



# City of Madison

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

## Proceedings - Approved COMMON COUNCIL

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Tuesday, September 1, 2009

6:30 PM

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

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### CALL TO ORDER

**Call to Order at 6:40 p.m., Mayor Cieslewicz in the Chair.**

**Present:** 20 - David J. Cieslewicz  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear

**Absent:** 1 - Thuy Pham-Remmele

### OPENING REMARKS

### SUSPENSION OF RULES

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Suspend the Rules . The motion passed by voice vote/other.**

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.

- 1. Recognizing the City of Madison's Fleet Service for years of service and achieving Automotive Service Excellence (ASE) Blue Seal status.

**Sponsors:** Common Council By Request and David J. Cieslewicz

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

Enactment No: RES-09-00725

Roll Call

**Present:** 21 - David J. Cieslewicz  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele

- 2. [15716](#) Recognizing October as Italian-American Heritage Month and October 12, 2009 as Christopher Columbus Day.

**Sponsors:** Tim Bruer, Bridget R. Maniaci and Joseph R. Clausius

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

Enactment No: RES-09-00726

3. [15721](#) Recognizing the 30th Anniversary of the Bascom Hill Pink Flamingo prank and proclaiming the plastic pink flamingo the official “bird” of Madison, Wisconsin, in honor of the anniversary.

**Sponsors:** Marsha A. Rummel

**A motion was made by Ald. Rummel, seconded by Ald. Clear, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by the following vote:**

**Ayes:** 15 - Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear

**Noes:** 4 - Bridget R. Maniaci  
Paul E. Skidmore  
Judy Compton  
Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-09-00727

**HONORING RESOLUTIONS**

**PETITIONS AND COMMUNICATIONS**

**PETITIONS**

4. [15559](#) Petition dated July 27, 2009 from Sugar Land, LLC and James C. Bourne re: direct attachment from the Town of Middleton to the City of Madison.

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Refer to a future Meeting to Accept to the COMMON COUNCIL and should be returned by 9/15/2009. The motion passed by voice vote/other.**

**EARLY PUBLIC COMMENT**

**SPECIAL ORDER OF BUSINESS AT 6:45 PM**

**PRESENTATION OF CONSENT AGENDA**

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT:

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

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

**REPORT OF PLAN COMMISSION**

- 5. [15122](#) Creating Section 28.06(2)(a)3441. 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: Construct 2 Residential Buildings with a Total of 88 Apartment Units; 1st Aldermanic District: 8101 & 8119 Mayo Drive.

**Sponsors:** Common Council By Request

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

Enactment No: ORD-09-00127

- 6. [15123](#) Creating Section 28.06(2)(a)3442. of the Madison General Ordinances rezoning property from A Agriculture District to RPSM Research Park - Specialized Manufacturing District. Proposed Use: 9 Retail/Office Lots & 1 Outlot, Building Demolition & Site Master Plan; 9th Aldermanic District: 9414 Silicon Prairie Parkway.

**Sponsors:** Common Council By Request

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

- 7. [15387](#) Creating Section 28.06(2)(a)3443. 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. Proposed Use: Amend GDP for Lots 1 & 2 of MetroTech to Accommodate Future Fire Station; 3rd Aldermanic District: 6322 Town Center Drive.

**Sponsors:** Common Council By Request

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

Enactment No: ORD-09-00128

- 8. [15390](#) Creating Section 28.06(2)(a)3444. of the Madison General Ordinances rezoning property from Temp A Agriculture to C Conservancy District. Proposed Use: Provide City zoning for addition to Cherokee Marsh Conservation Park; 18th Aldermanic District: 1302 Wheeler Road.

**Sponsors:** Common Council By Request

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

Enactment No: ORD-09-00129

**END OF PUBLIC HEARINGS**

**BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL**

**BUSINESS PRESENTED BY THE MAYOR**

- 10. [15724](#) Report of the Mayor submitting citizen committee appointments (introduced 9-1-2009; action 9-15-2009)

**Sponsors:** David J. Cieslewicz

Approve Joe Alexander appointment 9-1-2009.

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 9/15/2009, with the immediate approval of the Joe Alexander appointment. The motion passed by the following vote:**

**Ayes:** 20 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele  
Jed Sanborn

**Non Voting:** 1 - David J. Cieslewicz

11. [15523](#) Report of the Mayor submitting citizen committee appointments (introduced 8-4-2009; action 9-1-2009).

**Sponsors:** David J. Cieslewicz

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

12. [15733](#) Honoring City of Madison Centenarians.

**Sponsors:** Tim Bruer and David J. Cieslewicz

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

Enactment No: RES-09-00728

**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

13. [15728](#) Alcohol License Review Committee Report of Operator License Applications/Renewals 8-19-09. See attached report for list of operators.

