



City of Madison

Proceedings - Amended

COMMON COUNCIL

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

Tuesday, September 19, 2006

6:30 PM

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

SPEAKING GUIDELINES

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

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

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

The consent agenda will be considered following Public Hearings.

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

NOTIFIED ABSENCES: Ald. Thomas, Ald. Cnare

Roll Call at 6:32 p.m., Mayor Cieslewicz in the Chair.

Present: Benford, Konkkel, Brandon, Bruer, Compton, Golden, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Van Rooy, Verveer, Radomski, Webber and David J. Cieslewicz

Excused: Sanborn, Cnare, King and Thomas

SUSPEND THE RULES

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

A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

1. [04498](#) Proclaiming Monday, October 9, 2006, as Indigenous Peoples Day.

Sponsors: Austin W. King, Michael E. Verveer, Tim Gruber, Judy K. Olson, Brian Benford, Brenda K. Konkel, Robbie Webber, Santiago Rosas and Isadore Knox, Jr.

Adopt at the 10/3/06 Common Council Meeting.

A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for October 3, 2006. The motion passed by acclamation.

2. [04526](#) Recognizing the Mad-City Ski Team for winning the 2006 Division 1 Show Ski National Championship.

Sponsors: David J. Cieslewicz and COMMON COUNCIL

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

Enactment No: RES-06-00768

CONFIRMATION HEARING

3. [04392](#) Submitting the name of Charles L. Kamp for confirmation of a five-year term as Transit General Manager.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-06-00769

4. [04414](#) Submitting the name of Maribeth Witzel-Behl for confirmation of a five-year term as City Clerk.

Sponsors: David J. Cieslewicz

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

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

Enactment No: RES-06-00770

Council President King arrived at 6:52 p.m.

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

Excused: Sanborn, Cnare and Thomas

PETITIONS AND COMMUNICATIONS - None received by the agenda deadline.

BUSINESS BY THE MAYOR

5. [04525](#) Report of the Mayor submitting citizen committee appointments (introduced 9-19-06; action 10-3-06)
Confirm at the 10/3/06 Common Council Meeting.
- A motion was made by Ald. Konkell, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm for October 3, 2006. The motion passed by acclamation.**
6. [04553](#) Creating Sections 12.132(688) and 12.137(262), amending Sections 12.138(4)(a), (8), and (9)(b) and Sections 12.145(1) and (3)(a), and creating Section 12.150 of the Madison General Ordinances to modify portions of the Residential Parking Permit Program and to establish twenty-five minute parking meter zones.
- Sponsors:** David J. Cieslewicz and Michael E. Verveer
1 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00130

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

7. [04529](#) Opposing proposals or legislation allowing the increase in the size and weight of trucks on Wisconsin's highways.
- Sponsors:** Austin W. King, Judy K. Olson and Michael E. Verveer
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Sanborn, Cnare and Thomas
- Aye:** 16 - Benford, Konkell, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Abstain:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00771
8. [04548](#) Appointments to the Common Council Organizational Committee for the remainder of 2006-2007.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Confirm with Ald. Verveer appointed as the alternate to the Common Council Organizational Committee. The motion passed by acclamation.**

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

9. [02720](#) Creating Section 28.06(2)(a)3161. of the Madison General Ordinances rezoning property from Temp A Agriculture District, C2 General Commercial District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3162. 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 Commercial Buildings, 1 Apartment Building, 1 Private Clubhouse, & Build 4-Story, 91,665 Square Foot Retail & Office Building; 14th Aldermanic District: 2810-2818 Todd Drive & 2703-2805 West Beltline.

Sponsors: Common Council By Petition

Due back at the 12/5/06 Common Council Meeting.

A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on December 5, 2006. The motion passed by acclamation.

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

10. [04500](#) 2007 Executive Capital Budget.
- Due back at the 10/3/06 Common Council Meeting.*
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the BOARD OF ESTIMATES, due back on October 3, 2006. The motion passed by acclamation.**

REPORT OF BOARD OF PUBLIC WORKS

11. [04405](#) Approving Plans, Specifications, And Schedule Of Assessments For South High Point Road Street Assessment District - 2006. (1st AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00772
12. [04406](#) Approving Plans, Specifications, And Schedule Of Assessments For South High Point Road Street Assessment District 2 - 2006. (1st AD)
- Sponsors:** Common Council By Request
- 1 Registrant(s) neither in support or opposition wishing to speak.*
- A motion was made by Ald. Van Rooy, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00773

REPORT OF PLAN COMMISSION

13. [04209](#) Creating Section 28.06(2)(a)3217. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Major Alteration to SIP-Add 1 Floor With 10 Units to Main Tower, Add 2 Levels to Parking Structure and Minor Site Plan Alterations; 4th Aldermanic District: 309 W. Washington Ave./33 S. Broom Street.

Sponsors: Common Council By Petition

3 Registrant(s) in support wishing to speak; 1 Registrant(s) in support not wishing to speak.

A motion was made by Ald. Verveer, seconded by Ald. King, to Adopt and Close the Public Hearing. The motion passed by acclamation.

Enactment No: ORD-06-00131

END OF PUBLIC HEARINGS

At this time, the balance of the agenda which has not been acted upon will be moved with the recommended action listed for each items EXCEPT #'s 85, 87, & 104, King/Verveer: carry.

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.

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

14. [04541](#) Alcohol License Review Committee Report of Operator License Applications (New & Renewal) September 13, 2006. See attached report for list of operators.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

REPORT OF BOARD OF ESTIMATES

15. [04200](#) Authorizing the Madison Department of Public Health to accept supplemental funding of \$33,301 for the Women, Infants, and Children (WIC) program for the period June 1, 2006, and December 31, 2006; amending the 2006 Operating Budget for the City of Madison Department of Public Health to add the revenue and expenditures; and authorizing the Mayor and City Clerk to enter into a purchase of services agreement for a contract nutritionist.
- Sponsors:** Judy K. Olson
- A motion was made by Ald. King, seconded by Ald. Van Rooy, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00774
16. [04202](#) Accepting an Offer to Purchase from Will South Side LLC for the purchase of a surplus City-owned parcel of land within Doncaster Park located at 4335 Doncaster Drive. 10th Ald. Dist.
- Sponsors:** Kenneth Golden
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00775
17. [04213](#) Authorizing the acceptance of an Offer to Sell from Occasional Partners, LLC, for a two-unit residential income property located at 17-19 S. Orchard Street, and amending the 2006 Parks Division Capital Budget to add funding for Ed Klief Park expansion. 13th Ald. Dist.
- Sponsors:** Isadore Knox, Jr.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00776
18. [04270](#) Amending the Streets Division 2006 Capital Budget to transfer funds from the 2006 Transfer Station Redesign/Reconstr capital project to the Two Street Repair Trucks and the Recycling Cart capital projects.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Sanborn, Cnare and Thomas
- Aye:** 17 - Benford, Brandon, Konkel, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00777

19. [04354](#) Be it hereby resolved that the position #698 of Real Estate Agent 2 in Compensation Group 18, Range 08, (occupied by J. Lund) in the permanent salary detail of the Community and Economic Development Unit budget is repealed and recreated as a position of Real Estate Agent 3 in Compensation Group 18, Range 10, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00778
20. [04366](#) Authorizing the Mayor and Clerk to execute a Labor Agreement between the City of Madison and SEIU District 1199W/United Professionals for Quality Health Care (UPQHC) for the period of January 1, 2006 through December 31, 2007.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Sanborn, Cnare and Thomas
- Aye:** 16 - Benford, Brandon, Konkell, Bruer, Compton, Golden, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Abstain:** 1 - King
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00779
21. [04367](#) Authorizing the Madison Department of Planning and Development to accept a grant, on behalf of the Allied Area Task Force, from the Fannie Mae Housing and Community Development Division in the amount of \$3,500 to support the community outreach and planning process documentation efforts throughout the Community Design Process.
- Sponsors:** David J. Cieslewicz and Kenneth Golden
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00780
22. [04389](#) Authorizing the Mayor and Clerk to execute a Labor Agreement between the City of Madison and the Madison Professional Police Officers Association (MPPOA) for the period of January 1, 2006 through December 31, 2007.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00781

23. [04393](#) That the vacant position #1455 of Parks Facilities Maintenance Supervisor in Compensation Group 18, Range 08, in the permanent salary detail of the Parks Division budget is repealed and recreated as a position of Surveyor 2 in Compensation Group 18, Range 08, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00782
24. [04398](#) Authorizing the issuance of \$26,385,000 General Obligation Promissory Notes, Series 2006-B, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Sanborn, Cnare and Thomas
- Aye:** 17 - Benford, Brandon, Konkell, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00783
25. [04399](#) Authorizing the issuance of \$3,600,000 Taxable General Obligation Promissory Notes, Series 2006-C, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 3 - Sanborn, Cnare and Thomas
- Aye:** 16 - Benford, Konkell, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Abstain:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00784

26. [04429](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Parks Facilities Maintenance Supervisor in Compensation Group 18, Range 08, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00132
27. [04434](#) Adopting and confirming the Labor Agreement between the City of Madison and the Madison Professional Police Officers Association (MPPOA) from January 1, 2006 to December 31, 2007.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00133
28. [04437](#) Adopting and confirming the Labor Agreement between the City of Madison and SEIU District 1199W/UPQHC from January 1, 2006 to December 31, 2007.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00134

REPORT OF BOARD OF PARK COMMISSIONERS

29. [04236](#) Authorizing the execution of a Utility Easement to Madison Gas and Electric Company across a City-owned property located at 207 West Olin Avenue. 13th Ald. Dist.
- Sponsors:** Isadore Knox, Jr.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00785

REPORT OF BOARD OF PUBLIC WORKS

30. [04355](#) Improvements accepted for Water Main by Private Contract to serve: Sauk Heights - Phase III. (AD 9)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00786

31. [04382](#) Accepting improvements and assessing benefits for Ice Age Falls Phases 5 & 6 Street Light Improvement District. (7th Ald. District)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00787
32. [04383](#) Accepting improvements and assessing benefits for Heather Glen Replat Phase 1 Street Light Improvement District. (7th Ald. District)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00788
33. [04384](#) Accepting improvements and assessing benefits for Linden Park Phase 1 Street Light Improvement District. (1st Ald. District)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00789
34. [04385](#) Accepting improvements and assessing benefits for Pine Hill Farm Street Light Improvement District. (1st Ald. District)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00790
35. [04386](#) Accepting improvements and assessing benefits for Southern Hill Phases 1-4 Street Light Improvement District. (1st Ald. District)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00791
36. [04387](#) Accepting improvements and assessing benefits for Southern Hill Phase 5 Street Light Improvement District. (1st Ald. District)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00792

37. [04388](#) Accepting improvements and assessing benefits for Tancho/CIC Phase 2 Street Light Improvement District. (17th Ald. District)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00793
38. [04394](#) Authorizing the Mayor and City Clerk to enter into an agreement with the Wisconsin Department of Transportation for the construction of the Starkweather Creek Bike Path. (Various ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00794
39. [04407](#) Improvements Accepted - Badger Road Salt Dome, Contract No. 5774. (14th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00795
40. [04408](#) Improvements accepted for Campbell Street, Chandler Street, Garfield Street and Vilas Avenue Reconstruction Assessment District - 2004, Contract No. 5603. (13th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00796
41. [04420](#) Assessing Benefits - Marsh Road Street Assessment District - 2003. (16th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00797
42. [04421](#) Assessing Benefits - West Broadway Street Assessment District - 2004. (16th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00798

43. [04423](#) Authorizing the Mayor and City Clerk to enter into a revised agreement with the Wisconsin Department of Transportation for the Marsh Road Overpass of the South Beltline Highway (USH 12/18) and terminating the Memorandum of Understanding for Bridge Improvements on the East Side of Madison. (Various ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00799
44. [04427](#) Awarding Public Works Contract No. 5968, State Street Capitol Parking Ramp 2006 Restoration.
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00800
45. [04432](#) Awarding Public Works Contract No. 5969, State Street Campus (Frances) Ramp Concrete Sealer Application.
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00801
46. [04438](#) Assessing Benefits - Sanitary Replacement with Resurfacing - 2005. (Various ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00802
47. [04440](#) Assessing Benefits - Willow Lane Sanitary & Water Main Assessment District. (19th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00803

48. [04444](#) Approving plans and specifications for public improvements necessary for the project known as 625-627 East Mifflin Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2120. (2nd AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00804
49. [04455](#) Accepting improvements and assessing benefits for Cardinal Glen Phase 1 Street Light Improvement District. (9th Ald. District)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00805
50. [04464](#) Assessing Benefits - Hanson Road Neighborhood Sanitary Sewer and Water Main Assessment District. (17th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00806
51. [04465](#) Assessing Benefits - Seminole Highway Street Assessment District - 2004. (10th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00807
52. [04472](#) Assessing Benefits - Advance Road Street Assessment District - 2005. (16th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00808
53. [04473](#) Assessing Benefits - Midvale Boulevard - Hilldale Area Assessment District - 2005. (11th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00809

54. [04474](#) Assessing Benefits - Maple Grove Drive Street Assessment District - 2005. (7th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00810
55. [04475](#) Assessing Benefits - Regent Street Assessment District - 2005. (11th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00811
56. [04477](#) Assessing Benefits - Adams Street, Jefferson Street, Lincoln Street and Alley Reconstruction Assessment District - 2005. (13th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00812
57. [04478](#) Assessing Benefits - St. Philomena Way Assessment District. (9th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00813
58. [04479](#) Assessing Benefits - Sanitary Sewer Lateral Replacement and Storm Sewer installation in conjunction with the '300 S. Hamilton Street Sanitary Sewer and Water Replacement' Contract (#5638). (4th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00814
59. [04481](#) Assessing Partial Benefits - Tancho/CIC Phase 2. (17th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00815

60. [04482](#) Assessing Benefits - Kedzie Street, E. Dayton Street, E. Lawn Court & Moland Street Reconstruction Street Assessment District - 2004. (15th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00816
61. [04484](#) Accepting improvements and assessing benefits for the Crossroads Drive-High Crossing Blvd Traffic Signal District. (Ald. District 17)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00817
62. [04489](#) Assessing Benefits - East Main Street Reconstruction Assessment District - 2005. (6th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00818
63. [04490](#) Assessing Benefits - Railroad Street Reconstruction Assessment District - 2004. (6th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00819
64. [04491](#) Assessing Benefits - Severson Drive Assessment District - 2005. (16th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00820
65. [04492](#) Assessing Benefits - Annamark Drive Assessment District - 2004. (17th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00821

66. [04495](#) Assessing Benefits - Curb and Gutter in Conjunction with Resurfacing - 2005 Assessment District and Additions. (Various ADs)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00822
67. [04496](#) Assessing Benefits - Fenney Court, Lorillard Court, and Findorff Court Street Assessment District - 2004. (4th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00823
68. [04497](#) Assessing Benefits - Mandan Crescent, Tumalo Trail, and Manitou Way Reconstruction Assessment District - 2005. (10th AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00824

REPORT OF BOARD OF WATER COMMISSIONERS

69. [04161](#) Amending Section 13.06 of the Madison General Ordinances to clarify that the maintenance of water meter pits is the responsibility of the property owner and amending Section 13.22 of the Madison General Ordinances to increase the minimum fine for violations of Chapter 13 from \$25 to \$50.
Sponsors: Lauren Cnare
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-06-00135

REPORT OF MADISON METRO TRANSIT SYSTEM

70. [04509](#) Report - Transit Development Program Status of Recommendations.
A motion was made by Ald. King, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.

REPORT OF PERSONNEL BOARD

71. 04166 SUBSTITUTE - Creating Section 3.35(7)(g) and amending 3.38(6)(f) of the Madison General Ordinances to require the re-posting of positions if the job duties change significantly.

Sponsors: Austin W. King

A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.

Enactment No: ORD-06-00136

REPORT OF RISK MANAGER

72. [04127](#) NOTICE OF INJURY & CLAIM - K. Hopkins, Dane County Jail - battery & personal injury - \$50,000.00.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
73. [04325](#) C. Chislom, 701 Pirate Island #208, Monona - vehicle damage - \$579.83.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
74. [04327](#) N. Danekas, 1042 N. High Point Rd #106, Madison - vehicle damage - \$173.44.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
75. [04328](#) R. & R. Donkle, 121 Frigate Dr., Madison - vehicle damage - \$546.79.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
76. [04329](#) T. Norman, 968 Lawrence St., Madison - vehicle damages - \$1,215.67.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
77. [04332](#) S. James, 5301 South Hill Dr., Madison - vehicle damage - \$210.00.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
78. [04377](#) NOTICE OF CLAIM - Lawton & Cates, S.C., Attorney for the estate of V. Montero-Diaz, Madison - mental, emotional and physical injury -\$1,500,000.00.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
79. [04380](#) C. Clark, 401 Bowman Ave., Madison - vehicle damage - \$2,691.71.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
80. [04400](#) F. Herschelman, 2533 E Dayton St. #2, Madison - personal injury - not to exceed \$1,000.00.
A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.

81. [04403](#) G. Rosendahl, 120 D Evanston Ave., Arlington Heights, IL - vehicle damage - \$230.00.

A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.

82. [04450](#) L. Aschbrenner, 808 Chickadee Dr., Cambridge - vehicle damage - \$167.32.

A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.

REFERRED TO THIS MEETING

APPOINTMENTS

83. [04331](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 9-5-2006; action 9-19-2006)

A motion was made to Confirm. The motion passed by the following vote:

Excused: 3 - Sanborn, Cnare and Thomas

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

No: 0 -

Non Voting: 1 - Cieslewicz

ORDINANCES

84. [04441](#) Amending Sec. 1.08(3)(a) of the Madison General Ordinances to establish a bail deposit for placing articles on a sidewalk.

Sponsors: Michael E. Verveer

A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.

Enactment No: ORD-06-00137

RESOLUTIONS

85. [04264](#) AMENDED SECOND SUBSTITUTE - Authorizing the Police Department, Engineering Division and Parks Division to accept donated funds, to utilize a fencing and admission system, and to utilize those funds to offset costs associated with the 2006 Halloween event on State Street.

Sponsors: David J. Cieslewicz and Michael E. Verveer

4 Registrant(s) in support wishing to speak; 1 Registrant(s) in opposition wishing to speak; 3 Registrant(s) in support not wishing to speak.

A motion was made by Ald. Verveer, seconded by Ald. King, to Adopt With Amendment(s) as follows: strike "with the assistance of Alders representing the relevant areas" in the third "Be It Further Resolved" clause. The motion passed by the following vote:

Excused: 3 - Sanborn, Cnare and Thomas

Aye: 15 - Benford, Brandon, Bruer, Compton, Golden, Gruber, Olson, Knox, Jr., Palm, Rosas, Skidmore, Van Rooy, Radomski, Verveer and Webber

No: 2 - Konkel and King

Non Voting: 1 - Cieslewicz

Enactment No: RES-06-00827

86. [04426](#) Supporting the efforts by the City and its partners to achieve a Platinum Award through the League of American Bicyclist-Bicycle Friendly Communities program and to make Madison the best city in the country for bicycling; creating a Platinum Biking City Planning Committee.

Sponsors: David J. Cieslewicz

A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.

Enactment No: RES-06-00826

RECONSIDERATION(S)

87. [03515](#) SUBSTITUTE - Amending Section 32.07(5) of the Madison General Ordinances to require separate Check-In and Check-Out forms for rental properties.
- Sponsors:** Brenda K. Konkel and Michael E. Verveer
- 3 Registrant(s) in support wishing to speak; 1 Registrant(s) in opposition wishing to speak; 2 Registrant(s) in support not wishing to speak; 1 Registrant(s) in opposition not wishing to speak.*
- A motion was made by Ald. King, seconded by Ald. Webber, to Reconsider the defeated ordinance from the 9/5/06 Common Council Meeting, which includes the following amendment from the 9/5 meeting: strike "separate" in Subsection (5) (a) in the first and second sentence and strike "be separate from and " in Subsection (5) (d) in the first sentence.**
- The motion passed by the following vote:**
- Excused:** 3 - Sanborn, Cnare and Thomas
- Aye:** 12 - Benford, Konkel, Bruer, Golden, King, Gruber, Olson, Knox, Jr., Palm, Radomski, Verveer and Webber
- No:** 5 - Brandon, Compton, Rosas, Skidmore and Van Rooy
- Non Voting:** 1 - Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Webber, to Adopt With Amendment(s) as follows: add "shall be mailed, delivered, or otherwise provided" to 5(a). The motion failed by the following vote:**
- Excused:** 3 - Sanborn, Cnare and Thomas
- Aye:** 9 - Benford, Konkel, Golden, King, Gruber, Olson, Radomski, Verveer and Webber
- No:** 8 - Brandon, Bruer, Compton, Knox, Jr., Palm, Rosas, Skidmore and Van Rooy
- Non Voting:** 1 - Cieslewicz

NEW BUSINESS - Referred on a motion made by Council President King, seconded by Ald. Verveer.

ORDINANCES

88. [04531](#) Creating Section 28.06(2)(a)3221. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3222. 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: Mixed Use Development with 39 Apartment Units & 6,600 square Feet of Retail Space; 6th Aldermanic District: 301 South Livingston Street.

Sponsors: Common Council By Petition

Due back at the 11/7/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

89. [04532](#) Creating Section 28.06(2)(a)3223. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: 85 Condominium Units; 1st Aldermanic District: 9401 Mid Town Road.

Sponsors: Common Council By Petition

Due back at the 11/7/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

90. [04544](#) Amending Section 2.025 of the Madison General Ordinances to require that alders notify the Common Council President and Common Council Office Administrative Assistant when they will be absent from the City for any period of five (5) days or longer.

Sponsors: Austin W. King and Paul J. Van Rooy

Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

91. [04552](#) Amending Sec. 1.08(3)(a) of the Madison General Ordinances to modify bail deposit amounts for failure to pay when exiting a municipal parking facility.

Sponsors: Michael E. Verveer

Refer to the TRANSIT AND PARKING COMMISSION

92. [04554](#) Amending Sections 9.13(6)(j)1.b. and 9.13(6)(j)4. of the Madison General Ordinances regarding placement of merchant vendor equipment on the State Street Mail/Capitol Concourse and Section 9.13(6)(l)2. of the Madison General Ordinances regarding vendors' use of electrical outlets.

Sponsors: Michael E. Verveer and Cindy Thomas

Refer to the VENDING OVERSIGHT COMMITTEE

93. [04557](#) Amending the definition of "family" in Section 28.03(2) to recognize up to four (4) unrelated persons, who are disabled or handicapped pursuant to federal law and who require live-in assistants, as a family in the zoning code.

Sponsors: Kenneth Golden

Due back at the 11/7/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

RESOLUTIONS

94. [04508](#) Authorizing the Mayor and City Clerk to enter into an agreement with St. Mary's Hospital Medical Center for the continuation of provision of free access by its employees to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for employee trips for the period February 1, 2007 through December 31, 2007.

Sponsors: Kenneth Golden and Noel T. Radomski

Additional Referral(s): Board of Estimates

Refer to the TRANSIT AND PARKING COMMISSION

95. [04527](#) Determining a Public Purpose and necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for improvements for Castle Place from East Gorham Street to North terminus, being located in part of the Northwest 1/4 of Section 13, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of land interests. (2nd AD)

Sponsors: Brenda K. Konkel

Additional Referral(s): Plan Commission

Refer to the BOARD OF PUBLIC WORKS

96. [04528](#) Authorizing the Madison Department of Public Health to accept a grant from the Children's Health Alliance of Wisconsin for \$4,133 for Halloween Sealant Day 2006.

Sponsors: Judy K. Olson

Additional Referral(s): Board of Estimates

Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

97. [04530](#) Authorizing the Mayor and City Clerk to sign a Frequency Reconfiguration Agreement with Nextel Communications, Inc., or their subsidiary.

Sponsors: David J. Cieslewicz

Due back at the 10/3/06 Common Council Meeting.

Refer to the BOARD OF ESTIMATES

98. [04533](#) Authorizing the Mayor and City Clerk to sign an Agreement with National Conference of Bar Examiners for the payment for municipal services.
- Sponsors:** Michael E. Verveer
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF ESTIMATES**
99. [04535](#) Approving a contract with Stay-Lite Lighting, Inc. for re-fixturing and retrofit of Fire Buildings for energy efficient upgrades.
- Sponsors:** Paul E. Skidmore
- Refer to the BOARD OF ESTIMATES**
100. [04538](#) Authorizing the adoption of amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" regarding electrical outlet use by vendors, and to create new procedures to determine the amount of equipment merchant vendors may use to update the Mall/Concourse vending site map, and to authorize the VOC to approve future changes to the map.
- Sponsors:** Michael E. Verveer and Cindy Thomas
- Refer to the VENDING OVERSIGHT COMMITTEE**
101. [04539](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required to facilitate construction of the Buckeye Extension of the Capital City Trail, located in the Southeast ¼ of Section 9 and Northeast ¼ of Section 16, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin. and approving plans and specifications for said project. (15th & 16th ADs)
- Sponsors:** Judy Compton and Larry Palm
- Additional Referral(s): Plan Commission, Ped Bike Motor Vehicle Commission, Common Council Meeting 10/3/06.*
- Refer For Public Hearing to the BOARD OF PUBLIC WORKS**
102. [04540](#) Submitting the name of Thomas Carto for confirmation of a five-year term as Overture Center Director.
- Sponsors:** David J. Cieslewicz
- Due back at the 10/3/06 Common Council Meeting.*
- Refer for Confirmation Hearing to the BOARD OF ESTIMATES**
103. [04547](#) Authorizing an amendment to an Option to Purchase with FHB Investments, LLC to acquire lots within the World Dairy Center for the Wisconsin BioAg Gateway Project.
- Sponsors:** David J. Cieslewicz and Judy Compton
- Refer to the BOARD OF ESTIMATES**

104. [04550](#) SUBSTITUTE - Regarding a long-term closure and operational plan for the closure of Jerome Street at Coldspring Avenue and a gated traffic diverter on Coldspring Avenue at Bainbridge Street with limited hours of passage.
- Sponsors:** Larry Palm
- 5 Registrant(s) in opposition not wishing to speak.
Substitute resolution introduced from the council floor for referral.
Adopt at the 10/3/06 Common Council Meeting.*
- Refer to a future Meeting to Adopt**
105. [04555](#) To approve the 2007 Operating Plan for Madison's Central Business Improvement District (#1).
- Sponsors:** Michael E. Verveer
- 1 Registrant(s) in support not wishing to speak.
Due back at the 10/3/06 Common Council Meeting.*
- Refer to the DOWNTOWN COORDINATING COMMITTEE**

CLAIMS - REFER TO RISK MANAGER

106. [04511](#) NOTICE OF INJURY - Donald J. Murphy, attorney for E. Worthley - personal injury - amount to be determined.
107. [04524](#) AMENDED NOTICE OF CIRCUMSTANCES OF CLAIMS - Habush Habush & Rottier S.C., attorney for M. Beaty, 5138 Prairie Rose Rd., Madison - personal injury - amount to be determined.
108. [04542](#) CLAIM - M. Larson, 1309 Troy Dr., Madison - personal injury & property loss - \$410.00.
109. [04543](#) J. Taylor, 4963 Bultman Rd., Madison - vehicle damage - \$248.00.

ADDENDUM

110. [04564](#) Authorizing the Mayor and City Clerk to enter into an agreement with Gary Brown Roofing Corporation to provide construction roofing services for the Traffic Engineering Building Unit 'A' located on Sayle Street.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00825

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

111. [04559](#) Authorizing an amendment to the contract between the City of Madison and Potter Lawson, Inc., in the amount of \$99,905 for additional architectural and engineering design services for the City-County Building and Madison Municipal Building Tenant Improvements.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
112. [04562](#) Establishment of a Tax Incremental Financing Policy Committee.
- Sponsors:** David J. Cieslewicz, Brenda K. Konkel and Judy K. Olson
- Adopt at the 10/3/06 Common Council Meeting.*
- A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for October 3, 2006. The motion passed by acclamation.**
113. [04568](#) Amending the composition of the Advisory Oversight Committee for Madison's Inclusionary Zoning Ordinance.
- Sponsors:** Brenda K. Konkel
- Adopt at the 10/3/06 Common Council Meeting.*
- A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for October 3, 2006. The motion passed by acclamation.**

ADJOURNMENT

A motion was made by Ald. King, seconded by Ald. Verveer, to Adjourn at 9:31 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on September 21, 2006.

Ordinances published October 6, 2006.

MARIBETH WITZEL-BEHL, CITY CLERK