



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, March 1, 2005

6:30 PM

210 Martin Luther King Jr BLVD
Room 201 City Council Building

SPEAKING GUIDELINES

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

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

The 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.

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.

NOTIFIED ABSENCES: NONE

ROLL CALL

Present: Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkel, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber

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 Konkel, seconded by Ald. MacCubbin, to Suspend the Rules. The motion passed by acclamation.

PETITIONS AND COMMUNICATIONS

[00689](#)

Petition dated January 25, 2005 from Lathrop & Clark re: Holley Development, LLC Property attachment.

A motion was made by Council President Konkel, seconded by Ald. Olson, to Refer to a future Meeting to Accept. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF COMMON COUNCIL

2. [00682](#) Strongly encouraging Madison's Washington delegation to Congress to reauthorize Community Services Block Grant (CSBG) funding.
- A motion was made by Council President Konkell, seconded by Ald. Holtzman, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00192

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

3. [00116](#) Recessed Public Hearing - New License
MKS Petroleum, LLC
Agent: Kuldip Singh Mavi
DBA: Williamson Mini Mart
1130 Williamson Street
Class A Beer
- A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant With Condition(s). The motion passed by acclamation.**

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

4. [00221](#) Public Hearing - New License
Bella Vita, LLC
Agent: Shawn Bacon
DBA: Bella Vita
6546 Town Center Drive
Reserve Class B Combination Liquor & Beer
- A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**
5. [00222](#) Public Hearing - New License
Dobhan, LLC
Agent: Krishna Pradhan
DBA: Dobhan Restaurant
2110 Atwood Avenue
Reserve Class B Combination Liquor & Beer
- A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.**

6. [00223](#) Public Hearing - New License
Ho-Chunk Nation
Agent: Karen Martin
DBA: Ho-Chunk Nation DeJope Bingo (Capacity is 2,508)
4002 Evan Acres Road
Reserve Class B Combination Liquor & Beer (1% alcohol, 3% food)
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.
7. [00224](#) Public Hearing - New License
Kelley Williamson Company
Agent: Ronald Trachtenberg
DBA: Mobil Mart
33 Junction Court
Class A Liquor
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant With Condition(s). The motion passed by acclamation.
8. [00225](#) Public Hearing - New License
Kelley Williamson Company
Agent: Ronald Trachtenberg
DBA: Mobil Mart
8230 Watts Road
Class A Liquor
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant With Condition(s). The motion passed by acclamation.
9. [00226](#) Public Hearing - New License
Loyal Order of Moose, Lodge 1451
Agent: Larry Frahmman
DBA: Loyal Order of Moose, Lodge 1451
6402 Millpond Road
Reserve Class B Combination Liquor & Beer
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.
10. [00227](#) Public Hearing - New License
Provisions & Merchantile, LLC
Agent: Tami Lax
DBA: The Old Fashioned
23 N. Pinckney Street
Reserve Class B Combination Liquor & Beer
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF PUBLIC WORKS

11. [00501](#) Approving Plans, Specifications, And Schedule Of Assessments For Capital Avenue Sidewalk Assessment District - 2005.
- 2 Registrants in support not wishing to speak; 10 Registrants in opposition not wishing to speak; 8 Registrants in support wishing to speak; 11 registrants in opposition wishing to speak.*
- A motion was made by Ald. Holtzman, seconded by Ald. Brandon, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-05-00193

REPORT OF PLAN COMMISSION

12. [00219](#) Creating Section 28.06(2)(a)3058 of the Madison General Ordinances rezoning property from Temp A Temporary Agriculture District to C2 General Commercial District. Proposed Use: Convert Former Drive-In Restaurant to Fraternal Lodge with Outdoor Eating Area. 16th Ald. Dist., 6402 Mill Pond Road.
- 2 Registrants in support.*
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00048
13. [00220](#) Creating Section 28.06(2)(a)3059 of the Madison General Ordinances rezoning property from C2 General Commercial District and M1 Limited Manufacturing District to PUD (GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Approximately 440 Future Residential Units & Approximately 80,000 Square Feet of Future Commercial Space. 6th Ald. Dist. 2503, 2509 & 2525 East Washington Avenue & 2401, 2405 & 2415 Winnebago Street.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Rerefer to the Zoning Administration. The motion passed by acclamation.**
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Rerefer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION. The motion passed by acclamation.**
14. [00229](#) Creating Section 28.06(2)(a)3062 of the Madison General Ordinances rezoning property from R2 Single-Family Residence District to R4 General Residence District. Proposed Use: Convert Dependency Living Arrangement to 2-Unit Dwelling. 15th Ald. Dist., 101 Morningside Avenue.
- 1 Registrant in support.*
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00049