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

**REPORT OF BOARD OF ESTIMATES**

14. [15151](#) SUBSTITUTE - Authorizing the City to accept Emergency Shelter Grant (ESG), Transitional Housing Program (THP), Homeless Prevention Program (HPP), and Interest Bearing Real Estate Trust Account (IBRETA) fund allocation from the State of Wisconsin, and authorize the Mayor and the City Clerk to enter into a grant agreement with the State and sign agreements with partner Homeless Services Consortium agencies with these funds to implement projects.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt As Substituted . The motion passed by voice vote/other.**

Enactment No: RES-09-00724

15. [15345](#) To authorize the Mayor and City Clerk to enter into a Use Agreement with the YMCA of Dane County, Inc. for the YMCA's non-exclusive use of Elver Park for a summer day camp in 2009 with the possibility of two,1-year renewals.

**Sponsors:** Jed Sanborn, Paul E. Skidmore and Joseph R. Clausius

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

Enactment No: RES-09-00729

16. [15448](#) Authorizing a multi-year contract with Xiocom Wireless, Inc., d/b/a MadCity Broadband, for wireless mesh network services.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-09-00731

17. [15466](#) Implementing a Plastic Bag Recycling Program and amending the 2009 Operating Budget to provide related funding.

**Sponsors:** Judy Compton and Brian L. Solomon

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

**Ayes:** 20 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele  
Jed Sanborn

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-09-00732

18. [15476](#)

SUBSTITUTE - Amending the 2009 Capital Budget to authorize a TIF Loan in the amount of \$300,000 to Danisco USA, Inc. in Tax Incremental District (TID) No. 39 (Stoughton Road) and authorizing the Mayor and City Clerk to execute a development agreement to fund the TIF Loan in the amount of \$300,000 to Danisco USA, Inc. to assist in the expansion of its existing facilities in Tax Incremental District No. 39 (Stoughton Road). ~~BY TITLE- ONLY.~~

**Sponsors:** Judy Compton

**A motion was made by Ald. Compton, seconded by Ald. Cnare, to Adopt . The motion failed by the following vote:**

**Ayes:** 7 - Lauren Cnare  
Steve King  
Brian L. Solomon  
Larry Palm  
Judy Compton  
Thuy Pham-Remmele  
Bridget R. Maniaci



**Noes:** 13 - Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Bryon A. Eagon  
Paul E. Skidmore  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Jed Sanborn

**Non Voting:** 1 - David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Place On File .  
The motion passed by the following vote:**

**Ayes:** 19 - Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare

**Noes:** 1 - Judy Compton

**Non Voting:** 1 - David J. Cieslewicz

Recess

**A motion was made by Ald. Kerr, seconded by Ald. Solomon, to Take A  
Recess. The motion passed by voice vote/other.**

Reconvene

19. [15540](#) Authorizing Common Council to accept and adopt the Burr Oaks Neighborhood Senior Housing Plan.  
**Sponsors:** Tim Bruer  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-09-00733
20. [15542](#) Approving and amending Project Plan and Boundary for the Tax Incremental District (TID) #39 (Stoughton Rd.).  
**Sponsors:** Judy Compton  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-09-00734
21. [15544](#) Creating Tax Incremental Finance (TIF) District #40 (Northside Madison) City of Madison and approving a Project Plan and Boundary for said TIF District.  
**Sponsors:** Satya V. Rhodes-Conway, Michael Schumacher, Joseph R. Clausius and Larry Palm  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**  
Enactment No: RES-09-00735
22. [15553](#) Report of Police Chief re: 2nd Quarter 2009 Overtime.  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Accept . The motion passed by voice vote/other.**
23. [15558](#) SUBSTITUTE - Amending Enactments No. RES 07-01134 and No. RES 08-00818 concerning the allocation of CDBG funds for improvements in the South West Neighborhoods, and amending the 2009 Parks Division Capital Budget.  
**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt - 15 Votes Required. The motion passed by the following vote:**

**Ayes:** 20 - Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-09-00736

24. [15560](#) Approving \$180,800 in Federal HOME funds to provide additional down payment assistance to qualified homebuyers through Movin' Out, Inc.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-09-00737

25. [15474](#) To amend the 2009 Parks Division Capital Budget to include reimbursement from the insurance fund for the replacement of playground equipment at Sauk Heights Park destroyed by a fire. (9th AD)

**Sponsors:** Paul E. Skidmore and Joseph R. Clausius

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt - 15 Votes Required. The motion passed by the following vote:**

- Ayes:** 20 - Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Thuy Pham-Remmele  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-09-00738

**REPORT OF BOARD OF PUBLIC WORKS**

26. [15225](#) Creating Section 10.31(3)(g) of the Madison General Ordinances to add an exemption from the annual fee for some architectural features on Madison Landmark Buildings.

