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

66. [07857](#) Authorizing the Traffic Engineering Division to accept a grant for \$113,600 from the Wisconsin Department of Transportation to maintain and expand a safety education program and authorizing the Mayor and City Clerk to enter into the grant contract.

Sponsors: Robbie Webber

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

Enactment No: RES-07-01162

REPORT OF PLAN COMMISSION

67. [08149](#) Approving Certified Survey Map of the James J. & Susan A. Bakke properties located at 1015 Hillside Avenue and 6001 North Highland Avenue. 19th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-07-01163

REPORT OF RISK MANAGER

68. [07076](#) Selective Insurance for V. Wagner, 100 Creek Edge Ct., Waunakee - personal injury - \$744.80.

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

69. [07308](#) A. Schmitt, 115 Wildwood Dr., Columbus - personal injury - \$4,411.00.

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

70. [07638](#) L. Rusch, 1216 Jenifer St., Madison - property damage - \$132.18.

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

71. [07816](#) Marie Dickson, ICM Insurance Company for T. Adams, 2522 Frazier Ave., Madison - vehicle damage - \$1,197.27.

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

72. [07823](#) S. Kefer, 3015 Elm Ln., Middleton - vehicle damage - \$474.33.

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

REPORT OF VENDING OVERSIGHT COMMITTEE

73. [07360](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to include locally produced media as handcrafted goods, to allow some resin furniture in sidewalk cafes and to allow temporary changes to sidewalk café and merchant vending site layouts for accessibility.

Sponsors: Michael E. Verveer

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

Excused: 3 -

Paul E. Skidmore; Tim Bruer and Larry Palm

Ayes: 16 -

Zachariah Brandon; Eli Judge; Brian L. Solomon; Satya V. Rhodes Conway; Julia S. Kerr; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Brenda K. Konkel; Jed Sanborn; Michael E. Verveer; Lauren Cnare; Robbie Webber and Marsha A. Rummel

Abstentions: 1 -

Tim Gruber

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-07-01164

74. [07374](#) Repealing Section 9.13(6)(l)2.b. of the Madison General Ordinances to remove the prohibition of the use of generators to run equipment at vending sites located in the 700 and 800 blocks of the State Street Mall.

Sponsors: Michael E. Verveer

A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Rerefer to the VENDING OVERSIGHT COMMITTEE. The motion passed by voice vote/other.

75. [07569](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to allow the Vending Coordinator to grant a variance to a Mall/Concourse vendor to allow a vending cart with a size up to 10% larger than the current maximum of 56 square feet.

Sponsors: Michael E. Verveer

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

Enactment No: RES-07-01165

REFERRED TO THIS MEETING

APPOINTMENTS

76. [08187](#) Report of the Mayor submitting citizen committee appointments (introduced 11-20-2007; action 12-4-2007).

Sponsors: David J. Cieslewicz

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

ORDINANCES

77. [08071](#) Amending Chapter 2 of the Madison General ordinances to clarify and modify a number of the Standing Rules of the Common Council.

Sponsors: Michael E. Verveer, Tim Bruer, Brenda K. Konkel, Satya V. Rhodes Conway, Robbie Webber, Judy Compton, Michael Schumacher and Joseph R. Clausius

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

Enactment No: ORD-07-00194

REPORTS

78. [07862](#) Report of Police Chief re: 3rd Quarter 2007 Overtime

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

RESOLUTIONS

79. [07765](#) Authorizing the Mayor and City Clerk to execute an Employment Agreement between the City of Madison and Laura Cornell, Monona Terrace Sales Manager.

Sponsors: Michael E. Verveer

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

Enactment No: RES-07-01166

- 80. [08036](#) Accepting the 2007 Annual Report of the Inclusionary Zoning Advisory Oversight Committee.

Sponsors: Lauren Cnare and Brenda K. Konkel

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

Enactment No: RES-07-01167

- 81. [08161](#) Establishing the dates of Common Council Meetings for 2008.

