



City of Madison

Proceedings - Amended

COMMON COUNCIL

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

Tuesday, September 20, 2005

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. Golden

Roll Call at 6:35 p.m, Mayor Cieslewicz in the Chair. Late: Ald. Compton (6:36 p.m.); Ald. Radomski (6:36 p.m.); Ald. Rosas (6:36 p.m.)

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

Excused: Golden

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 Council President Van Rooy, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

Suspend the rules to allow speakers on agenda # 29 to speak for 4 minutes instead of 3 minutes.

A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Suspend the Rules. The motion passed by the following vote:

Excused: 1 - Golden

Aye: 18 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber

No: 1 - Konkel

Non Voting: 1 - Cieslewicz

SPECIAL ORDER OF BUSINESS

1. [02004](#) Congratulating and commending Officers Phil Yahnke, Shane Pueschner, and Jean Papalia on receiving the prestigious Top Cop Awards by the National Association of Police Organizations.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00738

2. [02040](#) Affirming and proclaiming Monday, October 10, 2005 as "Indigenous Peoples Day".
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:
Excused: 1 - Golden
Aye: 18 - Benford, Sanborn, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
No: 0 -
Abstain: 1 - Brandon
Non Voting: 1 - Cieslewicz
Enactment No: RES-05-00739

PETITIONS AND COMMUNICATIONS

NONE RECEIVED BY THE AGENDA DEADLINE

BUSINESS BY THE MAYOR

3. [02012](#) Report of the Mayor submitting citizen committee appointments (introduction 9-20-05; action 10-11-05)
Confirm at the 10/11/05 Common Council Meeting (2/3 vote required for Water Board Appointment).
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Refer to a future Meeting to Confirm for October 11, 2005. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

4. [02039](#) Opposing S. 852, the Fairness in Asbestos Resolution Act of 2005 and requesting that United States Senator Herb Kohl vote against the bill.
1 Registrant(s) in support wishing to speak.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by the following vote:
Excused: 1 - Golden
Aye: 14 - Benford, Bruer, Cnare, Compton, King, Konkell, Gruber, Olson, Knox, Jr., Thomas, Van Rooy, Verveer, Radomski and Webber
No: 0 -
Abstain: 5 - Sanborn, Brandon, Rosas, Palm and Skidmore
Non Voting: 1 - Cieslewicz
Enactment No: RES-05-00740

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

5. [00338](#) Approving plans, specifications, and schedule of assessments for Interstate Commerce Park-Phase 1 Assessment District-2005, and amending the 2005 Capital Budget by \$1,770,360. (17th AD)
Public Hearing Recessed. Adopt at the 11/8/05 Common Council Meeting.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on November 8, 2005. The motion passed by acclamation.
6. [00912](#) Approving Plans, Specifications, And Schedule Of Assessments For Lien Road Assessment District - 2005
Public Hearing Recessed. Adopt at the 11/8/05 Common Council Meeting.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on November 8, 2005. The motion passed by acclamation.

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

7. [01945](#) 2006 Executive Capital Budget and amendments.
1 Registrant(s) in opposition wishing to speak. 1 Registrant(s) in opposition not wishing to speak. Public Hearing Recessed. Due back at the 10/11/05 Common Council Meeting
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the BOARD OF ESTIMATES, due back on October 11, 2005. The motion passed by acclamation.**

REPORT OF BOARD OF PUBLIC WORKS

8. [01882](#) Approving Plans and Specifications For South Park Street Reconstruction - 2006 and Schedule of Assessments for South Park Street Sanitary Lateral Replacements and Authorizing the Mayor and City Clerk to Execute an Agreement with the State of Wisconsin Department of Transportation for Cost Sharing for the South Park Street Reconstruction - 2006. (13th AD)
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No: RES-05-00741

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 Agenda #: 11, 18, 21, 25, 26, 27, 28, 29, 75, 86, 92, 96, & 131, President Van Rooy/Verveer.

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote. 3) items which alderperson(s) have separated out for discussion/debate purposes.

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

9. [02033](#) Alcohol License Review Committee
September 14, 2005, Report of Operator License Applications (New & Renewal)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

REPORT OF BOARD OF ESTIMATES

10. [01759](#) Authorizing the Mayor and Chief of Police to accept a highway safety grant totaling \$50,000 from the Wisconsin Department of Transportation for enforcement activities related to speeding and aggressive driving on Highways 12 and 18 (also known as the West and East Beltline) and roadways adjacent to the area.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00742
11. [01821](#) Authorizing the issuance of \$37,330,000 General Obligation Promissory Notes, Series 2005-A, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00743
12. [01836](#) That the vacant position (#1507) of Public Works Supervisor in Compensation Group 18, Range 05, in the permanent salary detail of the Parks Division budget be repealed and recreated as a position of Parks Construction Leadworker in Compensation Group 16, Range 14, thereof.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00744
13. [01837](#) That the position (#3652) of Planner 2 in Compensation Group 18, Range 08, (occupied by W. Schaefer) in the permanent salary detail of the Planning Unit budget is repealed and recreated as a position of Planner 3 in Compensation Group 18, Range 10, thereof, and that the incumbent shall be reallocated to said position.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00745

14. [01838](#) That the position (#1262) of Administrative Clerk 1, in Compensation Group 20, Range 09 (occupied by J. Cottom), in the permanent salary detail of the Parking Utility budget is repealed and recreated as an Administrative Clerk 2 in Compensation Group 20, Range 11, thereof, and that the incumbent shall be reallocated to said position.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00746
15. [01858](#) A resolution regarding application to the Dane County Board for exemption from Dane County Library tax levied under Section 43.64(2) Wisconsin Statutes.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00747
16. [01861](#) That the position (#3432) of Engineer 2 in Compensation Group 18, Range 08, (occupied by G. Yoerger) in the permanent salary detail of the Engineering Division budget is repealed and recreated as a position of Engineer 3 in Compensation Group 18, Range 10, thereof, and that the incumbent shall be reallocated to said position.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00748
17. [01863](#) That the position (0.5 FTE) vacant position (#611) of Word Processing Operator 1 in Compensation Group 20, Range 06, in the permanent salary detail of the Planning and Development budget is repealed and recreated as a position of Clerk Typist 2 in Compensation Group 20, Range 06, thereof.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00749
18. [01922](#) Authorize the increase of the Fall firefighter recruit class from 8 to 16 recruits and appropriating \$39,000 from the contingent reserve to the Fire Department's operating budget.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00750

19. [01923](#) Authorizing the Mayor, City Clerk and Chief of Police to accept the FY 2005 Edward Byrne Memorial Justice Assistance Grant award in the amount of \$199,681 and to utilize these funds to support several law enforcement initiatives.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00751
20. [01925](#) Authorizing the Mayor and City Clerk to enter into an agreement with Laidlaw Transit Services for provision of ADA paratransit services to Metro Transit in a "Long-Term Assignment Pilot Program" through September 30, 2006.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00752
21. [01939](#) Authorizing the Mayor and City Clerk to execute a Lease Termination Agreement providing for the early termination of the lease with The Collins House, Inc. pertaining to 704 East Gorham Street.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion failed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 9 - Benford, Bruer, Konkell, Gruber, Olson, Knox, Jr., Thomas, Verveer and Webber
- No:** 10 - Sanborn, Brandon, Cnare, Compton, King, Rosas, Palm, Skidmore, Van Rooy and Radomski
- Non Voting:** 1 - Cieslewicz
22. [01943](#) Approving the budget for events associated with Madison's 150th celebration.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00753
23. [01948](#) To authorize the Mayor and City Clerk to enter into a four-year contract on behalf of the City with Schmidt's Auto, Inc. for towing and vehicle storage services.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00754

24. [01956](#) To authorize the Mayor and City Clerk to sign a contract on behalf of the City with Employee Benefits Corporation (EBC) for third party administration of the city's flexible spending account, authorizing a 2-year contract for the 2006-2007 plan years, with options for renewal.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00755
25. [01961](#) Authorizing an amendment of the Traffic Engineering 2005 Capital Budget Project # 1 "Street Light Infrastructure," (Account # 810411) to authorize total expenditures of up to \$1,000,000 from available funds; Project #2, "URD/UCD Street Lighting," (Account # 810412) to authorize total expenditures of up to \$650,000 from available funds; Project #7, "Traffic Signal Infrastructure" (Account #810417) to authorize total expenditures of up to \$925,000 from available funds; Project #11, and "Semi-Permanent Pavement Marking" (Account #810436) to authorize total expenditures of up to \$450,000 from available funds.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00756

26. [01962](#) SECOND SUBSTITUTE - Authorizing the City of Madison to use \$100,000 of available TIF funds to hire a consulting firm to assist City staff and the community in the development of a redevelopment implementation plan for the Allied area, and further authorizing the City of Madison to use up to \$150,000 of CDBG funds to acquire the property at 2330-34 Allied Drive for approximately \$35,000 and relocate the current tenants for approximately \$35,000 and demolish the property for approximately \$80,000, and amending the 2005 Planning and Development Capital Budget, project #15, "TID 29 -Allied Terrace," to provide for the additional expenditure of \$100,000 from TIF funds, and authorizing staff to negotiate with Hauk Investments to receive a six-month option to purchase properties located at 2317, 2345, and 2409 Allied Drive.

1 Registrant in support not wishing to speak; 2 Registrants in support wishing to speak. A motion was made by Ald. Thomas, seconded by Ald. Bruer, to reconsider at the 10/11/05 Council meeting. The motion carried by acclamation.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt With Amendment(s) as follows: Add the following language to the last BE IT FURTHER RESOLVED: "and a plan for the use or reuse of this property" after "that the proposed option agreement" on motion of Ald. Konkel, seconded by Ald. King. The motion failed by the following vote:

Excused: 1 - Golden

Aye: 12 - Benford, Bruer, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Skidmore, Van Rooy, Verveer and Webber

No: 7 - Sanborn, Brandon, Cnare, Compton, Palm, Thomas and Radomski

Non Voting: 1 - Cieslewicz

Enactment No: RES-05-00818

26. [01962](#) AMENDED SECOND SUBSTITUTE - ~~Authorizing the City of Madison to use \$100,000 of available TIF funds to hire a consulting firm to assist City staff and the community in the development of a redevelopment implementation plan for the Allied area, and further authorize the City of Madison to use up to \$150,000 of CDBG funds to acquire the property at 2330-34 Allied Drive for approximately \$35,000 and relocate the current tenants for approximately \$35,000 and demolish the property for approximately \$80,000, and amending the 2005 Planning and Development Capital Budget, project #15, "TID 29 Allied Terrace," to provide for the additional expenditure of \$100,000 from TIF funds, and authorizing staff to negotiate with Hawk Investments to receive a six-month option to purchase properties located at 2317, 2345, and 2409 Allied Drive.~~

Suspend the Rules to allow 2 late registrants to speak, on motion of Ald. Konkel, seconded by Ald. Van Rooy: carry.