**Sponsors:** Michael E. Verveer, Marsha A. Rummel and Shiva Bidar-Sielaff

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt with a technical change made by the City Attorney. The motion passed by voice vote/other.**

Enactment No: ORD-09-00131

29. [15515](#) Assessing Benefits - American Parkway Street Assessment District - 2008. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00741

30. [15516](#) Assessing Benefits - Sanitary Sewer Replacement with Resurfacing - East Gorham Street 2008.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-09-00742
31. [15517](#) Awarding Public Works Contract No. 6354, East Streets Lighting Retrofit 2009.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-09-00743
32. [15520](#) Assessing Benefits - East Main Street and North Dickinson Street Reconstruction Assessment District - 2008.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-09-00744
33. [15525](#) Improvements accepted for 2006 Resurfacing Various Streets; Asphalt Paving, & Asphalt Base Patching & Base Patch Grinding, Contract No. 5906. (Various ADs)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-09-00745
34. [15538](#) Assessing Benefits - Lake Mendota Drive (5300 Block) Assessable Sewer Relocation.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**  
Enactment No: RES-09-00746

35. [15554](#) Authorizing the Mayor and City Clerk to enter into an agreement with Pierce Engineers, Inc. for design services for the Eastlawn Plat Bike / Pedestrian Bridge. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00747

37. [15566](#) Assessing Benefits - Kendall Avenue, Chestnut Street, and Walnut Street Reconstruction Assessment District - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00749

38. [15567](#) Assessing Benefits - Riverside Drive and Yahara Place Reconstruction Assessment District - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00750

39. [15568](#) Improvements accepted for Sanitary Sewer Replacement with Resurfacing East Assessment District - 2008, Contract No. 6150.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00751

40. [15577](#) Approving plans and specifications for public improvements necessary for the project known as Truax (Wright Street) Sewer and Water Relocation and authorizing construction to be undertaken by the Developer, Private Contract No. 2234, and rescinding RES-09-00663, ID No. 15249. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00752

- 41. [15589](#) Assessing Benefits - Jenifer and Livingston Street Reconstruction Assessment District - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00753

- 42. [15590](#) Assessing Benefits - TANCHOC/CIC Phase 2 Assessment District - 2005.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00754

- 43. [15591](#) Assessing Benefits - Center for Industry & Commerce Assessment District - 2007.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00755

- 44. [15592](#) Assessing Benefits - TANCHOC/CIC Phase I Assessment District.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00756

- 45. [15593](#) Awarding Public Works Contract No. 6167, Elderberry Neighborhood Sewer Interceptor Extension.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00757

46. [15595](#) Awarding Public Works Contract No. 6312, Proudfit Street Improvements Assessment District - 2009.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00758

47. [15596](#) Awarding Public Works Contract No. 6329, Lower Badger Mill Creek Lift Station, Force Main & Sanitary Sewer.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00759

48. [15597](#) Awarding Public Works Contract No. 6363, Veterans Memorial Park Plaza.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00760

49. [15598](#) Awarding Public Works Contract No. 6391, Woodley Lane Force Main Replacement.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00761

50. [15623](#) Improvements Accepted for Water Service Laterals by Private Contract to serve Hawks Woods Condominiums (1st AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00762



51. [15636](#) Assessing Benefits - Sanitary Sewer Replacement with Resurfacing Central Assessment District - 2008. (4th & 8th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00763

52. [15641](#) Assessing Benefits - Troy Drive Sidewalk Assessment District - 2009.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00764

53. [15652](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Capital Square North Parking Ramp, Stair Tower Window Replacement, Contract No. 6397. (2nd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00765

54. [15653](#) Assessing Benefits - Sanitary Sewer Replacement with Resurfacing East Assessment District - 2008, Contract No. 6150. (12th & 15th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00766

55. [15654](#) Authorizing the Mayor and City Clerk to enter into an agreement with Royal Oak Engineering, Inc. for surveying services for 2010 Group B street and sewer reconstruction projects. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00767

- 56. [15655](#) Authorizing the Mayor and City Clerk to enter into an agreement with Burse Surveying & Engineering, Inc. for surveying services for 2010 Group C street and sewer reconstruction projects. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00768

- 57. [15656](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for demoliton of buildings located at 2347 & 2349 Allied Drive. (10th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt. The motion passed by the following vote:**

- Ayes:** 19 - Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Mark Clear  
Thuy Pham-Remmele  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff

**Abstentions:** 1 - Michael Schumacher

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-09-00769

- 58. [15657](#) Assessing Benefits - Monroe Street, Little Street, N. Randall Avenue & Randall Court Reconstruction Assessment District - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00770

- 59. [15658](#) Assessing Benefits - Rugby Row, Vista Road and Eton Ridge Reconstruction Assessment District - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00771

- 60. [15659](#) Assessing Benefits - State St. & Adjacent Streets Reconstruction Assessment District (2007 Construction).

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00772

- 61. [15660](#) Assessing Benefits - Siggelkow Road Reconstruction Assessment District - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00773

- 62. [15661](#) Assessing Benefits - Siggelkow Road Reconstruction Assessment District 2 - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00774

- 63. [15662](#) Assessing Benefits - West Mifflin Street & North Pinckney Street Vault Assessment District - 2009.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00775

64. [15663](#) Assessing Benefits - South Sprecher Road Assessment District - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00776

65. [15664](#) Assessing Benefits - Sherman Avenue Resurfacing Assessment District - 2008.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00777

67. [15668](#) Approving plans and specifications for public improvements necessary for the project known as 2 S. Bedford PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2232. (4th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00778

68. [15669](#) Authorizing the Mayor and City Clerk to enter into an agreement with the State of Wisconsin Department of Transportation for state review services for preliminary engineering for University Avenue from Allen Boulevard to Segoe Road. (11th & 19th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00779

- 66. [15667](#) Approving revised plans for the project known as 1501 Monroe Street and authorizing construction to be undertaken by the Developer, Private Contract No. 2192. (13th AD adjacent to 5th & 10th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

- 69. [15671](#) Improvements accepted for Owen Park Retention Ponds, Contract No. 6057.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00780

- 70. [15677](#) Approving Addendum No. 1 to the Subdivision Contract for Eastlawn - Phase I, Contract No. 2210. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00781

**REPORT OF SOLID WASTE ADVISORY COMMITTEE**

- 80. [12086](#) THIRD SUBSTITUTE - Creating Section 10.185 and amending Section 1.08(3)(a) of the Madison General Ordinances to require recycling of construction and demolition site waste.

**Sponsors:** Satya V. Rhodes-Conway and Larry Palm

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

Enactment No: ORD-09-00133

**REPORT OF HOUSING COMMITTEE**

72. [15199](#) Amending Section 32.05(1)(e) of the Madison General Ordinances to require landlords to provide tenants with more specific information as to when they will be entering a tenant's leased premise to show the property for sale or lease.

**Sponsors:** Bridget R. Maniaci and Michael Schumacher

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Rerefer to the HOUSING COMMITTEE. The motion passed by voice vote/other.**

#### REPORT OF PLAN COMMISSION

27. [15436](#) Authorizing the Common Council to accept ownership from Leopold Neighborhood Association of two neighborhood entrance signs with landscaping to be located in the Cannonball Bike Path corridor at the West Beltline Highway frontage road and at the Post Road intersections.

**Sponsors:** Tim Bruer

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

Enactment No: RES-09-00739

28. [15453](#) Authorizing the Common Council to accept ownership from Northside Business Association of up to twelve decorative banners to be located on City light poles within the public right-of-way at Northport Drive, North Sherman Avenue, and Packers Avenue.

**Sponsors:** Satya V. Rhodes-Conway and Michael Schumacher

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

Enactment No: RES-09-00740

74. [15502](#) Approving a Certified Survey Map of the Mark Tyler Wood property located at 1421 MacArthur Road. 17th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-09-00782

73. [15260](#) Adopting the Midvale-Westmorland Neighborhood Plan and recommendations contained therein as a supplement to the City's adopted Comprehensive Plan. Ald. Districts 11 & 20.

**Sponsors:** David J. Cieslewicz and Chris Schmidt

**A motion was made by Ald. Bruer, seconded by Ald. Schmidt, to Adopt . The motion passed by the following vote:**

- Ayes:** 19 - Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Judy Compton  
Joseph R. Clausius  
Michael Schumacher  
Mark Clear  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel

**Noes:** 1 - Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-09-00789

9. [15524](#) Amending Section 28.09(5)(f)1. of the Madison General Ordinances to modify height restrictions of buildings in C4 zoning districts located in City-owned parks when approved as a conditional use.

**Sponsors:** Michael E. Verveer

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

Enactment No: ORD-09-00130

36. [15555](#) Determining a Public Purpose and Necessity and approving Transportation Project Plat No: 5992-08-21-4.01 for the acquisition of lands and interests required for the relocation and construction of Pleasant View Road from Valley View Road to Mineral Point Road, located in that part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , of Section 34, Town of Middleton, and part of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 34, City of Madison, all in Town 7 North, Range 8 East, Dane County, Wisconsin (9th AD) and; Determining a Public Purpose and Necessity and authorizing the Mayor and City Clerk to accept no cost Permanent Limited Easements for Public Street Purposes from the University of Wisconsin Regents as required for the relocation and construction of Pleasant View Road from Valley View Road to Mineral Point Road, located in that part of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  and part of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 22, Town 7 North, Range 8 East, City of Madison (formerly Town of Middleton), Dane County, Wisconsin (9th AD).