15. [00231](#) Creating Section 28.06(2)(a)3063 of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish Auto Sales Facility & Build 9-Building Mixed Use Development with 15,200 Square Feet Retail Space & 309 Condominium Units. 2nd Ald. Dist., 802-852 East Washington Avenue.
5 Appearances in support. 5 Registrants in support, not wishing to speak.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt with Amended Condition(s). The motion passed by acclamation.**
- Enactment No:** ORD-05-00050
16. [00228](#) Creating Section 28.06(2)(a)3060 of the Madison General Ordinances rezoning property from M1 Limited Commercial District, C Conservancy District and R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3061 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 Ogg Hall, Expand Recreational Open Space & Build 600 Bed Residence Hall. 8th Ald. Dist., 716 & 801 West Dayton Street.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION, due back on June 17, 2005. The motion passed by acclamation.**

END OF PUBLIC HEARINGS

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

17. [00111](#) Change of Agent
Imperial Palace, Ltd.
Old Agent: Bobby H. Lee
New Agent: Sean Lee
DBA: Bluefin (Capacity of 300)
1291 N. Sherman Avenue
Class B Combination Liquor & Beer
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.**
18. [00120](#) Operator's License Application
Benjamin J. Swenson, 6218 Strathmore Lane, Madison
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.**

19. [00336](#) Change of Licensed Premise
Imperial Palace, Ltd.
Old Agent: Bobby H. Lee
New Agent: Sean Lee
DBA: Bluefin (Capacity is 300)
1291 N. Sherman Avenue
Class B Combination Liquor & Beer
Request to move bar and remodel.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.
20. [00481](#) Change of Licensed Premise
Irish Heart Enterprises, LLC
Agent: Lawrence Walsh
DBA: Cappy's Corner Pocket/Brass Ring (Capacity is 220)
701 E. Washington Avenue, Suite 104
Class B Combination Liquor & Beer
Request to expand use to an outdoor seating area (approximately 1,700 square feet)
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
21. [00483](#) Change of Licensed Premise
State Street Brathaus of Madison, Inc.
Agent: Kelly J. Meuer
DBA: State Street Brats (Capacity is 450)
603 State Street
Request to remove license condition "Voluntary closure of second floor to be vacated at 1:30 a.m. with exit at Frances Street."
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
22. [00484](#) Operator License Application
Susan K. Adams, 5605 Thunderbird Lane, Madison
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
23. [00485](#) Operator License Application
Brian K. Dickinson, 1023 Fiedler #4, Madison
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.
24. [00488](#) Operator License Application
Karl E. Graser, 4589 Golf Drive, Fennimore
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.

25. [00489](#) Operator License Application
Thomas M. Gray, 702 Bear Claw Way #304, Madison
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.
26. [00491](#) Operator License Application
Brian P. Walsh, 380 W. Washington Avenue #320, Madison
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.
27. [00667](#) Alcohol License Review Committee
Report of Operator License Applications
Dated: February 23, 2005
See attached report for list of operators.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF PUBLIC WORKS

28. [00435](#) Authorizing the execution of an Underground Gas and Electric Easement to Madison Gas and Electric Company within an existing City Sanitary Sewer Easement located at 5030 Lake Mendota Drive.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00194
29. [00480](#) Authorizing the Mayor and City Clerk to execute a Temporary Limited Easement to the Wisconsin Department of Transportation for Reconstruction of U S Highway 151.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00195
30. [00502](#) Accepting sanitary sewer constructed by Private Contract In 5030 Lake Mendota Drive, Private Contract No. 1980.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00196
31. [00504](#) Improvements accepted for water main by Private Contract to serve REston Heights - Phase V.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00197