Sponsors: Michael E. Verveer, Tim Bruer, Brenda K. Konkel, Satya V. Rhodes Conway, Robbie Webber, Judy Compton, Michael Schumacher and Joseph R. Clausius

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

Enactment No: RES-07-01168

NEW BUSINESS - A motion to Refer was made by Ald. Verveer, seconded by Ald. Kerr.

ORDINANCES

- 82. [08300](#) Creating Section 28.06(2)(a)3334. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Relocated House From North Butler Street; 2nd Aldermanic District: 520 East Johnson Street.

Sponsors: Department of Planning and Community and Economic Development
Due back at the 1/22/08 Common Council Meeting.

This Ordinance was Refer For Public Hearing to the PLAN COMMISSION, due back on 1/22/2008

RESOLUTIONS

- 83. [07777](#) Authorizing the Mayor and City Clerk to Execute Amendment 2 to the Professional Services Agreement with EMA, Inc. to Defer Task 2, Leadership Development to March and April 2008.

Sponsors: Lauren Cnare

This Resolution was Refer to the WATER UTILITY BOARD

84. [08211](#) Relating to 2007-2008 Badger Bus Lines, Inc. Taxicab Operator License Application.

Sponsors: Jed Sanborn

This Resolution was Refer to the TRANSIT AND PARKING COMMISSION

85. [08212](#) Recognizing the honorary position of Madison Poet Laureate.

Sponsors: David J. Cieslewicz, Tim Gruber and Marsha A. Rummel

This Resolution was Refer to the MADISON ARTS COMMISSION

86. [08219](#) Authorizing the Mayor and the City Clerk to enter into a contract, not to exceed \$10,000, with artist Melanie A. Kehoss, for all expenses related to the design, creation and implementation of a Public Art Work for the Cypress Spray Park.

Sponsors: Tim Gruber

This Resolution was Refer to the MADISON ARTS COMMISSION

87. [08223](#) Supporting continued assessment of virus presence and potential virus pathways to deep municipal wells.

Sponsors: Lauren Cnare

This Resolution was Refer to the WATER UTILITY BOARD

88. [08316](#) Authorizing hiring of New Economy Strategies for consultation services to develop and implement a marketing plan for Southeast Madison Business Centers and the Wisconsin BioAg Gateway.

Sponsors: Judy Compton and Zachariah Brandon

Additional Referral(s): Economic Development Commission

This Resolution was Refer to the BOARD OF ESTIMATES

89. [08318](#) Authorizing the carry-over of CDBG, HOME and other funds, and the extension of previously authorized projects within the Community Development program budget.

Sponsors: Marsha A. Rummel, Thuy Pham-Remmele and Tim Bruer

Due back at the 1/8/08 Common Council Meeting.

This Resolution was Refer to the BOARD OF ESTIMATES, due back on 1/8/2008

90. [08323](#) Authorizing the Mayor and the City Clerk to execute agreements with the City of Middleton, the Town of Madison, the City of Fitchburg, the Board of Regents of the University of Wisconsin-Madison (for both campus and Kohl Center service), Madison Area Technical College, Madison Metropolitan School District and the City of Verona for provision of transit service benefiting these partner municipalities, institutions and organizations starting January 1, 2008 and continuing until written notice of termination or amendment by either party.

Sponsors: Jed Sanborn

Additional Referral(s): Board of Estimates

This Resolution was Refer to the BOARD OF ESTIMATES

91. [08326](#) Authorizing a lease with the Sands Revocable Trust for the use of a portion of the City's East Rail Corridor property adjacent to the Sands property located at 202-212 South Baldwin Street.

Sponsors: Marsha A. Rummel

Additional Referral(s): Plan Commission

This Resolution was Refer to the BOARD OF ESTIMATES

92. [08328](#) Authorizing the Common Council to accept ownership from Eken Park Neighborhood Association of a public picnic table to be located within a public greenway at 702 McCormick Avenue.

Sponsors: Larry Palm

Additional Referral(s): Plan Commission

This Resolution was Refer to the BOARD OF PUBLIC WORKS

93. [08341](#) Determining a Public Purpose and Necessity and adopting Transportation Project Plat No. 5992-06-32-4.01 - Relocation Order USH 151 - East Washington Avenue City of Madison (Marquette Street-Carpenter Street) for the acquisition of Plat of Land Interests required for the East Washington Avenue - Segment 4 Reconstruction-Engineering Project No. 53B0204 and Authorizing the Mayor and City Clerk to execute an Agreement with the State of Wisconsin Department of Transportation to cooperatively acquire the necessary real estate interests to perform the improvements for East Washington Avenue Segment 4, WDOT Right-of-Way Transportation Project Plat No. 5992-06-32-4.01.

Sponsors: Joseph R. Clausius and Larry Palm

Additional Referral(s): Plan Commission, Pedestrian Bicycle Motor Vehicle Commission

This Resolution was Refer to the BOARD OF PUBLIC WORKS

LICENSES

94. [08334](#) Public Hearing - New License
Jus LLC • dba: Millpond Gas Station
6410 Millpond Rd. • Agent: Jaspalinder Singh Chahal
Class A Liquor & Class A Beer
Aldermanic District 16 (Compton) • Police Sector 621
Due back at the 1/8/08 Common Council Meeting.
- This License was Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 1/8/2008**
95. [08335](#) Public Hearing - New License
Gretisman Investments LLC • dba: Plan B • 66.13% alcohol, 33.87% food
301 S Blount St • Agent: Corey Gresen • Estimated Capacity: 299
Class B Combination Liquor & Beer
Aldermanic District 6 (Rummel) • Police Sector 408
Due back at the 1/8/08 Common Council Meeting.
- This License was Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 1/8/2008**

CLAIMS - REFER TO RISK MANAGER

96. [08217](#) K. Johnson, 2730 Chamberlain Ave., Madison - vehicle damage - \$1,670.00.
97. [08218](#) K. Birks-Pace, Erie Insurance, P.O. Box 867, Waukesha - property damage - \$1,706.00.
98. [08220](#) M. Willett, 616 S. Mills St., Madison - vehicle damage - \$1,188.47.
99. [08221](#) Meriter Hospital Inc., Drawer 915, Milwaukee - reimbursement - \$1,201.00.
100. [08302](#) M. Lyon - property damage - \$76.85.
101. [08329](#) G. and S. Hollman, 5760 Bittersweet Pl., Madison - property damage - \$316.00.
102. [08330](#) A. McGuire, Afni Insurance Services, for J. and L. Butcher, 5154 Loruth Ter., Madison - property damage - \$6,000.00.

****ADDENDUM******REPORT OF OFFICER****REPORT OF COMMISSION ON PEOPLE WITH DISABILITIES**

103. [06963](#) Amending Sec. 39.04(2) of the Madison General Ordinances to modify the composition of the Commission on People With Disabilities.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-07-00195

REPORT OF CITY CLERK

104. [08366](#) Report of City Clerk dated December 3, 2007 re: Election Official Appointments.

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

BUSINESS BY THE MAYOR

105. [08259](#) Authorizing public depositories and naming persons with authority to transfer funds.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-07-01169

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

106. [08380](#) SUBSTITUTE - Authorizing the Mayor and the City Clerk to execute a Cooperation and Development Agreement with the CDA for the Redevelopment of the Allied Drive Neighborhood.

Sponsors: David J. Cieslewicz and Brian L. Solomon

Additional Referral(s): Housing Committee, Community Development Block Grant Commission, Plan Commission, Allied Area Task Force, Community Development Authority

A motion was made by Ald. Gruber, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

ADJOURNMENT

A motion was made by Ald. Verveer, seconded by Ald. Kerr, to Adjourn at 7:55 p.m. The motion passed by voice vote/other.

I certify that the foregoing action of the Common Council was approved by the Mayor on December 5, 2007.

Ordinances published December 20, 2007.

MARIBETH WITZEL-BEHL, CITY CLERK