**Sponsors:** Paul E. Skidmore

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

Enactment No: RES-09-00787

75. [15647](#) Approving a Certified Survey Map of property owned by Cherokee Park, Inc. and the City of Madison generally located at 1302 Wheeler Road. 18th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-09-00783

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

76. [15689](#) Approving a Certified Survey Map of property owned by Olbrich Properties, LLC located at 3502 Sargent Street. 15th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-09-00784



77. [15690](#) Approving a Certified Survey Map of property owned by Metro-Tech, LLC located at 6302-6322 Town Center Drive. 3rd Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-09-00785

78. [15693](#) Approving a Certified Survey Map of property owned by Capitol Centre Housing Partners, LP and Capitol Centre Advisors, LLC located at 111 North Broom Street. 4th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-09-00786

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

71. [15503](#) Creating Section 34.34 of the Madison General Ordinances to enact a ban on the sale of novelty lighters.

**Sponsors:** David J. Cieslewicz, Paul E. Skidmore, Lauren Cnare and Brian L. Solomon

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

Enactment No: ORD-09-00132

#### **REPORT OF RISK MANAGER**

79. [15471](#) B. Berriochoa, 308 Turner St., Columbus, 53925 - property damage - \$2,545.19.

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

#### **REPORT OF TRANSIT/ PARKING COMMISSION**

81. [13868](#) Authorizing the Mayor and the City Clerk to enter into an Agreement with Trapeze Software Group, Inc. to accept, at no charge, the Trapeze Google Export product.

**Sponsors:** Brian L. Solomon, Chris Schmidt and Jed Sanborn

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

Enactment No: RES-09-00788

82. [15438](#) Authorizing the Mayor and City Clerk to amend the contract with Gillig Corporation for the manufacture and delivery of up to seventy-five (75) coaches and spare parts. Metro Transit is exercising our option under the contract to purchase fourteen (14) diesel-electric hybrid buses in the 2010 production order, at a cost not to exceed \$7,959,000. The cost will be covered by stimulus funding.

**Sponsors:** Jed Sanborn and Brian L. Solomon

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

Enactment No: RES-09-00730

## ITEMS REFERRED TO THIS MEETING

### INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

**A motion was made by Bruer, seconded by Verveer, to make the following referrals.**

### ORDINANCES

83. [15735](#) Amending Section 38.05(3)(f), creating new Sections 38.05(3)(g) and renumbering current Sections 38.05(3)(g) through (n) to Sections 38.05(3)(h) through (o), respectively, of the Madison General Ordinances to make mail notification mandatory for new or transferred retail alcohol beverage licenses and sidewalk cafes and providing that all Common Council members and neighborhood associations receive notice of ALRC meetings.

**Sponsors:** Marsha A. Rummel, Thuy Pham-Remmele, Chris Schmidt, Julia S. Kerr, Michael Schumacher, Satya V. Rhodes-Conway and Michael E. Verveer

**This Ordinance was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE**

- 84. [15736](#) Amending Section 10.32(7)(j) and creating Secs. 10.32(7)(n) and (o) of the Madison General Ordinances to add requirements for locating news boxes on State Street.

**Sponsors:** Michael E. Verveer

**This Ordinance was Referred to the Community and Economic Development Unit**

- 85. [15771](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of "Engineering Financial Officer" in Compensation Group 18, Range 10 and creating the classification of "Engineering Financial Manager" in Compensation Group 18, Range 12, thereof.

**Sponsors:** David J. Cieslewicz

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

- 86. [15773](#) Amending Section 38.05(3)(d) of the Madison General Ordinances to require the posting of signs for a change in licensed premises or the establishment of a sidewalk café.

**Sponsors:** Marsha A. Rummel, Shiva Bidar-Sielaff, Michael E. Verveer, Michael Schumacher and Julia S. Kerr

**This Ordinance was Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**

- 87. [15783](#) Creating New Section 33.24(15) and renumbering Current Section 33.24(15) to Section 33.24(16) to establish Urban Design District No. 8 and amending Section 33.24(11)(b) of the Madison General Ordinances to move properties from Urban Design District No. 4 to Urban Design District No. 8.

**Sponsors:** Marsha A. Rummel, Bridget R. Maniaci and Satya V. Rhodes-Conway

**This Ordinance was Referred to the URBAN DESIGN COMMISSION**

- 88. [15791](#) Creating Section 15.01(571) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 1st Aldermanic District the Sugar Land Attachment and amending Section 15.01(114) of the Madison General Ordinances to assign the attached property to Ward 114.

**Sponsors:** David J. Cieslewicz

Adopt 10-6-09

**This Ordinance was Referred to the COMMON COUNCIL**

89. [15792](#) Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit F pursuant to Sec. 66.0103, Wis. Stats. to revise the City's Zoning Ordinance.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Withdraw .  
The motion passed by voice vote/other.**

90. [15794](#) Amending Sections 38.10(4)(a) and (b) of the Madison General Ordinances to clarify the procedure for alcohol license suspension, revocation or nonrenewal.

