



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, May 17, 2005

6:30 PM

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

SPEAKING GUIDELINES

If you need an interpreter, materials in alternate formats or other accommodations, please contact the Office of the Common Council at 266-4071, TTY 267-8670. Please do so 48 hours prior to the meeting so that proper arrangements can be made.

Speaking Limits: Public Hearing - 5 Minutes, Information Hearing - 5 Minutes,
Other Items - 3 minutes

You must register before your item is considered by the Council.

The consent agenda will be considered following Public Hearings.

The use of audible cell phone ringers and active use and response to cellular phone technology by the governing body, staff and members of the public is discouraged in the Council Chambers while the Council is in session.

NOTIFIED ABSENCES: Ald. Golden

Roll Call at 6:33 p.m., Mayor Cieslewicz in the chair

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

Excused: Golden

SUSPEND THE RULES

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

A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

1. [01212](#) Designation of May 15-21, 2005 as Emergency Medical Services Week.

A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.

Enactment No: RES-05-00437

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

2. [01235](#) Seeking Common Council approval of the 2005 Madison Arts Commission Summer Concerts Performances as recommended by the Madison Arts Commission.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00438

3. [01236](#) Seeking Common Council approval of the 2005 Madison Arts Commission Grant awards as recommended by the Madison Arts Commission.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00439

4. [01277](#) Authorizing the Mayor and City Clerk to execute a one-year contract with Capital Newspapers for publication services.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00440

CONFIRMATION HEARING**REPORT OF BOARD OF ESTIMATES**

5. [01159](#) Confirming the appointment of David C. Dryer to the position of City Traffic Engineer subject to the approval and execution of a five-year Employment Agreement.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00441

6. [01162](#) Adopting and confirming an Employment Agreement between the City of Madison and David C. Dryer as City Traffic Engineer.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00098

PETITIONS AND COMMUNICATIONS

None received by the agenda deadline.

BUSINESS BY THE MAYOR

7. [01244](#) Report of the Mayor submitting aldermanic committee appointments.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.
8. [01251](#) Report of the Mayor submitting citizen committee appointments.
Confirm at the 6/7/05 Common Council Meeting.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm. The motion passed by acclamation.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF PLAN COMMISSION**

9. [00578](#) Creating Section 28.06(2)(a)3070 of the Madison General Ordinances rezoning property from Temp A Agriculture to PUD(GDP) Planned Unit Development (General Development Plan) District, creating Section 28.06(2)(a)3071 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, creating Section 28.06(2)(a)3072 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District, creating Section 28.06(2)(a)3073 of the Madison General Ordinances rezoning property from Temp A Agriculture to R3 Single-Family and Two-Family Residence District, and creating Section 28.06(2)(a)3074 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District; Proposed Use: 32 Residential Lots; 3rd Aldermanic District: 4609 & 4610 Rustic Drive.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: ORD-05-00099

PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF BOARD OF PUBLIC WORKS**

10. [01129](#) Approving Plans, Specifications, And Schedule Of Assessments For East Main Street Reconstruction Assessment District - 2005. (6th AD)
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-05-00442

REPORT OF DOWNTOWN COORDINATING COMMITTEE

11. [01065](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 4, 2005 during Safety Saturday and authorizing the Madison Fire Department, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St., the 10 block of S. Pinckney and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00443
12. [01066](#) The handcrafted goods and personally prepared food vending restrictions will be SUSPENDED on June 11, 2005 during the 26th Anniversary COWS ON THE CONCOURSE and authorizing the Dane County Dairy Promotion Committee, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St. and the 100 block of Martin Luther King, Jr. Blvd.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00444
13. [01067](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions are SUSPENDED and to INVALIDATE Mall/Concourse vending licenses from 6:00p.m. July 8 to 9:00p.m. July 10, 2005 in the areas specified below for the benefit of the Madison Museum of Contemporary Art, so that the 47th Annual ART FAIR ON THE SQUARE may occur.
- 2 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00445
14. [01068](#) To authorize the Madison Museum of Contemporary Art, as sponsor of the 47th Annual ART FAIR ON THE SQUARE, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, 6:00 p.m. July 8 to 9:00 p.m. July 10, 2005, within the perimeter of the area, defined in the companion resolution, involved in the event.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00446

15. [01069](#) The handcrafted goods, personally prepared food vending restrictions are SUSPENDED and INVALIDATED for certain Mall/Concourse vending licenses from 6:00 p.m. July 8 to 9:00 p.m. July 10, 2005 in the areas specified below for the benefit of WI Alliance of Artists & Craftspeople, so that ART FAIR OFF THE SQUARE may occur.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00447
16. [01070](#) The WI Alliance of Artists and Craftspeople, as sponsor of the ART FAIR OFF THE SQUARE, is authorized to have EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the ART FAIR OFF THE SQUARE, from 6:00 p.m. July 8 to 9:00p .m. July 10, 2005 on the 200 block of Martin Luther King Jr. Blvd.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00448
17. [01071](#) To SUSPEND The handcrafted goods, personally prepared food vending restrictions are SUSPENDED and INVALIDATED for Mall/Concourse vending licenses on July 15 and 16, 2005 in the areas specified below for the benefit of the Greater State St. Business Association (GSSBA), so that MAXWELL ST. DAYS may occur
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00449
18. [01072](#) The Greater State Street Business Association (GSSBA), is authorized as sponsor of MAXWELL ST. DAYS, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of MAXWELL ST. DAYS, July 15 and 16, 2005, within the perimeter of the area involved in the event.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00450
19. [01073](#) The handcrafted goods, personally prepared food vending restrictions are to be SUSPENDED on June 29, July 6, 13, 20, 27 and August 3, 2005 (rain dates June 30, July 7, 14, 21, 28 and August 4, 2005) from 3:00 p.m. to 11:59 p.m. for CONCERTS ON THE SQUARE and authorizes the Wisconsin Chamber Orchestra, as sponsor of the special event, to select vendors and vending sites for the duration of the event on the 10 blocks of E. & W. Main, the 10 blocks of N. & S. Pinckney and the 100 blocks of Martin Luther King, Jr. Blvd. and E. Washington.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00451

