



City of Madison

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

Proceedings - Approved COMMON COUNCIL

This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at www.madisoncitychannel.tv.

Tuesday, February 2, 2010

6:30 PM

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

SPEAKING GUIDELINES

Speaking Limits:

Public Hearing - 5 Minutes, Information Hearing - 5 Minutes, Other Items - 3 minutes.

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

The 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, Ald. Rhodes-Conway

ROLL CALL at 6:38 pm

Present: 19 - David J. Cieslewicz
Jed Sanborn
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Julia S. Kerr
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Excused: 2 - Satya V. Rhodes-Conway
Tim 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.

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

PETITIONS AND COMMUNICATIONS

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

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

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

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

12. [16477](#) Operator License Application
Emma Wexler - Establishment where employed: Tex Tubbs Taco Palace

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Place On File Without Prejudice . The motion passed by voice vote/other.

1. [16688](#) Public Hearing - New License
Madison Hotel Associates LP • dba Hyatt Place
1.8% alcohol, 2.9% food, 95.3% Other
333 W Washington Ave • Agent: Blaze Brigman • Estimated Capacity: 420
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 405 • Density Area

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

13. [16748](#) Operator License Application
Grant Merrill - Establishment where employed: The Pub

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Place On File Without Prejudice . The motion passed by voice vote/other.

14. [16768](#) Operator License Application
Benjamin Herdrich - Establishment where employed: Francois Oil

This License was Place On File Without Prejudice

2. [16944](#) Public Hearing - New License
Two Kool Kids LLC • dba Jade Monkey Cocktail Lounge
109 Cottage Grove Road • Agent: Hawk Schenkel
95% alcohol, 5% food • Estimated Capacity: 100
Class B Combination Liquor & Beer
Aldermanic District 15 (Alder Palm) • Police Sector 613

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

REPORT OF BOARD OF PUBLIC WORKS

6. **Agenda item #6 was removed from the agenda as part of the addendum. This item mistakenly pulled into the agenda, and the Mayor's Office is not prepared to report on the referral.**

3. [17075](#) Approving Plans, Specifications, And Schedule Of Assessments For Lakeland Avenue and Schurz Avenue Reconstruction Assessment District - 2010. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00086

4. [17076](#) Approving Schedule Of Assessments For Lien Road Underpass Assessment District - 2010. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00087

- 5. [17092](#) Approving Plans, Specifications, And Schedule Of Assessments For Resurfacing 2010. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00088

REPORT OF PLAN COMMISSION

- 7. [16882](#) Creating Section 28.06(2)(a)3466. 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)3467. 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 2 Apartment Buildings to Allow Construction of a 28-Unit Apartment Building; 8th Aldermanic District: 617-619 Mendota Court.

Sponsors: Common Council By Request

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

- Ayes:** 17 - Jed Sanborn
 Bridget R. Maniaci
 Lauren Cnare
 Michael E. Verveer
 Shiva Bidar-Sielaff
 Marsha A. Rummel
 Steve King
 Bryon A. Eagon
 Paul E. Skidmore
 Brian L. Solomon
 Chris Schmidt
 Julia S. Kerr
 Larry Palm
 Judy Compton
 Joseph R. Clausius
 Michael Schumacher
 Mark Clear

Noes: 1 - Thuy Pham-Remmele

Excused: 2 - Satya V. Rhodes-Conway
 Tim Bruer

Non Voting: 1 - David J. Cieslewicz

Enactment No: ORD-10-00014

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

8. [17275](#) Solidarity with the People of Haiti Day

Sponsors: David J. Cieslewicz and Common Council By Request

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

Enactment No: RES-10-00089

9. [17282](#) Report of the Mayor submitting alder committee appointments.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Confirm . The motion passed by the following vote:

Ayes: 17 - Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Julia S. Kerr
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Jed Sanborn

Abstentions: 1 - Thuy Pham-Remmele

Excused: 2 - Satya V. Rhodes-Conway
Tim Bruer

Non Voting: 1 - David J. Cieslewicz

11. [14171](#) THIRD SUBSTITUTE - Creating 38.07(15) of the Madison General Ordinances to prohibit the sale of beer or malt liquor in amounts less than the amount contained in a six pack of bottles or cans, intoxicating liquor in amounts of two hundred (200) milliliters or less in volume, malt based flavored coolers in less than a four pack, and the sale of fortified wines for consumption off premises.