**Sponsors:** David J. Cieslewicz, Michael Schumacher, Michael E. Verveer and Julia S. Kerr

**This Ordinance was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE**

91. [15795](#) Creating Section 28.06(2)(a)3449. of the Madison General Ordinances rezoning property from Temp A Agriculture District to RDC Research and Development Center District and creating Section 28.06(2)(a)3450. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District.

Proposed Use: Demolish House and Plat 31 Commercial Lots and 7 Outlots; 9th Aldermanic District: 8501 Mineral Point Road.

**Sponsors:** Common Council By Request

**This Ordinance was Referred to the PLAN COMMISSION due back on 10/20/2009**

92. [15806](#) Repealing Section 25.09(12) of the Madison General Ordinances to eliminate the sunset provision and make the Chronic Nuisance Premises ordinance permanent.

**Sponsors:** David J. Cieslewicz, Tim Bruer, Mark Clear, Judy Compton, Paul E. Skidmore, Thuy Pham-Remmele, Michael Schumacher, Jed Sanborn, Joseph R. Clausius, Steve King and Bridget R. Maniaci

**This Ordinance was Referred to the PUBLIC SAFETY REVIEW COMMITTEE**

## RESOLUTIONS

93. [15499](#) Approving the preliminary and final plats of Silicon Prairie Community Plat located at 9414 Silicon Prairie Parkway. 9th Ald. Dist.

**Sponsors:** Common Council By Request

**This Resolution was Referred to the PLAN COMMISSION**

94. [15708](#) Approve the authorization of a long-term deferred loan to Madison Association of the Deaf, Inc. (M.A.D.) for up to \$32,000 in CDBG funds to make accessibility, safety and energy efficiency improvements at their facility at 1109 Williamson St.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

**This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE**

95. [15710](#) Authorizing the provision of an additional \$108,000 in Federal HOME funds to assist Housing Initiatives, Inc. to acquire and rehabilitate rental housing.

**Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

96. [15718](#) Accepting a Sanitary Sewer Easement from the Donald G. and Juanita M. Hoepker Trust across property located at 4303 Hoepker Road.

**Sponsors:** Joseph R. Clausius

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

97. [15748](#) Recreating the Engineering Financial Officer position (18-10) in Engineering as an Engineering Financial Manager (18-12), and reallocating the incumbent to the new position.

**Sponsors:** David J. Cieslewicz

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

98. [15749](#) Reclassifying the existing position of Personnel Technician 2 (#859) in HR as an HR Analyst 1, and reallocating the incumbent to the new classification and pay range.

**Sponsors:** David J. Cieslewicz

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

99. [15756](#) Reclassifying the existing position of Program Assistant 2 (#868) in HR as an Administrative Assistant, and reallocating the incumbent to the new classification and pay range.

**Sponsors:** David J. Cieslewicz

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

100. [15757](#) Recreating an Administrative Clerk 1 position (#2545) in Police as a Program Assistant 1 and reallocating the incumbent to the new position.

**Sponsors:** David J. Cieslewicz

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

101. [15760](#) Amending the 2009 Fire Department Capital Budget by \$45,720.73 for the roof replacement at Station No.7 at 1810 McKenna Blvd. that is covered by the insurance fund.

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

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

102. [15774](#) Authorizing the execution of an Underground Utility Easement to Madison Gas and Electric Company across a portion of a City-owned Stormwater Utility parcel located at 5307 Lien Road.

**Sponsors:** Joseph R. Clausius

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

103. [15776](#) Authorizing the creation of a pilot Downtown Residential Exterior Lighting Enhancement Grant Program to provide one-time matching grants to residential property owners in targeted areas to enhance the exterior lighting around their properties.

**Sponsors:** Bryon A. Eagon, Michael E. Verveer, Shiva Bidar-Sielaff, Bridget R. Maniaci, Joseph R. Clausius and Marsha A. Rummel

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

- 104. [15778](#) SUBSTITU Authorizing the use of non-standard indemnification language in an Easement for Public Pedestrian and Bicycle Path purposes between the City and University Research Park, Incorporated.

Sponsors: David J. Cieslewicz

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

- 105. [15782](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and the International Asssocation of Firefighters, Local 311, for the period of January 1, 2010 through December 31, 2011.

Sponsors: David J. Cieslewicz

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

- 106. [15784](#) Authorizing the execution of a Utility Easement to Madison Gas and Electric Company for underground electrical service to serve a new Parks Division facility at 15 Van Deusen Street.

Sponsors: Julia S. Kerr

**This Resolution was Referred to the BOARD OF PARK COMMISSIONERS**

- 107. [15787](#) Authorizing the Mayor and City Clerk to execute the Third Addendum to Agreement between the City of Madison and Dane County for the Sale of Space in the City-County Building.

Sponsors: Marsha A. Rummel

**This Resolution was Referred to the CITY-COUNTY LIAISON COMMITTEE**

- 108. [15788](#) Authorizing the City of Madison's request to amend the Central Urban Service area to include the Chen property in the Cottage Grove Neighborhood.

