



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, March 6, 2007

6:30 PM

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

Roll Call at 6:35 p.m., Mayor Cieslewicz in the Chair.

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

Excused: Skidmore and 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 Ald. King, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 05309** Public Hearing - New License
Circolo, LLC • dba Circolo
8410 Old Sauk Road • Agent: Benjamin Roberts • capacity 50
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 9 (Ald. Skidmore) • Police Sector 127
Public Hearing Closed.

A motion was made by Ald. King, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.
- 05493** Public Hearing - New License
PDQ Food Stores, Inc. • PDQ Store #115 • 15% alcohol, 59% food, 26% other
4402 E. Buckeye Road • Agent: Patti Westbury
Class A Liquor
Aldermanic District 16 (Ald. Compton) • Police Sector 614

A motion was made by Ald. King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.

3. [05494](#) Public Hearing - Transfer of License Location from 1864 Monroe Street
Trader Joe's East, Inc • dba Trader Joe's # 712
1810 Monroe Street • Agent: Melanie Lee
Class A Liquor, Class A Beer
Aldermanic District 10 (Ald. Golden) • Police Sector 301
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
4. [05495](#) Public Hearing - New License
Azzalino's Bar and Grill, LLC • dba Azzalino's Bar and Grill
416 S Park Street • Agent: Gerald D Canon • estimated capacity: 80
Class B Combination Liquor & Beer • 80% alcohol, 19% food, 1% other.
Aldermanic District 13 (Ald. Knox) • Police Sector 305
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
5. [05497](#) Public Hearing - New License
Moco Market LLC • dba MoCo Market
804 Williamson Street • Agent: Megan Ramey • estimated capacity: 15
Class B Combination Liquor & Beer • 5% alcohol, 50% food, 45% other
Aldermanic District 6 (Ald. Olson) • Police Sector 408
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing for indoor premise only. The motion passed by acclamation.
6. [05501](#) Public Hearing - New License
Takumi Inc• dba Takumi Japanese Restaurant
4222 East Towne Boulevard • Agent: Kong Feng Ni • estimated capacity: 90
Class B Combination Liquor & Beer • 5% alcohol, 95% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 515
A motion was made by Ald. King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.
7. [05522](#) Public Hearing - New License
Trejo, Josefa • dba Taqueria Gaudalajara
1033 S Park Street • Agent: Josefa Trejo • estimated capacity 16
Class B Beer • 1% Alcohol, 97% Food, 2% other
Aldermanic District 13 (Ald. Knox) • Police Sector 306
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.
8. [05568](#) Public Hearing - New License
Maza Restaurant, LLC • dba Maza Restaurant
558 State Street • Agent: Shekeba Samadzada • estimated capacity 80
Class B Beer, Class C Wine • 20% alcohol 80% food
Aldermanic District 8 (Ald. King) • Police Sector 403
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.

9. [05572](#) Public Hearing - New License
El Mercadito Uscanga LLC • dba El Mercadito Uscanga • 916 S Whitney Way
Class A Beer
Aldermanic District 1 (Ald. Sanborn) • Police Sector 115
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.

REPORT OF BOARD OF PUBLIC WORKS

10. [05637](#) Approving Plans, Specifications, And Schedule Of Assessments For East Mifflin Street and North Blount Street Reconstruction Assessment District - 2007. (2nd AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by the following vote:
Excused: 2 - Skidmore and Golden
Aye: 17 - Sanborn, Cnare, Verveer, Webber, Olson, Brandon, King, Gruber, Benford, Knox, Jr., Bruer, Palm, Compton, Rosas, Van Rooy, Radomski and Thomas
No: 0 -
Abstain: 1 - Konkel
Non Voting: 1 - Cieslewicz
Enactment No: RES-07-00274
11. [05658](#) Approving Plans, Specifications, And Schedule Of Assessments For Sanitary Sewer Replacement with Resurfacing - 2007. (Various ADs)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-07-00275
12. [05659](#) Approving Plans, Specifications, And Schedule Of Assessments For South Livingston Street Reconstruction Assessment District - 2007. (6th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-07-00276

13. [05660](#) Approving Plans, Specifications, And Schedule Of Assessments For Colby Street Reconstruction Assessment District - 2007 AND Colby Street Storm Sewer Assessment District - 2007. (13th AD)
Sponsors: Common Council By Request
Adopt at the 3/20/07 Common Council Meeting.
A motion was made by Ald. King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on March 20, 2007. The motion passed by acclamation.
14. [05662](#) Approving Plans, Specifications, And Schedule Of Assessments For Buena Vista, Garrison, and Lindbergh Streets Reconstruction Assessment District - 2007. (6th AD)
Sponsors: Common Council By Request
1 Registrant(s) neither in support nor opposition wishing to speak.
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-07-00277
15. [05663](#) Approving Plans, Specifications, And Schedule Of Assessments For Dixon, Fairview, and Ryan Streets Reconstruction Assessment District - 2007. (6th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-07-00278

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 # 63 on a motion made by Ald. King and seconded by Ald. Verveer.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

16. [05182](#) Operator License Application
Otha McGee - Establishment where employed: Open Pantry.
A motion was made by Ald. King, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.
17. [05184](#) Operator License Application
Steve Blevins - Establishment where employed: Open Pantry.
A motion was made by Ald. King, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.

18. [05491](#) Change of Agent
Chipotle Mexican Grill, Inc. • dba Chipotle Mexican Grill
658 State Street and 8422 Old Sauk Road
Old Agent: Nathan Heeney • New Agent: Sahul Flores
Class B Combination Liquor & Beer • 2% alcohol, 98% food
Aldermanic Districts 8 and 9 • Police Sectors 403 and 127
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
19. [05504](#) Change of Corporate Control - 6 new officers
Shopko Stores Operating Company LLC • dba Shopko #029 • Agent: James Voigt
7401 Mineral Point Road • Class A Liquor, Class A Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 124
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
20. [05530](#) Change of Agent
Roaring Fork LLC • dba Qdoba Mexican Grill
6650 Mineral Point Road, 548 State Street, and 2741 University Avenue
Old Agent: David DeMarco • New Agent: Ron Stokes
Class B Combination Liquor & Beer • .8% alcohol, 99.2% food
Aldermanic Districts 19, 8, and 5 (ALDER Radomski, King, and Webber) • Police Sectors 112, 403 and 301
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
21. [05549](#) Change of Corporate Control and Liquor Agent - 1 Officer
Stop-N-Go of Madison, Inc. • dba Stop-N-Go #287 and #253
3734 Speedway Road and 5445 University Avenue • Old Agent John Becker New Agent Andrew Bowman
Class A Beer • 5% alcohol, 12% food, 83% other
Aldermanic District 11 and 19 (Alder Gruber and Radomski) • Police Sector 101 and 109
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
22. [05575](#) Change of Agent
Eagles 623, Fraternal Order of • dba Eagles 623, Fraternal Order of • 2109 Bartillon Drive
Old Agent: Frank J. Arena • New Agent: Michael A. Meiller
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 516
A motion was made by Ald. King, seconded by Ald. Verveer. The motion passed by acclamation.

23. [05577](#) Application for Change of Licensed Premise
Monona Catering LLC • dba Monona Catering LLC • capacity varies by event
1 John Nolen Drive
Class B Combination Liquor & Beer • 13.8% alcohol, 86.2% food
Aldermanic District 4 (Alder Verveer) Police Sector 405
Request to replace temporary consession trailer with a permanent rooftop concession kiosk.
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
24. [05599](#) Change of Corporate Control - loss of one Officer
Salsapants Inc. • dba Pasqual's
2534 Monroe Street • Agent: Theresa Taggart
Class B Combination Liquor & Beer • 90% alcohol, 10% food
Aldermanic District 10 (Alder Golden) Police Sector 302
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
25. [05612](#) Application for Change of Licensed Premise
Metcalf Inc • dba Metcalfe Sentry Foods •
726 N Midvale Boulevard
Class A Liquor & Class A Beer •
Aldermanic District 11 (Alder Gruber) Police Sector 108
Request to remodel the liquor display area.
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
26. [05801](#) Alcohol License Review Committee
February 12, 2007 Report of Operator License Applications (New & Renewal)
A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF PUBLIC WORKS

27. [03219](#) Improvements Accepted for Park Paving - 2005, Contract #5794. (City-Wide ADs)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00279
28. [03609](#) Authorizing the execution of a Utility Easement to Wisconsin Bell d/b/a AT&T Wisconsin across a City-owned property located at 1501 Droster Road. (16th AD)
Sponsors: Judy Compton
A motion was made by Ald. King, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.

29. [05533](#) Amending Sections 37.04, 37.05(6)(b), (6)(c), and (7)(b)6., 37.06(3), 37.08(1) and (2) (o), creating Sections 37.08(5) and Sections 37.09(2)(k), amending Sections 37.09(3) (f), (3)(g), (4)(b), and (6), 37.10(2)(e), and 37.11(1)(a) and (5) of the Madison General Ordinances to make changes to the City's Erosion and Stormwater Runoff Control Ordinance that will conform to and exceed recent County ordinances to improve the quality and increase the amount of runoff infiltrated or recharged.
- Sponsors:** Larry Palm
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00031
30. [05639](#) Declaring the City of Madison's intention to exercise its police powers establishing the Mayfair Avenue Assessment District - 2007. (17th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00280
31. [05642](#) Authorizing the Mayor and City Clerk to execute Addendum Nos. 4 & 5 to the Contract for Professional Services with Strand Associates Inc. to review/study the condition of the Lake Wingra Dam. (15th & 17th ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00281
32. [05646](#) Approving plans and specifications for public improvements required to serve Phase IV of the Subdivision known as Cardinal Glenn and authorizing construction to be undertaken by the Developer, Private Contract No. 2156 (9th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00282
33. [05647](#) Approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Cardinal Glenn and authorizing construction to be undertaken by the Developer, Private Contract No. 2153. (9th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00283

34. [05652](#) Approving plans and specifications for public improvements required to serve Phase 2A of the Subdivision known as Cardinal Glenn, and authorizing construction to be undertaken by the Developer, Private Contract No. 2080, and Rescinding Res. No. RES-06-00304, ID No. 03173. (9th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00284
35. [05653](#) Approving plans and specifications for public improvements required to serve the Subdivision known as First Addition to Hawks Creek, and authorizing construction to be undertaken by the Developer, Private Contract No. 2131. (1st AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00285
36. [05655](#) Improvements accepted for Water Main by Private Contract to serve: Ridgewood the Drumlin Addition - Phase V. (17th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00286
37. [05664](#) Declaring the City of Madison's intention to exercise its police powers establishing the Hoard Street, Upham Street, N. Sixth Street and N. Fifth Street Reconstruction Street Assessment District - 2007. (12th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00287
38. [05665](#) Authorizing the Mayor and City Clerk to execute an Agreement for the Establishment and Operation of the Rock River TMDL Group, to jointly participate in the Rock River TMDL process discussions with the WDNR and its agents. (Various ADs)
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00288

39. [05669](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Park Paving - 2007, Contract No. 6031. (Various ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00289
40. [05675](#) Accepting sanitary sewer constructed by Private Contract In Ridgewood the Drumlin Addition - Phase V, Private Contract No. 1986. (17th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00290
41. [05676](#) Accepting sanitary sewer constructed by Private Contract In Nelson's Addition to Rustic Acres, Private Contract No. 2041. (3rd AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00291
42. [05677](#) Accepting sanitary sewer constructed by Private Contract In Watts Road Certified Survey Map, Private Contract No. 2051. (7th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00292
43. [05680](#) Accepting storm sewer constructed by private contract in Nelson's Addition to Rustic Acres, Private Contract No. 2041. (3rd AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00293

44. [05682](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Second Addition to Hawks Creek and authorizing construction to be undertaken by the Developer, Private Contract No. 2138. (1st AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00294
45. [05683](#) Accepting bituminous pavement constructed by private contract in Southern Hill - Phase III, Private Contract No. 1782. (1st AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00295
46. [05684](#) Accepting bituminous pavement constructed by private contract in Southern Hill Phase IV, Private Contract No. 1828. (1st AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00296
47. [05685](#) Accepting bituminous pavement constructed by private contract in The Crossing - Phase V, Private Contract No. 1838. (7th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00297
48. [05686](#) Accepting bituminous pavement constructed by private contract in The Crossing - Phase VI, Private Contract No. 1885. (7th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00298

49. [05687](#) Accepting bituminous pavement constructed by private contract in Prairie Point Phase 2A, Private Contract No. 1992. (9th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00299
50. [05690](#) Accepting street improvements constructed by private contract in Atticus Way Certified Survey Map, Private Contract No. 2053. (9th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00300
51. [05691](#) Accepting street improvements constructed by private contract in Nelson's Addition to Rustic Acres, Private Contract No. 2041. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00301
52. [05692](#) Accepting sidewalk and other public infrastructure improvements constructed by private contract for Watts Road Certified Survey Map, Private Contract No. 2051. (7th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00302
53. [05693](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Sherman Flyer Bike Path (Segment 1), Contract No. 5473. (12th and 2nd ADs)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00303

54. [05696](#) Declaring the City of Madison's intention to exercise its police powers establishing the Kendall Avenue Reconstruction Assessment District - 2007. (5th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00304
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55. [05697](#) Declaring the City of Madison's intention to exercise its police powers establishing the Chamberlain Avenue Reconstruction Assessment District - 2007. (5th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00305

REPORT OF COMMISSION ON THE ENVIRONMENT

56. [05026](#) Amending Section 10.085(3)(a)3. of the Madison General Ordinances to permit the use of outdoor fluorescent lamps and amending Section 12.03(4) of the Madison General Ordinances to require cutoff or full cutoff direct street lighting and clarify the street light requirements for different areas.
- Sponsors:** Larry Palm
- A motion was made by Ald. King, seconded by Ald. Compton, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00032

REPORT OF MONONA TERRACE COMMUNITY AND CONVENTION CENTER BOARD

57. [05372](#) Amending Sections 3.19(1)(a), (9), (10), and (13) of the Madison General Ordinances to specify that Alternate members of the Monona Terrace Board may serve as the Board representative on the Monona Terrace Event Booking Executive Advisory Committee, to update the name of the Dane County Exposition Center to the Alliant Energy Center, and to correct several typographical errors.
- Sponsors:** David J. Cieslewicz and Michael E. Verveer
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00033

REPORT OF POLICE CHIEF

58. [05831](#) Report of Police Chief dated February 27, 2007 re: Sensitive Crimes Interview Procedures.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to the PUBLIC SAFETY REVIEW BOARD. The motion passed by acclamation.**

REPORT OF THE PLANNING UNIT

59. [05768](#) Authorizing the Madison Arts Program Administrator to execute contracts on behalf of the City for works displayed through the City's ARTSpace Program.
- Sponsors:** Tim Gruber
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00306

REPORT OF RISK MANAGER

60. [05703](#) M. Johnson, 3601 Canter Dr., Madison - towing/storage reimbursement - \$250.00.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
61. [05704](#) E. Santos, 351 E. Main St., # 310, Sun Prairie - vehicle damage - \$5,730.56.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
62. [05742](#) CLAIM: G. Dutch, Montie, Youngerman & Dutch, Attorney for F. Hennings, 917 Magnolia Ln., Apt. B, P.O. Box 259541, Madison - personal injury - \$55,667.20.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.

REFERRED TO THIS MEETING

APPOINTMENTS

63. [05657](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 2-27-2007; action 3-6-2007).
A motion was made by Ald. King, seconded by Ald. Verveer, to Confirm with amendment(s). The motion passed by the following vote:
- Excused:** 2 - Skidmore and Golden
- Aye:** 18 - Sanborn, Konkel, Cnare, Verveer, Webber, Olson, Brandon, King, Gruber, Benford, Knox, Jr., Bruer, Palm, Compton, Rosas, Van Rooy, Radomski and Thomas
- No:** 0 -
- Non Voting:** 1 - Cieslewicz

REPORTS

64. [05483](#) Report of City Attorney - 2006 Annual Lobbying Report.
Accept at the 3/27/07 Common Council Meeting.
- A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Refer to a future Meeting to Accept for March 27, 2007. The motion passed by the following vote:**
- Excused:** 2 - Skidmore and Golden
- Aye:** 17 - Sanborn, Konkel, Cnare, Verveer, Webber, Olson, King, Gruber, Benford, Knox, Jr., Bruer, Palm, Compton, Rosas, Van Rooy, Radomski and Thomas
- No:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz

RESOLUTIONS

65. [05607](#) Establishing a Glass-Free Zone for the West Mifflin Street area 10:00 a.m. on May 5, 2007 through 6:00 a.m. on May 6, 2007.
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00307
66. [05823](#) That the City of Madison supports the Employee Free Choice Act.
- Sponsors:** Austin W. King and Robbie Webber
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 2 - Skidmore and Golden
- Aye:** 13 - Konkell, Cnare, Verveer, Webber, Olson, King, Gruber, Benford, Knox, Jr., Bruer, Rosas, Van Rooy and Radomski
- No:** 1 - Thomas
- Abstain:** 4 - Sanborn, Brandon, Palm and Compton
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-07-00308

NEW BUSINESS - Referred on a motion made by Ald. King and seconded by Ald. Verveer**CHARTER ORDINANCES**

67. [05769](#) CHARTER - Amending Section 3.29 of the Madison General Ordinances to provide for a salary increase for the Mayor and to clarify the language that specifies the manner in which successive salary increases shall be calculated.
- Sponsors:** David J. Cieslewicz, Austin W. King and Paul J. Van Rooy
- Refer to the BOARD OF ESTIMATES**

ORDINANCES

68. [05778](#) Amending Sections 3.38(1)(f) of the Madison General Ordinances by creating the class of Crossing Guard Supervisor in Compensation Group 17, Range 13, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s):*** Personnel Board
- Refer to the BOARD OF ESTIMATES**

69. [05779](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by creating the class of Parking Enforcement Supervisor in Compensation Group 18, Range 05, thereof.
- Sponsors:** David J. Cieslewicz
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
70. [05780](#) Amending Sections 3.38(2)(a) of the Madison General Ordinances by deleting the hourly classification of Beach Supervisor in Compensation Group 17, and recreating said class as Aquatics Supervisor as a retitlement in Compensation Group 17, thereof.
- Sponsors:** Common Council By Request
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
71. [05797](#) Creating Section 28.06(2)(a)3249. 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: 9-Unit Condominium Development: 19th Aldermanic District; 6506 Old Sauk Road.
- Sponsors:** Common Council By Petition
Due back at the 4/17/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
72. [05798](#) Creating Section 28.06(2)(a)3250. 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)3251. 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: Daycare & Retail Building; 1st Aldermanic District: 8133 Mansion Hill Avenue.
- Sponsors:** Common Council By Petition
Due back at the 4/17/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
73. [05799](#) Creating Section 28.06(2)(a)3252. of the Madison General Ordinances rezoning property from R4 General Residence District to R5 General Residence District. Proposed Use: 18-Unit Apartment Building; 9th Aldermanic District: 602 Bear Claw Way.
- Sponsors:** Common Council By Petition
Due back at the 4/17/07 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**

74. [05800](#) Creating Section 28.06(2)(a)3253. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Mixed-Use Development; 1st Aldermanic District: 8102 Mid Town Road.
- Sponsors:** Common Council By Petition
- Due back at the 4/17/07 Common Council Meeting.*

Refer For Public Hearing to the PLAN COMMISSION

75. [05815](#) Creating Section 28.06(2)(a)3254. of the Madison General Ordinances rezoning property from R5 General Residence District and C2 General Commercial and to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3255. 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 6 Buildings & Build a 45-Unit Condominium Building and a 4,000 Square Foot Commercial Building; 10th Aldermanic District: 2620 & 2612 Arbor Drive, 713 & 717 Knickerbocker Street, 2609 & 2605 Monroe Street.
- Sponsors:** Common Council By Petition
- Due back at the 4/17/07 Common Council Meeting.*

Refer For Public Hearing to the PLAN COMMISSION

76. [05836](#) Adopting and confirming the Intergovernmental Agreement between the City of Madison and Dane County for creation of a City-County Health Department.
- Sponsors:** David J. Cieslewicz and Judy K. Olson
- Additional Referral(s): Board of Estimates*

Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

RESOLUTIONS

77. [05374](#) Authorizing the Mayor and City Clerk to enter into a contract with the Metropolitan Milwaukee Fair Housing Council for the provision of Fair Housing Testing Services.
- Sponsors:** David J. Cieslewicz and Zachariah Brandon
- Refer to the BOARD OF ESTIMATES**
78. [05714](#) Authorizing the Mayor and City Clerk to enter into an agreement with the University of Wisconsin - Madison for the provision of free access by UW-Madison students to Metro Transit for fixed route and ADA paratransit services, with reimbursement for student trips for the contract period.
- Sponsors:** Noel T. Radomski and Kenneth Golden
- Additional Referral(s): Board of Estimates*

Refer to the TRANSIT AND PARKING COMMISSION

79. [05721](#) Adopting a minor amendment to the City of Madison, City of Fitchburg and Town of Madison Cooperative Plan.
- Sponsors:** Tim Bruer
- Adopt at the 3/27/07 Common Council Meeting.*
- Refer to a future Meeting to Adopt**
80. [05727](#) That the vacant position (#3750) of Parking Enforcement Leadworker in Compensation Group 16, Range 13, in the permanent salary detail of the Police Department budget is repealed and recreated as a position of Parking Enforcement Supervisor in Compensation Group 18, Range 05, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
81. [05730](#) That the (0.8 FTE) position (#3970) of Administrative Clerk 1 (Info Desk) in Compensation Group 20, Range 09, in the permanent salary detail of the Overture Center budget is repealed and recreated as a (0.8 FTE) position of Administrative Clerk 2 in Compensation Group 20, Range 11, thereof. Note: The position will continue to be filled by a limited term employee pending recruitment.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
82. [05733](#) That the two (0.8 FTE) positions (#2648 and #2659) of Crossing Guard Supervisor in Compensation Group 17, Range 12, (occupied by R. Olson and P. Knoche) in the permanent salary detail of the Police Department budget are repealed and recreated as two (0.8 FTE) positions of Crossing Guard Supervisor in Compensation Group 17, Range 13, thereof. Be it further resolved that the incumbents shall be reallocated to said positions.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
83. [05734](#) That the new vacant position of Water Construction Inspector in Compensation Group 16, Range 14, in the permanent salary detail of the Water Utility budget is repealed and recreated as a position of Civil Technician 2 in Compensation Group 16, Range 14, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**

84. [05751](#) That the vacant position (#75) of Equal Opportunity Analyst in Compensation Group 18, Range 04, in the permanent salary detail of the Department of Civil Rights budget is repealed and recreated as a position of Contract Compliance Aide in Compensation Group 20, Range 11, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
85. [05771](#) Authorizing the Mayor and City Clerk to execute a First Amendment to Equipment Leasing Agreement by and between the City and Madison Gas and Electric Company.
- Sponsors:** Michael E. Verveer
- Additional Referral(s): Board of Estimates. Due back at the 3/20/07 Common Council Meeting.*
- Refer to the MONONA TERRACE COMMUNITY AND CONVENTION CENTER BOARD**
86. [05804](#) Authorizing the Mayor and City Clerk to execute a lease with Postal Partners, LLC, the owner of property located at 441 North Lake Street, to accommodate the existing encroachment of the owner's building into the City's adjacent Lake Street Parking Ramp property.
- Sponsors:** Austin W. King
- Additional Referral(s): Plan Commission*
- Refer to the TRANSIT AND PARKING COMMISSION**
87. [05807](#) Accepting a Sanitary Sewer Easement from the Vedder-Shults Trust across property located at 5110 Spring Court.
- Sponsors:** Noel T. Radomski
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF PUBLIC WORKS**
88. [05818](#) Authorizing the Mayor and City Clerk to enter into a contract with a vendor for digital ortho imagery services (aerial photography) and to accept grants and payments from participating communities include the USGS. (City Wide)
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF PUBLIC WORKS**

89. [05822](#) Declaring City of Madison's interest in taking a leadership role in promotion of sustainable energy by promoting both energy efficiency and renewable energy for the City of Madison facilities and the community, and amending the 2007 Operating Budget to appropriate \$17,000 for the purchase of renewable energy credits from contingent reserve.

Sponsors: David J. Cieslewicz, Judy K. Olson and Jed Sanborn

Refer to the BOARD OF ESTIMATES

LICENSES

90. [05747](#) Public Hearing - New License
El Pescador Inc • dba El Pescador
2810 E. Washington Avenue • Agent:Humberto Marias
Class B Combination Liquor & Beer • 15% alcohol, 85% food
Aldermanic District 15 (Ald. Palm) • Police Sector 505
Due back at the 4/17/07 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
91. [05764](#) Public Hearing - New License
N43 Venture, LLC • dba Sushi Muramoto
546 N. Midvale Boulevard • Agent:Shinji Muramoto
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 11 (Ald. Gruber) • Police Sector 108
Due back at the 4/17/07 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
92. [05770](#) Public Hearing - New License
Inka Heritage, LLC • dba Inka Heritage
602 S Park Street • Agent: Lucas Rodriguez • estimated capacity: 50
Class B Beer, Class C Wine • 5% alcohol, 95% food.
Aldermanic District 13 (Ald. Knox) • Police Sector 305
Due back at the 4/17/07 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
93. [05774](#) Public Hearing - New License
One-Eleven, Inc. • dba Club One-Eleven
111 W. Main Street • Agent: Glenn Jahns • estimated capacity 300
Liquor & Beer Class B Combination • 64% alcohol, 34% food, 2% other
Aldermanic District 4 (Ald. Verveer) • Police Sector 405
Due back at the 4/17/07 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

94. [05791](#) Public Hearing New License
Stop-N-Go of Madison Inc • Stop-N-Go 284 • 5% alcohol, 12% food, 83% other
6202 Schroeder Road • Agent: Andrew Bowman
Class A Beer
Aldermanic District 1 (Alder Sanborn) • Police Sector 114
Due back at the 4/17/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

95. [05792](#) Public Hearing - New License
Stop-N-Go of Madison Inc • Stop-N-Go 255 • 5% alcohol, 12% food, 83% other
2002 Winnebago Street • Agent: Andrew Bowman
Class A Beer
Aldermanic District 6 (Alder Olson) • Police Sector 410
Due back at the 4/17/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

96. [05793](#) Public Hearing - New License
Stop-N-Go of Madison Inc • Stop-N-Go 253 • 5% alcohol, 12% food, 83% other
5445 University Avenue • Agent: Andrew Bowman
Class A Beer
Aldermanic District 19 (Alder Radomski) • Police Sector 109
Due back at the 4/17/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

97. [05794](#) Public Hearing - New License
Family Entertainment, LLC • dba Westgate Cinema • estimated capacity: 800
340 Westgate Mall • Agent: Timothy Ward
Class B Combination Liquor and Beer
Aldermanic District 20 (Alder Thomas) • Police Sector 107
Due back at the 4/17/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

98. [05795](#) Public Hearing - New License
Lucky 13 Enterprises, LLC • dba The Froth House
11 N. Allen Street • Agent: Erik Thebert • estimated capacity: 24
Class B Beer and Class C Wine • 23% alcohol, 27% food, and 50% other.
Aldermanic District 5 (Alder Webber) • Police Sector 301.
Due back at the 4/17/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

99. [05796](#) Public Hearing - New License
Stop-N-Go of Madison, Inc. • dba Stop-N-Go #287
3734 Speedway Road • Class A Beer • 5% alcohol, 12% food, 83% other
Aldermanic District 11 (Alder Gruber) • Police Sector 101
Due back at the 4/17/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

CLAIMS - REFER TO RISK MANAGER

100. [05752](#) A. Meyer, 135 Glenway St., Madison - vehicle damage - \$2,249.06.
101. [05753](#) B. Loughran, 439 N. Ingersoll St., Madison and S. Kalinoski, 437 N. Ingersoll St., Madison - property loss - \$387.25.
102. [05754](#) T. Johnson, 418 N. Franklin Ave., Madison - vehicle damage - \$736.07.
103. [05755](#) S. Samuels, 6 Hodgson Ct., Madison - vehicle damage - \$5,262.50.
104. [05773](#) S. Seuser, 521 Clemons Ave., #1, Madison - vehicle damage - \$160.00.
105. [05776](#) K. Mills, 2818 Brandon Rd., Madison - vehicle damage - \$2,409.74.
106. [05777](#) G. Glasco, 302 N. Baldwin St., # E, Madison - property damage - \$735.50.
107. [05813](#) E. Kremer, 5121 Door Dr., Madison - vehicle damage - \$7,347.19.

CLAIMS - REFER TO CITY ATTORNEY

108. [05756](#) UNLAWFUL TAXATION: Whyte Hirschboeck Dudek S.C. for University Research Park, Inc./Third Wave Technologies, Inc. - unlawful taxation - \$110,123.68.

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

109. [05868](#) Amending the 2007 Operating Budget to appropriate \$20,000 from Contingent Reserve and authorizing the expenditure of an additional \$20,000 in Child Care Stabilization Funds through the City Child Care Assistance Program.

Sponsors: Brenda K. Konkel

A motion was made by Ald. Konkel, seconded by Ald. King, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.

110. [05869](#) Creating Sections 27.05(2)(aa), (bb), and (cc) and Section 29.20(21) of the Madison General Ordinances to require the use of compact fluorescent or light emitting diode bulbs in certain buildings.
- Sponsors:** David J. Cieslewicz, Austin W. King, Noel T. Radomski, Brenda K. Konkel, Lauren Cnare, Michael E. Verveer, Robbie Webber, Judy K. Olson, Paul J. Van Rooy, Tim Gruber, Brian Benford and Larry Palm
- A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to the BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD. The motion passed by acclamation.**
111. [05700](#) Approving the formation of an Air Quality Subcommittee to the Commission on the Environment.
- Sponsors:** Larry Palm
- A motion was made by Ald. Palm, seconded by Ald. King, to Refer to the COMMISSION ON THE ENVIRONMENT. The motion passed by acclamation.**
112. [05888](#) That the City of Madison supports federal efforts to enshrine Net Neutrality, applauds the support for Net Neutrality exhibited by Congresswoman Tammy Baldwin and Senator Russ Feingold, and calls on Senator Herb Kohl and other members of Congress to likewise support such efforts.
- Sponsors:** Austin W. King, Brenda K. Konkel, Michael E. Verveer, Robbie Webber and Judy K. Olson
- Adopt at the 3/20/07 Common Council Meeting.*
- A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for March 20, 2007. The motion passed by acclamation.**

ADJOURNMENT

A motion was made by Ald. King, seconded by Ald. Verveer, to Adjourn at 6:49 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on March 7, 2007.

Ordinances published March 22, 2007.

MARIBETH WITZEL-BEHL, CITY CLERK