32. [00505](#) Improvements accepted for water service laterals by Private Contract to serve Reston Heights - Phase VI. (3rd AD)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00198
33. [00506](#) Improvements accepted for water service laterals by Private Contract to serve Sprecher Road Extension.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00199
34. [00507](#) Improvements accepted for water main by Private Contract to serve Milwaukee Street Extension. (3rd AD)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00200
35. [00503](#) Approving plans and specifications for public improvements necessary for the project known as Oakwood Village East Campus PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2027. (17th AD)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00201
36. [00509](#) Declaring the City of Madison's intention to exercise its police powers establishing the East Main Street Reconstruction Assessment District - 2005. (6th AD)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00202
37. [00510](#) Declaring the City of Madison's intention to exercise its police powers establishing the Adams Street, Jefferson Street, Lincoln Street and Alley Reconstruction Street Assessment District-2005. (13th AD)
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00203

38. [00531](#) Improvements accepted for Olin Landfill Remediation - Phase II Remedial Action Construction, Contract No. 5447.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00204
39. [00511](#) Improvements Accepted Park Paving 2003 Contract No. 5461.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00205
40. [00512](#) Improvements Accepted Parking Paving 2004 Contract No. 5625.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00206
41. [00513](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in: Churchill Heights Phase 3.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00207
42. [00514](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in: Grandview Commons Phase 8, 10-12.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00208
43. [00515](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in: Maywick Estates.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00209
44. [00516](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in: Meadowlands Phase 1 & 2.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00210

45. [00517](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in: Second Addition to Reston Heights.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00211
46. [00518](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in: Secret Places at Siggelkow Preserve.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00212
47. [00519](#) Approving plans, specifications, and schedule of assessments for the installation of street lights in: Southern Ridge.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00213
48. [00521](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for "Restoration/Landscaping 2005".
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00214
49. [00522](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Tornado Tree Replacements, Contract No. 5838, and amending the 2005 Capital Budget to allow for grant funded expenditures.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00215
50. [00523](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Capitol Square Fountains and Planters.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00216

51. [00524](#) Authorizing the Mayor and City Clerk to execute Amendment 1 to the present agreement between the City of Madison and Dane County, Contract No. 5363, Reconstruction of Buckeye Road.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00217
52. [00525](#) Approving plans and specifications and authorizing the Mayor and City Clerk to execute an agreement with Dane County and the City of Middleton for cost sharing of the University Ave., Thorstrand Dr. and Overlook Pass Median Widening and Intersection Improvements.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00218
53. [00520](#) Authorizing the City Engineer and City Attorney to establish quiet zones within the City of Madison.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00219

REPORT OF PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION

54. [00184](#) Communication dated November 14, 2004 from T. Simmons, 3126 Gregory St. re: hazards of commuting to work by bicycle.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Receive and Place On File. The motion passed by acclamation.**
55. [00218](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to execute an agreement between the City of Madison and HNTB Corporation for an ~~Outer~~ Capitol Loop Traffic Needs Study.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00220

REPORT OF PLAN COMMISSION

56. [00539](#) Approving the preliminary and final plat of "Tancho Business Park" located at 6501 Manufacturers Drive. Ald. Dist. 17.
- 1 Registrant in support.*
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00221

57. [00674](#) Reapproving the final plat of "Heather Glen" located on Stonebridge Drive north of Cross Country Road. Ald. Dist. 7. Previously approved on September 21, 2004.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00222
58. [00675](#) Reapproving the final plat of "Starkweather Square" located on Jacobson and Furey Avenues. Ald. Dist. 15. Previously approved on September 21, 2004.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00223

REPORT OF RISK MANAGER

59. [00464](#) L. Kinkade, 319 E. Verleen Ave., Madison - vehicle damage - \$341.29.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REPORT OF TRAFFIC ENGINEER

60. [00201](#) Authorizing the Mayor and City Clerk to sign an Agreement with the State of Wisconsin, Department of Administration to install, operate, and maintain a 96-count fiber optic cable in the State owned steam tunnel under Martin Luther King, Jr. Blvd (MLK).
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00224

REFERRED TO THIS MEETING

APPOINTMENTS

61. [00563](#) Citizen Committee Appointments dated February 16, 2005.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.

