



# City of Madison

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

## Agenda - Approved COMMON COUNCIL

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Tuesday, May 2, 2006

6:30 PM

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

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### **SPEAKING GUIDELINES**

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

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

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

The consent agenda will be considered following Public Hearings.

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

**NOTIFIED ABSENCES: Ald. Bruer**

### **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.

### **SPECIAL ORDER OF BUSINESS**

1. [03499](#) Commending, honoring and expressing appreciation to Sharon Christensen upon her retirement from the City of Madison after 38 years of exemplary service to the City of Madison and its citizens.
2. [03561](#) Honoring the state championship won by the Memorial High School Forensics Team.

**PETITIONS AND COMMUNICATIONS - None received by the agenda deadline.**

NONE RECEIVED BY THE AGENDA DEADLINE

### **BUSINESS BY THE MAYOR**

3. [03517](#) Report of the Mayor submitting citizen committee appointments (introduced 5-2-2006; action 5-16-2006)

**BUSINESS BY THE PRESIDENT OF COMMON COUNCIL**

**APPOINTMENTS**

4. [03507](#) Appointments to the Common Council Organizational Committee 2006-2007.
5. [03530](#) Board of Assessor Appointments dated April 11, 2006.

**RESOLUTIONS**

6.     [03562](#)     Seeking Common Council approval of the 2006 Madison Arts Commission Grant awards as recommended by the Madison Arts Commission.
  
7.     [03563](#)     Seeking Common Council approval of the 2006 Summer Concerts Performances as recommended by the Madison Arts Commission.

**RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM****REPORT OF ALCOHOL REVIEW COMMITTEE**

8.     02817           Public Hearing - New License  
          Hot Soup II, LLC • dba Sardine • estimated capacity 190  
          617 Williamson Street • Agent: John Gadau  
          Class B Combination Liquor & Beer • 33% alcohol, 67% food
  
9.     03010           Public Hearing - New License  
          Silva Associated, LLC • dba La Raza Grocery Store • Agent: Efrain Diaz  
          2608 E. Washington Avenue • Class A Liquor, Class A Beer

**PUBLIC HEARINGS - BEGIN AT 6:45 PM****REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

10. [03186](#) Public Hearing - New License  
Shopko Stores Operating Co., LLC • dba Shopko #029 • Agent: James Voigt  
7401 Mineral Point Road • Class A Liquor, Class A Beer
11. [03239](#) Public Hearing - New License  
Grandview Commons Restaurant Partners LLC • dba Cloud 9 Grille  
876 Jupiter Drive • Agent: Karl Wirag • estimated capacity of 320  
Class B Combination Liquor & Beer • 40% alcohol, 60% food
12. [03255](#) Public Hearing - New License  
Fresco, LLC • dba Fresco • estimated capacity of 2,313  
227 State Street • Agent: Richard Duarte  
Class B Combination Liquor & Beer • 15% alcohol, 85% food
13. [03259](#) Public Hearing - New License  
Troy D. Burmesch • dba Warehouse Liquors  
2929 E. Washington Avenue  
Class A Liquor, Class A Beer
14. [03273](#) Public Hearing - New License  
Adrian Bajrami • dba Casa Bianca • estimated capacity of 100  
515 Junction Road, Suite F  
Class B Beer, Class C Wine • 5% alcohol, 95% food
15. [03274](#) Public Hearing - New License  
Papavero, LLC • dba Osteria Papavero • estimated capacity of 50  
128 E. Wilson Street • Agent: Brian Haltinner  
Class B Combination Liquor & Beer • 25% alcohol, 75% food
16. [03292](#) Public Hearing - New License  
Happy Valley Corporation • dba Flat Top Grill • estimated capacity of 101  
702 N. Midvale • Agent: Edgar C. Barker, Jr.  
Class B Combination Liquor & Beer • 20% alcohol, 80% food
17. [03299](#) Public Hearing - New License  
Madison Hospitality Partnership, LLC • dba Radisson Hotel  
517 Grand Canyon Drive • Agent: Judy Zeman  
Class B Combination Liquor & Beer • 35% alcohol, 65% food
18. [03300](#) Public Hearing - New License  
The Family Business, LLC • dba Candessence • estimated capacity of 42  
1821 S. Park Street • Agent: Roderick V. Flowers  
Class B Combination Liquor & Beer • 70% alcohol, 30% food

**REPORT OF BOARD OF PUBLIC WORKS**

19. [03160](#) Approving Plans, Specifications, And Schedule Of Assessments For Danbury Street  
Assessment District - 2006. (10th AD)

20. [03161](#) Approving Plans, Specifications, And Schedule Of Assessments For Randall Avenue Reconstruction Assessment District - 2006 (13th AD)
21. [03447](#) Approving Plans, Specifications, And Schedule Of Assessments For Marsh Road Street Assessment District - 2006 (16th AD)
22. [03449](#) Approving Plans, Specifications, And Schedule Of Assessments For North Randall Street Reconstruction Assessment District - 2006 (5th & 8th ADs)

#### REPORT OF PLAN COMMISSION

Begins at the top of the next page.

23. [02319](#) Creating Section 28.06(2)(a)3152. 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) and creating Section 28.06(2)(a)3153. 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 Office Building and Build 50,000 Square Feet of Grocery Store; 11th Aldermanic District: 702 North Midvale Boulevard.
24. [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; 3rd Aldermanic District: 1224 Felland Road.
25. [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.

#### 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 #60, 91, 94, 95, & 124, King/Skidmore: carry.**

**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

Begins at the top of the next page.

**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

26. [02777](#) Operator License Application  
Brooks J. Jewell, 309 Memphis
27. [02981](#) Center for Visual & Performing Arts Application  
Palace Latin Club, LLC • dba Palace Latin Club • capacity 450  
1401 University Avenue • Agent: Javier Palacios  
Class B Combination Liquor & Beer • 60% alcohol, 10% food
28. [03033](#) Center for Visual & Performing Arts Application  
Genna's Cocktail Lounge, Inc. • dba Slipper Club • capacity 99  
121 W. Main Street • Agent: Kristi Genna  
Class B Combination Liquor & Beer • 100% alcohol
29. [03149](#) Change of Agent & Corporate Control - one additional member  
Takara Inc • dba Takara Japanese Restaurant • capacity of 50  
315 State Street • Old Agent: Ming Kong Chan • New Agent: Xiu Mei Ni  
Class B Combination Liquor & Beer • 5% alcohol, 95% food
30. [03166](#) Change of License Premise Application  
RP Adler's LLC • dba RP Adler's • capacity of 150  
8202 Watts Road • Agent: Randall P. Adler  
Class B Combination Liquor & Beer • 40% alcohol, 60% food  
Request to add outdoor seating.
31. [03174](#) Change of Agent  
Copp's Corporation • dba Copp's Food Center  
620 S. Whitney Way • Old Agent: Mark E. Elliott • New Agent: Corey Stillman  
Class A Liquor, Class A Beer
32. [03180](#) Change of Corporate Control - New Vice President  
Chili's of Wisconsin, Inc. • dba Chili's Grill & Bar #188 • capacity of 217  
7301 Mineral Point Road • Agent: Terence Miller  
Class B Combination Liquor & Beer • 20% alcohol, 80% food
33. [03181](#) Change of Corporate Control - New Vice President  
Chili's of Wisconsin, Inc. • dba Chili's Grill & Bar #327 • capacity of 215  
4344 East Towne Boulevard • Agent: Karen Marquis  
Class B Combination Liquor & Beer • 20% alcohol, 80% food
34. [03187](#) Change of Agent  
Nattspiel, Inc. • dba Nattspiel • capacity of 50  
211 King Street • Old Agent: Christopher Berge • New Agent: Prentice Berge  
Class B Combination Liquor & Beer • 68% alcohol, 32% food
35. [03213](#) Change of Agent  
Biaggi's Ristorante Italiano, LLC • dba Biaggi's Ristorante Italiano  
601 Junction Road • Old Agent: Steve Hable • New Agent: Jeff Sassorossi  
Class B Combination Liquor & Beer • 22% alcohol, 78% food
36. [03257](#) Nightclub License Application  
Fresco, LLC • dba Fresco • estimated capacity of 2,313  
227 State Street • Agent: Richard Duarte

- Class B Combination Liquor & Beer • 15% alcohol, 85% food
37. [03261](#) Change of Corporate Control - 2 new Officers  
Nakoma Golf Club, Inc. • dba Nakoma Golf Club  
4145 Country Club Road • Agent: Lawrence J. Avery  
Class B Combination Liquor & Beer • 70% alcohol, 30% food
38. [03278](#) Nightclub License Application  
Restaurant Magnus, Inc. • dba Restaurant Magnus • capacity of 110  
120 E. Wilson Street • Agent: Finn Berge  
Class B Combination Liquor & Beer • 40% alcohol, 60% food
39. [03282](#) Change of Agent & Corporate Control - new director  
R I Heritage Inn of Madison, Inc. • dba Madison Residence Inn  
4862 Hayes Road • Old Agent: Angela Steinhauer • New Agent: Randy Rudd  
Class B Combination Liquor & Beer • 100% alcohol
40. [03283](#) Change of Corporate Control - 1 new Officer  
Stop-N-Go of Dane County, Inc. • dba Stop-N-Go #255  
2002 Winnebago Street • Agent: John N. Becker  
Class A Beer • 11% alcohol, 22% food, 67% other
41. [03285](#) Change of Corporate Control - 1 new Officer  
Stop-N-Go of Dane County, Inc. • dba Stop-N-Go #284  
6202 Schroeder Road • Agent: Mark Kiley  
Class A Beer • 4% alcohol, 4% food, 92% other
42. [03286](#) Change of Corporate Control - 1 new Officer  
Stop-N-Go of University Avenue, Inc. • dba Stop-N-Go #253  
5545 University Avenue • Agent: Perry A. Ward  
Class A Beer • 3% alcohol, 5% food, 92% other
43. [03293](#) Change of License Premise Application  
Larry B's, Inc. • dba Larry B's • capacity of 48  
617 State Street • Agent: Timothy M. Kasmar-Ehlers  
Class B Beer, Class C Wine • 1% alcohol, 99% food  
Request to add 12-seat sidewalk cafe.
44. [03314](#) Change of License Premise Application  
Raymond Jacobson • dba Ray's Bar & Grill • capacity of 100  
2526 E. Washington Avenue  
Class B Combination Liquor & Beer • 90% alcohol, 10% food  
Request to add 20x22 fenced-in area at rear entrance.
45. [03336](#) Change of Corporate Control - 2 new Officers  
Zor Shriners AAONMS • dba Zor Temple AAONMS • capacity of 250  
575 Zor Shrine Place • Agent: Kent Englund  
Class B Combination Liquor & Beer • 35% alcohol, 65% food
46. [03339](#) Change of Agent  
Weary Traveler, Inc. • dba Weary Traveler Free House • capacity of 99  
1201 Williamson St • Old Agent: Christopher Berge • New Agent: Bowe Berge  
Class B Combination Liquor & Beer • 52% alcohol, 48% food
47. [03346](#) Change of Agent



- Open Pantry Food Marts of Wisconsin, Inc. • dba Open Pantry Food Mart #705  
1401 Regent Street • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer
48. [03347](#) Change of Agent  
Open Pantry Food Marts of Wisconsin Inc • dba Open Pantry Food Mart #1200  
2703 W. Beltline Highway • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer, Class A Liquor
49. [03348](#) Change of Agent  
Open Pantry Food Marts of Wisconsin Inc • dba Open Pantry Food Mart #1215  
1412 Pflaum Road • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer
50. [03349](#) Change of Agent  
Open Pantry Food Marts of Wisconsin Inc • dba Open Pantry Food Mart #1245  
2201 S. Park Street • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer, Class A Liquor
51. [03350](#) Change of Agent  
Open Pantry Food Marts of Wisconsin Inc • dba Open Pantry Food Mart #1335  
2216 University Avenue • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer
52. [03356](#) Change of Corporate Control - 2 new Officers  
Outback/Chicago I Ltd Partnership • dba Outback Steakhouse • capacity 236  
279 Junction Road • Agent: Kane Drugg  
Class B Combination Liquor & Beer • 14% alcohol, 86% food
53. [03357](#) Change of Corporate Control - 2 new Officers  
Outback/Midwest II Ltd Partnership • dba Outback Steakhouse • capacity 236  
4520 East Towne Boulevard • Agent: Kane Drugg  
Class B Combination Liquor & Beer • 16% alcohol, 84% food
54. [03358](#) Change of Corporate Control - 1 new Officer  
Sam's East, Inc. • dba Sam's Club #8255  
7050 Watts Road • Agent: David Heaton  
Class A Liquor, Class A Beer
55. [03372](#) Change of License Premise Application  
Rafael Escamilla • dba Laredo's • capacity of 99  
4001 Lien Road  
Class B Combination Liquor & Beer • 29% alcohol, 71% food  
Request to add outdoor seating area.
56. [03375](#) Change of Agent  
Creative Host Services, Inc. • dba Creative Croissants • capacity unknown  
4000 International Ln • Old Agent: Matthew Mlsna • New Agent: Patricia Brand  
Class B Combination Liquor & Beer • 23% alcohol, 77% food
57. [03376](#) Change of License Premise Application  
Jongyeon Lee • dba Church Key • capacity of 190  
626 University Avenue  
Class B Combination Liquor & Beer • 90% alcohol, 10% food  
Request to add outdoor seating area.

58. [03377](#) Change of License Premise Application  
La Pepe, Inc. • dba Tex Tubb's Taco Palace • capacity of 88  
2009 Atwood Avenue • Agent: Travis Hill  
Class B Combination Liquor & Beer • 25% alcohol, 75% food  
Request to use outdoor parking lot on Sunday, June 11, from 2 pm to 6 pm, for live music and outdoor beer/food sales.
59. [03537](#) Alcohol License Review Committee Report of Operator License Applications  
Dated: April 25, 2006. See attached report for list of operators. An additional list will be distributed at the Council meeting.

#### REPORT OF CITY ATTORNEY

60. [03088](#) SUBSTITUTE - Creating Section 28.13 of the Madison General Ordinances to prohibit negative use restrictions relating to grocery stores and drug stores as against public policy.

#### REPORT OF BOARD OF ESTIMATES

61. [03008](#) SUBSTITUTE - Authorizing the ~~Mayor and City Clerk~~ ~~City Comptroller~~ to sign a Purchase Order Contracts for purchase of services with The Natural Step (Canada) Inc., for independent Natural Step (TNS) Principles of Sustainability training for City decision makers, and with Sustainable Energy Group for Commissioning and Retro-Commissioning training for selected City staff; and amending the 2006 Inspection Unit Operating Budget to increase funding by ~~\$20,000~~ \$50,000.
62. [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.
63. [03275](#) Authorizing the Madison Department of Public Health to enter into a contract with Claudia Haack, an independent consultant, to assist with planning for the merger of data systems. The \$20,000 contract would be shared equally between the Department and the Dane County Division of Public Health.
64. [03276](#) SUBSTITUTE - Amend the 2006 Public Health Operating Budget to accept a grant in the amount of ~~\$38,453~~ \$55,023 from the South Central Wisconsin Bioterrorism Preparedness and Response Consortium.
65. [03305](#) SUBSTITUTE - Directing the TIF staff team to draft policy changes consistent with the Board of Estimates subcommittee report on TIF regarding TIF process and report back to the Common Council with a draft for introduction by July 11 ~~June 6~~, 2006.
66. [03366](#) Authorizing the Mayor and City Clerk to enter into revised agreements with the Wisconsin Department of Transportation for South Madison Beltline Todd Drive Interchange and the Cottage Grove Road Bridge and Approaches over I 39/90, and amending the 2006 Capital Budget for Engineering - Major Streets.
67. [03406](#) Dissolving Tax Incremental District (TID) #15 (Capitol Square South).
68. [03427](#) Authorizing the provision of HOME, HOME Match, EDI and Housing Trust funds to assist Habitat for Humanity of Dane County to develop housing in ways that address

City Community and Neighborhood Development Objectives.

**REPORT OF BOARD OF PARK COMMISSIONERS**

69. [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. 13th Ald. Dist.

**REPORT OF BOARD OF PUBLIC WORKS**

70. [03288](#) Improvements accepted for Water Main by private contract to serve: Southern Ridge. (1st AD)
71. [03290](#) Improvements accepted for Water Main and Water Service Laterals by private contract to serve: Sauk Heights, Phase I. (9th AD)
72. [03291](#) Improvements accepted for Water Service Laterals by private contract to serve: Churchill Heights - Phase II. (17th AD)
73. [03316](#) Improvements accepted by Private Contract to serve: Tradewinds Business Centre. (16th AD)
74. [03318](#) Improvements accepted for Water Main by Private Contract to serve: Crosswinds at Hawks Landing - Phase III. (1st AD)
75. [03333](#) Awarding Public Works Contracts for bids opened March 17, 2006, and March 31, 2006; and amending the 2006 Capital Budget for Pavement Management by \$495,946.
76. [03407](#) Approving plans and specifications for public improvements required to serve Phase II of the Subdivision known as Blackhawk Church Town Center Plat and authorizing construction to be undertaken by the Developer, Private Contract No. 2071, and rescinding RES-06-00172, ID 02855 (9th AD)
77. [03413](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Hawks Ridge Estates and authorizing construction to be undertaken by the Developer, Private Contract No. 2087. (1st AD)
78. [03415](#) Approving plans and specifications for public improvements required to serve Phase IV of the Subdivision known as The Meadowlands, and authorizing construction to be undertaken by the Developer, Private Contract No. 2083. (3rd AD).
79. [03418](#) Approving plans and specifications for public improvements required to serve Phase V of the Subdivision known as The Meadowlands and authorizing construction to be undertaken by the Developer, Private Contract No. 2084. (3rd AD)
80. [03419](#) Authorizing City Staff to prepare a "Request for Qualifications" and advertise for Architect consultant design services for the City-County Building Tenant Improvement Remodels. (4th AD)
81. [03423](#) Authorizing the Mayor and City Clerk to execute an agreement with the Town of Madison for connection of City Sanitary Sewer to the Town Sanitary Sewer System. (City of Madison, Town of Madison, City of Fitchburg)
82. [03428](#) Awarding Public Works Contract No. W7573, Glenway Street Test Well, opened April 14, 2006.
83. [03452](#) Declaring the City of Madison's intention to exercise its police powers establishing the Union Corners Reconstruction Assessment District - 2006. (6th AD)
84. [03456](#) Ordering Property Owners to Install Sidewalk in the 13th Aldermanic District. (13th AD)

85. [03469](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Emerick Oaks and authorizing construction to be undertaken by the Developer, