



City of Madison

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

Agenda - Amended COMMON COUNCIL

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Tuesday, June 16, 2009

6:30 PM

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

SPEAKING GUIDELINES

If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.

Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.

Если Вам необходима помощь устного или письменного переводчика, а также если Вам требуются материалы в иных форматах либо у Вас имеются особые пожелания в связи с доступом к данной услуге, мероприятию или программе, пожалуйста, позвоните по указанному ниже телефону и сообщите об этом не менее чем за три рабочих дня до соответствующей встречи.

Please contact the Office of the Common Council at 266-4071, TTY/Textnet 866-704-2340.

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 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. Bruer

OPENING REMARKS

SUSPENSION OF 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.

HONORING RESOLUTIONS

1. [14962](#) To declare the month of July as Parks and Recreation Month and to recognize the benefits that Madison parks provide for recreational opportunities.
Sponsors: Common Council By Request
Legislative History

6/10/09	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER
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2. [15043](#) Commending the Madison-Dane County Public Health Department, City Information Technology Department and City Document Services staff on their outstanding work in providing up-to-date and pertinent information relative to the H1N1 (Swine) influenza outbreak.
Sponsors: Lauren Cnare, David J. Cieslewicz, Tim Bruer, Mark Clear, Shiva Bidar-Sielaff, Joseph R. Clausius, Judy Compton, Bryon A. Eagon, Julia S. Kerr, Steve King, Bridget R. Maniaci, Larry Palm, Thuy Pham-Remmele, Satya V. Rhodes-Conway, Marsha A. Rummel, Jed Sanborn, Chris Schmidt, Michael Schumacher, Paul E. Skidmore, Brian L. Solomon and Michael E. Verveer
Legislative History

6/10/09	Council Office Honoring Resolutions	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS
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3. [15055](#) Acknowledging and commemorating Judy Hughes' more than 30 years of dedicated professional service in the City's Human Resources Department.
Sponsors: David J. Cieslewicz
Legislative History

6/8/09	Attorney's Office	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS
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PETITIONS AND COMMUNICATIONS

None received by the agenda deadline.

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

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

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

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

4. [14452](#) Public Hearing - New License
R&T Enterprises LLC • dba JT Whitney's Pub & Brewery • 35% alcohol, 65% food, 5% Other
674 S Whitney Way • Agent: Richard Becker • Estimated Capacity: 410
Class B Combination Liquor & Beer & Wholesaler
Aldermanic District 19 (Alder Clear) • Police Sector 113
- Legislative History**
- | | | |
|---------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 4/15/09 | ALCOHOL LICENSE REVIEW COMMITTEE | Referred for Introduction
Alcohol License Review Committee, Public Hearing, Common Council Meeting 6/2/09 |
| 5/5/09 | COMMON COUNCIL | Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE
Due back at the 6/2/09 Common Council Meeting. |
| 5/20/09 | ALCOHOL LICENSE REVIEW COMMITTEE | RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING |
| 6/2/09 | COMMON COUNCIL | Rerefer for Recessed Public Hearing to the COMMON COUNCIL
Grant at the 6/16/09 Common Council Meeting. |
5. [14715](#) Approving plans and specifications and schedule of assessments - and authorizing the Board of Public Works to advertise and receive bids for the Sherman Terrace Condominium Association Water Main Replacement - 2009.
- Sponsors:** BOARD OF PUBLIC WORKS
- Legislative History**
- | | | |
|---------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5/20/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING |
| 6/2/09 | COMMON COUNCIL | Rerefer for Recessed Public Hearing to the COMMON COUNCIL
3 Registrant(s) in support wishing to speak; 5 Registrant(s) in support not wishing to speak.
Adopt at the 6/16/09 Common Council Meeting. |

REPORT OF PLAN COMMISSION

6. [13256](#) SUBSTITUTE - Creating Section 28.06(2)(a)3411. of the Madison General Ordinances rezoning property from R4 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3412. 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: Relocate existing 2-Unit Building, Construct Underground Parking and New 2-Unit; 6th Aldermanic District: 430-434 South Thornton Avenue, 1526 Jenifer Street and 433 Cantwell Court.

Sponsors: Common Council By Request

Legislative History

1/13/09	Attorney's Office/Approval Group Plan Commission; Public Hearings: Plan Commission, 02/23/09; Common Council, 03/03/09	Referred for Introduction
1/20/09	COMMON COUNCIL Due back at the 3/3/09 Common Council Meeting.	Referred for Public Hearing to the PLAN COMMISSION
2/23/09	PLAN COMMISSION The Plan Commission recommended referral pending a recommendation by the Urban Design Commission	RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION
3/3/09	COMMON COUNCIL	Rerefer for Recessed Public Hearing to the PLAN COMMISSION
3/23/09	PLAN COMMISSION Referred to allow an opportunity for City agencies and the neighborhood to review recently amended plans for this project.	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION
4/6/09	PLAN COMMISSION This matter was referred pending a recommendation by the Urban Design Commission	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION
5/18/09	PLAN COMMISSION Referred at the request of the applicant. This motion passed unanimously.	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION
6/1/09	PLAN COMMISSION This item was referred for sixty days in order for the applicant to provide a solar impact study and to meet with the neighborhood association to present and discuss the most current version of the plans.	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION

A substitute motion, made by Ald. Kerr and seconded by Boll to place on file without prejudice, citing that PUD standards 1B, 2, and 4 were not met failed by the following vote: 4:4 (AYE: Ald. Kerr, Sundquist, Boswer, and Boll; NO: Olson, Ald. Cnare, Gruber, and Basford; NON-VOTING: Pearson and Fey.

7. [13259](#) SUBSTITUTE - Creating Section 28.06(2)(a)3413. of the Madison General Ordinances rezoning property from R4L Limited General Residence District and R4A Limited General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3414. 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: Relocated 2-Unit from South Thornton Avenue onto Vacant Property; 6th Aldermanic District: 1148 Jenifer Street.

Sponsors: Common Council By Request

Legislative History

1/13/09	Attorney's Office/Approval Group Plan Commission; Public Hearings: Plan Commission, 02/23/09; Common Council, 03/03/09	Referred for Introduction
1/20/09	COMMON COUNCIL Due back at the 3/3/09 Common Council Meeting.	Referred for Public Hearing to the PLAN COMMISSION
2/23/09	PLAN COMMISSION The Plan Commission recommended referral pending a recommendation by the Urban Design Commission and approval of a Certificate of Appropriateness by the Landmarks Commission.	RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION
3/3/09	COMMON COUNCIL	Rerefer for Recessed Public Hearing to the PLAN COMMISSION
3/23/09	PLAN COMMISSION Referred pending a recommendation by the Urban Design Commission.	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION
4/6/09	PLAN COMMISSION This matter was referred pending a recommendation by the Urban Design Commission	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION
5/18/09	PLAN COMMISSION Referred at the request of the applicant.	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION
6/1/09	PLAN COMMISSION This item was referred for sixty days in order for the applicant to provide a solar impact study and to meet with the neighborhood association to present and discuss the most current version of the plans.	RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the PLAN COMMISSION

The main motion passed by the following vote: 7:1 (AYE: Sundquist, Boswer, Boll, Olson, Ald. Cnare, Gruber, Basford; NO: Ald. Kerr; NON-VOTING: Pearson and Fey.

A substitute motion, made by Ald. Kerr and seconded by Boll to place on file without prejudice, citing that Planned Unit Development standards 1B, 2, and 4 were not met, failed by the following vote: 4:4 (AYE: Ald. Kerr, Sundquist, Boswer, and Boll; NO: Olson, Ald. Cnare, Gruber, and Basford; NON-VOTING: Pearson and Fey.

8. [13963](#) Creating Section 28.06(2)(a)3425. of the Madison General Ordinances rezoning property from R5 General Residence District and C2 General Commercial to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3426. 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 4 Buildings and Construct Mixed-Use Building with 26 Multi-family units and 11,700 Square-Feet Commercial Space; 12th Aldermanic District: 1900-1916 East Washington Avenue.

Sponsors: Common Council By Request

Legislative History

3/9/09	Attorney's Office/Approval Group Plan Commission; Public Hearings: Plan Commission, 5/4/09; Common Council, 5/19/09	Referred for Introduction
3/31/09	COMMON COUNCIL Due back the 5/19/09 Common Council Meeting.	Referred for Public Hearing to the PLAN COMMISSION
5/4/09	PLAN COMMISSION This matter was referred pending a recommendation by the Urban Design Commission.	RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the PLAN COMMISSION
5/19/09	COMMON COUNCIL	Rerefer for Recessed Public Hearing to the PLAN COMMISSION
6/1/09	PLAN COMMISSION In making the recommendation to approve, the Commission stated that this approval was not to set a precedent to encourage further tear down and larger-scale redevelopment along this portion of East Washington Avenue. The Plan Commission recommended approval subject to the comments and conditions contained within the Plan Commission materials with the following additions and modifications: -That the following additional language be added to Condition 2 of the June 1, 2009 Plan Commission Report: "That the applicant shall submit proof of financing demonstrating the entire cost of the development and all sources necessary to meet these costs." -That the following additional language be added to Condition 3 of the June 1, 2009 Plan Commission Report: "That property management shall include a live-in manager responsible for the site and maintain a permanent sign outside the entrance to the residential units providing the name, address and phone number of the management company. -That the applicant include four (4) additional pedestrian arcade access points, subject to UDC approval. This motion passed unanimously.	RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING

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

9. [14585](#) Approving Plans, Specifications, And Schedule Of Assessments For Femrite Drive and Marsh Road Reconstruction Assessment District - 2009. (16th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- Legislative History**
- | | | |
|---------|-----------------------|------------------------------------------------|
| 5/6/09 | BOARD OF PUBLIC WORKS | Refer to the BOARD OF PUBLIC WORKS |
| 5/20/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING |
10. [14718](#) Approving Plans, Specifications, And Schedule Of Assessments For Blackhawk Road Assessment District - 2009.
- Sponsors:** BOARD OF PUBLIC WORKS
- Legislative History**
- | | | |
|---------|-----------------------|------------------------------------------------|
| 5/20/09 | BOARD OF PUBLIC WORKS | Refer to the BOARD OF PUBLIC WORKS |
| 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING |

REPORT OF PLAN COMMISSION

11. [14885](#) Creating Section 28.06(2)(a)3437. of the Madison General Ordinances rezoning property from R6 General Residence District to C2 General Commercial District. Proposed Use: Rezoning to a Conforming Zoning District as Part of Change in Ownership; 2nd Aldermanic District: 214 North Hamilton Street.
- Sponsors:** Common Council By Request
- Legislative History**
- | | | |
|---------|----------------------------------|-------------------------------------------------------------------------------------|
| 5/26/09 | Attorney's Office/Approval Group | Referred for Introduction |
| | | Plan Commission; Public Hearings: Plan Commission, 6/15/09; Common Council, 6/16/09 |
| 6/2/09 | COMMON COUNCIL | Referred for Public Hearing to the PLAN COMMISSION |
| | | Due back at the 6/16/09 Common Council Meeting. |

NOTE: The Plan Commission will consider ID# 14885 at their 6/15/09 meeting. Recommendation will be made from the Council floor.

12. [14886](#) Creating Section 28.06(2)(a)3436. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Re-Approving the GDP for Multi-Family Housing in the Village At Autumn Lake PUD; 17th Aldermanic District: 5922 Lien Road.

Sponsors: Common Council By Request

Legislative History

5/26/09	Attorney's Office/Approval Group Plan Commission; Public Hearings: Plan Commission, 6/15//09; Common Council, 6/16/09	Referred for Introduction
6/2/09	COMMON COUNCIL	Referred for Public Hearing to the PLAN COMMISSION Due back at the 6/16/09 Common Council Meeting.

NOTE: The Plan Commission will consider ID# 14886 at their 6/15/09 meeting. Recommendation will be made from the Council floor.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

13. [14896](#) Report of the Mayor submitting citizen committee appointments (introduced 6-2-2009; action 6-16-2009).

Sponsors: David J. Cieslewicz

Legislative History

5/26/09	Mayor's Office Common Council Meeting 6/16/09 (2/3 vote required for MDC and Sister City Com.)	Referred for Introduction
6/2/09	COMMON COUNCIL	Refer to a future Meeting to Confirm to the COMMON COUNCIL 1 Registrant(s) in support not wishing to speak. Confirm at the 6/16/09 Common Council Meeting (2/3 vote required for Mad Devel Corp and Sister City Com appts.)

14. [15025](#) Report of the Mayor submitting Alder committee appointments.

Sponsors: David J. Cieslewicz

Legislative History

6/4/09	Mayor's Office	RECOMMEND TO COUNCIL TO CONFIRM
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15. [15030](#) Report of the Mayor submitting citizen committee appointments (introduced 6-16-2009; action 7-7-2009).

Sponsors: David J. Cieslewicz

Legislative History

6/5/09 Mayor's Office Referred for Introduction
Common Council Meeting 7/7/2009. 2/3 vote required for Contracted Service Oversight Subcom., and Low-Income Bus Pass Program Com.

16. [15042](#)

Amending Sec. 33.29 of the Madison General Ordinances to increase the citizen membership of the Madison Election Advisory Committee.

Sponsors: David J. Cieslewicz

Legislative History

6/8/09 Attorney's Office RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS

Business by the Mayor

CONFIRMATION HEARING

REPORT OF BOARD OF ESTIMATES

17. [14857](#)

Modifying the employment agreement of Alan C. Schumacher to include the duties of Public Works Team Leader and providing additional compensation for the performance of these additional duties.

Sponsors: David J. Cieslewicz

Legislative History

5/21/09 Human Resources Referred for Introduction
Department
Board of Estimates, Confirmation Hearing, Common Council Meeting 6/16/09

6/2/09 COMMON COUNCIL Refer for Confirmation Hearing to the BOARD OF ESTIMATES
Due back at the 6/16/09 Common Council Meeting.

6/8/09 BOARD OF ESTIMATES RECOMMEND TO COUNCIL TO ADOPT - CONFIRMATION HEARING

18. [14875](#)

Confirming the re-appointment of Bradley J. Murphy to the position of Director of the Planning Division subject to the approval and execution of a five-year employment agreement.

Sponsors: David J. Cieslewicz

Legislative History

5/22/09 Human Resources Referred for Introduction
Department
Board of Estimates, Confirmation Hearing, Common Council Meeting 6/16/09

6/2/09 COMMON COUNCIL Refer for Confirmation Hearing to the BOARD OF ESTIMATES
Due back at the 6/16/09 Common Council Meeting.

6/8/09 BOARD OF ESTIMATES RECOMMEND TO COUNCIL TO ADOPT - CONFIRMATION HEARING

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

19. [15090](#) Alcohol License Review Committee Report of Operator License Applications 6/10/09. See attached report for list of operators. Additional names to be distributed at the June 16 Common Council meeting.
- Legislative History**
- | | | |
|---------|-------------------------------------|------------------------------------------------------|
| 6/10/09 | ALCOHOL LICENSE
REVIEW COMMITTEE | RECOMMEND TO COUNCIL TO GRANT -
REPORT OF OFFICER |
|---------|-------------------------------------|------------------------------------------------------|

REPORT OF MADISON'S CENTRAL BUSINESS IMPROVEMENT DISTRICT (BID) BOARD

20. [14874](#) Approving the Second Amendment to the 2009 Operating Plan for Madison's Central Business Improvement District (#1).
- Sponsors:** Michael E. Verveer
- Legislative History**
- | | | |
|---------|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| 5/22/09 | Clerk's Office
Madison's Central Business Improvement District Improvement District (BID) Board,
Common Council Meeting 6/16/09 | Referred for Introduction |
| 6/2/09 | COMMON COUNCIL | Referred to the MADISON'S CENTRAL
BUSINESS IMPROVEMENT DISTRICT
(BID) BOARD |
| | | Due back at the 6/16/09 Common Council Meeting. |
| 6/4/09 | MADISON'S CENTRAL
BUSINESS
IMPROVEMENT
DISTRICT (BID) BOARD | RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER |

REPORT OF BOARD OF ESTIMATES

21. [14504](#) Amending the 2009 Monona Terrace Capital Budget to increase authorized funding by \$100,000 for the Rooftop Kiosk Capital Project.
- Sponsors:** Michael E. Verveer
- Legislative History**
- | | | |
|---------|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 4/28/09 | Monona Terrace
Board of Estimates, Monona Terrace Community and Convention Center Board | Referred for Introduction |
| 5/5/09 | COMMON COUNCIL
Additional Referral(s): Monona Terrace Community and Convention Center Board | Referred to the BOARD OF ESTIMATES |
| 5/5/09 | BOARD OF ESTIMATES | Refer to the MONONA TERRACE
COMMUNITY AND CONVENTION
CENTER BOARD |

5/21/09	MONONA TERRACE COMMUNITY AND CONVENTION CENTER BOARD	Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER

22. [14516](#)

Approve Porchlight's request for \$239,255 in Home Match funds for 7 units in the form of a deferred loan secured by a mortgage, promissory note and Land Use Restriction Agreement (LURA) with a 15-year affordability requirement; authorize the Mayor and City Clerk to sign any agreements to effect such a change; agree to waive the CDBG Office 2009-2010 Program Funding Framework per unit limit and the loan-to-value ratio; and approve a 15-year forgivable loan with Porchlight for the outstanding CDBG Office investment \$200,200. The combined CDBG Office investment in the property will be \$439,455.

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

Legislative History

5/8/09	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE Board of Estimates	Referred for Introduction
5/19/09	COMMON COUNCIL	Referred to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

23. [14518](#)

Approve Porchlight's request for \$234,255 in Home Match funds for 6 units in the form of a deferred loan secured by a mortgage, promissory note and Land Use Restriction Agreement (LURA) with a 15-year affordability requirement; authorize the Mayor and City Clerk to sign any agreements to effect such a change; agree to waive the CDBG Office 2009-2010 Program Funding Framework per unit limit and the loan-to-value ratio; and approve a 15-year forgivable loan with Porchlight for the outstanding CDBG Office investment \$214,590. The total CDBG Office investment in this property will be \$448,845.

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

Legislative History

5/8/09	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE Board of Estimates	Referred for Introduction
5/19/09	COMMON COUNCIL	Referred to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

24. [14632](#) To amend the 2009 Capital Budget to accept the donation of funds and in kind donations for the design and construction of a plaza and installation of a pergola in Veterans Memorial Park.
- Sponsors:** Joseph R. Clausius, Judy Compton and Paul E. Skidmore
- Legislative History**
- | | | |
|---------|-----------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 5/13/09 | Parks Division
Board of Estimates, Board of Park Commissioners | Referred for Introduction |
| 5/19/09 | COMMON COUNCIL
Additional Referral(s): Board of Park Commissioners | Referred to the BOARD OF ESTIMATES |
| 5/19/09 | BOARD OF ESTIMATES | Refer to the BOARD OF PARK COMMISSIONERS |
| 6/8/09 | BOARD OF ESTIMATES | RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER |
| 6/10/09 | BOARD OF PARK COMMISSIONERS | Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES |
25. [14845](#) Recreating the Program Assistant 2 position in Information Technology as an Administrative Assistant and reallocating the incumbent to the new position.
- Sponsors:** David J. Cieslewicz
- Legislative History**
- | | | |
|---------|-------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 5/20/09 | Human Resources Department
Board of Estimates, Personnel Board | Referred for Introduction |
| 6/2/09 | COMMON COUNCIL
Additional Referral(s): Personnel Board | Referred to the BOARD OF ESTIMATES |
| 6/2/09 | BOARD OF ESTIMATES | Refer to the PERSONNEL BOARD |
| 6/3/09 | PERSONNEL BOARD | Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES |
| 6/8/09 | BOARD OF ESTIMATES | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
26. [14853](#) Approve the request of Movin' Out, Inc. to waive the CDBG Office 2009-2010 Program Funding Framework loan-to-value ratio and the per unit limit for projects at North Lawn Ave. and Stonebridge Condominiums.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- Legislative History**
- | | | |
|---------|-----------------------------------------------------------------------------------------------------------------|---------------------------|
| 5/26/09 | COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE
Board of Estimates, Community Development Block Grant Commission | Referred for Introduction |
|---------|-----------------------------------------------------------------------------------------------------------------|---------------------------|

6/2/09	COMMON COUNCIL Additional Referral(s): Community Development Block Grant Commission	Referred to the BOARD OF ESTIMATES
6/2/09	BOARD OF ESTIMATES	Refer to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE
6/4/09	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

27. [14855](#) Recreation of the vacant half-time position of Planning Systems Improvement Analyst (18-07) as a half-time Planning GIS Specialist (18-07) within the Department of Planning & Community & Economic Development.

Sponsors: David J. Cieslewicz

Legislative History

5/21/09	Human Resources Department Board of Estimates, Personnel Board	Referred for Introduction
6/2/09	COMMON COUNCIL Additional Referral(s): Personnel Board	Referred to the BOARD OF ESTIMATES
6/2/09	BOARD OF ESTIMATES	Refer to the PERSONNEL BOARD
6/3/09	PERSONNEL BOARD	Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

28. [14865](#) Retitling the "Warner Park Facility Manager" classification to "Parks Facilities Manager," moving the new classification from CG18 Range 10 to CG 18, Range 11, and reallocating the incumbent to the new classification and pay range.

Sponsors: David J. Cieslewicz

Legislative History

5/21/09	Human Resources Department Board of Estimates, Personnel Board	Referred for Introduction
6/2/09	COMMON COUNCIL Additional Referral(s): Personnel Board	Referred to the BOARD OF ESTIMATES
6/2/09	BOARD OF ESTIMATES	Refer to the PERSONNEL BOARD
6/3/09	PERSONNEL BOARD	Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES

6/8/09 BOARD OF ESTIMATES RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER

29. [14899](#) Authorizing the Mayor, City Clerk and Chief of Police to accept the FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) award in the amount of \$907,829 and to utilize these funds to support several law enforcement initiatives.

Sponsors: David J. Cieslewicz

Legislative History

5/26/09 Police Department Referred for Introduction
Board of Estimates

6/2/09 COMMON COUNCIL Referred to the BOARD OF ESTIMATES

6/8/09 BOARD OF ESTIMATES RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER

30. [14900](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of "Warner Park Facility Manager" in Compensation Group 18, Range 10 and creating the classification of "Parks Facilities Manager" in Compensation Group 18, Range 11, thereof.

Sponsors: David J. Cieslewicz

Legislative History

5/26/09 Attorney's Office/Approval Referred for Introduction
Group
Board of Estimates, Personnel Board

6/2/09 COMMON COUNCIL Referred to the BOARD OF ESTIMATES
Additional Referral(s): Personnel Board

6/2/09 BOARD OF ESTIMATES Refer to the PERSONNEL BOARD

6/3/09 PERSONNEL BOARD Return to Lead with the Recommendation
for Approval to the BOARD OF
ESTIMATES

6/8/09 BOARD OF ESTIMATES RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER

31. [14904](#) SUBSTITUTE - Amending the 2009 Operating Budget of the Stormwater Utility to fund additional efforts related to the Yahara Lakes and authorizing the Mayor and City Clerk to enter into all agreements related to this initiative. a design engineering contract with MSA Professional Services for completion of a floodplain study associated with the series of bridges on the Upper Yahara River at STH 113.

Sponsors: BOARD OF PUBLIC WORKS and Satya V. Rhodes-Conway

Legislative History

6/3/09	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

32. [14969](#) Authorizing the Mayor and other City officials to sign an amendment to the existing agreement with the Board of Regents of the University of Wisconsin System (UW) for the use of City fiber-optic communication strands.

Sponsors: David J. Cieslewicz, Mark Clear and Tim Bruer

Legislative History

6/1/09	Traffic Engineering Division Board of Estimates	Referred for Introduction
6/2/09	COMMON COUNCIL	Refer to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

REPORT OF BOARD OF PARK COMMISSIONERS

33. [14936](#) Authorizing the Mayor and City Clerk to execute a Use Agreement between the City and Mid-West Family Broadcasting, Inc. (Mid-West) for the July 3rd Woodman's Elver Park Fireworks; amending the 2009 City of Madison Parks Division Budget; and authorizing the Mayor and City Clerk to enter into an Agreement between the City and Bartolotta Fireworks Company, Inc. for the fireworks display at Elver Park.

Sponsors: Thuy Pham-Remmele, Jed Sanborn and David J. Cieslewicz

Legislative History

5/29/09	Parks Division Board of Park Commissioners, Board of Estimates, Common Council Meeting 6/16/09	Referred for Introduction
6/2/09	COMMON COUNCIL Additional Referral(s): Board of Estimates Due back at the 6/16/09 Common Council Meeting.	Referred to the BOARD OF PARK COMMISSIONERS
6/2/09	BOARD OF PARK COMMISSIONERS	Refer to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS
6/10/09	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

34. [14960](#) Authorizing the closure of Warner Park lagoon and its connecting waterway to Lake Mendota during 2009 Rhythm and Booms celebration. (12th AD)
Sponsors: Satya V. Rhodes-Conway, Michael Schumacher, Paul E. Skidmore and Joseph R. Clausius
35. [14961](#) To extend the closing hours at Warner Park to 11:30 p.m. on Saturday, June 27, 2009 for the 17th annual Rhythm & Booms Independence Day fireworks event. (12th AD)
Sponsors: Satya V. Rhodes-Conway, Michael Schumacher, Paul E. Skidmore and Joseph R. Clausius
Legislative History
6/10/09 BOARD OF PARK COMMISSIONERS RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER

REPORT OF BOARD OF PUBLIC WORKS

36. [14680](#) Improvements Accepted for Water Service Laterals by Private Contract to serve: Silicon Prairie Business Park - Phase II. (9th AD)
Sponsors: BOARD OF PUBLIC WORKS
Legislative History
6/3/09 BOARD OF PUBLIC WORKS RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
37. [14841](#) Improvements Accepted for Goodman Community Pool - 2005 Contract #5850. (AD #13)
Sponsors: BOARD OF PUBLIC WORKS
Legislative History
6/3/09 BOARD OF PUBLIC WORKS RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
38. [14843](#) Approving Plans and Specifications and Authorizing the Board of Public Works to Advertise and Receive Bids for the Installation of New 12" Water Main from Commercial Avenue to N. Thompson Drive. (3rd & 17th ADs)
Sponsors: BOARD OF PUBLIC WORKS
Legislative History
6/3/09 BOARD OF PUBLIC WORKS RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

39. [14897](#) Approving plans and specifications for public improvements necessary for the project known as Park and Regent Redevelopment PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2223. (4th, 8th & 13th ADs)
Sponsors: BOARD OF PUBLIC WORKS
Legislative History
6/3/09 BOARD OF PUBLIC WORKS RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
40. [14912](#) Approving Plans and Specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6035, University Research Park Path between Tocora Lane and Science Drive; also Accepting a Permanent Limited Easement for Pedestrian and Bicycle purposes and a Temporary Limited Easement for construction purposes from University Research Park, Inc. across Lot 4, University Research Park - University of Wisconsin, Madison property; also revising the "No Vehicular Access" restriction placed on the Plat of University Research Park - University of Wisconsin, Madison to say "No Vehicular Access by Motorized Vehicles. (20th AD)
Sponsors: BOARD OF PUBLIC WORKS
Legislative History
6/3/09 BOARD OF PUBLIC WORKS RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
41. [14913](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Waterways 2009, Contract No. 6315. (Various ADs)
Sponsors: BOARD OF PUBLIC WORKS
Legislative History
6/3/09 BOARD OF PUBLIC WORKS RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
42. [14914](#) Approving a maintenance agreement for privately maintained improvements within the public right of way adjacent to 1022 W. Johnson Street. (8th AD)
Sponsors: BOARD OF PUBLIC WORKS
Legislative History
6/3/09 BOARD OF PUBLIC WORKS RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
43. [14917](#) Authorizing and Mayor and the City Clerk to enter into a contract with Dane County for the sealcoating of unimproved streets. (Various ADs)
Sponsors: BOARD OF PUBLIC WORKS
Legislative History

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| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 44. | 14919 | Authorizing the Mayor and City Clerk to enter into an Intergovernmental Agreement for the construction of the Rolfsmeyer Road Sanitary Sewer. (14th AD) | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 45. | 14921 | Improvements accepted for Alicia Ashman Library PV Installation 2008, Contract No. 6191. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 46. | 14922 | Improvements accepted for Kettle Pond Dredging, Contract No. 6058. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 47. | 14923 | Improvements accepted for Seminole Highway Street Assessment District - 2004, Contract No. 5637. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 48. | 14924 | Improvements accepted for Monona Terrace Community and Convention Center - 2009, Contract No. 6309. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 49. | 14925 | Assessing Benefits - Curb and Gutter in Conjunction with Resurfacing - 2008 Assessment District. (Various ADs) | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |

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| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 50. | 14926 | Authorizing the Mayor and City Clerk to execute an Amendment No. 3 to the present agreement between the City of Madison, State of Wisconsin Department of Transportation and HNTB Corporation, entitled, East Washington Avenue (Blair Street to Thierer Road), for additional services in connection with a Stimulus project. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 51. | 14930 | Improvements accepted for 2007 Resurfacing Various Streets; Grinding & Pulverizing, Contract No. 5994. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 52. | 14934 | Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Starkweather Creek Bank Improvements. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 53. | 14948 | Awarding Public Works Contract No. 6282, Marquette Street Reconstruction Assessment District - 2009. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
| 54. | 14949 | Awarding Public Works Contract No. 6305, Camden Road Street Assessment District - 2009. | |
| | <u>Sponsors:</u> BOARD OF PUBLIC WORKS | | |
| | <u>Legislative History</u> | | |
| | 6/3/09 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |

55. [14970](#) Authorizing the Mayor and City Clerk to enter into an agreement with Burse Surveying and Engineering, Inc. for surveying services for 2010 street and sewer reconstruction projects. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

Legislative History

6/3/09	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
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REPORT OF PLAN COMMISSION

56. [14245](#) Approving Certified Survey Map of the Roger and Nancy Greenwald property located at 6234 South Highlands Avenue, creating a deep residential lot. 19th Ald. Dist.

Legislative History

4/6/09	PLAN COMMISSION	Rerefer to the PLAN COMMISSION The Plan Commission referred this matter to the June 1, 2009 meeting to allow the applicants to have a meeting with the district alder and neighbors to discuss the proposed land division and to provide the Commission with additional information on tree preservation and future home construction on proposed Lot 1.
6/1/09	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER The Plan Commission found that with the recommended conditions, the conditional use standards were met in creating this subdivision and recommended approval subject to the comments and conditions contained within the Plan Commission materials contained in the report of April 1, 2009, with the following additions and modifications:

-That the CSM must clearly delineate the allowable building envelope in compliance with the building setback requirements of the R1-R zone.

-That compliance with the May 2009 Tree Preservation Plan prepared by Majestyk Tree Care is required, but to include the requirement that the numbered trees as shown on the copy of the survey map prepared by Majestyk will all be protected, regardless of construction of a residence.

-That within one year of recording of the CSM, if a building permit for a new principal structure on Lot 1 has not been filed, the applicant shall receive the necessary permit to remove or enclose the pool and deck, and shall complete said removal or enclosure.

-That the property owners grant a driveway easement over the existing shared driveway prior to the sale of either lot created by this Certified Survey Map. No building permits may be issued for either lot until this easement has been granted and recorded and a copy provided to the Zoning Administrator.

The main motion passed by the following vote: 7:1 (AYE: Ald. Kerr, Sundquist, Boll, Olson, Ald. Cnare, Gruber, Basford; NO: Bowser; NON-VOTING Fey).

The original motion, made by Bowser and seconded by Ald. Kerr to reject was withdrawn. A substitute motion made by Boll and seconded by Ald. Kerr to refer was also withdrawn.

REPORT OF RISK MANAGER

57. [14752](#) M. DeVos, DeVos & Zerbst, S.C. for M. Doyle, 344 Island Dr., #12, Madison, 53705 - personal injury - \$270,331.20.
- Legislative History**
- | | | |
|---------|----------------|------------------------------------------------------|
| 5/19/09 | COMMON COUNCIL | Refer to the Risk Manager |
| 6/9/09 | Risk Manager | RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER |
58. [14901](#) B. Hanson, 5306 E. Buckeye Rd., Madison, 53716 - vehicle damage - \$360.00.
- Legislative History**
- | | | |
|--------|----------------|------------------------------------------------------|
| 6/2/09 | COMMON COUNCIL | Refer to the Risk Manager |
| 6/9/09 | Risk Manager | RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER |

REPORT OF SOLID WASTE ADVISORY COMMITTEE

59. [14564](#) Amending Section 10.18(7)(b)2., creating Sec. 10.18(7)(f), and amending Sec. 1.08(3)(a) to ban the disposal of non-contaminated recyclable plastic bags.
- Sponsors:** Judy Compton, David J. Cieslewicz, Brian L. Solomon, Bridget R. Maniaci and Michael E. Verveer
- Legislative History**
- | | | |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| 4/28/09 | Attorney's Office/Approval Group
Solid Waste Advisory Committee; Commission on the Environment; Board of Estimates | Referred for Introduction |
| 5/5/09 | COMMON COUNCIL
Additional Referral(s): Commission on the Environment, Board of Estimates | Referred to the SOLID WASTE ADVISORY COMMITTEE |
| 5/5/09 | SOLID WASTE ADVISORY COMMITTEE | Refer to the COMMITTEE ON THE ENVIRONMENT |
| 5/5/09 | SOLID WASTE ADVISORY COMMITTEE | Refer to the BOARD OF ESTIMATES |
| 5/11/09 | BOARD OF ESTIMATES | Return to Lead with the Recommendation for Approval to the SOLID WASTE ADVISORY COMMITTEE |
| 5/18/09 | COMMITTEE ON THE ENVIRONMENT | Return to Lead with the Recommendation for Approval to the SOLID WASTE ADVISORY COMMITTEE |
| 6/4/09 | SOLID WASTE ADVISORY COMMITTEE
Amend to state "This ordinance will go into effect when the City has put a recycling program in place for plastic bags. | RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER |

REPORT OF TRANSIT/ PARKING COMMISSION

60. [14889](#) Authorizing the Transit General Manager to file an application for a Section 5307, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Brian L. Solomon and Chris Schmidt

Legislative History

5/26/09	MADISON METRO TRANSIT SYSTEM Transit and Parking Commission, Board of Estimates	Referred for Introduction
6/2/09	COMMON COUNCIL Additional Referral(s): Board of Estimates	Referred to the TRANSIT AND PARKING COMMISSION
6/2/09	TRANSIT AND PARKING COMMISSION	Refer to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	Return to Lead with the Recommendation for Approval to the TRANSIT AND PARKING COMMISSION
6/9/09	TRANSIT AND PARKING COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

61. [14890](#) Authorizing the Transit General Manager to file an application for a Section 5309 formula public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Brian L. Solomon and Chris Schmidt

Legislative History

5/26/09	Metro Transit Transit and Parking Commission, Board of Estimates	Referred for Introduction
6/2/09	COMMON COUNCIL Additional Referral(s): Board of Estimates	Referred to the TRANSIT AND PARKING COMMISSION
6/2/09	TRANSIT AND PARKING COMMISSION	Refer to the BOARD OF ESTIMATES
6/8/09	BOARD OF ESTIMATES	Return to Lead with the Recommendation for Approval to the TRANSIT AND PARKING COMMISSION
6/9/09	TRANSIT AND PARKING COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

ITEMS REFERRED TO THIS MEETING

ORDINANCES

62. [14929](#) Amending Section 33.24(3)(g) of the Madison General Ordinances to allow the alternate on the Urban Design Commission to sit on other City committees.
- Sponsors:** Marsha A. Rummel
- Legislative History**
- | | | |
|---------|--------------------------------------------------------------------|----------------------------------------------------------|
| 5/28/09 | Attorney's Office/Approval Group
Common Council Meeting 6/16/09 | Referred for Introduction |
| 6/2/09 | COMMON COUNCIL | Refer to a future Meeting to Adopt to the COMMON COUNCIL |
- Adopt at the 6/16/09 Common Council Meeting.

REPORTS

63. [13531](#) Report from the Mayor submitting the affirmative action status of boards, commissions and committees.
- Sponsors:** David J. Cieslewicz
- Legislative History**
- | | | |
|---------|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 2/10/09 | Mayor's Office | RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER |
| | For Information Only | |
| 2/24/09 | COMMON COUNCIL | Refer to the COMMON COUNCIL |
| | Due back at the 3/17/09 Common Council Meeting (Report is for information only. No action is required.) | |
| 3/17/09 | COMMON COUNCIL | Refer to the AFFIRMATIVE ACTION COMMISSION |
| 5/12/09 | AFFIRMATIVE ACTION COMMISSION | RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER |
| 6/2/09 | COMMON COUNCIL | Refer to a future Meeting to Place on File to the COMMON COUNCIL |
- Place on File (per the AAC recommendation) at the 6/16/09 Common Council Meeting.

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

64. [15027](#) Creating Section 28.06(2)(a)3438. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R1 Single-Family Residence District. Proposed Use: 21 Future Single-Family Lots and 1 Outlot; 1st Aldermanic District: 2055 Woods Road.
- Sponsors:** Common Council By Request
- Legislative History**
- 6/5/09 Attorney's Office/Approval Referred for Introduction
Group
Plan Commission; Public Hearings: Plan Commission, 7/20/09; Common Council, 8/04/09
65. [15028](#) Creating Section 28.06(2)(a)3439 of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3440 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: PUD to Allow Additions and Renovations to an Existing Single-Family Residence and a Three-Unit Residence, Creating 7 Total Dwelling Units; 4th Aldermanic District: 115 & 117 South Bassett Street.
- Sponsors:** Common Council By Request
- Legislative History**
- 6/5/09 Attorney's Office/Approval Referred for Introduction
Group
Plan Commission; Public Hearings: Plan Commission, 7/20/09; Common Council, 8/04/09
66. [15056](#) Amending Section 2.205 of the Madison General Ordinances to allow the President of the Common Council to appoint subcommittees to address issues of a temporary nature.
- Sponsors:** David J. Cieslewicz
- Legislative History**
- 6/9/09 Attorney's Office/Approval Referred for Introduction
Group
Common Council Organizational Committee
67. [15064](#) Amending Section 23.40 of the Madison General Ordinances to declare ash trees infected with Emerald Ash Borer to be a public nuisance and to facilitate proper removal and disposal of any infected trees declared to be a public nuisance.
- Sponsors:** David J. Cieslewicz, Joseph R. Clausius and Michael Schumacher
- Legislative History**
- 6/9/09 Attorney's Office/Approval Referred for Introduction
Group
Board of Park Commissioners

RESOLUTIONS

68. [13648](#) Authorizing the Mayor, City Clerk, and the Director of the Department of Civil Rights to enter into a contract with the U.S. Equal Employment Opportunity Commission to provide complaint processing services during Federal fiscal year 2009 with option periods for Federal fiscal years 2010 and 2011.
- Sponsors:** David J. Cieslewicz and Brian L. Solomon
- Legislative History**
- | | | |
|--------|-----------------------------------------------|---------------------------|
| 6/8/09 | Civil Rights Department
Board of Estimates | Referred for Introduction |
|--------|-----------------------------------------------|---------------------------|
69. [14606](#) Approve satisfying six existing mortgages and promissory notes in the amount of \$127,956.50 that represent CDBG Office financed improvements at 101 E. Mifflin, create a new mortgage and promissory note for a combined \$377,956.50 to reflect the value of the old notes and the new \$250,000 loan approved by the CDBG Commission on 1/6/2009; and approve a waiver of the 2009-10 Program Funding Framework to reflect no shared appreciation on the new note.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- Legislative History**
- | | | |
|--------|-------------------------------------------------------------------------|-------------------------------------------------------------|
| 5/7/09 | COMMUNITY
DEVELOPMENT BLOCK
GRANT COMMITTEE | Refer to the COMMUNITY DEVELOPMENT
BLOCK GRANT COMMITTEE |
| 6/4/09 | COMMUNITY
DEVELOPMENT BLOCK
GRANT COMMITTEE
Board of Estimates | Referred for Introduction |
70. [14918](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Edgewood College for the provision of free access by Edgewood students and employees to Metro Transit for fixed route and ADA paratransit services, with reimbursement per trip for the contract period.
- Legislative History**
- | | | |
|---------|---------------------------------------------------------------------|---------------------------|
| 5/27/09 | Metro Transit
Transit and Parking Commission, Board of Estimates | Referred for Introduction |
|---------|---------------------------------------------------------------------|---------------------------|
71. [14939](#) Authorizing specific projects in an application to the State of Wisconsin for Neighborhood Stabilization Program Funds and authorizing the Mayor and City Clerk to sign agreements with the State of Wisconsin and various agencies to implement the projects and amending the CDBG 2009 Adopted Operating budget to recognize \$1,098,634 in State Grant revenues and commensurate expenditure authority.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- Legislative History**
- | | | |
|--------|-------------------------------------------------------------------------|---------------------------|
| 6/4/09 | COMMUNITY
DEVELOPMENT BLOCK
GRANT COMMITTEE
Board of Estimates | Referred for Introduction |
|--------|-------------------------------------------------------------------------|---------------------------|