A motion was made by Ald. Thomas, seconded by Ald. Bruer, to Adopt with the following recommendation(s): strike the 5 final paragraphs of the resolution & adopt the remainder of the resolution with the following amendments: strike "approximately" and add "up to" after "amount of" in the Now Therefore Be It Resolved clause; add "up to" after "currently rent at this property for" in the Now Therefore Be It Resolved clause; add "after future Council approval" after "\$35,000 and" in the Now Therefore Be It Resolved clause; strike "and" after "\$80,000" in the Now Therefore Be It Resolved clause; Reconsider the unadopted language at the 10/11/05 Common Council Meeting (NOTE: A companion resolution, Legislative File ID#: 02119, was created which contains the unadopted language which will be reconsidered at the 10/11/05 Common Council Meeting). The motion passed by acclamation.

Enactment No: RES-05-00818

26. [02119](#) Authorizing the City of Madison to use \$100,000 of available TIF funds to hire a consulting firm to assist City staff and the community in the development of a redevelopment implementation plan for the Allied area, and amending the 2005 Planning and Development Capital Budget, project #15, "TID 29-Allied Terrace," to provide for the additional expenditure of \$100,000 from TIF funds, and authorizing staff to negotiate with Hawk Investments to receive a six-month option to purchase properties located at 2317, 2345, and 2409 Allied Drive. **(Companion resolution to ID# 01962. This resolution was created as a result of partially adopting 01962 & referring the unadopted language to the 10/11/05 Common Council Meeting for reconsideration.)**

THIS IS THE COMPANION RESOLUTION TO FILE ID# 01962. PART OF FILE ID# 01962 WAS ADOPTED AT THE 9/20/05 COMMON COUNCIL MEETING AND THE REMAINING TEXT WAS MOVED TO A NEW FILE (#02119) AND WILL APPEAR ON THE 10/11/05 COMMON COUNCIL AGENDA UNDER RECONSIDERATIONS.

A motion was made by Ald. Thomas, seconded by Ald. Bruer, to Reconsider for October 11, 2005. The motion passed by acclamation.

27. [01972](#) Authorizing the expenditure of \$45,000 of privately contributed funds to cover anticipated neighborhood conference costs.

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

Enactment No: RES-05-00757

28. [02001](#) Authorizing the issuance of \$4,380,000 Taxable General Obligation Promissory Notes, Series 2005-B, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 18 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 1 - Konkel
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00758

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

29. [01880](#) Establishing an advisory referendum on Madison's Smoking Ban.
- 27 Registrants in support; 148 Registrants in opposition; 7 Registrants neither supporting nor opposing the Resolution.*
- A motion was made by Ald. Brandon, seconded by Ald. Cnare, to Adopt. The motion failed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 5 - Brandon, Cnare, Knox, Jr., Palm and Van Rooy
- No:** 14 - Benford, Sanborn, Bruer, Compton, King, Konkel, Gruber, Olson, Rosas, Skidmore, Thomas, Verveer, Radomski and Webber
- Non Voting:** 1 - Cieslewicz
29. [01881](#) Creating Section 23.05(7)(f) of the Madison General Ordinances to create a hardship exemption to the smoking regulations for taverns which meet certain requirements.
- 32 Registrants in support; 96 Registrants in opposition; 8 Registrants neither supporting nor opposing the Ordinance.*
- A motion was made by Ald. Brandon, seconded by Council President Van Rooy, to Place On File Without Prejudice. The motion passed by acclamation.**

29. [01985](#) Amending Sections 23.05(1) and 23.05(3)(c), repealing Sections 23.05(3)(s), (t) & (u) and amending Section 23.05(7) of the Madison General Ordinances to eliminate prohibition of smoking in certain public, non City-owned places.

132 Registrants in support; 86 Registrants in opposition; 5 Registrants neither supporting nor opposing the Ordinance.

A motion was made by Ald. Sanborn, seconded by Ald. Compton, to Adopt. The motion failed by the following vote:

Excused: 1 - Golden

Aye: 9 - Sanborn, Bruer, Compton, Knox, Jr., Rosas, Palm, Skidmore, Thomas and Verveer

No: 10 - Benford, Brandon, Cnare, King, Konkell, Gruber, Olson, Van Rooy, Radomski and Webber

Non Voting: 1 - Cieslewicz

Recess at 2:33 a.m. on motion of Ald. King, seconded by Ald. Konkell. The motion carried by acclamation.

Roll Call at 2:45 a.m., Mayor Cieslewicz in the chair.

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

Excused: Golden

Item #'s 30 & 31 are not being used on the agenda. All issues related to smoking are being handled through Item # 29. The Council will debate & vote separately on each smoking item.

REPORT OF BOARD OF PUBLIC WORKS - BIDS

32. [01889](#) Awarding Public Works Contracts for bids Opened September 2, 2005.

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

Enactment No: RES-05-00759

REPORT OF BOARD OF PUBLIC WORKS

33. [01712](#) Authorizing a grant of an access easement over City-owned land to Ironworks Development LLC to facilitate its development project at 149 Waubesa Street. 6th Ald Dist

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

Enactment No: RES-05-00760

34. [01783](#) Improvements accepted for water service laterals by private contract to serve: Troy Court. (12th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00761
35. [01831](#) Improvements accepted for Water Service Laterals by private contract to serve High Crossing Fifth Addition Phase I. (17th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00762
36. [01832](#) Improvements accepted for Water Service Laterals by private contract to serve: Reston Heights Phase I. (3rd AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00763
37. [01833](#) Improvements accepted for Water Service Laterals by private contract to serve Old Sauk Row. (9th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00764
38. [01834](#) Improvements Accepted for Olbrich Rose Garden, Contract No. 5543. (15th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00765
39. [01883](#) Authorizing the indemnification of Ruth M. Vetter from the liability associated with the Permanent Limited Easement (PLE) and the Temporary Limited Easement (TLE), acquired by the City of Madison, for public sanitary sewer and storm water improvements. (1st AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00766
40. [01884](#) Authorizing the Library to enter into an agreement with Nickles Electric to provide construction for the lighting replacement project located at Meadowridge Branch Library, 5740 Raymond Road. (20th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00767

41. [01887](#) Improvements accepted for Heritage Prairie Greenway and Sewer Interceptor, Contract No. 5373. (3rd AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00768
42. [01888](#) Improvements accepted for Arboretum Exposed Sanitary Sewer Repairs, Contract No. 5575. (14th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00769
43. [01891](#) Improvements Accepted and Assessing Benefits for Churchill Heights, Phases 1 and 2, Street Light Improvement District. (17th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00770
44. [01892](#) Improvements Accepted and Assessing Benefits for Churchill Heights, Phase 3 Street Light Improvement District. (17th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00771
45. [01893](#) Improvements Accepted and Assessing Benefits for Covered Bridges, Phase 2 Street Light Improvement District. (3rd AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00772
46. [01895](#) Improvements Accepted and Assessing Benefits For Crossing, Phase 6 Street Light Improvement District. (1st AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00773
47. [01896](#) Improvements Accepted and Assessing Benefits For Greystone Street Light Improvement District. (9th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00774

48. [01897](#) Improvements Accepted and Assessing Benefits For Ice Age Falls, Phases 3 and 4 Street Light Improvement District. (7th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00775
49. [01898](#) Improvements Accepted and Assessing Benefits For Liberty Place, Phase 1 Street Light Improvement District. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00776
50. [01899](#) Improvements Accepted and Assessing Benefits For Liberty Place, Phase 2 Street Light Improvement District. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00777
51. [01903](#) Improvements Accepted and Assessing Benefits For Marsh Road Industrial Street Light Improvement District. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00778
52. [01904](#) Improvements Accepted and Assessing Benefits For Monument Center Street Light Improvement District. (Aldermanic District 17)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00779
53. [01906](#) Improvements Accepted and Assessing Benefits For Quinn Ranch Street Light Improvement District. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00780
54. [01907](#) Improvements Accepted and Assessing Benefits For Reston Heights, Phases 1, 2 and 3 Street Light Improvement District. (Aldermanic District 3)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00781

55. [01908](#) Improvements Accepted and Assessing Benefits For Reston Heights - Phases 4-7 Street Light Improvement District. (Aldermanic District 3)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00782
56. [01910](#) Improvements Accepted and Assessing Benefits for Reston Heights Phase 8 Street Light Improvement District. (3rd AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00783
57. [01912](#) Improvements Accepted and Assessing Benefits For 7th Add. to Sauk Heights Phase 1 Street Light Improvement District. (9th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00784
58. [01913](#) Improvements Accepted and Assessing Benefits for 7th Addition to Sauk Heights Phase 2 Street Light Improvement District. (9th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00785
59. [01916](#) Improvements Accepted and Assessing Benefits For Tradewinds Business Center Street Light Improvement District. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00786
60. [01917](#) Improvements Accepted and Assessing Benefits for Twin Oaks Street Light Improvement District. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00787
61. [01918](#) Improvements Accepted and Assessing Benefits For Valley Ridge, Phases 12-15 Street Light Improvement District. (Aldermanic District 1)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00788

62. [01919](#) Improvements Accepted and Assessing Benefits For Valley Ridge, Phases 9 and 10 Street Light Improvement District. (Aldermanic District 1)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00789
63. [01938](#) Declaring the City of Madison's intention to exercise its police powers establishing the Mandan Crescent, Tumalo Trail, and Manitou Way Reconstruction Assessment District - 2005. (10th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00790
64. [01944](#) Approving plans and specifications for public improvements necessary for the project known as Ann Street Storm Sewer Extension and authorizing construction to be undertaken by the Developer, Private Contract No. 2062. (14th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00791
65. [01947](#) Improvements Accepted and Assessing Benefits For Fourth Addition to World Dairy Street Light Improvement District. (16th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00817
66. [01949](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sycamore Landfill Storm Sewer Construction, Contract No. 5887, and Amending the 2005 Capital Budget by \$63,800. (17th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00792
67. [01951](#) Assessing Benefits - North Thornton, East Dayton, & North Dickinson Reconstruction Street Assessment District - 2003; and North Thornton Reconstruction Street Assessment District 2003. (2nd AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00793

68. [01952](#) Assessing Benefits - North Thornton Reconstruction Street Assessment District - 2003 (2nd AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00794
69. [01957](#) Assessing Benefits - Nesbitt Road, Cross Country Road & Maple Grove Drive Assessment District - 2002. (7th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00795
70. [01958](#) Assessing Benefits - South Bassett Street and West Wilson Street Reconstruction Assessment District - 2004. (4th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00796
71. [01959](#) Assessing Benefits - Campbell Street, Chandler Street, Garfield Street & Vilas Avenue Reconstruction Assessment District - 2004. (13th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00797
72. [01960](#) Assessing Benefits - Union Street and Oak Street Reconstruction Assessment District - 2004. (15th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00798
73. [01963](#) Assessing Benefits - Chapman Street and Mandan Circle Reconstruction Assessment District-2004. (10th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00799
74. [01967](#) Assessing Benefits - John Nolen Drive Service Road Extension Assessment District 2002. (14th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00800

75. [01973](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 5872, Brittingham Boathouse Renovation and Addition; authorizing the Park Superintendent to acquire the necessary permits and the project shall not be bid until conditions of those permits are known, and amending the 2005 Capital budget for Project No. 12 Specific Park Improvements (810405) in the Parks Division by \$250,000. (4th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-05-00801
76. [01974](#) Assessing Benefits - Portage Road Sidewalk Assessment District-2003. (17th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00802
77. [01976](#) Assessing Benefits - Francis Street Sidewalk Assessment District - 2003. (4th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00803
78. [01977](#) Assessing Benefits - Bartillon Drive Street Assessment District - 2004. (17th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00804
79. [01979](#) Approving plans and specifications for public improvements necessary for the project known as Lowell Parking Ramp and authorizing construction to be undertaken by the Developer, Project No. 53B2063. (8th AD)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00805

80. [01980](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Hawks Meadow and authorizing construction to be undertaken by the Developer, Private Contract No. 2050. (1st AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00806
81. [01996](#) Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Blackhawk Church Town Center Plat and authorizing construction to be undertaken by the Developer, Private Contract No. 2049. (9th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00807
82. [01997](#) Authorizing the Mayor and City Clerk to execute an amendment for additional surveying services on Lien Road to the contract with Foth & Van Dyke and Assoc., Inc. for "2003 Street Reconstruction Surveys", Contract No. 5565. (17th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00808
83. [01998](#) Improvements accepted for Odana Hills Bike Path/Access Road, Contract No. 5496. (19th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00809
84. [01999](#) Improvements accepted for Chandler Street & S. Brooks Street Reconstruction Assessment District - 2003, Contract No. 5504. (13th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00810
85. [02000](#) Improvements accepted for Charter Street, Orchard Street and Vilas Avenue Reconstruction Assessment District - 2003, Contract No. 5505. (13th AD)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00811

**REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE - BEGINS AT
THE TOP OF THE NEXT PAGE**

86. [00059](#) AMENDED FOURTH SUBSTITUTE - Amending Section 2.40(2)(c), creating new Sections 2.40(2)(d), (e), (f) and (g), renumbering current Sections 2.40(2)(d) through (h) to Sections 2.40(h) through (l), amending renumbered Sections 2.40(2)(i), (j), and (k), repealing current Section 2.40(2)(i), renumbering current Sections 2.40(2)(j) through (n) to Sections 2.40(2)(m) through (q), amending renumbered Sections 2.40(2)(l), (m), and (o) and Sections 2.40(3), (6), (7), (8), (9), (10), (11)(b) and (11)(e), creating Section 2.40(11)(f), amending Section 2.40(12), creating new Section 2.40(13), renumbering current Sections 2.40(13) and (14) to Sections 2.40(14) and (15), respectively, amending renumbered Section 2.40(14) and repealing current Section 2.40(15) of the Madison General Ordinances to modify portions of the lobbying ordinance.

A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt With Amendment(s) the following amendments passed as follows: amend page 2, Section 3. (e) to by adding "City of Madison" after "members of" and add "individuals appointed by the Mayor and confirmed by the Common Council to boards, committees and commissions to represent the city of Madison" after "committees and commissions", on motion of Ald. Konkell, seconded by Ald. King; amend page 3, Section 4 (f) by adding "iii. is not an attorney" and renumbering the current "iii." to "iv.", on motion of Ald. Verveer, seconded by President Van Rooy; amend page 5 by striking "on behalf of a single person on more than three (3) days within a reporting period, or on behalf of more than one person on more than six (6)" and replacing with "six (6)" days, on motion by Ald. Skidmore, seconded by Ald. Compton; Friendly amendment to change the previous amendment from "five (5)" days to "six (6)" days, on motion of Ald. King, seconded by Ald. Verveer; amend page 5, (j), 2. by striking "primary", on motion by Ald. Konkell, seconded by Ald. King.

The motion passed by the following vote:

Excused: 1 - Golden

Aye: 15 - Sanborn, Brandon, Bruer, Cnare, Compton, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer and Radomski

No: 4 - Benford, King, Konkell and Webber

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Skidmore, seconded by President Pro Tem Rosas, to Adopt With Amendment(s) as follows: amend page 3 by adding "(f) "Design professionals" means architects, engineers, landscape architects, land surveyors or designer of engineering systems, licensed under ch. 443, Wisconsin Statutes, geologists, soil scientists and hydrologists licensed under ch. 470, Wisconsin Statutes, professional planners belonging to the American Institute of Certified Planners, cultural resource specialists as defined by the U.S. Secretary of Interior Professional Standards for Archeology and Historic Preservation, and photogrammetrists as certified by ASPRS, the Imaging and Geospatial Information Society." under definitions & renumbering the remaining definitions.

The motion passed by the following vote:

Excused: 1 - Golden

Aye: 17 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer and Radomski

No: 2 - Konkel and Webber

Non Voting: 1 - Cieslewicz

Enactment No: ORD-05-00150

THE FOLLOWING AMENDMENTS FAILED FOR ID# 00059 (LOBBYING ORDINANCE)

00059

AMENDED FOURTH SUBSTITUTE - Amending Section 2.40(2)(c), creating new Sections 2.40(2)(d), (e), (f) and (g), renumbering current Sections 2.40(2)(d) through (h) to Sections 2.40(h) through (l), amending renumbered Sections 2.40(2)(i), (j), and (k), repealing current Section 2.40(2)(i), renumbering current Sections 2.40(2)(j) through (n) to Sections 2.40(2)(m) through (q), amending renumbered Sections 2.40(2)(l), (m), and (o) and Sections 2.40(3), (6), (7), (8), (9), (10), (11)(b) and (11)(e), creating Section 2.40(11)(f), amending Section 2.40(12), creating new Section 2.40(13), renumbering current Sections 2.40(13) and (14) to Sections 2.40(14) and (15), respectively, amending renumbered Section 2.40(14) and repealing current Section 2.40(15) of the Madison General Ordinances to modify portions of the lobbying ordinance.

6 Registrants speaking in support; 2 Registrants in support not wishing to speak; 4 Registrants speaking in opposition; 4 Registrants in opposition not wishing to speak.

A motion was made by Ald. Konkel, seconded by Ald. King, to Adopt With Amendment(s) as follows: amend page 5, Section (j), 3. by striking "primary". The motion failed by the following vote:

Excused: 1 - Golden

Aye: 6 - Benford, King, Konkel, Olson, Verveer and Webber

No: 13 - Sanborn, Brandon, Bruer, Cnare, Compton, Gruber, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. King, seconded by Ald. Webber, to Table. The motion failed by the following vote:

Excused: 1 - Golden

Aye: 4 - King, Konkel, Palm and Webber

No: 14 - Benford, Sanborn, Bruer, Cnare, Compton, Gruber, Olson, Knox, Jr., Rosas, Skidmore, Thomas, Van Rooy, Verveer and Radomski

Non Voting: 2 - Brandon and Cieslewicz

A motion was made by Ald. Konkel, seconded by Ald. Webber, to Adopt With Amendment(s) as follows: strike "professional planners" from Ald. Skidmore's amendment that created a new definition for design professionals. The motion failed by the following vote:

Excused: 1 - Golden

Aye: 2 - Konkel and Webber

No: 17 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Konkel, seconded by Ald. King, to Adopt With Amendment(s) as follows: amend page 6, Section 2.40 (2) (d) by striking "employees". The motion failed by the following vote:

Excused: 1 - Golden

Aye: 8 - Benford, King, Konkel, Gruber, Olson, Palm, Verveer and Webber

No: 11 - Sanborn, Brandon, Bruer, Cnare, Compton, Knox, Jr., Rosas, Skidmore, Thomas, Van Rooy and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Verveer, seconded by Ald. King, to Adopt With Amendment(s) as follows: amend page 5, paragraph 14, Section (3) by striking "40,000 square feet" and adding "20,000 square feet". The motion failed by the following vote:

Excused: 1 - Golden

Aye: 9 - Benford, Cnare, King, Konkel, Gruber, Olson, Palm, Verveer and Webber

No: 10 - Sanborn, Brandon, Bruer, Compton, Knox, Jr., Rosas, Skidmore, Thomas, Van Rooy and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Konkel, seconded by Ald. King, to Adopt With Amendment(s) as follows: amend page 5, Section 2 (d) by striking "person" and adding "individual". The motion failed by the following vote:

Excused: 1 - Golden

Aye: 8 - Sanborn, Cnare, King, Konkel, Gruber, Olson, Verveer and Webber

No: 11 - Benford, Brandon, Bruer, Compton, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. King, seconded by Ald. Konkel, to Table. The motion failed by the following vote:

Excused: 1 - Golden

Aye: 5 - King, Konkel, Gruber, Olson and Webber

No: 14 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Move the Previous Question. The motion passed by the following vote:

Excused: 1 - Golden

Aye: 10 - Sanborn, Brandon, Bruer, Compton, Knox, Jr., Rosas, Skidmore, Thomas, Van Rooy and Radomski

No: 9 - Benford, Cnare, King, Konkel, Gruber, Olson, Palm, Verveer and Webber

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Konkel, seconded by Ald. Olson, to Adopt With Amendment(s) as follows: amend page 8, Section 20, (10), (a) by striking "\$1,000" and adding "\$500" and changing the reporting period to quarterly reporting with the reporting period ending April 30 (instead of July 31) and October 31 (instead of January 31) The motion failed by the following vote:

Excused: 1 - Golden

Aye: 9 - Benford, Cnare, King, Konkel, Gruber, Olson, Knox, Jr., Verveer and Webber

No: 10 - Sanborn, Brandon, Bruer, Compton, Rosas, Palm, Skidmore, Thomas, Van Rooy and Radomski

Non Voting: 1 - Cieslewicz

Enactment No: ORD-05-00150

REPORT OF HOUSING COMMITTEE

87. [01629](#) SUBSTITUTE - Amending portions of Section 9.23 of the Madison General Ordinances to incorporate State of Wisconsin regulations for Mobile Home Parks, to define those regulations and to repeal certain obsolete provisions.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00151

REPORT OF PARK COMMISSION

88. [01565](#) Authorizing the Mayor and City Clerk to enter into an agreement with MG&E to construct, maintain, and manage an active stormwater infiltration system in the Odana Hills Golf Course and Park. (20th Ald Dist)
- 2 Registrants in support not wishing to speak.*
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00812
89. [01822](#) To authorize the Mayor and City Clerk to sign and execute an agreement with Wingra Canoe and Sailing Center, Inc. to operate a boat livery service utilizing certain lands and buildings at Wingra Park for a two year period, commencing April 1, 2006 and ending October 31, 2007.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00813
90. [01927](#) Authorizing the Parks Department to enter into a short term Use Agreement with Covance to allow Covance to park 350 employee vehicles at Warner Park for a fee of \$12 per stall per month.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.**

REPORT OF PARKS DIVISION

91. [01367](#) To authorize the Mayor and City Clerk to execute a three year contract with the MAD-City Ski Team, Inc. for the 2005 through 2007 seasons.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00814

REPORT OF PLAN COMMISSION

92. [01841](#) Creating Section 15.01(551) of the Madison General Ordinances entitled City Boundaries and being part of the chapter entitled Aldermanic Districts and Wards annexing to the Sixteenth Aldermanic District the Roe Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(131) of the Madison General Ordinances to add the annexed property to Ward 131.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** ORD-05-00152

93. [01878](#) Petition dated July 25, 2005 from L. & P. Roe re: direct annexation from the Town of Blooming Grove to the City of Madison.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

REPORT OF RISK MANAGER

94. [01966](#) NOTICE OF CLAIM - Hurley, Burish, & Milliken, S.C., attorney for S. Becker, 2626 Union St., Madison - personal injury - amount to be determined.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.**

REPORT OF TRANSIT/ PARKING COMMISSION

95. [01953](#) Amending Section 11.045 of the Madison General Ordinances to delete as ordinance violations all Madison Metro transit behavioral regulations except smoking, possession of an open container of alcohol beverage or consumption of alcohol beverages.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.**

96. [01971](#) SUBSTITUTE - Creating Section 11.06(9)(o) of the Madison General Ordinances establishing a temporary fuel charge per taxicab trip.
1 Registrant(s) in support not wishing to speak.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Golden
- Aye:** 18 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 1 - Konkel
- Non Voting:** 1 - Cieslewicz
- Enactment No:** ORD-05-00153

REFERRED TO THIS MEETING

APPOINTMENTS

97. [01864](#) Report of the Mayor submitting citizen committee appointments (introduced 9-6-05; action 9-20-05)
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.**

ORDINANCES

98. [01926](#) Repealing Paragraph 4. of Subdivision (g) of Subsection (12) of Section 38.06 of the Madison General Ordinances to allow patrons to re-enter premise without repayment.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00154

RESOLUTIONS

99. [01955](#) Establishing a Glass-Free Zone for the State Street area on October 27, 2005, October 28, 2005, October 29, 2005, October 30, 2005, and October 31, 2005 from 9:30 p.m. to 6:00 a.m.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00815

**NEW BUSINESS - Referred on motion of Council President VanRooy,
seconded by Ald. Verveer.**

Referred on motion of Council President VanRooy, seconded by Ald. Verveer.

ORDINANCES

100. [02043](#) Amending Section 28.12(3)(a) and (7)(d) of the Madison General Ordinances to conform to recently enacted state legislation.
Due back at the 12/13/05 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
101. [02044](#) Creating Section 28.06(2)(a)3133. of the Madison General Ordinances rezoning property from PCD(GDP) Planned Community Development (General Development Plan) District to PCD(SIP) Planned Community Development (Specific Implementation Plan) District. Proposed Use: 10,173 Square Feet Retail Space. 9th Aldermanic District, 7502 West Towne Way.
Due back at the 11/29/05 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
102. [02045](#) Creating Section 28.06(2)(a)3134. of the Madison General Ordinances rezoning property from C1 Limited Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3135. 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 Existing Structure & Build 6-Story Building with 25 Apartments & 3,300 Square Feet of Retail Space on First Floor; 8th Aldermanic District: 202 North Charter Street.
Due back at the 11/29/05 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**
103. [02046](#) Creating Section 28.06(2)(a)3136. 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)3137 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 Medical Office & Build 8-Story Mixed-Use Building with 40 Apartments, Fitness Center, 12,000 Square Foot Office Space and 2,500 Square Foot Retail Space; 4th Aldermanic District: 425 West Washington Avenue.
Due back at the 11/8/05 Common Council Meeting.
- Refer For Public Hearing to the PLAN COMMISSION**

104. [02048](#) Adopting and confirming Revision 252 of the Madison General Ordinances as of September 15, 2005 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.
Adopt at the 10/11/05 Common Council Meeting.

Refer to a future Meeting to Adopt

105. [02055](#) Creating Section 27.05(2)(h)13. of the Madison General Ordinances permitting a condominium association, under certain circumstances, to be exempt from the requirement to install positive locking devices on certain doors.
Additional Referrals: Inspection Unit

Refer to the HOUSING COMMITTEE

RESOLUTIONS

106. [01970](#) Amending the High Point-Raymond Neighborhood Development Plan, an element of the City of Madison Master Plan, to revise the land use and street plan recommendations for the area located generally south of Mid-Town Road, north of Raymond Road and west of Mica Road. Adjacent to 1st Ald. Dist.

Refer to the PLAN COMMISSION

107. [02005](#) Approving the provision of Federal HOME funds to assist Movin' Out acquire housing and authorizing the Mayor and City Clerk to sign an agreement to implement the project.

Refer to the BOARD OF ESTIMATES

108. [02007](#) Authorizing the Common Council to accept ownership from Bay Creek Neighborhood Association of a neighborhood sign/kiosk/bench unit located in the Gilson Street right-of-way adjacent to Bernie's Beach. 13th Ald. Dist.
Additional Referrals: Plan Commission

Refer to the BOARD OF PUBLIC WORKS

109. [02011](#) Approving the proposed new agreement on the composition of the Metropolitan Planning Organization for the Madison Urbanized Area.
Adopt at the 10/11/05 Common Council Meeting.

Refer to a future Meeting to Adopt

110. [02014](#) Authorizing the Water Utility General Manager to certify water and sewer bills, assessments and charges to the 2005 tax rolls of other governmental units for delinquent accounts in those jurisdictions.

Refer to the BOARD OF WATER COMMISSIONERS

111. [02035](#) Authorizing the Mayor and City Clerk to execute a lease with Jerry Leister for four tracts of City-owned land comprising approximately 28 acres. 16th Ald. Dist.

Additional Referrals: Board of Public Works, Plan Commission

Refer to the BOARD OF PARK COMMISSIONERS

112. [02041](#) Authorizing the execution of a lease and an option to purchase a warehouse building located at 2434 Vondron Road for the storage of evidentiary vehicles associated with Madison Police Department operations.

Additional Referrals: Plan Commission

Refer to the BOARD OF ESTIMATES

113. [02047](#) Authorizing the Mayor and the City Clerk to enter into a Memorandum of Agreement with the Board of Regents of the University of Wisconsin for the purpose of continuing to promote drinking water research that will help to improve the water quality within the City of Madison water system, protect the public health, and improve system operations.

Refer to the BOARD OF WATER COMMISSIONERS

LICENSES

114. [02015](#) Public Hearing - New License
Puav Pheej, LLC • dba Taste of Asia • estimated capacity of 140
2817 E. Washington Avenue • Agent: Peng Her
Class B Beer, Class C Wine • 10% alcohol, 90% food
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

115. [02016](#) Public Hearing - New License
Capitol Centre Foods, Inc. • dba Capitol Centre Foods
111 N. Broom Street • Agent: John Leemkuil
Class A Beer
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

116. [02017](#) Public Hearing - New License
Namasivayam Mahendran • dba Mahen's Liquor
4276 East Towne Boulevard
Class A Liquor, Class A Beer
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

117. 02018 Public Hearing - New License
T&M's Vietnamese Cuisine, LLC • dba T&M's Vietnamese Cuisine • cap. 284
439 Grand Canyon Drive • Agent: Mali Tran
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

118. 02019 Public Hearing - New License
Fast Forward Skate Center, Inc. • dba Fast Forward Skate Center • cap. 600
4649 Verona Road • Agent: Allen Kapugi
Class B Beer
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

119. 02020 Public Hearing - New License
Rainbow Clover, LLC • dba Shamrock Bar • capacity of 120
117 W. Main Street • Agent: Glenn Jahns
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

120. 02022 Public Hearing - Transfer of License
Paisan's Restaurant, Inc. • dba Paisan's • capacity 330 • Agent: Gerald Meier
131 W. Wilson Street • License Transfer from 80 University Square
Class B Combination Liquor & Beer • 21% alcohol, 78% food
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

121. 02023 Public Hearing - New License
Ithmus Properties, LLC • dba The Brunette Piano Lounge • capacity of 65
116 W. Mifflin Street • Agent: Patricia Caputo
Class B Combination Liquor & Beer • 65% alcohol, 20% food
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

122. 02024 Public Hearing - New License
Alexander's Restaurants, LLC • dba Frida Mexican Grill • est. capacity of 400
117 State Street • Agent: Mohamed Barketallah
Class B Combination Liquor & Beer • 25% alcohol, 65% food
Due back at the 11/8/05 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

123. [02027](#) Public Hearing - New License
D and Gs, LLC • dba Capital Hill Grill • estimated capacity of 270
380 W. Washington Avenue • Agent: Brad Stroud
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Due back at the 11/8/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
124. [02028](#) Public Hearing - New License
Ale Asylum, LLC • dba Ale Asylum • estimated capacity of 160
3698 Kinsman Boulevard • Agent: Otto Dilba
Class B Combination Liquor & Beer • 70% alcohol, 29% food
Due back at the 11/8/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
125. [02029](#) Public Hearing - New License
Wingra Services, LLC • dba Edgewood College
1000 Edgewood College Drive • Agent: Philip Hansen
Class B Combination Liquor & Beer
Due back at the 11/8/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
126. [02030](#) Public Hearing - New License
La Hispana, LLC • dba La Hispana
4512 E. Washington Avenue • Agent: Lid Tejada
Class A Liquor, Class A Beer
Due back at the 11/8/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
127. [02031](#) Public Hearing - New License
Lora Garrett • dba Mango Man Latin Soulfood
515 Cottage Grove Road
Class A Liquor, Class A Beer • 20% alcohol, 80% food
Due back at the 11/8/05 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

**CLAIMS - REFER TO RISK MANAGER on motion of Council President
Van Rooy, seconded by Ald. Verveer**

128. [02036](#) M. VonBergen, 7605 Farmington Way, Madison - property damage - \$100.44.
129. [02037](#) State Farm Insurance for C. Macleod & D. Feldbruegge, 4634 Treichel Street, Madison -
unspecified loss - \$5,506.78.

130. [02038](#) T. Stoughton, 903 High Point Road, Dodgeville - vehicle damage - \$1,503.58.

*****ADDENDUM*****

LATE ITEMS

RESOLUTIONS

131. [02060](#) Amending the Police Department 2005 Operating Budget by appropriating \$40,000 from the Contingent Reserve and to utilize these funds for various expenses related to the Halloween event.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:

Excused: 1 - Golden

Aye: 19 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: RES-05-00816

ITEMS INTRODUCED FROM THE COUNCIL FLOOR

[02074](#) Authorizing the Mayor and City Clerk to execute amendments to the Operation and Cooperation Agreement with Madison Cultural Arts District and to the Option Agreement with Overture Development Cooperation; to execute a credit agreement with a financial institution selected to restructure the Overture Center construction financing; and to execute such other documents that may be deemed necessary by the City Attorney to implement the transaction.

Additional Referral(s): Comptroller (for fiscal note)

Refer to the BOARD OF ESTIMATES

[02077](#) Creating Section 3.57 entitled "Mandatory Minimum Sick Leave" of the Madison General Ordinances to require employers in the City of Madison to provide sick leave benefits to employees.

Additional Referrals: Economic Development Commission, Board of Public Health for Madison and Dane County, Early Childhood Care and Education Board, Comptroller (for fiscal note)

Refer to the EQUAL OPPORTUNITIES COMMISSION

02078

Creating Sec. 28.08(7)(c)14. and 15. of the Madison General Ordinances to add certain outdoor vending and restaurants in churches as conditional uses in the R6 District.

Due back at the 11/29/05 CC Meeting.

A motion was made by Ald. King, seconded by Ald. Konkel, to Refer For Public Hearing to the PLAN COMMISSION, due back on November 29, 2005. The motion passed by acclamation.

ADJOURNMENT

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adjourn at 5:05 a.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 27th of September, 2005.

Ordinances published October 12th, 2005.

RAY FISHER, CITY CLERK