ORDINANCES

62. [00059](#) Amending Sections 2.40(2)(e), (2)(g), (3)(e), (3)(h), (6)(a), (6)(c), (7), (8), (9), (10)(a), (11)(b), (11)(c), (11)(e), (11)(f), and (12), creating new Section 2.40(13), and renumbering current Sections 2.40(13) through (15) to Sections 2.40(14) through (16) of the Madison General Ordinances to modify portions of the lobbying ordinance.

Due back at the 3/29/05 Common Council Meeting

A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by acclamation.

Enactment No: ORD-05-00150

63. [00102](#) SECOND SUBSTITUTE - Amending Section 10.056 of the Madison General Ordinances to clarify and revise procedure for applications, petitions, notifications, and permit fees; to update and create additional standards for issuance; to revise certain appeal timelines; and to make various organizational corrections to the Street Use Permit procedures: EXHIBIT R

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

Enactment No: ORD-05-00051 & A

RESOLUTIONS

64. [00413](#) AMENDED - That the City of Madison develop a plan for reducing the demand for low-income affordable housing in Madison to be entitled "The Affordable Housing Demand Reduction Plan".

A motion was made by Ald. Markle, seconded by Ald. Brandon, to Adopt. The motion passed by acclamation.

Enactment No: RES-05-00227

65. [00591](#) Petitioning Congress and the President to retain the CDBG program in its current format, so that local governments can continue to effectively benefit lower income persons, create housing and economic opportunities, and strengthen neighborhoods.
A motion was made by Council President Konkell, seconded by Ald. Holtzman, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00225
66. [00596](#) Creating an Allied Area Task Force to make recommendations to the Mayor and Common Council regarding a focused set of strategies to strengthen the Allied area neighborhood.
A motion was made by Council President Konkell, seconded by Ald. Golden, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00226

NEW BUSINESS

All New Business items were referred in a motion made by President Konkell and Ald. Verveer.

APPOINTMENTS

67. [00654](#) Report of the Mayor submitting citizen committee appointments.
Refer to a future Meeting to Confirm

RESOLUTIONS

75. [00599](#) Authorizing the Mayor and the City Clerk to provide a Statement of Willingness to Assume Financial Responsibility to the Surface Transportation Board, Department of Transportation in connection with a rails-to-trails conversion of the Union Pacific Railroad line between County Highway PD (McKee Road) and USH 18/151 (Beltline Highway).
Refer to the BOARD OF PUBLIC WORKS
Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION
76. [00640](#) Amending the Sprecher Neighborhood Development Plan, an element of the City of Madison Master Plan, to revise the recommendations for the Rustic Acres subdivision area located south of Milwaukee Street and west of Sprecher Road. 3rd Ald. Dist.
Refer to the PLAN COMMISSION
77. [00641](#) Amending the Nelson Neighborhood Development Plan, an element of the City of Madison Master Plan, to revise the land use recommendation for the properties along the south frontage of High Crossing Boulevard. 17th Ald. Dist.
Refer to the PLAN COMMISSION

78. [00642](#) Authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for Maintenance of the South Dutch Mill Road to Collins Bicycle/Pedestrian Path.

Refer to the BOARD OF PUBLIC WORKS

Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION

79. [00643](#) That the position (#1511) of Parks Administrative Services Manager (occupied by M. Peterson) in Compensation Group 18, Range 11, in the permanent salary detail of the Parks Division budget is repealed and recreated as a position of Parks Administrative Services Manager in Compensation Group 18, Range 10, thereof, and that this action shall not be effective until such time as the position is vacated by the incumbent.

Refer to the PERSONNEL BOARD

Refer to the BOARD OF ESTIMATES

80. [00644](#) Authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for Maintenance of the Nelson Road to Terra Court Bicycle/Pedestrian Path.

Refer to the BOARD OF PUBLIC WORKS

Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION

81. [00645](#) That the position (#1201) of Storekeeper in Compensation Group 16, Range 10, (occupied by D. Rowe) in the permanent salary detail of the Traffic Engineering budget is repealed and recreated as a position of Storekeeper in Compensation Group 16, Range 11, thereof.

Refer to the PERSONNEL BOARD

Refer to the BOARD OF ESTIMATES

82. [00646](#) That the new position tentatively identified as an "Alcohol Policy Coordinator" (no Compensation Group/Range specified) in the permanent salary detail of the Mayor's Office budget is repealed and recreated as a position of "Alcohol Policy Coordinator" in Compensation Group 18, Range 08, thereof.

Refer to the PERSONNEL BOARD

Refer to the BOARD OF ESTIMATES

83. [00648](#) That the vacant position (#1231) of Traffic Control Maintenance Worker in Compensation Group 16, Range 10, in the permanent salary detail of the Traffic Engineering budget is repealed and recreated as a Maintenance Painter in Compensation Group 16, Range 13, thereof.

Refer to the PERSONNEL BOARD

Refer to the BOARD OF ESTIMATES

84. [00649](#) That the positions (#3483, 3484, 3485 and 3486) of Command Center Operator in Compensation Group 16, Range 02, (occupied by A. Grasmick, K. Pamulak, J. Grahler, and W. Truschinski) in the permanent salary detail of the Monona Terrace budget are repealed and recreated as Monona Terrace Command Center Operator in Compensation Group 16, Range 07, thereof, and that the incumbents shall be reallocated to said positions.
- Refer to the PERSONNEL BOARD**
- Refer to the BOARD OF ESTIMATES**
85. [00658](#) Authorizing an additional appropriation for Attorney Robert Horowitz and the firm of Stafford Rosenbaum, LLP for the American Family tax litigation.
- Refer to the BOARD OF ESTIMATES**
86. [00662](#) Authorizing continued retention of Attorney Jon Anderson and LaFollette Godfrey & Kahn for FLSA matters, and appropriating \$10,000 from the Contingent Reserve to the Miscellaneous Litigation account for such retention.
- Refer to the BOARD OF ESTIMATES**
87. [00666](#) Authorizing the Mayor and City Clerk to execute a settlement agreement and related documents between the City of Madison and K.E.E. Architecture, Inc., regarding the Warner Park Community and Recreation Center roof.
- Due back at the 3/15/05 Common Council Meeting*
- Refer to the BOARD OF ESTIMATES**
88. [00673](#) SUBSTITUTE - Creating a Community Development Authority **Long Range** Planning Subcommittee.
- Fiscal Note Required / Approval to the Comptroller's Office/Approval Group**
- Refer to the COMMUNITY DEVELOPMENT AUTHORITY**
- Refer to the BOARD OF ESTIMATES**
89. [00681](#) Authorizing the Mayor and City Clerk to execute an agreement with Sam Van Galder USA, Inc., a Coach USA Company, that would extend an existing three-year agreement by three years for provision by Van Galder of an annual contribution of \$24,000 to Metro Transit, City transit utility, for each of the next three years to help defray the cost to Metro Transit annually for maintenance of the Dutch Mill Park & Ride lot.
- Refer to the TRANSIT AND PARKING COMMISSION**
- Refer to the BOARD OF ESTIMATES**

ORDINANCES

91. [00647](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Parks Administrative Services Manager in Compensation Group 18, Range 11 and recreating said classification in Compensation Group 18, Range 10, thereof.
- Refer to the PERSONNEL BOARD**
- Refer to the BOARD OF ESTIMATES**
92. [00650](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by creating the classification of Alcohol Policy Coordinator in Compensation Group 18, Range 08, thereof.
- Refer to the PERSONNEL BOARD**
- Refer to the BOARD OF ESTIMATES**
93. [00651](#) Amending Section 3.38 (1)(b) of the Madison General Ordinances by creating the classification of "Monona Terrace Command Center Operator" in Compensation Group 16, Range 07, thereof.
- Refer to the PERSONNEL BOARD**
- Refer to the BOARD OF ESTIMATES**
94. [00668](#) Amending Section 3.38(6)(f) of the Madison General Ordinances to allow the Common Council to approve certain managers contracts by resolution only.
- Refer to the BOARD OF ESTIMATES**
- Refer to the PERSONNEL BOARD**
95. [00655](#) Creating Section 15.01(544) 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 Holley attachment, territory as per Section 12.01 of the City of Madison and Town of Middleton Cooperative Plan under Section 66.0307, Wisconsin Statutes, and repealing and recreating Section 15.02(114) of the Madison General Ordinances to add the attached property to Ward 114.
- A motion was made to Refer to a future Meeting to Adopt. The motion passed by acclamation.**
96. [00669](#) Repealing Subsection (106) of Section 12.1334 entitled "Parking Prohibited Except Temporarily While Attended by Operator" of the Madison General Ordinances, portions Harrison Street.
- Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**
97. [00670](#) Amending Subsection (158) of Section 12.132 entitled "Parking Prohibited At All Times" of the Madison General Ordinances, portions Harrison Street.
- Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

98. [00677](#) Creating new Section 10.18(13) of the Madison General Ordinances to set aside and declare unenforceable covenants in deeds and various other agreements which govern the storage, placement, location or use of carts required by the City for recycling and trash and renumbering current Sections 10.18(13) and (14) to Sections 10.18(14) and (15), respectively.

Refer to the SOLID WASTE ADVISORY COMMITTEE

Refer to the PLAN COMMISSION

Refer to the URBAN DESIGN COMMISSION

99. [00679](#) Amending Section 3.38 (1)(c) of the Madison General Ordinances by deleting the classification of Storekeeper in Compensation Group 16, Range 10, and recreating said classification in Compensation Group 16, Range 11, thereof.

Refer to the PERSONNEL BOARD

Refer to the BOARD OF ESTIMATES

CLAIMS - REFER TO RISK MANAGER

All Claims were referred in a motion made by President Konkol and Ald. Verveer.

100. [00684](#) GuideOne Mutual Insurance Company for F. L. Jones, West Des Moines, Iowa - Property Damage/Loss - \$4,004.27.

Refer to the Risk Manager

101. [00685](#) R. Moore, 4512 Maher Avenue, Madison - Property Damage/Loss - Amount to be Determined.

Refer to the Risk Manager

102. [00686](#) Halcyon Insurance for M. Bunting, 513 N. Sixth Street, Madison - Property Damage/Loss - \$1,240.10.

Refer to the Risk Manager

103. [00687](#) C. Greene, 13 Maple Court, Edgerton - Personal Injury - Amount to be Determined.

Refer to the Risk Manager

104. [00688](#) T. Mueller, 805 Tanglewood Drive #203, DeForest - Vehicle Damage - \$223.66.

Refer to the Risk Manager

RECONSIDERATIONS

105. [00409](#) Report of City Clerk dated January 18, 2005 re: Board, Committee, Commission, Ad Hoc Committee & Subcommittee Members who have not filed the Statement of Interest Form.
- Revoke appointees that have not filed a Statement of Interest Form.*
- A motion was made by Council President Konkel, seconded by Ald. Webber, to Reconsider. The motion passed by acclamation.**
- A motion was made by Heidt, seconded by Ald. Brandon, to Accept. The motion passed by acclamation.**

ADDENDUM

LATE ITEM

REPORT OF THE BOARD OF ESTIMATES

106. [00656](#) SUBSTITUTE - Amending the 2005 Parks Division Capital Budget to increase the authorization for the Goodman Pool project to \$4,125,000.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Aye:** 20 - Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkel, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
- No:** 0 -
- Enactment No:** RES-05-00228

ITEMS INTRODUCED FROM THE FLOOR

- [00671](#) CHARTER - Amending Section 3.29 of the Madison General Ordinances to authorize adjustments to salaries for alderpersons through 2007.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
- [00728](#) Axley Brynelson, LLP, attorney for Oakwood Village East Lutheran Homes, Inc., 6201 Mineral Point Rd., Madison - unlawful taxation - \$5,373.93.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the Attorney's Office, due back on April 19, 2005. The motion passed by acclamation.**

ADJOURNMENT

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adjourn at 9:20 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 4
th of March, 2005.

Ordinances published March 19th, 2005.

RAY FISHER, CITY CLERK