Sponsors: Judy Compton

**This Resolution was Referred to the PLAN COMMISSION**

109. [15790](#) Approving the extension of a Section 17 loan to The Young Women's Christian Association of Madison, Wisconsin, Inc. and the assignment and assumption of various loan obligations thereunder to YWCA Madison Housing, LLC; authorizing the City's forgiveness of interest; and authorizing the Mayor and City Clerk to execute all documents as may be necessary to conclude this transaction.

**Sponsors:** Michael E. Verveer

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

110. [15793](#) Resolution authorizing the issuance of \$43,915,000 General Obligation Capital Improvement and Refunding Promissory Notes, Series 2009A, \$53,925,000 Taxable General Obligation Build America Bonds (Direct Pay) Promissory Notes, Series 2009B, and \$8,210,000 Taxable General Obligation Promissory Notes, Series 2009C, all of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefore.

**Sponsors:** David J. Cieslewicz

NOTE: The Board of Estimates will consider ID #15793 at their Sept. 15, 2009 special meeting. Recommendation will be made from the Council floor.

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

111. [15798](#) Authorizing the Mayor and City Clerk to enter into a four-year contract on behalf of the City with Prairie Land Towing for towing and vehicle storage services.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Withdraw . The motion passed by voice vote/other.**

112. [15799](#) Approving Settlement of Tax Refund Litigation with Walgreen Co. for Years 2005-2008, Authorizing Entry into Settlement Agreement, Approving payment of \$495,000 from City resources to effectuate the Settlement and amending the 2009 Operating Budget to reduce estimated general fund revenues by \$181,243 to recognize the City's share of Settlement Costs.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 9/15/2009. The motion passed by voice vote/other.**



113. [15804](#) Regarding the creation of a Complete Count Committee.

**Sponsors:** David J. Cieslewicz

**A motion was made to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 9/15/2009. The motion passed by voice vote/other.**

114. [15805](#) Establishing a voluntary rifle purchase program that would allow commissioned employees to voluntarily purchase department-approved rifles for on-duty use, utilize the department's bulk purchasing power to order the rifles, and establish a two (2) year repayment mechanism by which the cost of the rifle would be recovered through fifty-two (52) equal deductions taken from the employee's paycheck.

**Sponsors:** David J. Cieslewicz, Thuy Pham-Remmele, Michael Schumacher and Judy Compton

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

#### LICENSES

115. [15717](#) Public Hearing - New License  
AVRA LLC • dba Opa Cafe/Lounge • 20% alcohol, 80% food  
558 State St • Agent: Vasilis Kallias • Estimated Capacity: 60  
Class B Combination Liquor & Beer  
Aldermanic District 08 (Alder Eagon) • Police Sector 403 • Density Area

**This License was Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**

116. [15719](#) Public Hearing - New License  
Extreme Franchise Corporation • dba Pizza Extreme • 3% alcohol, 97% food  
1614 Monroe St • Agent: Phillip Booras  
Estimated Capacity: 12 inside, 150-200 beer garden  
Class B Beer  
Aldermanic District 10 (Alder Solomon) • Police Sector 301

**This License was Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**

117. [15720](#) Public Hearing - New License  
Oysy LLC • dba Oysy LLC • 15% alcohol, 85% food  
4126 E Washington Ave • Agent: Rong Bin Zheng • Estimated Capacity: 150  
Class B Beer  
Aldermanic District 17 (Alder Clausius) • Police Sector 518

**This License was Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**

118. [15725](#) Public Hearing - New License  
Chetan LLC • dba Swagat Groceries  
6717 Odana Rd • Agent: Resham Singh  
Class A Beer  
Aldermanic District 19 (Alder Clear) • Police Sector 113

**This License was Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**

119. [15726](#) Public Hearing - New License  
Waylon Butler Inc • dba To be determined • 50% alcohol, 50% food  
416 S Park St • Agent: Waylon Butler • Estimated Capacity: 89  
Class B Combination Liquor & Beer  
Aldermanic District 13 (Alder Kerr) • Police Sector 305

**This License was Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**

120. [15727](#) Public Hearing - New License  
Signature Deli Inc • dba Signature Deli Inc  
515 Junction Rd Suite F • Agent: Frantseska Kois  
Class A Beer, Class A Liquor  
Aldermanic District 09 (Alder Skidmore) • Police Sector 128

**This License was Refer to the ALCOHOL LICENSE REVIEW COMMITTEE**

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

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

121. [15600](#) NOTICE OF INJURY - Robert A. Kay, 119 Martin Luther King, Jr. Blvd., Ste. 202, Madison, 53703-3355, attorney for R. Howard - personal injury - amount to be determined.

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

122. [15601](#) K. Gerhardt, 1518 Drake St., Madison, 53711 - property damage - \$475.00.

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

123. [15614](#) Hal Galbraith, DOT Risk Management, P.O. Box 7915, Madison, 53707 for Wisconsin Department of Transportation - property damage - \$1,278.68.

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

124. 15672 Kaylan Lovgren, State Farm Insurance, for K. Carreira, 371 Woodland Cir., Madison, 53704 - vehicle damage - \$3,552.14.

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

125. [15673](#) L. Walters, Dean Health Insurance, 1277 Deming Way, Madison, 53717 for L. Johnson, personal injury, \$127.94.

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

126. 15674 M. Miller, Acuity Insurance for K. Johnson, 1145 Rutledge St., Madison, 53703 - vehicle damage - \$984.85.

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

127. 15678 K. Strang, 3832 Dolphin Dr., Madison, 53719 - property damage - \$716.00.

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

128. 15679 R. Ward, 8202 Highview Dr., Madison, 53719 - vehicle damage - \$674.25.

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

129. [15681](#) Greg Born, N&M Transfer Co., Inc., 630 Muttart Rd., Neenah, 54956 for J. Allen - vehicle damage - \$2,891.96.

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

130. 15688 Leah M. Michaelson-Link, Davis & Gelshenen LLP, 735 N. Water St., Ste. 1440, Milwaukee, 53202, for P. Pate, 2029 Greenway Cross, Apt. 2, Fitchburg, 53713 - personal injury and damages - greater than \$1.00.

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

131. [15691](#) A. Archer, 3124 E. Minnehaha Pky., Minneapolis, MN, 55406 - vehicle damage - \$3,673.99.

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

132. 15692 R. Wagner, 8510 Greenway Blvd., # 212, Middleton, 53562 - vehicle damage - \$874.81.

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

133. 15704 K. Adler Sr., 4809 Bayfield Ter, Madison, 53705 - property loss - \$62.73.

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

134. [15723](#) R. Gonzales, 310 Owen Rd., Monona, 53716 - vehicle damage - \$200.00.

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

135. 15759 K. Hendrickson, American Family Insurance for G Oberlin, 2823 Hauk St., #3, Madison, 53704 - vehicle damage - \$4,427.83.

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

136. [15802](#) C. Stimpert, Wilber and Associates, attorney for Cincinnati Insurance Co., 816 Eldorado Rd., Ste. 1, PO Box 2159, Bloomington, IL, 61702 - vehicle damage - \$3,730.13.

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

137. [15803](#) D. Heitsman, American Family Insurance, for T. and T. Thuemling, 5613 Joylyne Dr., Madison, 53716 - vehicle damage - \$4,292.72.

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

138. [15808](#) M. & N. Howell, 4805 South Hill Dr., Madison, 53705 - property damage - \$5,237.33.

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

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

## **ADDENDUM**

### ITEMS FOR INTRODUCTION

**CAPITAL BUDGET**

139. [15829](#) 2010 Executive Capital Budget and Amendments.

**This Capital Budget was Refer For Public Hearing to the BOARD OF ESTIMATES**

**ORDINANCE**

140. [15823](#) Creating Section 9.25 of the Madison General Ordinances to require the licensing of landlords of chronic nuisance properties, creating Section 25.09(3)(a)10. to require notification to landlords of the requirements of Section 9.25, amending Section 1.08(3)(a) to establish a bond schedule for violations of Section 9.25, and amending Section 1.08(4) to give the Director of Building Inspection the power to enforce Section 9.25 by citation.

**Sponsors:** Tim Bruer

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

**ITEMS INTRODUCED FROM THE FLOOR**

- [15847](#) Establishing a Glass-Free Zone for the State Street area from 9:30 p.m. on October 30, 2009 to 6:00 a.m. on October 31, 2009, and from 9:30 p.m. on October 31, 2009 to 6:00 a.m. on November 1, 2009.

**Sponsors:** David J. Cieslewicz, Michael E. Verveer, Bryon A. Eagon and Bridget R. Maniaci

- [15845](#) Authorizing the Mayor and City Clerk to execute a contract with Frank Productions, Inc., subject to the conditions included in the Street Use Permit expected to be issued to Frank Productions, Inc. for events associated with Halloween, 2009.

**Sponsors:** David J. Cieslewicz, Michael E. Verveer, Bryon A. Eagon and Bridget R. Maniaci

- [15843](#) Amending the 2009 Operating Budgets of the Police Department, Engineering Division, Streets Division and Parks Division by appropriating \$48,335 from the Contingent Reserve Fund, utilizing 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, Michael E. Verveer, Bryon A. Eagon and Bridget R. Maniaci

**15867**

Creating Section 27.04(2)(l) of the Madison General Ordinances to require owners of multi-family dwellings to provide contact information of at least two people who can exercise control and care over the property; and amending Sec. 1.08(3)(a) to create a bail deposit for violations.

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

**ADJOURNMENT @ 9:42 PM**

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adjourn at 9:42 p.m. The motion passed by voice vote/other.**