



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, March 21, 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: NONE

Roll Call at 6:34 p.m., Mayor Cieslewicz in the chair.

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

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 Council President Van Rooy, seconded by President Pro Tem Rosas, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

1. [03042](#) Commending Dr. Kathryn Vedder for her leadership of the Madison Department of Public Health.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00242

2. [03197](#) In recognition of the volunteer work performed by the Historic Blooming Grove Historical Society under the leadership of Robert A. Bean at the Madison historic landmark Dean House on Monona Drive in the City of Madison.
Robert A. Bean accepted the parchment & made a brief statement.

PETITIONS AND COMMUNICATIONS

PETITIONS

None received by the agenda deadline.

COMMUNICATIONS

3. [03185](#) Letter dated March 14, 2006 from Jonathon Bedford re: Public Housing.
1 Registrant(s) in support wishing to speak. Additional Referral(s): Equal Opportunities Commission. A motion was made by Council President Van Rooy, seconded by Ald. Rosas to Accept: no action taken.
A motion was made by Ald. Konkol, seconded by Ald. Verveer, to Refer to the COMMUNITY DEVELOPMENT AUTHORITY. The motion passed by acclamation.

BUSINESS BY THE MAYOR

4. [03176](#) Report of the Mayor submitting citizen committee appointments (introduction 3-21-06; action 4-4-06)
Confirm at the 4/4/06 Common Council Meeting (2/3 vote required for appointments to Allied Area Task Force, BID Board, CDA Housing Operations Subcommittee and Section 8 Advisory Committee.)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm for April 4, 2006. The motion passed by acclamation.
5. [03209](#) Report of the Mayor submitting alder committee appointments.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF COMMON COUNCIL

NOTE: AT ALD. ZACH BRANDON'S REQUEST, ID#: 02077 (MANDATORY SICK LEAVE ORDINANCE) IS BEING PLACE ON THE AGENDA TO ADD THE BOARD OF ESTIMATES AS A REFERRAL. THE ORDINANCE IS NOT BEING CONSIDERED FOR FINAL ACTION.

6. [02077](#) SUBSTITUTE - 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.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
7. [03155](#) Adopting statements of Program Area Goals and Funding Priorities, and Program Review Criteria, to be used by the Community Services Commission, Early Childhood Care and Education Board and Senior Citizens Advisory Committee for the 2007-2008 Community Resources Program budget review process.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Aye:** 19 - Benford, Sanborn, Brandon, Bruer, Chare, Compton, Golden, King, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Abstain:** 1 - Konkel
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00243

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

8. [00912](#) Approving Plans, Specifications, And Schedule Of Assessments For Lien Road Assessment District - 2005.
- Adopt at the 4/4/06 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 April 4, 2006. The motion passed by acclamation.**

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF PUBLIC WORKS

9. [03020](#) Approving Plans, Specifications, And Schedule Of Assessments For Dunning Street, Lakeland Avenue, and Schiller Court Reconstruction Assessment District - 2004. (6th AD)
- 1 Registrant(s) neither in support or opposition wishing to speak.*
- 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-06-00244

10. [03119](#) Approving Plans, Specifications, And Schedule Of Assessments For Struck Street Assessment District - 2006. (1st 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-06-00245
11. [03120](#) Approving Plans, Specifications, And Schedule Of Assessments For Edgewood Avenue Reconstruction Street Assessment District - 2005. (10th 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-06-00246
12. [03121](#) Approving Plans, Specifications, And Schedule Of Assessments For Mifflin and Seventh Streets Reconstruction Assessment District - 2006 (12th 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-06-00247

REPORT OF PLAN COMMISSION

13. [02871](#) Creating Section 28.06(2)(a)3163. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3164. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Shopping Center and Build 12-Story Mixed Use Building with 134,000 Square Feet Retail, 71,000 Square Feet Offices, 97,000 Square Feet Health Center, 62,000 Square Feet Activity Center and 350 Dwelling Units; 8th Aldermanic District: 700 Block University Avenue.
Rerefer for Recessed Public Hearing to the Plan Commission on a motion made by Council President Van Rooy, seconded by Ald. Rosas. The motion passed by acclamation.

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: 22, 33, 41, 64, 65, 71, 79, 80, 83, & 86, on motion of President Van Rooy, seconded by Ald. 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

14. [03179](#) Alcohol License Review Committee
March 15, 2006, 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 ALLIED AREA TASK FORCE

15. [01734](#) Report re: Enactment No. RES-05-00086, adopted on February 1, 2005, provides that Gorman & Company make a good faith effort to develop a written memorandum of understanding with the Allied Drive neighborhood association and report back to the Council. Attached hereto is a copy of the memorandum of understanding agreed to by Gorman & Company and the neighborhood association.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.

REPORT OF CITY ATTORNEY

16. [02881](#) UNLAWFUL TAXATION: Attorney William L. Fahey for All Saints Cottages and Condos, Inc., 8201 Highview Drive - unlawful taxation - \$13,509.93.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REPORT OF BOARD OF ESTIMATES

17. [02594](#) That the position (#1859) of Secretary 1 in Compensation Group 17, Range 10, occupied by W. Fitch, in the permanent salary detail of the Water Utility budget is repealed and recreated as a position of Program Assistant 1 in Compensation Group 17, Range 11, thereof. Be it further resolved 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-06-00248
18. [02608](#) That the position #1301 of Parking Operations Assistant in Compensation Group 20, Range 14, occupied by S. Sweet, in the permanent salary detail of the Parking Utility budget is repealed and recreated as a Parking Operations Assistant in Compensation Group 20, Range 16, thereof. Be it further resolved 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-06-00249

19. [02635](#) Amending Section 3.38 (1)(e) of the Madison General Ordinances by deleting the classification of Parking Operations Assistant in Compensation Group 20, Range 14 and recreating said position as a Parking Operations Assistant in Compensation Group 20, Range 16, thereof.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00025
20. [02743](#) Authorizing the execution of an Offer to Purchase Real Property with the Madison Metropolitan School District for the purchase of land located at the southwest corner of Lot 248, First Addition to Reston Heights, City of Madison for the future siting of a fire station.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00250
21. [02810](#) Amending the 2006 Public Health Operating Budget to allow for the carry forward and expenditure of 2005 Bioterrorism Grant funds.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00251
22. [02870](#) Amending the 2006 Adopted City of Madison Operating Budget to appropriate funds from the Contingent Reserve to join the Dane County Cities and Villages Association.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by the following vote:**
- Aye:** 20 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Golden, 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-06-00252
23. [02969](#) Endorsing the City of Madison and County of Dane Joint Public Health Management Team.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00253

24. [02992](#) Authorizing the Grant of License to the State of Wisconsin Department of Administration for installation and maintenance of private underground telecommunication facilities in City of Madison public rights-of-way.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00254
25. [03004](#) Authorizing the Mayor and City Clerk to execute a five (5) year Use Agreement with the Northwoods League and the Madison Mallards Organization for nonexclusive use of Warner Park Stadium.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00255
26. [03011](#) Authorizing the Mayor and City Clerk to execute an Operating Agreement with John Haugen-Wente and Tom Cavanaugh to offer canoe/kayak/windsurfing/sailing lessons and canoe/kayak/windsurf/sailboat rental service and concessions to the general public at James Madison Park for the years 2006 through 2008.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.**
27. [03049](#) Approving the City of Madison Fire Department to register its instruction training program with the Madison Area Technical College and amending the 2006 Fire Department Operating Budget by \$5,620.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00256
28. [03051](#) SUBSTITUTE - That the position (#1267) of Parking Equipment Technician in Compensation Group 16, Range 14 (occupied by M. Geborek) in the permanent salary detail of the Parking Utility budget is repealed and recreated as a Parking Equipment Technician 2 in Compensation Group 16, Range 14, thereof. Be it further resolved 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-06-00257
29. [03052](#) That the vacant position (#4029) of Parking Equipment Mechanic in Compensation Group 16, Range 10 in the permanent salary detail of the Parking Utility budget is repealed and recreated as a Parking Equipment Technician 1 in Compensation Group 16, Range 12, thereof.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00258

30. [03053](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and the Association of Madison Fire Supervisors (AMFS).
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00259
31. [03056](#) That the position (#87) of Overture Center Publicity Specialist in Compensation Group 18, Range 06, (occupied by T. Frailey) in the permanent salary detail of the Overture Center budget is repealed and recreated as a position of Overture Center Publicity Coordinator in Compensation Group 18, Range 08, thereof. Be it further resolved 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-06-00260
32. [03057](#) Authorizing the Mayor and City Clerk to sign a three (3) year contract for software support and maintenance services with New World Systems Corporation.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00261
33. [03061](#) To amend the Parks Division 2006 Capital Budget, Project #1 Assessable Tree Plantings to capture total costs for the plantings.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:
Aye: 20 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Golden, 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-06-00262
34. [03065](#) Authorizing the Madison Senior Center to amend its 2006 Operating and Segregated Fund Budgets to increase expenditures and offsetting revenues by \$10,000 for a grant to expand its Intergenerational Program.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00263

35. [03084](#) Approving the provision of \$70,000 of CDBG dollars for two park improvement projects in the Emerson East and Eken Park neighborhoods as a way to implement a portion of the Emerson East/Eken Park Neighborhood Plan in a manner that will continue to address City Community and Neighborhood Development Objectives.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00264
36. [03090](#) Adopting and confirming a Labor Agreement between the City of Madison and the Association of Fire Supervisors (AMFS) for the period January 1, 2004 through December 31, 2005.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00026
37. [03091](#) Amending Section 3.38 (1)(c) of the Madison General Ordinances by creating the classification of Parking Equipment Technician 1 in Compensation Group 16, Range 12.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00027
38. [03093](#) Amending Section 3.38 (1)(c) of the Madison General Ordinances by deleting the classification Parking Equipment Technician in Compensation Group 16, Range 14, and retitling it as Parking Equipment Technician 2 in Compensation Group 16, Range 14.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00028
39. [03094](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Overture Center Publicity Specialist in Compensation Group 18, Range 06 and creating the classification of Overture Center Publicity Coordinator in Compensation Group 18, Range 08, thereof.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00029
40. [03099](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to sign a Grant Agreement with the State of Wisconsin DNR for the "Cleaner Air Faster Initiative - Nonroad Clean Diesel Demonstration Project" and amending Motor Equipment's 2006 Operating Budget.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00265

41. [03110](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$2,200,000 Tax Incremental Financing to the Gorman & Co, Inc. and its assigns plus a \$2,000,000 additional financing instrument to assist in the development of the first phase of a mixed-use redevelopment project located in the 800 Block of East Washington Avenue in TID #36 (Capital Gateway).
- A motion was made by President Van Rooy, seconded by Ald. Rosas to place on file: no action taken. 4 Registrant(s) in support wishing to speak; 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**

REPORT OF BOARD OF PARK COMMISSIONERS

42. [02859](#) Approving the intent of the Park Division to sell lands within Doncaster Park located at 4335 Doncaster Drive to Will Investments-Southside, LLC. 10th 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-06-00285
43. [03050](#) To extend the closing hours at Olbrich Botanical Gardens to 11:30 p.m. on Saturday, June 24, 2006 for the 19th annual Rhapsody in Bloom benefit dinner and dance.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00286

REPORT OF BOARD OF PUBLIC WORKS

44. [02943](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Silicon Prairie Business Park, Phase I (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-06-00266
45. [03054](#) Improvements accepted for water main by private contract to serve: The American Center Plat Buttonwood Addition. (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-06-00267
46. [03069](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Felland Road Reservoir (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-06-00268

47. [03095](#) Awarding Public Works Contact No. 5899, State Street and Adjacent Streets Reconstruction Assessment District - Phase 3 (300 & 400 Blocks), opened March 3, 2006.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00269
48. [03101](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repainting South and North Transfer Points, Contract No. 5880. (14th & 2nd ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00270
49. [03102](#) Accepting street improvements constructed by private contract in Second Addition to Reston Heights, Private Contract No. 1983. (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-06-00271
50. [03103](#) Approving plans and specifications for public improvements necessary for the project known as 731 State Street/439 North Murray Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2081. (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-06-00272
51. [03105](#) Approving plans and specifications for public improvements required to serve Phase IV of the Subdivision known as Linden Park, and authorizing construction to be undertaken by the Developer, Private Contract No. 2079. (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-06-00273
52. [03108](#) Approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2078. (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-06-00274

53. [03109](#) Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Eighth Addition to Blackhawk Subdivision and authorizing construction to be undertaken by the Developer, Private Contract No. 2070. (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-06-00275
54. [03112](#) Authorizing the Mayor and City Clerk to execute a contract with CGC, Inc. for the purpose of furnishing professional services to test asphalt pavement mixtures, concrete mixes and soil compaction; investigate soils; drilling and well construction on various projects administered by the City of Madison. (City-Wide ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00276
55. [03113](#) Authorizing the Mayor and City Clerk to execute a contract with SES, Inc. for the purpose of furnishing professional services to investigate soils; drilling and well construction on various projects administered by the City of Madison. (City-Wide ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00277
56. [03117](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 5920, "Restoration/Landscaping 2006". (City Wide ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00278
57. [03118](#) Declaring the City of Madison's intention to exercise its police powers establishing the North Randall Street Reconstruction Assessment District - 2006. (5th & 8th ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00279
58. [03122](#) Improvements accepted for Bike Paths - 2004, Contract No. 5484. (Various ADs)
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00280

59. [03128](#) Approving plans, specifications and schedule of assessments for street lights - Linden Park Phase 1. (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-06-00281
60. [03129](#) Approving plans, specifications and schedule of assessments for street lights - First Addition to Meadowlands. (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-06-00282
61. [03130](#) Approving plans, specifications and schedule of assessments for street lights - Owl Creek. (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-06-00283
62. [03131](#) Approving plans, specifications and schedule of assessments for street lights - First Addition to Nelson's Addition to Rustic Acres. (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-06-00284

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

63. [02795](#) Report of the Mayor submitting a listing of boards, committees and commissions that did not meet in 2005.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.
64. [02877](#) Amending Section 2.01(1) of the Madison General Ordinances to require that all Common Council meetings adjourn no later than midnight and to establish scheduled supplementary meetings to be held as needed.
1 Registrant(s) in support not wishing to speak.

A motion was made by Council President Van Rooy and seconded by Council President Pro Tem Rosas to Adopt: no action taken.

Adopt at the 4/4/06 Common Council Meeting.
A motion was made by Ald. Golden, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt for April 4, 2006. The motion passed by acclamation.

65. [03037](#)

AMENDED THIRD SUBSTITUTE - Amending Section 23.05 of the Madison General Ordinances to create definitions of chewing tobacco, cigarettes and tobacco bars and to permit chewing tobacco in all public places and to permit smoking of all tobacco products (other than cigarettes) at all tobacco bars.

14 Registrant(s) in support wishing to speak; 6 Registrant(s) in opposition wishing to speak; 21 Registrant(s) in support not wishing to speak; 4 Registrant(s) in opposition not wishing to speak.

A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt with the following friendly amendments: add "the City (Clerk and/or Attorney) may order an audit of a qualified tobacco bar if there is reason to believe the annual financial statement may not be accurate.", Golden/Konkel: carry. Add "service of food not permitted", Gruber/Webber: carry; Add "signs to be posted at the entrance of tobacco bars stating that smoking of cigars and pipes is permitted and the smoking of cigarettes is not permitted, and warning off the health risks of second hand smoke made to the specifications of the Director of Public Health", Gruber/Webber: carry. The motion passed by the following vote:

Aye: 12 - Benford, Sanborn, Brandon, Cnare, King, Knox, Jr., Rosas, Skidmore, Thomas, Van Rooy, Verveer and Radomski

No: 8 - Bruer, Compton, Golden, Konkel, Gruber, Olson, Palm and Webber

Non Voting: 1 - Cieslewicz

Enactment No: ORD-06-00033

[03037](#)

THIRD SUBSTITUTE - Amending Section 23.05 of the Madison General Ordinances to create definitions of chewing tobacco, cigarettes and tobacco bars and to permit chewing tobacco in all public places and to permit smoking of all tobacco products (other than cigarettes) at all tobacco bars.

A motion was made by Ald. Gruber, seconded by Ald. Webber, to Place On File (substitute motion) The motion failed by the following vote:

Aye: 8 - Bruer, Compton, Golden, Konkel, Gruber, Olson, Palm and Webber

No: 12 - Benford, Sanborn, Brandon, Cnare, King, Knox, Jr., Rosas, Skidmore, Thomas, Van Rooy, Verveer and Radomski

Non Voting: 1 - Cieslewicz

Enactment No: ORD-06-00033

THE FOLLOWING AMENDMENTS TO ID# 03037 FAILED OR WERE WITHDRAWN**03037**

THIRD SUBSTITUTE - Amending Section 23.05 of the Madison General Ordinances to create definitions of chewing tobacco, cigarettes and tobacco bars and to permit chewing tobacco in all public places and to permit smoking of all tobacco products (other than cigarettes) at all tobacco bars.

A motion was made by Ald. Golden, seconded by Ald. Konkel, to Adopt With Amendment(s) as follows: separate "chewing tobacco" from entire ordinance. The motion failed by the following vote:

Aye: 7 - Bruer, Compton, Golden, Gruber, Olson, Van Rooy and Webber

No: 13 - Benford, Sanborn, Brandon, Cnare, King, Konkel, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Verveer and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Olson, seconded by Ald. Webber, to Adopt With Amendment(s) as follows: add a sunset clause of 3 years from date of publication. The motion failed by the following vote:

Aye: 7 - Bruer, Golden, Konkel, Gruber, Olson, Palm and Webber

No: 13 - Benford, Sanborn, Brandon, Cnare, Compton, King, Knox, Jr., Rosas, Skidmore, Thomas, Van Rooy, Verveer and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Konkel, seconded by Ald. Webber, to Adopt With Amendment(s) as follows: add requirement that in addition to proof of 10% gross income that additional information shall be provided to show receipts for the purchase of cigars for resale that are consistent with the 10% gross income. The motion failed by the following vote:

Aye: 2 - Konkel and Webber

No: 18 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Golden, 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. Cnare, to Adopt With Amendment(s) as follows: change definition of "tobacco bar" to "cigar bar", redefine "cigar bar", prohibit pipe and other tobacco products other than cigars, and remove "pipe" from signs if motion passes. The motion failed by the following vote:

Present: 1 - Golden

Aye: 6 - Cnare, Konkel, Gruber, Olson, Van Rooy and Webber

No: 13 - Benford, Sanborn, Brandon, Bruer, Compton, King, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Verveer and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Konkel, seconded by Ald. Webber to Adopt with Amendments as follows: anywhere the word cigarette appears add the following language after the phrase "any roll of tobacco wrapped in paper or any roll of tobacco wrapped in any substance, which because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to or purchased by consumers as a cigarette. The motion was withdrawn.

Enactment No: ORD-06-00033

REPORT OF COMMUNITY SERVICES COMMISSION

66. [03210](#) Report to the Mayor and Common Council on the Senior and After School Programs Study.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.

REPORT OF MADISON PUBLIC LIBRARY BOARD

67. [02895](#) Accepting an Offer to Sell Real Property from Midvale Plaza Joint Venture or its assignee for the purchase of space within the Midvale Plaza located at 525 South Midvale Boulevard and authorizing funds to complete the space for use as a City of Madison Public Library. ~~BY TITLE ONLY.~~ 11th 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-06-00287

REPORT OF PLAN COMMISSION

68. [02634](#) Repealing Section 16.23(4), amending Sections 16.23(8)(a)1. and 16.23(8)(a)8.a., creating Sections 16.23(9)(d)6.h. and 16.23(9)(e)6. of the Madison General Ordinances to provide for local streets of variable size.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.
69. [02903](#) Approving a "Major" Change to Amend the Environmental Corridor within the Central Urban Service Area of Dane County for 10-14 Bellingrath Court. 16th Ald. Dist.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.
70. [02936](#) Petition dated January 19, 2006 from T. & S. Ripple, R. & R. Sontag, S.,K. & M. Morley re: direct annexation from the Town of Verona 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.

71. [02996](#) Creating Section 15.01(555) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 1st Aldermanic District the Ripple-Sonntag-Morley Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(137) of the Madison General Ordinances to assign the attached property to Ward 137, and amending Section 15.03(1) of the Madison General Ordinances to add Ward 137 to Aldermanic District 1.
- A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by the following vote:**
- Aye:** 20 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Golden, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** ORD-06-00030
72. [03047](#) Approving the final plat of Hawks Ridge Estates located at 9201 Midtown Road. 1st 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-06-00288
73. [03048](#) Approving a Preliminary Plat/two lot Certified Survey Map of the Sara Investments property located at 4102-4110 Lien Road. 17th 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-06-00289
74. [03062](#) Amending the High Point-Raymond Neighborhood Development Plan, a supplement to the City of Madison Comprehensive Plan, to revise the land use and street plan recommendations for an area located generally south of Flagstone Drive extended on both sides of Jeffy Trail extended.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00290
75. [03200](#) Approving a Certified Survey Map of property owned by Theresa Hottenroth at 4321 Westport Road. 18th 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-06-00291

76. [03201](#) Approving a Certified Survey Map of property owned by Ross W. Richardson, LLC at 5929 University Avenue. 19th 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-06-00292
77. [03202](#) Approving a Certified Survey Map of property owned by Cortland Commons, LLC at 474 Commerce Drive. 1st 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-06-00293
78. [03203](#) Approving a Certified Survey Map of property owned by Pellett Development, LLC and 1000 Oaks Land, LLC at 702 South Point Road. 9th 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-06-00294

REPORT OF PLANNING AND DEVELOPMENT

79. [02439](#) SECOND SUBSTITUTE OPERATING BUDGET AMENDMENT # 41 - Office of Community Services/Community Resources, Planning Unit/Physical and Special Projects Planning; p. 152, 129.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Rerefer to the Planning and Development Department. The motion passed by acclamation.

REPORT OF PUBLIC SAFETY REVIEW BOARD

80. [02746](#) SUBSTITUTE - Amending Section 23.06 and creating Section 23.065 of the Madison General Ordinances to clarify the distinction between graffiti and scratchiti, to prohibit placing scratchiti or etching acid on public or private property and establishing penalties for these offenses, and amending Section 1.08(3)(a) to establish a bail deposit amount for violations of Section 23.06
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adopt. The motion passed by acclamation.
Enactment No: ORD-06-00032

REPORT OF RISK MANAGER

81. [03035](#) NOTICE OF CLAIM: D. Cox, 4174 Monona Drive - property damage - \$271.65.
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

82. [03059](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Radio Engineering Industries for video surveillance system for fifteen (15) buses.
A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00295

REFERRED TO THIS MEETING**APPOINTMENTS**

83. [03058](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 3-7-06; action 3-21-06)
2 Registrant(s) in support wishing to speak; 1 Registrant(s) in opposition wishing to speak; 2 Registrant(s) in support not wishing to speak.
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Confirm except GILA D. SHOSHANY, LAKE EDGE/MONONA GROVE SCHOOL DISTRICT AD HOC COMMITTEE Appointment was referred to the 4/4/06 Common Council Meeting (see ID# 03241). The motion passed by the following vote:
Aye: 20 - Benford, Sanborn, Brandon, Bruer, Cnare, Compton, Golden, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
No: 0 -
Non Voting: 1 - Cieslewicz

- [03241](#) Report of the Mayor submitting citizen committee appointments (GILA D. SHOSHANY, LAKE EDGE/MONONA GROVE SCHOOL DISTRICT AD HOC COMMITTEE Appointment).
Confirm at the 4/4/06 Common Council Meeting (pending receipt of the Statement of Interest form).
A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Refer to a future Meeting to Confirm for April 4, 2006. The motion passed by acclamation.

ORDINANCES

84. [03086](#) Repealing Sections 3.12(2), (3) and (4) of the Madison General Ordinances to remove language that should be issued by resolution.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00031

RESOLUTIONS

85. [03087](#) Authorizing public depositories and naming persons with authority to transfer funds.
- A motion was made by Council President Van Rooy, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00296

RECONSIDERATION(S)

86. [02825](#) That the new position tentatively identified as a Treasury Operations Manager in Compensation Group 18, no Range specified, in the permanent salary detail of the Clerk /Treasurer budget is repealed and recreated as a position of Treasury Operations Manager in Compensation Group 18, Range 12, thereof. Further, that the new position tentatively identified as a Clerks Office Supervisor in Compensation Group 18, no range specified, in said agency budget is repealed and recreated as a Clerks Office Supervisor in Compensation Group 18, Range 08, thereof.
- A motion was made by President Van Rooy, seconded by Ald. Rosas to withdraw the motion to reconsider. The motion passed by acclamation.**
- Enactment No:** RES-06-00131

NEW BUSINESS - Referred on a motion made by President Van Rooy, seconded by Ald. Verveer.**ORDINANCES**

87. [03139](#) Amending Sec. 7.39(2) of the Madison General Ordinances to increase the penalty range for expectorating in public and amending Sec. 1.08(3) of the Madison General Ordinances to establish a bail deposit for expectorating in public places.
- Adopt at the 4/4/06 Common Council Meeting.*
- Refer to a future Meeting to Adopt**

88. [03140](#) Creating Section 28.06(2)(a)3172. of the Madison General Ordinances rezoning property from C1 Limited Commercial District and R2 Single-Family Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3173. 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 Former Service Station/Convenience Store and Build 5-Story, 16-Unit Condominium; 15th Aldermanic District: 3540 Atwood Avenue.

Due back at the 4/18/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

89. [03141](#) Creating Section 28.06(2)(a)3174. of the Madison General Ordinances rezoning property from Temp A Agriculture to R1Single-Family Residence District. Proposed Use: City of Madison Water Utility Reservoir; 17th Aldermanic District: 1224 Felland Road.

Due back at the 5/2/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

90. [03142](#) Creating Section 28.06(2)(a)3175. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3176. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Existing Commercial Building & Build 4-Story, 45,000 Square-Foot Commercial Building; 4th Aldermanic District: 601 West Wilson Street.

Due back at the 5/2/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

91. [03199](#) Amending Sections 12.031(1) and (3), 12.761(2) and (3), 12.762, 12.138(3)(f), (5), (6), (7), (8)(a), and 10(b) and (c) to change references to "Parking Manager" to "City Traffic Engineer", amending Section 12.132(522) and repealing Section 12.137(240) to accommodate new parking meter zones, amending Sections 12.142 and 12.1425 to implement rate increases for meter hoods and to update the meter hood procedure; amending Section 12.145 to clarify the expired meter parking violation, increase parking meter rates, extend the hours during which parking meters are enforced, and create a new violation of No Street Vending from a Parking Meter, amending Sections 12.144, 12.146 and 12.147 to change references to "coins" to "payment", repealing Section 12.150 to eliminate obsolete language, amending Sections 12.151 and 12.1515 to add 25 minute parking to certain meter zones, creating Sections 12.1516, 12.1517 and 12.1518 to establish three new combination parking meter zones, amending Section 12.152 to add new Section 12.1516, 12.1517 and 12.1518 to the list of applicable penalties, and amending Section 1.08(3)(a) of the Madison General Ordinances to add a new bail deposit.

Additional Referral(s): Downtown Coordinating Committee

Refer to the TRANSIT AND PARKING COMMISSION

92. [03205](#) Amending Sections 28.07(6)(g)5. and (h) of the Madison General Ordinances to clarify the two provisions, make them consistent, and add six months to the time period for obtaining a permit. as well as to the ability to request an additional 24 months from the Plan Commission, and creating Section 28.12(12)(a)11. of the Madison General Ordinances to add a fee of \$500 for an application for an extension from the Plan Commission.

Due back at the 4/18/06 Common Council Meeting.

Refer For Public Hearing to the PLAN COMMISSION

93. [03212](#) Amending Section 3.69(22) of the Madison General Ordinances to modify the requirement that three (3) members of the Section 8 Advisory Committee be tenants or tenant service providers.

Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

RESOLUTIONS

94. [03092](#) Dissolving the Preferences and Screening Subcommittee.

Refer to the COMMUNITY DEVELOPMENT AUTHORITY

95. [03096](#) Authorizing the Mayor and City Clerk to enter into a Use Agreement with the YMCA of Dane County, Inc. for the YMCA's non-exclusive use of Elver Park for a summer day camp in 2006 with the possibility of a one year renewal.

Additional Referral(s): Board of Park Commissioners

Refer to the BOARD OF ESTIMATES

96. [03133](#) A resolution required by the Department of Workforce Development for the reauthorizing of the City of Madison's Self-insured Worker's Compensation Program.

Refer to the BOARD OF ESTIMATES

97. [03152](#) Authorizing Leonardo Academy, Inc. to provide LEED Documentation consulting services for the Goodman Park Maintenance Facility Renovation and Addition Project.

Refer to the BOARD OF ESTIMATES

98. [03165](#) Authorizing the Mayor and City Clerk to enter into a contract with Wisconsin Energy Conservation Corporation (WECC) for the purpose of providing professional services to coordinate the City of Madison's Solar Initiative, identify, evaluate, and implement solar applications on City of Madison properties and, encourage City residents to adopt solar technologies.

Refer to the BOARD OF ESTIMATES

99. [03172](#) Amending the 2006 Police Department Operating Budget in order to overhire 2 police officers in May 2006.

Refer to the BOARD OF ESTIMATES

100. [03188](#) Adopting a Community and Neighborhood Development Program Funding Framework as a guide to the CDBG Commission for the development of its funding recommendations for the 2007-2008 budgets.
- Refer to the BOARD OF ESTIMATES**
101. [03191](#) Authorizing the provision of CD Office funds to assist **Project Home Development Organization** refinance a portion of its first mortgage on its Prairie Crossing location, as a way to stabilize their housing and contribute to the revitalization of the Allied neighborhood.
- Refer to the BOARD OF ESTIMATES**
102. [03193](#) Authorizing the Madison Metro Transit General Manager to accept public transit capital grants from the U.S. Department of Transportation and matching funds from the Wisconsin Department of Transportation (WisDOT) for the Transport 2020 project, and authorizing the Mayor and the City Clerk to execute the associated grant agreements with USDOT.
- Refer to the BOARD OF ESTIMATES**
103. [03194](#) Authorizing the Director of the Department of Planning and Development to submit bids to the Receiver in Dane County Circuit Court Case No. 06CV357 for the purchase of the properties located at 2317, 2345, and 2409 Allied Drive; authorizing the Mayor and Clerk to execute a management agreement for management of the properties; and to authorize the Mayor and Clerk to enter into all necessary agreements to effect the sale and management during the City's ownership, and amending the 2006 Capital Budget to appropriate \$5,875,000 to fund this purchase.
- Additional Referral(s): Plan Commission. Due back at the 4/4/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
104. [03195](#) Authorizing the Mayor and City Clerk to execute a Second Amendment to Sublease pertaining to the City's sublease of space to Dane County Parent Council, Inc. (a/k/a Head Start) within the South Madison Health & Family Center located within the Villager Mall.
- Refer to the BOARD OF ESTIMATES**
105. [03207](#) To amend the City of Madison Parks Division 2006 Capital Budget to authorize the expenditure of \$203,029 from TIF #28 funds for additional TIF eligible coats associated with Contract No. 5872, Brittingham Boathouse Renovation and Addition Project.
- Refer to the BOARD OF ESTIMATES**

106. [03208](#) Determining a public purpose and necessity and adopting a relocation order for the City of Madison to acquire the land interests required for the planned public water lateral needed for the Goodman Park Maintenance Facility.
Additional Referral(s): Board of Public Works, Board of Water Commissioners, Plan Commission
- Refer to the BOARD OF PARK COMMISSIONERS**

REPORTS

107. [03192](#) Report of City Attorney - 2005 Annual Lobbying Report.
Accept at the 4/4/06 Common Council Meeting.
- Refer to a future Meeting to Accept**

CLAIMS - REFER TO RISK MANAGER

108. [03144](#) NOTICE OF CLAIM: G. Bohman, 4517 Hammersley Rd., Madison - vehicle damage - amount to be determined.
109. [03156](#) NOTICE OF CLAIM: E. Haynes, 504 Owen Road - property damage - \$780.71.
110. [03157](#) NOTICE OF CLAIM: T. Early, 3158 Ridgeway Avenue - property damage - \$1,307.67.
111. [03158](#) NOTICE OF CLAIM: T. Dammen, 414 Dorelle Street, Kewaunee - personal injury - amount to be determined.
112. [03159](#) NOTICE OF CLAIM: Attorney George Senteney for E. Stenberg, 1317 Oak Street, Waterloo - personal injury - \$7,559.26.

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

113. [03234](#) A study to determine the ability and efficacy of a local preference purchasing policy for the City of Madison.
Additional Referral(s): Board of Estimates, Comptroller (for fiscal note)
- A motion was made by Ald. Konkell, seconded by Council President Van Rooy, to Refer to the ECONOMIC DEVELOPMENT COMMISSION. The motion passed by acclamation.**

114. [03243](#) Repealing Section 9.13(6)(j)2.b., and amending Section 9.13(6)(j)3. of the Madison General Ordinances to temporarily repeal the requirement that restaurant wait staff must carry and serve all food, beverage and alcohol beverages to patrons within a sidewalk cafe, and to allow patrons of all types of sidewalk cafes to carry out their own food, beverage and alcohol beverages from the restaurant to the sidewalk café, and to make the temporary repeal effective from April 15, 2006 to December 31, 2006.
Adopt at the 4/4/06 Common Council Meeting.

A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for April 4, 2006. The motion passed by acclamation.

NOTE: Council President Van Rooy introduced resolution ID# 03194 (#103 on the agenda) from the council floor for referral, however, it was already listed on the agenda & did not need to be introduced from the council floor.

ADJOURNMENT

A motion was made by Council President Van Rooy, seconded by President Pro Tem Rosas, to Adjourn at 10:55 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 23rd of March, 2006.

Ordinances published April 7th, 2006.

SHARON CHRISTENSEN, DEPUTY CITY CLERK