20. [01074](#) The handcrafted goods and personally prepared food vending restrictions will be SUSPENDED on August 10, 17, 24 and 31, 2005 during the Jazz @ 5 concert series and authorizes Jazz @ 5 Inc., as sponsor of the special event, to select vendors, vending sites and performers within the 100 block of State St. for the duration of the special event.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00452
21. [01075](#) The handcrafted goods and personally prepared food vending restrictions are SUSPENDED for Saturday, September 17, 2005 during the Food for Thought Festival and authorizes the Dane County REAP Food Group, as sponsor of the event, to select vendors, vending sites and performers for the duration of the event on the 100 block of Martin Luther King, Jr. Blvd.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00453
22. [01076](#) The handcrafted goods, personally prepared food vending restrictions are SUSPENDED and to INVALIDATE certain Mall/Concourse vending licenses from 1:00 p.m. September 3, 2005 to 11:59 p.m. on September 4, 2005 in the areas specified below for the benefit of Advertising Services Group, so that TASTE OF MADISON may occur.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00454
23. [01077](#) The Advertising Services Group, is authorized as sponsor of the TASTE OF MADISON, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the TASTE OF MADISON, from 1:00 p.m. September 3, 2005 to 11:59 p.m. on September 4, 2005, within the perimeter of the area involved in the event.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00455

REPORT OF PLAN COMMISSION

24. [00844](#) Creating Section 28.06(2)(a)3089 of the Madison General Ordinances rezoning property from Temp A Agriculture to M1 Limited Manufacturing District. Proposed Use: 1 Story, 98,000 Square Feet Office Building; 16th Aldermanic District: 5818-5830 Femrite Drive.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00100
25. [00845](#) Creating Section 28.06(2)(a)3090 of the Madison General Ordinances rezoning property from Temp A Agriculture to C2 General Commercial District. Proposed Use: Future Commercial Development; 16th Aldermanic District: 6334 Millpond Road.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00101
26. [00846](#) Creating Section 28.06(2)(a)3091 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2S Single-Family Residence District. Proposed Use: 32 Single Family Lots & 3 Outlots; 3rd Aldermanic District, 202 & 302 Rustic Drive.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00102
27. [00847](#) Creating Section 28.06(2)(a)3092 of the Madison General Ordinances rezoning property from Temp A Agriculture to R1Single-Family Residence District, and creating Section 28.06(2)(a)3093 of the Madison General Ordinances rezoning property from Temp A Agriculture to R2T Single-Family Residence District. Proposed Use: 33 Single Family Lots 1 Outlot; 1st Aldermanic District, 9503 Midtown Road.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00103
28. [00848](#) Creating Section 28.06(2)(a)3094 of the Madison General Ordinances rezoning property from O3 Administrative Office District to O4 Administrative Office and Research and Development District. Proposed Use: Future Office Development; 17th Ald. District: 5501 Portage Road.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-05-00104

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 Agenda #: 33, 35, 37, 39, 41, 42, 44, 45, 47,48, 52, 55, 56, 62, 75, 76, 79, 80, 87, 98, 99, 100, 101, 147 & 152.**

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote. 3) items which alderperson(s) have separated out for discussion/debate purposes.

REPORTS OF OFFICERS**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

29. [01283](#) Alcohol License Review Committee
Report of Operator License Applications
Dated: May 11, 2005
See attached report for list of operators.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF ESTIMATES

30. [00731](#) Authorizing the Madison Department of Public Health to accept up to \$4000 from the State of Wisconsin Department of Health and Family Services (DHFS) Division of Public Health's Children with Special Health Care Needs (CSHCN) program for the period January 1, 2005 through December 31, 2005 and authorizing the Mayor and City Clerk to sign the contract for the City.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00456
31. [00732](#) Authorizing the Madison Department of Public Health to accept up to \$100,000 from the Dane County Division of Public Health for the period January 1, 2005 through December 31, 2005 for public health emergency planning related to bio-terrorism or other infectious disease outbreaks, and authorizing the Mayor and City Clerk to sign for the City.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00457

32. [00855](#) Authorizing the use of non-standard indemnification language in a Permanent Limited Easement for Public Pedestrian /Bicycle Path between the City and Board of Regents of the University of Wisconsin System to provide for the construction and maintenance of the Southwest Bike Path Phase IV from Randall Avenue to Murray Street.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00458
33. [00890](#) Retaining Attorney Ronald Ragatz and DeWitt, Ross & Stevens, S.C. for landfill remediation work and amending the 2005 Engineering Division Operating Budget to allow for the expenditure of \$150,000 in related legal fees and costs.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski, Webber and Knox, Jr.
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00459
34. [00915](#) Authorizing the EOC Department to enter into a contract with the U.S. Equal Employment Opportunity Commission to provide complaint processing services.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00460
35. [00937](#) Approving Plans and Specifications for a Parking Lot and Relocation of a Basketball Court at 4701 Jenewein Road, Authorizing a Lease with the Boys and Girls Club, and Amending the 2005 Capital Budget. (10th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 18 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Abstain:** 1 - Knox, Jr.
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00461