72. [14968](#) Accepting a 2009 Assistance to Firefighters Grant if awarded from the Federal Emergency Management Agency, Department of Homeland Security (DHS).
Sponsors: David J. Cieslewicz, Paul E. Skidmore and Lauren Cnare
Legislative History
6/3/09 Fire Department Referred for Introduction
Board of Estimates
73. [14994](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to change the minimum number of Vending Oversight Committee members on the Food Review Panel from three to one.
Sponsors: Michael E. Verveer and Thuy Pham-Remmele
Legislative History
6/3/09 Attorney's Office Referred for Introduction
Vending Oversight Committee
74. [14996](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction of Felland Road Sanitary Sewer Phase 2 and Stormwater Management Project near Felland Road / Burke Road / Wisconsin & Southern Railroad, located in that part of the South 1/2 of Section 23 and part of the North 1/2 of Section 26, all in Town 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin. (17th AD)
Sponsors: Joseph R. Clausius
Legislative History
6/3/09 Engineering Division Referred for Introduction
Board of Public Works, Plan Commission
75. [15019](#) Accepting a 2008 Fire Prevention and Safety grant if awarded from Federal Emergency Management Agency (FEMA), Department of Homeland Security (DHS).
Sponsors: David J. Cieslewicz, Paul E. Skidmore and Lauren Cnare
Legislative History
6/5/09 Fire Department Referred for Introduction
Board of Estimates
76. [15060](#) Authorizing the Mayor and the City Clerk to execute an agreement between Madison and the Middleton Cemetery Association for modifying the access to the Middleton Cemetery due to CTH S and Junction Road/CTH M Construction. (9th AD)
Sponsors: Paul E. Skidmore
Legislative History
6/9/09 Engineering Division Referred for Introduction
Board of Public Works (7/22/09), Pedestrian Bicycle Motor Vehicle Commission (6/23/09)

77. [15061](#) Amending Sections 23.07(10) and 24.12(8) of the Madison General Ordinances to increase penalty range amounts for Unlawful Trespass and Menacing or Aggressive Panhandling Prohibited.
- Sponsors:** Thuy Pham-Remmele and Paul E. Skidmore
- Legislative History**
- | | | |
|--------|--------------------------------------------------------------------|---------------------------|
| 6/9/09 | Attorney's Office/Approval Group
Public Safety Review Committee | Referred for Introduction |
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78. [15062](#) Adopting the Northeast Neighborhoods Development Plan as a supplement to the City of Madison Comprehensive Plan and authorizing the City's applications to amend the Central Urban Service Area as required to implement the development staging recommendations in the Northeast Neighborhoods Development Plan.
- Sponsors:** David J. Cieslewicz, Lauren Cnare and Joseph R. Clausius
- Legislative History**
- | | | |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 6/9/09 | Department of Planning and Community and Economic Development
Plan Commission, Long-Range Transportation Planning Commission, Board of Park Commissioners, Sustainable Design and Energy Committee | Referred for Introduction |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
79. [15063](#) Authorizing staff to amend the Project Plan and Boundary to TID #39 (Stoughton Road) and authorizing staff to request an extra-territorial expenditure from the TIF Joint Review Board upon Common Council adoption of a Project Plan and Boundary and Amendment to TID #39.
- Sponsors:** Tim Bruer and Mark Clear
- Legislative History**
- | | | |
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| 6/9/09 | Community and Economic Development Unit
Plan Commission, Board of Estimates | Referred for Introduction |
|--------|--------------------------------------------------------------------------------|---------------------------|
80. [15089](#) Vacation/Discontinuance of a portion of Wright Street from Mitchell Street north to previously vacated Miller Street, being located in part of the Southeast ¼ of the Northeast ¼ and part of the Northeast ¼ of the Northeast ¼ of Section 29, Town 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, and authorizing the Mayor and City Clerk to accept a public easement from Dane County necessary to allow continued City of Madison access and any other incidental easement rights necessary to maintain the existing Lift Station No. 22 located at 2722 Wright Street as it remains in full operation. (17th AD)
- Sponsors:** Joseph R. Clausius
- Legislative History**
- | | | |
|---------|---------------------------------------------------------------------------------------------------------------|---------------------------|
| 6/10/09 | Engineering Division
Board of Public Works, Plan Commission, Public Hearing, Common Council Meeting 8/4/09 | Referred for Introduction |
|---------|---------------------------------------------------------------------------------------------------------------|---------------------------|

81. [15099](#) Accepting the report and recommendations of the Common Council Organizational Committee Subcommittee to Review City Hiring Practices and Policies.
- Sponsors:** Michael Schumacher
- Legislative History**
- | | | |
|---------|----------------------------------------------------------|---------------------------|
| 6/10/09 | Council Office | Referred for Introduction |
| | Common Council Organizational Committee, Personnel Board | |
82. [15106](#) Creating Section 8.24(1)(z) of the Madison General Ordinances to ban alcohol in Lake Edge Park unless a Parks Division alcohol permit is issued in conjunction with a shelter reservation.
- Sponsors:** Larry Palm, Joseph R. Clausius and Paul E. Skidmore
- Legislative History**
- | | | |
|---------|-------------------------------------|---------------------------|
| 6/11/09 | Attorney's Office/Approval Group | Referred for Introduction |
| | July 7, 2009 Common Council Meeting | |

LICENSES

83. [14976](#) Public Hearing - New License
Two Cool Kids LLC • dba Atomic Koi Cocktail Lounge • 90% alcohol, 10% food
3183 Muir Field Rd • Agent: Hawk Schenkel • Estimated Capacity: 150
Class B Combination Liquor & Beer
Aldermanic District 07 (Alder King) • Police Sector 121
- Legislative History**
- | | | |
|--------|---------------------------------------------------------------------------------------|---------------------------|
| 6/3/09 | ALCOHOL LICENSE REVIEW COMMITTEE | Referred for Introduction |
| | Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7, 2009 | |
84. [14981](#) Public Hearing - New License
BEL Restaurant Group LLC • dba Tutto Pasta Cucina Italiana
20% alcohol, 80% food
107 King St • Agent: Brian Lamphier • Estimated Capacity: 120
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 405 • Density Area
- Legislative History**
- | | | |
|--------|---------------------------------------------------------------------------------------|---------------------------|
| 6/3/09 | ALCOHOL LICENSE REVIEW COMMITTEE | Referred for Introduction |
| | Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7, 2009 | |
85. [14984](#) Public Hearing - New License
Costamex Inc • dba Mundo Latino
807 S Gammon Rd • Agent: Evelyn Arteaga
Class A Beer
Aldermanic District 01 (Alder Sanborn) • Police Sector 123
- Legislative History**