Sponsors: Michael Schumacher and Michael E. Verveer

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by voice vote/other.

10. [17284](#) Report of the Mayor submitting citizen committee appointments (introduced 2-2-2010; action 2-23-2010).

Sponsors: David J. Cieslewicz

Confirm 2/23/2010

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL and should be returned by 2/23/2010. The motion passed by voice vote/other.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

15. [16831](#) Change of Agent
Madison Turners Inc • dba Madison Turners • 3001 S Stoughton Rd
New Agent: Richard Slone
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 16 (Alder Compton) • Police Sector 619

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

16. [16943](#) 21+ Entertainment License
Luckys Madison LLC • dba Lucky's Bar & Grille • Capacity: 160
1421 Regent Street • Agent: Rodney J. Ripley
Class B Combination Liquor & Beer • 66% alcohol, 33% food, 1% other
Aldermanic District 13 (Alder Kerr) • Police Sector 303

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

17. [17002](#) Change of Agent
Wal-Mart Stores East LP • dba Wal-Mart Store #2335 • 4198 Nakoosa Trl
New Agent: Dustin Larson
Class A Beer, Class A Liquor
Aldermanic District 03 (Alder Cnare) • Police Sector 607

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

18. [17004](#) Change of Agent
Road Ranger LLC • dba Road Ranger #129 • 4102 Commercial Ave
New Agent: Charles Fries
Class A Beer, Class A Liquor
Aldermanic District 03 (Alder Cnare) • Police Sector 607

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

19. [17005](#) Operator License Application
David Lythjohandt - Establishment where employed: Stop N Go

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

20. [17017](#) Revocation Hearing
Bull Feathers Inc • dba Ram Head
303 N Henry St • Agent: Richard Lyshek
Class B Combination Liquor & Beer • 90% alcohol, 10% food
Aldermanic District 04 (Alder Verveer) • Police Sector 403

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Place On File Without Prejudice . The motion passed by voice vote/other.

21. [17301](#) Alcohol License Review Committee Report of Operator License Applications
01-28-10. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

22. [16765](#) Adopting the final Legally Binding Agreement (LBA) to accommodate Goodwill Industries of South Central Wisconsin at 4829 Anniversary Lane, amending the City's previously submitted Redevelopment Plan, Homeless Assistance Submission, and Public Comment documents regarding the Truman Olson United States Army Reserve Center (1402 S. Park Street) property accordingly, authorizing submission by the LRA of said revised documents to the Federal Government, and execution of the LBA by the Mayor and City Clerk upon acceptance by the United States Department of Housing and Urban Development.

Sponsors: Joseph R. Clausius

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

Enactment No: RES-10-00090

23. [16984](#) Authorizing the CDBG Office to submit an application to the State of Wisconsin Dept. of Commerce for Neighborhood Stabilization Program (NSP) Funds on behalf of specific agencies providing housing for lower income households and amending the 2010 CDBG adopted operating budget to recognize \$645,000 in additional expenditure and revenue authority.

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

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

Enactment No: RES-10-00091

24. [17091](#) Authorizing the provision of \$39,578 in CDBG and Housing Trust Funds to Independent Living to support a portion of the pre-development costs to determine the feasibility of constructing 148 units of affordable senior housing in the Cherokee area.

Sponsors: Shiva Bidar-Sielaff and Marsha A. Rummel

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

Enactment No: RES-10-00092

25. [17097](#) Amending Section 1.08(3)(a) to increase bail deposit amounts and amending Sec. 8.14(3)(c) and (f), Sec. 8.16, Sec. 12.045(6), Sec. 12.79(1) and Sec. 12.141(10) of the Madison General Ordinances to increase penalty ranges for various parking violations.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Maniaci, seconded by Ald. Kerr, to Refer to a future Meeting to Adopt . The motion failed by the following vote:

- Noes:** 18 - Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Julia S. Kerr
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele
Jed Sanborn
Bridget R. Maniaci

- Excused:** 2 - Satya V. Rhodes-Conway
Tim Bruer

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

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

- Ayes:** 15 - Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Julia S. Kerr
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Jed Sanborn
Lauren Cnare

- Noes:** 2 - Thuy Pham-Remmele
Bridget R. Maniaci

Excused: 3 - Michael E. Verveer
Satya V. Rhodes-Conway
Tim Bruer

Non Voting: 1 - David J. Cieslewicz

Enactment No: ORD-10-00015

26. [17108](#) Authorizing the Mayor and City Clerk to enter into an Intergovernmental Agreement with the Town of Madison for the Operation and Maintenance of the Arbor Hills, Badger Lane and Mayflower Sewerage Lift Stations.

Sponsors: Larry Palm, Joseph R. Clausius and Tim Bruer

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

Enactment No: RES-10-00093

27. [17131](#) Approving the double-fill of a Mayoral Aide position and amending the 2010 adopted operating budget to provide for an appropriation of up to \$23,127 from the Contingent Reserve to the Mayor's Office.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Rummel, seconded by Ald. Kerr, to Refer to a future Meeting to Adopt to the COMMON COUNCIL,. The motion failed by the following vote:

Ayes: 7 - Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Julia S. Kerr
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Noes: 10 - Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Larry Palm
Judy Compton
Joseph R. Clausius
Jed Sanborn
Bridget R. Maniaci
Lauren Cnare

Excused: 3 - Michael E. Verveer
Satya V. Rhodes-Conway
Tim Bruer

Non Voting: 1 - David J. Cieslewicz

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

- Ayes:** 15 - Shiva Bidar-Sielaff
Steve King
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Julia S. Kerr
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Jed Sanborn
Bridget R. Maniaci
Lauren Cnare

- Noes:** 2 - Marsha A. Rummel
Thuy Pham-Remmele

- Excused:** 3 - Satya V. Rhodes-Conway
Tim Bruer
Michael E. Verveer

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

Enactment No: RES-10-00094

28. [17134](#) Authorizing Information Technology to purchase necessary hardware and software to improve the City’s video streaming capabilities.

Sponsors: David J. Cieslewicz and Satya V. Rhodes-Conway

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

Enactment No: RES-10-00095

REPORT OF BOARD OF PUBLIC WORKS

29. [15940](#) Assessing Benefits - Lake Mendota Drive at Capital Avenue Storm Sewer Assessment District.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00096

- 30. [16733](#) SUBSTITUTE - Accepting a 15-foot wide Public Sanitary Sewer Easement from the Vedders-Shults Trust and the Twesme Trust across property located at ~~5108~~5106 Spring Court.

Sponsors: Mark Clear

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

Enactment No: RES-10-00097

- 31. [16787](#) Awarding Public Works Contract No. 6401, Paint Prairie Road Elevated Tank. (7th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00097

- 32. [17055](#) Improvements accepted for Portage Road (Hanson Rd.) Overpass & Approaches over I39/90/94, Contract No. 6000. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00098

- 33. [17056](#) Improvements accepted for Bedford Street & West Main Street Assessment District - 2007, Contract No. 6003.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00099

- 34. [17057](#) Improvements accepted for Resurfacing 2008 - Asphalt Paving, Contract No. 6097.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00100

35. [17058](#) Improvements accepted for Resurfacing 2008 - Grinding & Pulverizing, Contract No. 6099.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00101
36. [17059](#) Improvements accepted for Siggelkow Road Reconstruction Street Assessment District - 2008, Contract No. 6112.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00102
37. [17060](#) Improvements accepted for South Sprecher Road Assessment District - 2008, Contract No. 6135.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00103
38. [17061](#) Improvements accepted for Allied Redevelopment - Demolition, Streets & Utilities - 2008, Contract No. 6212.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00104
39. [17072](#) Approving plans and specifications for public improvements necessary for the project known as 1246 & 1252 Williamson Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2239, and rescinding RES-10-00020, ID 16811.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.**
Enactment No: RES-10-00105

40. [17093](#) Awarding Public Works Contract No. 6162, Bike Paths 2009 - Vilas Park Path.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00106
41. [17094](#) Awarding Public Works Contract No. 6433, Booster Pump Upgrade for Well 25.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00107
42. [17095](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Resurfacing 2010.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00108
43. [17098](#) Ordering Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 2nd (wards 38, 39 and 40), 4th and 8th Aldermanic Districts.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00109
44. [17099](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sidewalk and Curb & Gutter, Citywide Installation and Repair - 2010 and Annual Sawcutting of Concrete Sidewalk and Incidental Work. (Various ADs)
Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00110

- 45. [17100](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Work Ordered (Districts 2 (wards 38, 39, 40), 4 & 8) by the Common Council.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00111

- 46. [17103](#) Declaring the City of Madison's intention to exercise its police powers establishing the N. Third Street, Carey Court and E. Mifflin Street Reconstruction Assessment District - 2010. (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00112

- 47. [17102](#) Declaring the City of Madison's intention to exercise its police powers establishing the Ash Street and Chadbourne Avenue Reconstruction Assessment District - 2010. (5th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00113

- 48. [17109](#) Declaring the City of Madison's intention to exercise its police powers establishing the Commercial Avenue, Kedzie Street, Pawling Street, Scofield Street, and Eighth Street Reconstruction Assessment District - 2010. (12th & 15th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00114

- 49. [17137](#) Declaring the City of Madison's intention to exercise its police powers establishing the Camden Road, Linda Vista and Hob Street Assessment District - 2010. (16th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00115

- 50. [17151](#) Approving Addendum No. 1 to the *Subdivision Contract* for Linden Park - Phase 6, Contract No. 2204. (1st AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00116

REPORT OF HOUSING COMMITTEE

- 51. [15199](#) Amending Section 32.05(1)(e)of the Madison General Ordinances to require landlords to provide tenants with more specific information as to when they will be entering a tenant’s leased premise to show the property for sale or lease.

Sponsors: Bridget R. Maniaci and Michael Schumacher

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt With Amendment(s). The motion passed by voice vote/other.

Enactment No: ORD-10-00016

REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

- 52. [16427](#) Requesting that the Department of Transportation lower the speed limit on a portion of US Hwy 51 to 35 mph from intersection with STH 30 to the intersection of US Hwy 12-18.

Sponsors: Judy Compton and David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt with Amended Condition(s). The motion passed by voice vote/other.

Enactment No: RES-10-00117

53. [16906](#) Amending Section 12.137(262) of the Madison General Ordinances to allow for a Badger Bus stop on the 600 Block of West Washington Avenue.

Sponsors: Michael E. Verveer

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt With Amendment(s) . The motion passed by voice vote/other.

Enactment No: ORD-10-00017

54. [17062](#) Amending Section 12.1339(1) of the Madison General Ordinances to facilitate street cleaning in Madison's fifth aldermanic district by allowing the enforcement of parking restrictions.

Sponsors: Shiva Bidar-Sielaff

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

Enactment No: ORD-10-00018

REPORT OF PERSONNEL BOARD

55. [16761](#) Amending Sections 3.32(1)(a), (6)(b), (6)(f), (7)(a), (7)(c)1., repealing Sec. 3.32(7)(c)2., amending Sections 3.32(7)(c)3., (8)(a), (8)(b), (8)(e), (9), (10), (11)(a), (11)(b)1. (11)(b)2., (12), (13)(a), (14), and (15) of the Madison General Ordinances to expand or clarify the eligibility for various forms of paid leave for hourly, limited term and probationary employees.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-10-00019

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

56. [17212](#) Approving a Certified Survey Map of property owned by the State of Wisconsin Department of Military Affairs located at 6001 Manufacturers Drive. 17th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-10-00118

57. [17233](#) Re-approving a Certified Survey Map of property owned by David W. Knoche located at 5714-5806 Old Sauk Road. 19th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-10-00119

REPORT OF RISK MANAGER

58. [16978](#) E. Abdel-Halim, 837 Vista Ridge Dr., Mt. Horeb, 53572 - vehicle damage - \$905.01.

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

59. [16979](#) S. Dreyer, N4360 Allan Rd., Portage, 53901 - personal injury - \$255.90.

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

60. [16982](#) P. Nelson, 618 Merryturn Ln., Madison, 53714 - property damage - \$3,616.94.

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

61. [16991](#) C. Ashworth, 3718 Manchester Rd., Madison, 53719 - vehicle damage - \$434.90.

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

62. [17014](#) D. Bridges, 1014 Sequoia Trail, Madison, 53713 - vehicle damage - \$1,000.00.

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

ITEMS REFERRED TO THIS MEETING

REPORTS

ORDINANCES

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

63. [17048](#) Adopting and confirming Revision 269 of the Madison General Ordinances as of December 15, 2009 to incorporate the changes pursuant to Wis. Stat. § 66.0103.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-10-00020
64. [17138](#) Creating Section 28.06(2)(a)3473. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3474 of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Construct 80 Apartment Units in Two Multi-Family Buildings. 1st Aldermanic District; 1723 Waldorf Boulevard.
- Sponsors:** Common Council By Request
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.**
65. [17198](#) Creating Sec. 3.35(9)(b)7., amending Sec. 3.35(9)(i), and creating Sec. 3.35(9)(j) of the Madison General Ordinances to modify procedures and penalties with respect to statements of interests under the Ethics Code.
- Sponsors:** Tim Bruer, Michael Schumacher and Judy Compton
- Additional Referral: Common Council Organizational Committee
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ETHICS BOARD. The motion passed by voice vote/other.**
66. [17262](#) Creating Subsection 10.23(3) of the Madison General Ordinances to provide a mechanism for City officials to remove snow and ice in violation of Subsection 10.23(2) and assess the costs thereof to the property owner.
- Sponsors:** Marsha A. Rummel and Larry Palm
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

67. [17265](#) Amending Section 4.081 of the Madison General Ordinances to make the requirements of the Deferred Assessments section more clear.

Sponsors: Tim Bruer, Paul E. Skidmore, Larry Palm and Marsha A. Rummel

Additional Referral: Board of Estimates

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

68. [17266](#) Amending Sec. 4.22 of the Madison General Ordinances to allow the payment of developers' operating costs from the Affordable Housing Trust Fund.

Sponsors: Michael Schumacher and Julia S. Kerr

Additional Referral: Community Development Block Grant Committee, Board of Estimates

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

RESOLUTIONS

69. [16754](#) Authorizing the Mayor and the City Clerk to contract with Moor Salvage to process appliances and scrap metal for recycling.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

70. [17135](#) Authorizing the Mayor and City Clerk to sign an agreement with JBM Patrol & Protection Corp. to provide security and parking fee collection services in the Parking Utility facilities.

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

Additional Referral: Transit and Parking Commission

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

71. [17136](#) Authorizing the Mayor and City Clerk to sign up to a 3-year contract with Sprint for wireless telephone services.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

72. [17211](#) Resolution in support of Assembly Bill 606 (Cable Consumer Repair Bill).

Sponsors: David J. Cieslewicz and Judy Compton

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Rerefer to the COMMON COUNCIL and should be returned by 2/23/2010. The motion passed by voice vote/other.

73. [17221](#) Authorizing the Common Council to accept ownership from Spring Harbor Neighborhood Association of rain garden and turtle-shaped garden plantings, bench and commemorative plaque to be located in the intersection of Spring Court and Lake Mendota Drive.

Sponsors: Mark Clear

Additional Referrals: Board of Public Works, Plan Commission

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF PARK COMMISSIONERS. The motion passed by voice vote/other.

74. [17223](#) Authorizing the Mayor and the City Clerk to execute a release of a 60-foot wide right-of-way reservation acquired by dedication in Certified Survey Map No. 6123, Albrecht Industrial Park.

Sponsors: Judy Compton

Additional Referral: Plan Commission

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

75. [17229](#) Authorizing the Mayor and City Clerk to support the MadiSUN program, accept \$431,100 of grant money from the US Department of Energy, amend the Engineering Operating budget and authorizing the Engineering Division to hire a full-time hourly engineer to administer the grant, and to enter into contracts with Wisconsin Energy Conservation Corporation, Foley and Lardner, Walker Energy Systems and Ted Petith for partner services.

Sponsors: David J. Cieslewicz and Satya V. Rhodes-Conway

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

76. [17232](#) Amending and supplementing Resolution No. 09-0868 by providing that the assets of Fire Fighters Local 311 Post-Retirement Benefits Trust be transferred to a new plan sponsored by ICMA-RC, authorizing the Mayor and City Clerk to enter into agreements as may be necessary for such termination and transfer, including any necessary indemnification clauses, and any necessary changes to the collective bargaining agreement between the City and Local 311, adopting the ICMA Retirement Corporation's VantageCare Retirement Health Savings Plan and Adoption Agreement, authorizing the establishment of a Trust and designating Trustees therefore, and making other provisions for the new Local 311 post employment health plan (PEHP).

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

77. [17249](#) Creation of a new position of Landscape Architect 3 in the Parks Division budget, and amending the Parks 2010 Operating Budget.

Sponsors: David J. Cieslewicz, Michael E. Verveer, Tim Bruer, Mark Clear and Joseph R. Clausius

Additional Referral: Personnel Board

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

78. [17250](#) A resolution authorizing the City Attorney to petition Dane County Circuit Court to vacate/discontinue a portion of the lands dedicated to the public within the plat of 1st Addition to Allied Terrace to allow recording of the Allied Drive Phase II plat.

Sponsors: Brian L. Solomon

Additional Referrals: Plan Commission, Community Development Authority

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

79. [17252](#) Recreation of a Library Assistant 1 position (#423) as a Librarian 1 in the Public Library and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

Additional Referral: Personnel Board

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

80. [17254](#) Recreation of an Administrative Clerk 1 (100%) (#454) position to a Library Assistant 1 (80%) position in the Public Library.
- Sponsors:** David J. Cieslewicz
- Additional Referral: Personnel Board
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
81. [17263](#) Submitting the name of Robert F Phillips for confirmation of a five-year term as City Engineer.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
82. [17269](#) Authorizing an Offer to Purchase to Wildcat Investment Partnership to acquire the land and building located at 5702 Femrite Drive for the establishment of a Madison Police Department training facility.
- Sponsors:** David J. Cieslewicz, Bryon A. Eagon, Judy Compton, Tim Bruer and Mark Clear
- Additional Referral: Plan Commission
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
83. [17285](#) Amending the Park Division's 2010 Capital Budget and authorizing the Mayor and the City Clerk to sign a Grant Agreement with the United States Department of the Interior Fish and Wildlife Service for habitat development at Olin-Turville Conservation Park.
- Sponsors:** David J. Cieslewicz, Joseph R. Clausius and Paul E. Skidmore
- Additional Referral: Board of Park Commissioners
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**
84. [17286](#) Authorizing the Mayor and City Clerk to sign a contract for software support and maintenance services for the City's Geographic Information System (GIS) software from Environmental Systems Research Institute, Inc. (ESRI).
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

LICENSES

85. [17241](#) Public Hearing - New License
DB's Services Inc • dba DB's Service Center
902 Atlas Ave • Agent: David Blatter
Class A Beer
Aldermanic District 03 (Alder Cnare) • Police Sector 611

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

86. [17243](#) Public Hearing - New License
Faouzi LLC • dba Faouzi's Bar & Grill • 40% alcohol, 60% food
4245 W Beltline Hwy • Agent: Corey Rogers • Estimated Capacity: 120
Class B Combination Liquor & Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 104

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

87. [17244](#) Public Hearing - New License
Amodt & Fitzgerald LLC • dba Revolution Cycles • 1% alcohol, 99% Other
2330 Atwood Ave • Agent: Jeff Fitzgerald • Estimated Capacity: 85
Class B Beer
Aldermanic District 06 (Alder Rummel) • Police Sector 601

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

88. [17245](#) Public Hearing - New License
Nostrano Inc • dba Nostrano • 26% alcohol, 74% food
111 S Hamilton St • Agent: Timothy Dahl • Estimated Capacity: 49
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 405 • Density Area
Applicants formerly employed by Boka Restaurant, Naha Restaurant, Kids Express Learning Center, Wisconsin Milk Marketing Board, and University of Wisconsin - Madison.

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

89. [17256](#) Public Hearing - New License
Vintage II Inc • dba Vintage Brewing Company
55% alcohol, 44% food, 1% Other
674 S Whitney Way • Agent: Trent Kraemer • Estimated Capacity: 362
Wholesale Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

90. [17289](#) Public Hearing - New License
Lee's Asian Bistro LLC • dba Lee's Asian Bistro
10% alcohol, 90% food
4604 Monona Drive • Agent: Luc Le • Estimated Capacity: 90
Class B Combination Liquor & Beer
Aldermanic District 15 (Alder Palm) • Police Sector 613

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

91. [17293](#) Public Hearing - Transfer of License Location
Deja Food, LLC • dba L'Etoile • 25-35% alcohol, 65-75% food
Transferring license from 25 N. Pinckney Street to 1 S. Pinckney Street
Agent: Traci Miller • Estimated Capacity: 317
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 406 • Density Area

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer . The motion passed by voice vote/other.

92. [17294](#) Public Hearing - New License
Von Kulmbach, LLC • dba Knuckle Down Saloon
50% alcohol, 50% food
2513 Seiferth Road • Agent: Christopher Kalmbach
Estimated Capacity: 99
Class B Combination Liquor & Beer
Aldermanic District 16 (Alder Compton) • Police Sector 619

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

- 93. [17295](#) Public Hearing - New License
Wisconsin QSL, LLC • dba Quaker Steak and Lube
40% alcohol, 60% food
222 W. Gorham • Agent: Scott Acker • Estimated Capacity: 200
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 403 • Density Area

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 94. 17147 K. and C. Reid, 139 S. Marquette St., Madison, 53704 - vehicle damage - \$2,343.21.

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by voice vote/other.

- 95. [17220](#) P. Braun, 95 Golf Pky., Unit A, Madison, 53704 - vehicle damage - \$538.69.

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by voice vote/other.

- 96. [17222](#) B. and B. Majerus, 751 Swallowtail Dr., Oregon, 53575 - vehicle damage - \$3,540.58.

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by voice vote/other.

- 97. [17224](#) W. Erpenbach, 6724 Aldo Leopold Way, Middleton, 53562 - vehicle damage - \$287.61.

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by voice vote/other.

- 98. 17225 J. Vinluan, 2802 Dryden Dr., Madison, 53704 - vehicle damage - \$743.19.

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by voice vote/other.

99. [17267](#) J. Pille, Sedgwick Claims Management Services, Inc., P.O. Box 14670, Lexington, KY - reimbursement - \$944.46.

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by voice vote/other.

THE FOLLOWING ITEM WAS INTRODUCED FROM THE FLOOR ON 01/19/10, AND is ON THIS AGENDA PURSUANT TO SEC. 2.05(1)(B), MGO SOLELY FOR THE PURPOSE OF ADDING ADDITIONAL REFERRALS.

100. [17139](#) Creating Sec. 28.06(2)(a)3475. of the Madison General Ordinances rezoning property from Temp A Agriculture District & R1 Single Family Residence District & PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: General Development Plan for the Future Construction of 39,000 Square Feet of Commercial in Six Buildings and 110 Apartments in Four Residential Buildings; 7th Aldermanic District: 6701-6801 McKee Road & 3210 Maple Grove Drive.

Sponsors: Steve King

ADDENDUM

LATE ITEMS

101. [17318](#) Indicating the City of Madison's support for a countywide interoperable radio communications system and urging continued negotiations among Dane County, the City of Madison and our local municipal neighbors to reach agreement allowing for the development of such a system.

Sponsors: David J. Cieslewicz and Paul E. Skidmore

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

Enactment No: RES-10-00120

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

17335

Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$16,000,000 Tax Incremental Finance Loan to Landmark X, LLC ("Developer") to assist in the development of the Edgewater Hotel redevelopment project.

Sponsors: David J. Cieslewicz and Mark Clear

A motion was made by Ald. Clear, seconded by Ald. Kerr, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 2/23/2010. The motion passed by voice vote/other.

ADJOURNMENT at 8:40 p.m.

A motion was made by Ald. Clear, seconded by Ald. Kerr, to Adjourn at 8:40 PM. The motion passed by voice vote/other.