36. [00959](#) Authorizing the Mayor and Chief of Police to accept a highway safety grant for \$7,000 from WI Department of Transportation for safety belt (Click It or Ticket Mobilization) campaign in 2005.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00462
37. [00977](#) Authorizing the Madison Department of Public Health (MDPH) to accept up to \$7,500 in store credit from a laboratory equipment company to be used towards the laboratory equipment, supplies or repairs and authorizing the Mayor and City Clerk to sign the contract for the City.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion failed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 7 - Benford, King, Konkell, Gruber, Olson, Verveer and Webber
- No:** 12 - Sanborn, Brandon, Bruer, Cnare, Compton, Rosas, Palm, Skidmore, Thomas, Van Rooy, Radomski and Knox, Jr.
- Non Voting:** 1 - Cieslewicz
38. [00980](#) Approving the City of Madison to contract with the State of Wisconsin Department of Military Affairs, Division of Emergency Management for the Fire Department services as a Regional Hazardous Materials Team.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00463
39. [00984](#) AMENDED - Authorizing additional funds for the acquisition of an 8-unit apartment building located at 902 Magnolia Lane and the execution of a property management agreement with Broihahn Management & Consulting, LLC., and appropriating \$10,000 from the contingent reserve for property management and security services.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt With Amendment(s). The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 18 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Gruber, Olson, Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski, Webber and Knox, Jr.
- No:** 1 - Konkell
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00464

40. [01016](#) Authorizing the City of Madison, through the Office of Community Services, to accept a Project Safe Neighborhoods Grant from the State of Wisconsin Office of Justice Assistance, and authorizing the City to enter into a purchase of service contract for the implementation of this grant.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00465
41. [01022](#) Authorizing the Mayor and City Clerk to execute amendments to the Operation and Cooperation Agreement with the Madison Cultural Arts District and to the Option Agreement with Overture Development Cooperation; to execute a credit agreement with a financial institution selected to restructure the Overture Center construction financing; and to execute such other documents that may be deemed necessary by the City Attorney to implement the transaction.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.**
42. [01033](#) That the new position tentatively identified as a "Fiscal Efficiency Auditor" (no Compensation Group/Range specified) in the permanent salary detail of the Mayor's Office budget is repealed and recreated as a position of "Administrative Analyst 3" in Compensation Group 18, Range 10, thereof.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00466
43. [01034](#) SUBSTITUTE - To authorize a double fill in the Parks Administrative Services Manager position from May 29 ~~June 5~~, 2005 through July 3, 2005.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00467

44. [01041](#) AMENDED - Adopting a Program Framework for the HOME-funded American Dream Down-payment Initiative (ADDI), authorizing the Mayor or his/her designee to approve such loans, and authorizing the CDBG Commission to make additional changes in the guidelines as needed.
- Adopt with the following amendments to the ADDI report: change "undocumented immigrants" to "persons with a federal undocumented immigrants persons with a federal Individual Taxpayer Identification Number (ITIN)" throughout the report, Brandon/King: carry; Strike the footnote at the end of the ADDI report which reads: "undocumented immigrants persons with a federal Individual Taxpayer Identification Number (ITIN) will be eligible for the program. The loan to value limit for undocumented buyers will be 95%.", King/Konkel: carry; In paragraph 6 of the ADDI report, the second to last sentence should read: The Loan to value ratio shall not exceed 100% from all sources (Strike "will be" & replace with "shall not exceed"), Compton/King: carry. 1 Registrant(s) in support not wishing to speak, 1 Registrant(s) in opposition wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. King, to Adopt With Amendment(s). The motion passed by acclamation.**
- Enactment No:** RES-05-00468

Recess at 8:35 p.m., Van Rooy/Rosas: carry; Roll Call at 8:50 p.m., Mayor Cieslewicz in the chair.

Late: Ald. Brandon (8:52 p.m.); Ald. Compton (8:53 p.m.); Ald. Sanborn (8:53 p.m.)

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

Excused: Golden

45. [01054](#) AMENDED - Amending Madison's 2005-2006 Program Funding Framework for Community and Neighborhood Development to permit programs funded through the City CDBG Office for homebuyer, rehab, and rental housing development to offer assistance to undocumented immigrants who otherwise meet the guidelines for those programs, and authorizing the City funded rehab loans to undocumented immigrants persons with a federal Individual Taxpayer Identification Number (ITIN).
- A motion was made by Council President Van Rooy, seconded by Ald. King, to Adopt With Amendment(s). The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 15 - Benford, Brandon, Bruer, Cnare, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Van Rooy, Verveer, Radomski and Webber
- No:** 4 - Sanborn, Compton, Skidmore and Thomas
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00469

46. [01056](#) Authorizing the provision of CDBG Acquisition/Rehab funds to help Centro Hispano acquire property for a new office center facility in a project that addresses City, Community and Neighborhood Development Objectives.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00470
47. [01100](#) Authorizing the Mayor and the City Clerk to execute an amended agreement with the State of Wisconsin Department of Transportation for the construction of the East Johnson Street Pedestrian Underpass, and amending the 2005 Capital Budget for Bikeways. (2nd AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00471
48. [01102](#) Communication from T. Wall regarding TIF District # 34.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Receive and Place On File. The motion passed by acclamation.**
49. [01118](#) Approving City acceptance of a contract with the State of Wisconsin Department of Commerce for the City of Madison Fire Department to provide professional services for tank systems.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00472
50. [01126](#) Authorizing the Mayor and Clerk to sign a contract with May Vang, LLC for laundry services for the Fire Department. The contract period is eighteen months with options to renew for up to two one-year terms.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00473