6/3/09 ALCOHOL LICENSE Referred for Introduction
REVIEW COMMITTEE
Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7,
2009

86. [14987](#)

Public Hearing - New License
Fiesta Mexican Grill Inc • dba Fiesta Mexican Grill • 15% alcohol, 85% food
7001 Tree Ln #5 • Agent: Anita Mosqueda • Estimated Capacity: 95
Class B Combination Liquor & Beer
Aldermanic District 09 (Alder Skidmore) • Police Sector 125

Legislative History

6/3/09 ALCOHOL LICENSE Referred for Introduction
REVIEW COMMITTEE
Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7,
2009

87. [14988](#)

Public Hearing - New License
Hooters of East Madison LLC • dba Hooters of East Madison
28% alcohol, 69% food, 3% Other
2639 East Springs Dr • Agent: Phillip Bull • Estimated Capacity: 241
Class B Combination Liquor & Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 517

Legislative History

6/3/09 ALCOHOL LICENSE Referred for Introduction
REVIEW COMMITTEE
Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7,
2009

88. [14989](#)

Public Hearing - New License
Riverbrew LLC • dba The Coopers Tavern • 40% alcohol, 60% food
20 W Mifflin St • Agent: Peter McElvanna • Estimated Capacity: 72
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 406 • Density Area

Legislative History

6/3/09 ALCOHOL LICENSE Referred for Introduction
REVIEW COMMITTEE
Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7,
2009

89. [14990](#)

Public Hearing - New License
Fat Sandwich Comapny LLC • dba Fat Sandwich Company
2% alcohol, 97% food, 1% Other
555 State St • Agent: Adam Pearlman • Estimated Capacity: 72
Class B Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area

Legislative History

6/3/09 ALCOHOL LICENSE Referred for Introduction
REVIEW COMMITTEE
Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7,
2009

90. [14991](#) Public Hearing - New License
 Eno Vino LLC • dba Eno Vino LLC • 50% alcohol, 50% food
 601 Junction Rd • Agent: Sean Kennedy • Estimated Capacity: 172
 Class B Combination Liquor & Beer
 Aldermanic District 09 (Alder Skidmore) • Police Sector 128
Legislative History
 6/3/09 ALCOHOL LICENSE Referred for Introduction
 REVIEW COMMITTEE
 Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7,
 2009
91. [15013](#) Public Hearing - Request to Transfer License
 Cafe Porta Alba LLC • dba • 20% alcohol, 80% food
 558 N Midvale Blvd • Agent: Vincent Pugliese • Estimated Capacity: 60
 Class B Combination Liquor & Beer
 Aldermanic District 11 (Alder Schmidt) • Police Sector 108
Legislative History
 6/4/09 ALCOHOL LICENSE Referred for Introduction
 REVIEW COMMITTEE
 Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7,
 2009
92. [15098](#) Public Hearing - New License
 HML LLC • dba Electric Earth Cafe • 20% alcohol, 80% food
 546 W Washington Ave • Agent: Sean Lee • Estimated Capacity: 78
 Class C Wine
 Aldermanic District 04 (Alder Verveer) • Police Sector 404
Legislative History
 6/10/09 ALCOHOL LICENSE Referred for Introduction
 REVIEW COMMITTEE
 Alcohol License Review Committee, Public Hearing, Common Council Meeting July 7,
 2009

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

93. [14967](#) J.C. Boll, Jr., Attorney for MG&E, P.O. Box 1231, Madison, 53701-1231 -
 vehicle damage - \$703.07.
94. [15044](#) A. Biba, 107 Glenn Dr., Cottage Grove, 53527 - vehicle damage - \$1,003.02.
95. [15045](#) D. Yallaly, 7833 Burle St., Madson, 53717 - vehicle damage - \$607.04.
96. [15046](#) R. Flippin, 680 W. Badger Rd., Madison, 53713 - vehicle damage - \$447.85.
97. [15080](#) MG&E, P.O. Box 1231, 53701 - property damage - \$3,990.85.

CLAIMS - REFER TO CITY ATTORNEY

98. [14946](#) Lommen, Abdo, Cole, King & Stagberg PA, attorney for ZipSort Inc., 1820 Wright St., Madison - excessive assessment - amount to be determined.

THE FOLLOWING ITEM(S) WERE INTRODUCED FROM THE FLOOR ON JUNE 2, 2009, AND ARE ON THIS AGENDA PURSUANT TO SEC. 2.05(1)(B), MGO SOLELY FOR THE PURPOSE OF ADDITIONAL REFERRALS.

99. [14931](#) East Wilson/Schley Pass/Dewey Court Neighborhood Conservation District Report.

Sponsors: Marsha A. Rummel

Legislative History

5/28/09	Department of Planning and Community and Economic Development Plan Commission (6/15/09)	Referred for Introduction
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6/2/09	COMMON COUNCIL	Refer to the PLAN COMMISSION
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100. [15003](#) Authorizing the Mayor and City Clerk to execute a second amendment of agreement with Dane County to extend the existing agreement for dispatch operations for not more than thirty (30) days.

Sponsors: David J. Cieslewicz

Legislative History

6/1/09	Mayor's Office Public Safety Review Board	Referred for Introduction
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6/2/09	COMMON COUNCIL	Refer to the PUBLIC SAFETY REVIEW COMMITTEE
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****ADDENDUM****

LATE ITEMS

HONORING RESOLUTIONS

101. [15117](#) Honoring and commending the UW Lifesaving Station for its 100 years of service to our community.

Sponsors: Bridget R. Maniaci, David J. Cieslewicz, Bryon A. Eagon, Chris Schmidt, Paul E. Skidmore, Mark Clear, Judy Compton, Michael E. Verveer, Steve King, Tim Bruer, Satya V. Rhodes-Conway, Shiva Bidar-Sielaff, Joseph R. Clausius and Lauren Cnare

Legislative History

6/15/09 Council Office RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS

102. [15128](#) Condemning hate speech and hate-motivated violence.

Sponsors: Brian L. Solomon

Legislative History

6/15/09 Council Office RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER

REPORT OF OFFICERS

REPORT OF MADISON ARTS COMMISSION

103. [14910](#) Establishing a Cultural Plan Steering Committee.

Sponsors: Michael E. Verveer, David J. Cieslewicz and Marsha A. Rummel

Legislative History

5/28/09 Department of Planning and Community and Economic Development
Madison Arts Commission Referred for Introduction

6/2/09 COMMON COUNCIL Referred to the MADISON ARTS COMMISSION

6/9/09 MADISON ARTS COMMISSION RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT