



City of Madison

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

Agenda - Approved COMMON COUNCIL

Tuesday, July 11, 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. Bruer, Ald. Rosas

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.

PETITIONS AND COMMUNICATIONS

PETITIONS

1. [02152](#) Petition dated October 4, 2005, from E. Lawry re: direct annexation from the Town of Burke to the City of Madison.
2. [02312](#) Petition dated October 25, 2005 from D. & J. Hoepker, W. Paulson, & R. Yelk, re: direct annexation from the Town of Burke to the City of Madison.
3. [03994](#) Petition dated June 7, 2006, from Lathrop & Clark on behalf of L. Norman Schweiss re: direct annexation from the Town of Burke to the City of Madison.
4. [04113](#) Petition dated June 30, 2006, from the Zeiers, re: direct annexation from the Town of Burke to the City of Madison.

BUSINESS BY THE MAYOR

5. [04068](#) AMENDED Report of the Mayor submitting citizen committee appointments (introduced 7-11-06; action 7-18-2006)

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

The items begin at the top of the next page.

NOTE: PUBLIC TESTIMONY FOR ALL OF THE INCLUSIONARY ZONING ITEMS (#6, #7, & #8) WILL BE HEARD BEFORE THE COUNCIL BEGINS DEBATE OR TAKES FINAL ACTION ON ANY OF THESE ITEMS.

6. [02320](#) Repealing Section 28.04(25) of the Madison General Ordinances to eliminate the requirements for Inclusionary Zoning.

REPORT OF PLAN COMMISSION

The items begin at the top of the next page.

NOTE: A SUBSTITUTE FOR ID# 02995 (AGENDA ITEM # 7) WILL BE PRESENTED AT THE 7/11/06 COMMON COUNCIL MEETING PER THE RECOMMENDATION OF THE PLAN COMMISSION.

7. [02995](#) Amending Section 28.04(25) of the Madison General Ordinances to change the equity distribution at sale and add exemptions to the inclusionary zoning ordinance.
8. [03588](#) AMENDED SUBSTITUTE ORDINANCE - Amending Section 28.04(25) to add a sunset provision, creating new Section 28.04(26) to set out a new inclusionary housing program, and renumbering current Section 28.04(26) to (27) of the Madison General Ordinances.

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

9. [03690](#) Vacating all remaining portions of platted Florence Street and Sullivan Street and portions of platted Winnebago Street being located in part of the Southeast ¼ of the Northeast ¼ and part of the Northeast ¼ of the Southeast ¼ of Section 06, Town 07 North, Range 10 East, City of Madison, Dane County, Wisconsin. (6th AD)

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.

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 BOARD OF ESTIMATES**

10. [04011](#) Amending the 2006 City Clerk Operating Budget to allow for the hiring of six hourly employees for the Fall Primary and the General Election.

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

CHARTER ORDINANCES

11. [04086](#) Creating Section 31.04(6)(e)2. as a Charter Ordinance, creating new Subdivision 3.51(4)(i) as a Charter Ordinance, and renumbering current Subdivisions 3.51(4)(i) through (k) to (j) through (l), respectively, and renumbering current Section 31.04(6)(e) as 31.04(6)(e)1, all to allow the City to place signs or ads on Transit Utility bus shelters.

ORDINANCES

12. [04069](#) Amending Section 3.38(1)(c) of the Madison General Ordinances by deleting the classification of Parking Revenue Leadworker in Compensation Group 16, Range 10 and recreating said class in Compensation Group 16, Range 11, thereof.
13. [04070](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Police Administrative Services Analyst in Compensation Group 18, Range 10, and creating the classification of Police Administrative Services Manager in Compensation Group 18, Range 12, thereof.
14. [04082](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of WIC Director/Nutritionist in Compensation Group 18, Range 09 and by creating the classification of Public Health Supervisor in Compensation Group 18, Range 10, thereof.
15. [04083](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Water Resources Supervisor in Compensation Group 18, Range 08, and creating the class of Water Quality Manager in Compensation Group 18, Range 10, thereof.
16. [04084](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Water Utility Operations Manager in Compensation Group 18, Range 15, and recreating said class in Compensation Group 18, Range 14, thereof.
17. [04085](#) Amending Secs. 28.03(2), 28.04(20), 28.06(3), 28.105, 28.12(2)(b), 28.12(3)(b), 28.12(6), 28.12(7)(c) and (d), 28.12(9)(c), 28.12(10)(a), (f)5., and (i) of the Madison General Ordinances to bring the ordinances into conformity with the recently amended Ch. NR 116, Wis. Adm. Code, regarding floodplain management.
18. [04093](#) Adopting and confirming Revision 255 of the Madison General Ordinances as of June 15, 2006 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.
19. [04095](#) Creating Section 15.01(553) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Lawry Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(133) of the Madison General Ordinances to assign the attached property to Ward 133.
20. [04096](#) Creating Section 15.01(557) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Hoepker-Paulson-Yelk Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(138) of the Madison General Ordinances to assign the attached property to Ward 138, and amending Section 15.03(17) to add Ward 138 to the 17th Aldermanic District.
21. [04097](#) Creating Section 15.01(558) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 3rd Aldermanic District the Schweiss, et. al. Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(139) of the Madison General Ordinances to assign the attached property to Ward 139, and amending Section 15.03(3) to add new Ward 139 to the 3rd Aldermanic District.

22. [04098](#) Creating Section 15.01(559) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Zeier Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(18) of the Madison General Ordinances to assign the attached property to Ward 18.
23. [04101](#) Amending Sections 4.08 and 4.081(3) of the Madison General Ordinances to modify the maximum allowable term for installment payments and change the interest rate on deferrals and installments.

RESOLUTIONS

24. [03657](#) To set forth the Agreement between the City of Madison and Dane County regarding Lyckberg Park and the surrounding area.
25. [04041](#) That the encumbered positions (#3878, 1309, 3883, 1302) of Parking Revenue Leadworker in Compensation Group 16, Range 10, in the permanent salary detail of the Parking Utility budget are repealed and recreated as Parking Revenue Leadworker in Compensation Group 16, Range 11, thereof. Be it further resolved that the incumbents shall be reallocated to said positions.
26. [04042](#) That position #2576 of Police Administrative Services Analyst, in Compensation Group 18, Range 10, (occupied by T. Genin) in the permanent salary detail of the Police Department budget is repealed and recreated as a Police Administrative Services Manager in Compensation Group 18, Range 12, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
27. [04046](#) Authorizing the provision of CDBG/HOME funds to assist Common Wealth Development, Inc., develop a Yahara Homes housing project in ways that address City Community and Neighborhood Development Objectives.
28. [04047](#) Approving the provision of \$300,000 in Federal HOME Match funds to assist Housing Initiatives acquire housing and authorizing the Mayor and City Clerk to sign an agreement to implement the project.
29. [04054](#) Approving additional Federal ESG funds to assist CAC, Porchlight, and Tenant Resource Center with activities to prevent homelessness, and authorizing the Mayor and City Clerk to sign agreements to implement the projects.
30. [04061](#) That the vacant position #1179 of Water Resources Supervisor in Compensation Group 18, Range 08, in the permanent salary detail of the Water Utility budget is repealed and recreated as a position of Water Quality Manager in Compensation Group 18, Range 10, thereof.
31. [04062](#) That the vacant position #1788 of Water Utility Operations Manager in Compensation Group 18, Range 15, in the permanent salary detail of the Water Utility budget is repealed and recreated as a position of Water Utility Operations Manager in Compensation Group 18, Range 14, thereof.
32. [04063](#) That the vacant position #912 of WIC Director/Nutritionist, in Compensation Group 18, Range 09, in the permanent salary detail of the Public Health Department budget is repealed and recreated as a Public Health Supervisor in Compensation Group 18, Range 10, thereof.

33. [04076](#) Authorizing the Mayor and City Clerk, through the Office of Community Services, to enter into a Purchase of Services Contract with the Madison Area Grassroots Leadership College for their intensive workshop series.
34. [04077](#) Authorizing the Mayor and City Clerk, through the Office of Community Services, to enter into a Purchase of Services Contract with the Urban League of Greater Madison for a truancy prevention program.
35. [04078](#) Amending the Blackhawk Neighborhood Development Plan, a supplement to the City of Madison Comprehensive Plan, to include additional lands located generally west of the current neighborhood boundary, between Blackhawk Road and Old Sauk Road.
36. [04087](#) Authorizing the Mayor and the City Clerk to extend the agreement with Robert Beyler regarding the sale of Metro Transit Bus Advertising
37. [04088](#) Authorizing the Mayor and the City Clerk to extend the agreement with Jeramie Hotz regarding the installation and removal of Metro Transit Bus Advertising.

LICENSES

38. [04052](#) Public Hearing - New License
J&B Liquor, LLC • dba Packer Liquor
3506 Packers Avenue • Agent: Bruce Bailey
Class A Liquor, Class A Beer
Aldermanic District 12 (Ald. Benford) • Police Sector 511
39. [04053](#) Public Hearing - New License
Erin's Snug of Madison, LLC • Erin's Snug Irish Pub • estimated capacity 230
4601 American Parkway • Agent: Brad Bailey
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 520
40. [04055](#) Public Hearing - New License
Madison Northeast LLC • dba Holiday Inn at the American Center
5109 West Terrace Drive • Agent: John Stauffacher
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 520
41. [04057](#) Public Hearing - New License
Trader Joe's East, Inc. • dba Trader Joe's # 712
1864 Monroe Street • Agent: Melanie Lee
Class A Liquor, Class A Beer
Aldermanic District 10 (Ald. Golden) • Police Sector 301
42. [04058](#) Public Hearing - New License
RP's Pasta Company Inc • RP's Pasta Company • estimated capacity 42
1133 E. Wilson Street • Agent: Peter Robertson
Class B Beer, Class C Wine • 2% alcohol, 8% food, 90% production/dist.
Aldermanic District 6 (Ald. Olson) • Police Sector 408
43. [04059](#) Public Hearing - New License
ERJ Dining III, LLC • dba Chili's Grill & Bar • capacity of 217
4344 East Towne Boulevard • Agent: Paul Thompson
Class B Combination Liquor & Beer • 12% alcohol, 88% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 515
44. [04060](#) Public Hearing - New License
ERJ Dining III, LLC • dba Chili's Grill & Bar • capacity of 217
7301 Mineral Point Road • Agent: Paul Thompson
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 9 (Ald. Skidmore) • Police Sector 124
45. [04064](#) Public Hearing - New License
Lora Garrett • dba Cafe Costa Rica • estimated capacity of 15
141 S. Butler Street
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 6 (Ald. Olson) • Police Sector 406
46. [04065](#) Public Hearing - Transfer of License from one premises to another
Happy Valley Corporation • dba Flat Top Grill • estimated capacity of 101

Proposed Location: 538 N. Midvale • Current Location: 702 N. Midvale
Agent: Edgar C. Barker, Jr.
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 11 (Ald. Gruber) • Police Sector 108

CLAIMS - REFER TO RISK MANAGER ON A MOTION MADE BY COUNCIL PRESIDENT KING, SECONDED BY ALD. VERVEER

- 47. **04116** E. Voeltz, 602 Delladonna Way, Madison - property damage - \$324.00.
- 48. **04117** G. Diebel on behalf of R. Diebel, 316 Grant St., Stoughton - vehicle damage - \$272.14.
- 49. **04118** A. Healy, 6743 Ramsey Rd., Middleton - vehicle damage - \$633.20.
- 50. **04119** NOTICE OF INJURY: D. Nordstrom, 1606 Fordem Ave. # 104, Madison - personal injury - greater than \$1.00.
- 51. **04120** L. Blair Warren, 3801 St. Clair St., Madison - property damage - \$219.81.
- 52. **04121** T. Passmore, 1611 Gray Owl Court, Oregon - property damage - \$315.18.
- 53. **04122** R. & C. Reeb, 3713 Hillcrest Dr., Madison - property damage - \$2,310.55.
- 54. **04124** S. Wine, 395 Woodland Cir., Madison - property damage - \$3,941.37.
- 55. **04125** R. Mitra, 05478-090, Box 1000, Milan, MI - property loss - \$141,000.00.
- 56. **04126** NOTICE OF CLAIM - Vang Law Office for S. Sisavath, 2953 Fish Hatchery Rd. # 102, Madison - \$25,000.00.
- 57. **04127** NOTICE OF INJURY & CLAIM - K. Hopkins, Dane County Jail - battery & personal injury - \$50,000.00.
- 58. **04128** AT&T Midwest Region Facilities, One SBC Center, Room 39-N-13, St. Louis, MO - equipment damage - \$202.09.
- 59. **04129** L. Duerst, 7307 Riverside Rd., Verona - vehicle damage - \$522.31.