51. [01128](#) That the position (#1516) of Botanical Center Director in Compensation Group 18, Range 10, (occupied by N. Ragland) in the permanent salary detail of the Parks Division budget is repealed and recreated as a position of Botanical Center Director in Compensation Group 18, Range 13, thereof, and that the incumbent shall be reallocated to said position.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00474
52. [01142](#) Approving Rental Housing Project of the Community Development Authority of the City of Madison, Wisconsin located at 600 Northport Drive, a Cooperation Agreement with the Community Development Authority of the City of Ripon for a Rental Housing Project located in the City of Ripon, and the Issuance of Bonds for the Financing thereof.
- 3 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00475
53. [01145](#) Amending Section 3.38(1)(e) of the Madison General Ordinances by creating the classification of Gift Shop Sales Leadworker in Compensation Group 20, Range 11, thereof.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00105
54. [01147](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Botanical Center Director in Compensation Group 18, Range 10, and recreating said class in Compensation Group 18, Range 13, thereof.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00106
55. [01148](#) Amending Section 3.38(1)(i) of the Madison General Ordinances by creating the classification of Overture Center Group Sales Coordinator in Compensation Group 19, Range 07, thereof.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 16 - Benford, Sanborn, Bruer, Cnare, King, Konkell, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 3 - Brandon, Compton and Rosas
- Non Voting:** 1 - Cieslewicz
- Enactment No:** ORD-05-00107

56. [01149](#) That the vacant position (#3989) of Overture Command Center Operator, in Compensation Group 16, Range 02, in the permanent salary detail of the Overture Center budget is repealed and recreated as an Overture Group Sales Coordinator, in Compensation Group 19, Range 07, thereof.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00476
57. [01150](#) That the position (# 3782) of Sales Clerk, in Compensation Group 20, Range 06, (occupied by L. Sparks) in the permanent salary detail of the budget is repealed and recreated as an Gift Shop Sales Leadworker in Compensation Group 20, Range 11, thereof, and that the incumbent shall be reallocated to the said position.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00477
58. [01151](#) That the position (#777) of Account Clerk 2 in Compensation Group 20, Range 09, (occupied by K. Thompson) in the permanent salary detail of the Comptroller's Office budget is repealed and recreated as a position of Account Clerk 3 in Compensation Group 20, Range 11, thereof, and that the incumbent shall be reallocated to said position.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00478
59. [01155](#) Authorizing the City to apply for a State DOT Transportation Facilities Economic Assistance Grant and authorizing the Mayor and City Clerk to execute a Transportation Economic Assistance Jobs Guarantee with the State DOT and to execute a Project Agreement with Covance Laboratories, Inc. for a transportation infrastructure project on Pearson, Pierstorff and Wright Streets.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00479
60. [01158](#) Authorizing the Mayor and City Clerk to sign Addendum IV to the Franchise Agreement with KMC Telecom to consent to the assignment of the Agreement to Century Tel Acquisitions, LLC.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00480
61. [01180](#) Report of Police Chief dated April 26, 2005 re: 2004 Overtime & 1st Quarter 2005 Overtime.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

REPORT OF BOARD OF PUBLIC WORKS - BIDS

62. [00982](#) Awarding Public Works Contract No. 5839, Engineering Service Building Expansion - 2005 and Amending the 2005 Capital Budget to provide an additional \$500,000 of funds necessary for construction. (14th AD)

A motion was made by Council President Van Rooy, seconded by Ald. Brandon, to Adopt (Table ID# 00982, Van Rooy/Brandon; Take ID# 00982 off the table, Van Rooy/Verveer: carry.) The motion passed by the following vote:

Excused: 1 - Golden

Aye: 17 - Benford, Sanborn, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber

No: 1 - Brandon

Abstain: 1 - Rosas

Non Voting: 1 - Cieslewicz

Enactment No: RES-05-00481

REPORT OF BOARD OF PUBLIC WORKS

63. [01087](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in Liberty Place Phase 3 (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00482
64. [01090](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in Secret Places Phase 2. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00483
65. [01091](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in Sauk Heights Phase 3. (9th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00484
66. [01130](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on East Towne Boulevard. (17th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00485
67. [01131](#) Awarding Public Works Contracts for Bids Opened April 29, 2005.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00486
68. [01133](#) Improvements accepted for Restoration/Landscaping - 2004, Contract No. 5624. (Various ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00487
69. [01134](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Rhodia Plat, Private Contract No. 1898. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00488

70. [01135](#) Approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Seventh Addition to Blackhawk Subdivision and authorizing construction to be undertaken by the Developer, Private Contract No. 2035. (9th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00489
71. [01136](#) Approving plans and specifications for public improvements necessary for the project known as 1802 Maplecrest Drive PUD - Phase I and authorizing construction to be undertaken by the Developer, Private Contract No. 2040. (1st AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00490
72. [01139](#) Accepting sanitary sewer constructed by Private Contract In Rhodia Plat, Private Contract No. 1898. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00491
73. [01140](#) Accepting storm sewer constructed by private contract in Rhodia Plat, Private Contract No. 1898. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00492
74. [01157](#) Declaring the City of Madison's intention to exercise its police powers establishing the Regent Street Assessment District-2005. (11th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00493

75. [01190](#) SUBSTITUTE: Authorizing the City to amend the ~~Engineering Department's 2005 Adopted~~ Capital Expenditure Budget for infrastructure improvements on Pierstorff, Pearson and Wright Streets related to the expansion of Covance Laboratories, Inc. and authorizing additional City expenditures not to exceed \$2,464,750. Said improvements include storm sewer, sanitary sewer, water main, street reconstruction and new street and sidewalk construction. (17th AD)

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

Excused: 1 - Golden

Aye: 19 - Benford, Sanborn, Brandon, Bruer, Chare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: RES-05-00494

REPORT OF PARK COMMISSION

76. [00935](#) Authorizing the Mayor and City Clerk to enter into a Second Amendment to the Agreement between the City and Madison Fireworks Fund, Inc. (MFF) to allow MFF to operate a full event on any rescheduled rain date.

Adopt at the 6/7/05 Common Council Meeting.

A motion was made by Council President Van Rooy, seconded by Ald. Compton, to Refer to a future Meeting to Adopt. The motion passed by acclamation.

77. [01025](#) Authorizing the Mayor and City Clerk to sign and execute a seven (7) month Agreement, with the option for three one year renewal periods, for priority scheduling at specified Madison area soccer fields in exchange for the Madison Area Youth Soccer Association ("MAYSA") providing maintenance to such fields.

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

Enactment No: RES-05-00495

78. [01160](#) Amending Section 1.08(4) of the Madison General Ordinances to permit Park Rangers to issue citations for a limited number of offenses occurring in City of Madison parks and adding four areas of violation for which the Parks Superintendent or designee or Park Rangers can issue citations.

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

Enactment No: ORD-05-00108

REPORT OF PLAN COMMISSION

79. [00987](#) Approving the Redevelopment Plan and District Boundary for the Buckeye Lot Redevelopment District. 4th Ald. Dist.
2 Registrant(s) in support not wishing to speak; 3 Registrant(s) in support wishing to speak; 1 Registrant(s) in opposition wishing to speak.
A motion was made by Ald. Verveer, seconded by Council President Van Rooy, to Adopt. The motion passed by the following vote:
- Excused:** 1 - Golden
- Aye:** 17 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer and Radomski
- No:** 2 - Konkel and Webber
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00496
80. [01042](#) Creating Section 15.01(545) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to 16th Aldermanic District the Fobes Annexation, and amending Section 15.02(4) of the Madison General Ordinances to add the attached property to Ward 4.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:
- Excused:** 1 - Golden
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** ORD-05-00109
81. [01059](#) Petition dated January 25, 2005 from M. Lawton, Lathrop & Clark, LLP re: direct annexation from the Town of Blooming Grove to the City of Madison (Fobes Annexation).
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.
82. [01103](#) Approving the preliminary and final plat of "Nelson's Addition to Rustic Acres" located on Rustic Drive. 3rd Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00497

83. [01104](#) Approving the preliminary plat of "First Addition to Nelson's Addition to Rustic Acres" located on Rustic Drive. 3rd Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00498
84. [01105](#) Approving the preliminary plat of "Hawks Meadow" located on Mid Town Road. 1st Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00499
85. [01106](#) Approving the final plat and amended preliminary plat of American Center Plat - Hanson Addition. 17th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00500
86. [01163](#) Approving a Certified Survey Map of the Lockre property located at 58518-5830 Femrite Drive. 16th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00501
87. [01165](#) Reapproving the final plat of "Glacier Valley" located at 7551 Raymond Road. 7th Ald. Dist.
1 Registrant(s) in support not wishing to speak.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00502
88. [01185](#) Approving a Certified Survey Map of property owned by Stone Crest III, LLC at 2002 Jeffy Trail. 1st Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00503
89. [01186](#) Approving a Certified Survey Map of property owned by Madison Area CLT Corporation at 502 and 602 Troy Drive. 18th Ald. Dist.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00504

REPORT OF RISK MANAGER

90. [00607](#) American Family Insurance Group for L. Dorjee, 6620 Offshore Drive, Madison - vehicle damage - \$1,679.81.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
91. [00687](#) C. Greene, 13 Maple Court, Edgerton - Personal Injury - Amount to be Determined.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
92. [00688](#) T. Mueller, 805 Tanglewood Drive #203, DeForest - Vehicle Damage - \$223.66.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
93. [01086](#) NOTICE OF CLAIM - G. Montie, attorney for L. Brown, 910 W. Badger Rd. # 4, Madison - personal injury & loss of earnings - \$8,500
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
94. [01093](#) R. Bennett, 416 S. Park St., Madison - vehicle damage - \$188.16.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REPORT OF TRANSIT/ PARKING COMMISSION

95. [01046](#) Amending portions of Section 11.06 to modify fees and procedures for licensing of public passenger services, to provide an exception to the 24 hour service requirement in the event of certain unsafe weather conditions, to permit a premium fare for large parties, and to allow a passenger to be charged a "no-load" fee as well as a fee for soiling or damaging a vehicle.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00110
96. [01057](#) Authorizing the Parking Utility to sign an agreement with Adams Outdoor Advertising Limited Partnership to sell and manage advertising services for the City's Parking Utility.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00505
97. [01061](#) Communication dated April 4, 2005 from S. Thornton, 1104 Jenifer St., Madison re: Madison Metro external route annunciations.
Receive and Place On File

REPORT OF URBAN DESIGN COMMISSION

98. [00585](#) SUBSTITUTE - Repealing Section 12.128(2) and creating Section 12.82 of the Madison General Ordinances to establish new regulations for advertising on vehicles or other mobile objects when operating or parked on the highway, and amending Section 1.08(3) (a) of the Madison General Ordinances to establish a bail deposit amount for violations of new Section 12.82.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Move the Previous Question. The motion passed by the following vote:

Excused: 1 - Golden

Aye: 17 - Benford, Sanborn, Brandon, Bruer, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber

No: 2 - Cnare and Konkol

Non Voting: 1 - Cieslewicz

5 Registrant(s) in support not wishing to speak; 1 Registrant(s) in support wishing to speak; 2 Registrant(s) in opposition wishing to speak.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion failed by the following vote:

Excused: 1 - Golden

Aye: 7 - Cnare, King, Konkol, Gruber, Olson, Verveer and Webber

No: 12 - Benford, Sanborn, Brandon, Bruer, Compton, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy and Radomski

Non Voting: 1 - Cieslewicz

REFERRED TO THIS MEETING**APPOINTMENTS**

99. [01153](#) Report of the Mayor submitting citizen committee appointments.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Confirm. The motion passed by the following vote:

Excused: 1 - Golden

Aye: 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkol, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

RECONSIDERATION(S)

100. [00783](#) SUBSTITUTE - Creating Section 28.06(2)(a)3087 of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 164 Condominium Units, 16,000 Square Feet Commercial Space & 320 Stall Parking Ramp--Metropolitan Place; Fourth Aldermanic District: 333 West Mifflin Street.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt (Reconsider, Van Rooy/Verveer: carry). The motion passed by acclamation.**
- Enactment No:** ORD-05-00091
101. [00854](#) Approving Plans, Specifications, and Schedule of Assessments for South High Point and Raymond Road Street Assessment District - 2004.
- Adopt at the 7/5/05 Common Council Meeting.*
- A motion was made by Ald. Brandon, seconded by Ald. Compton, to Refer to a future Meeting to Adopt for July 5, 2005 (Reconsider, Van Rooy/Rosas: carry). The motion passed by acclamation.**

NEW BUSINESS - Referred on motion of President Van Rooy, seconded by Ald. Verveer.**ORDINANCES**

102. [01224](#) Creating Section 28.06(2)(a)3101 of the Madison General Ordinances rezoning property from Temp A Agriculture to C3 Highway Commercial District. Proposed Use: Veterinarian Clinic & Pet Boarding; 1st Aldermanic District: 6510 Watts Road.
- Due back at the 7/5/05 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
103. [01225](#) Creating Section 28.06(2)(a)3102 of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3103 of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Existing Building & Build 16-Story, 71-Unit Apartment Building with 2,900 Square Feet Retail Space; 8th Aldermanic District: 202 North Charter Street.
- Due back at the 7/5/05 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**

104. [01226](#) Creating Section 28.06(2)(a)3104 of the Madison General Ordinances rezoning property from C1 Limited Commercial District to R4 General Residence District. Proposed Use: 30 Condominium Units; 9th Aldermanic District: 9320 Old Sauk Road.
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
105. [01227](#) Amending Section 3.38(30) of the Madison General Ordinances to provide unlimited ride bus passes to employees under the City's Unlimited Ride Pass Program.
- Refer to the TRANSIT AND PARKING COMMISSION**
- Refer to the BOARD OF ESTIMATES**
106. [01228](#) Creating Section 28.06(2)(a)3105 of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: 2-Story, 6,600 Square Foot Retail & Office Building; 3rd Aldermanic District: 876 Jupiter Drive.
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
107. [01229](#) Creating Section 28.06(2)(a)3106 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)3107 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 Condominium Units & 5,700 Square Foot Retail & Office Space; 1st Aldermanic District: 1725 Waldorf Boulevard.
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
108. [01230](#) Creating Section 28.06(2)(a)3108 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: 30 Condominium Units; 1st Aldermanic District: 8301 Mayo Drive.
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
109. [01237](#) Amending Section 20.09(1)(d) and creating Section 20.08(5) of the Madison General Ordinances to establish the Valley View Road Sewer and Drainage Improvement Impact Fee.
Due back at the 6/21/05 Common Council Meeting.
- Refer For Public Hearing to the BOARD OF PUBLIC WORKS**
- Refer to the BOARD OF ESTIMATES**

Refer to the COMMISSION ON THE ENVIRONMENT**Refer to the PLAN COMMISSION**

110. [01258](#) Amending Sections 11.02(1), 11.05(1), 11.06(3)(r) and 12.915(2) of the Madison General Ordinances to create exceptions in the definitions of "common motor carriers" and "public passenger vehicles", to permit certain amphibious motor vehicles to operate on city streets between lake access points.

Refer to the Traffic Engineering Division

111. [01259](#) Amending Section 11.03(1) and (2) of the Madison General Ordinances to include the transfer point as an area of lawful use and to require posting of this subsection by an official sign and not by police officer notification.

Refer to the TRANSIT AND PARKING COMMISSION**RESOLUTIONS**

112. [01191](#) Revising the Neighborhood Traffic Management Program (NTMP) to allow for the use of speed humps on local or collector streets with volumes of 5000 vpd or less.

Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**Refer to the TRANSIT AND PARKING COMMISSION****Refer to the BOARD OF PUBLIC WORKS****Refer to the PUBLIC SAFETY REVIEW BOARD**

113. [01217](#) Approving the Redevelopment Plan and District Boundary for the 800 Block East Washington Avenue Redevelopment District. 2nd Ald. Dist.

Refer to the PLAN COMMISSION

114. [01219](#) Authorizing a three-year electric service agreement between the City and Madison Gas and Electric Company for the purchase of electricity at Monona Terrace, and establishing the ability for the electric service to be interrupted in exchange for a discounted rate.

Due back at the 6/21/05 Common Council Meeting.

Refer to the BOARD OF ESTIMATES**Refer to the MONONA TERRACE CONVENTION AND COMMUNITY CENTER BOARD**

115. [01220](#) Accepting a grant if awarded to the City of Madison from the Federal Emergency Management Agency for the Fire Department.

Refer to the BOARD OF ESTIMATES

116. [01231](#) Authorizing the Mayor and City Clerk to sign and execute an agreement with Zimbrick for purposes of tree removal in City's right of way at 1707 North Stoughton Road and related improvements &/or replacements and reciprocal tree planting at Reindahl Park.
- Withdraw**
117. [01238](#) Authorizing the City of Madison to implement an Unlimited Ride Pass Program for City Employees. Terms and Conditions of the Program, described in Addendum A to this Resolution: Report: Metro Transit Unlimited Ride Pass Program, have been reviewed by the Mayor, Comptroller, and Interim Human Resources Director. The Unlimited Ride Pass Program would operate initially on a pilot program basis with the opportunity for program continuation through the normal legislative process.
- Refer to the TRANSIT AND PARKING COMMISSION**
- Refer to the BOARD OF ESTIMATES**
118. [01239](#) Permitting the terms and conditions previously approved for the Madison Area CLT Troy Gardens project to be transferred to two LLC's established to manage the residential and conservancy functions of the major components of the area, in a manner that will continue to address City Community and Neighborhood Development Objectives.
- Due back at the 6/7/05 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
119. [01240](#) Approving the provision of Federal HOME funds to assist the Wisconsin Initiative for Sustainable Housing acquire housing and authorizing the Mayor and City Clerk to sign an agreement to implement the project
- Due back at the 6/7/05 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
120. [01241](#) Authorizing the Mayor and City Clerk to enter into an agreement with Edgewood College for the provision of free fare access by its employees and students to Metro Transit fixed route and ADA paratransit services through an Unlimited Ride Pass Agreement, with reimbursement to the transit utility for employee and student trips for the period August 31, 2005 through May 12, 2006.
- Refer to the TRANSIT AND PARKING COMMISSION**
- Refer to the BOARD OF ESTIMATES**
121. [01247](#) Authorizing the Mayor and other City officials to sign an agreement with the South Central Library System (SCLS) for the use of City fiber optic communication cable.
- Refer to the BOARD OF ESTIMATES**
122. [01262](#) Creating Tax Incremental Finance (TIF) District #35 (Todd Drive) City of Madison and approving a Project Plan and Boundary for said TIF District. 14th Ald. Dist.
- Refer to the BOARD OF ESTIMATES**

Refer to the PLAN COMMISSION

123. [01278](#) Authorizing the Mayor and the City Clerk to execute a release of part of a platted public utility easement reserved within Lot 53, Hawks Landing, located at 1802 Maplecrest Drive. 1st Ald. Dist.
- Refer to the BOARD OF PUBLIC WORKS**
- Refer to the PLAN COMMISSION**
124. [01279](#) Authorizing the Mayor and the City Clerk to execute a release of part of a platted public utility easement reserved within Lots 2 and 3, constituting the JOMA Industries property, located at 1901 Wright Street. 17th Ald. Dist.
- Refer to the BOARD OF PUBLIC WORKS**
- Refer to the PLAN COMMISSION**
125. [01280](#) To Establish a Senior Center Foundation and Transfer Senior Center Funds.
- Refer to the BOARD OF ESTIMATES**
- Refer to the SENIOR CENTER BOARD OF DIRECTORS**
126. [01281](#) Determining a Public Purpose and necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for planned improvements of the Mid-State Street Parking Ramp in part of Block 58, Madison Original Plat, City of Madison, Dane County, Wisconsin and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of land interests. (4th AD)
Due back at the 6/21/05 Common Council Meeting.
- Refer For Public Hearing to the BOARD OF PUBLIC WORKS**
- Refer to the PLAN COMMISSION**
- Refer to the TRANSIT AND PARKING COMMISSION**

LICENSES

127. [01242](#) Public Hearing - New License
125 Quinn, LLC • dba Barriques • estimated capacity of 120
127 W. Washington Avenue #102 • Agent: Matt R. Weygandt
Class B Combination Liquor & Beer • 21% alcohol, 79% food
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
128. [01245](#) Public Hearing - New License
Efraim Elmazi • dba Sal's Pizza • estimated capacity of 50
15 N. Butler Street
Class B Beer, Class C Wine • 10% alcohol, 90% food
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

129. 01246 Public Hearing - New License
MIRA, LLC • dba Lava Lounge • estimated capacity of 80
461 W. Gilman Street • Agent: Mirjanna Bursac
Class B Combination Liquor & Beer • 80% alcohol, 20% food
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
130. 01248 Public Hearing - New License
Pizza Hut of Madison, Inc. • dba Pizza Hut; capacity of 160
2649 East Springs Drive • Agent: John Holbrook
Class B Combination Liquor & Beer • 1.3% alcohol, 98.7% food
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
131. 01249 Public Hearing - New License
Pizza Hut of Madison, Inc. • dba Pizza Hut • capacity of 185
7440 Mineral Point Road • Agent: Patrick Evans
Class B Combination Liquor & Beer • 1.3% alcohol, 98.7% food
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
132. 01250 Public Hearing - New License
RIBO Development, LLC • dba Riegert Bar & Grill • estimated capacity of 240
1518 N. Stoughton Road • Agent: Jeffrey Riegert
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
133. 01252 Public Hearing - New License
Salon Centinela, LLC • dba Salon Centinela
5018 Blazing Star Drive • Agent: Jeanette Leon
Class B Beer
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
134. 01253 Public Hearing - New License
Ultra Mart Foods, Inc. • dba Pick 'n Save #6395
6655 McKee Road • Agent: Eddie Roberson
Class A Beer, Class A Liquor
Due back at the 7/5/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

CLAIMS - REFER TO RISK MANAGER

135. [01263](#) B. Cruse, 311 N. Hancock Street #501, Madison - vehicle damage - amount to be determined.
Refer to the Risk Manager
136. [01264](#) R. Vukelich, 1647 Woodland Drive, Lake Geneva - vehicle damage - \$5,287.28.
Refer to the Risk Manager
137. [01265](#) P. Morris, 1802 Fordem Avenue #9, Madison - personal injury - \$5,000.00.
Refer to the Risk Manager
138. [01266](#) C. Smith, attorney for S. & G. Beck, 4520 Maher Avenue, Madison - property damage - \$26,551.22.
Refer to the Risk Manager
139. [01267](#) J. Van Rensselaar, 5564 Riveredge Road, Waunakee - personal injury - \$259.27.
Refer to the Risk Manager
140. [01268](#) J. Vaiana, 9719 Wellington Ridge, Woodbury, MN - vehicle damage - \$3,333.40.
Refer to the Risk Manager
141. [01269](#) D. & M. Broner, 624 Bordner Drive, Madison - property damage - \$3,899.00.
Refer to the Risk Manager
142. [01270](#) D. Healy, 1808 Rutledge Street #2, Madison - vehicle damage and personal injury - \$684.69.
Refer to the Risk Manager
143. [01271](#) L. Houseman, 4809 Flint Lane, Madison - personal injury - amount to be determined.
Refer to the Risk Manager
144. [01272](#) D. Dwyer, 5338 Queensbridge Road, Madison - property damage - \$917.96.
Refer to the Risk Manager
145. [01273](#) P. Mousley, 5705 Indian Trace, Madison - property damage - \$454.52.
Refer to the Risk Manager

146. [01275](#) D. Timler, P. O. Box 3125, Madison - vehicle damage - \$971.22.
Refer to the Risk Manager

ADDENDUM

REPORT OF OFFICERS

REPORT OF BOARD OF ESTIMATES

147. [00653](#) Communication dated December 9, 2004 from T. Wall Properties, 2418 Crossroads Dr., Madison re: the Center for Industry and Commerce Proposed Amendment.
1 Registrant(s) in support not wishing to speak.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Receive and Place On File. The motion passed by acclamation.
148. [01055](#) Approving additional Federal ESG funds to assist St. Vincent de Paul in completing a housing repair that will serve as transitional housing, and authorizing the Mayor and City Clerk to sign an agreement to implement the project.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00506
149. [01187](#) Approving a contract with GeoAnalytics for technical services for GIS integration at the County Public Safety Communications Center (9-1-1 Center).
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00507
150. [00982](#) Awarding Public Works Contract No. 5839, Engineering Service Building Expansion - 2005 and Amending the 2005 Capital Budget to provide an additional \$500,000 of funds necessary for construction. (14th AD)
*******SEE ITEM # 62 FOR THE ACTION SUMMARY*******
Enactment No: RES-05-00481
151. [01190](#) SUBSTITUTE: Authorizing the City to amend the ~~Engineering Department's~~ 2005 Adopted Capital Expenditure Budget for infrastructure improvements on Pierstorff, Pearson and Wright Streets related to the expansion of Covance Laboratories, Inc. and authorizing additional City expenditures not to exceed \$2,464,750. Said improvements include storm sewer, sanitary sewer, water main, street reconstruction and new street and sidewalk construction. (17th AD)
*******SEE ITEM # 75 FOR THE ACTION SUMMARY*******
Enactment No: RES-05-00494

REPORT OF CITY CLERK

152. [00897](#) Adult Entertainment Establishment Application - Tavern
Club Majestic, LLC • dba Club Majestic • capacity of 472
115 King Street • Agent: Anthony Shiavo
Class B Combination Liquor & Beer • 92% alcohol, 8% food
A motion was made by Ald. Verveer, seconded by Ald. Olson, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.

REPORT OF MOTOR EQUIPMENT DIVISION

153. [01287](#) Report of Motor Equipment Superintendent/Comptroller Staff dated April 27, 2005 re: Oil Change Costs.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.

NEW BUSINESS

154. [01286](#) Authorizing to double fill the position of Streets Operations Analyst from July 3, 2005 through August 12, 2005.
Refer to the BOARD OF ESTIMATES
155. [01231](#) Authorizing the Mayor and City Clerk to sign and execute an agreement with Zimbrick for purposes of tree removal in City's right of way at 1707 North Stoughton Road and related improvements &/or replacements and reciprocal tree planting at Reindahl Park.
*******SEE ITEM # 116 FOR THE ACTION SUMMARY*******

ITEMS INTRODUCED FROM THE COUNCIL FLOOR

156. [01304](#) Amending Section 23.05 of the Madison General Ordinances to create a definition of a tobacco bar and to create an exception to permit smoking in tobacco bars.
Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE
Send back to CCOC after approving fiscal note.
Fiscal Note Required / Approval to the Comptroller's Office/Approval Group
157. [01296](#) Amending the 2005 Capital Budget to increase the authorization for the Goodman Pool to \$4,850,000.
Due back at the 6/7/05 Common Council Meeting.
Refer to the BOARD OF ESTIMATES
Send back to Board of Estimates after approving fiscal note.
Fiscal Note Required / Approval to the Comptroller's Office/Approval Group

158. [01300](#) Calling on the Congress of the United States to reject plans to privatize Social Security by cutting Social Security's guaranteed benefits and diverting money out of Social Security into private investment accounts.
Adopt at the 6/7/05 Common Council Meeting.

A motion was made to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on June 7, 2005. The motion passed by acclamation.

159. [01301](#) Expressing support of the commitment of \$500,000 in general obligation debt for the new polar bear exhibit and Children's Zoo at the Henry Vilas Zoo, pending final approval in the 2006 Capital Budget.

Refer to the BOARD OF ESTIMATES

Refer to the CITY-COUNTY LIAISON COMMITTEE

Adjourn at 10:37 p.m.

On motion Council President Van Rooy, seconded by Ald. Verveer

DAVID J. CIESLEWICZ, MAYOR
RAY FISHER, CITY CLERK

I certify that the foregoing action of the Common Council was approved by the Mayor on the 24th of May, 2005.

Ordinances published June 8th, 2005.

RAY FISHER, CITY CLERK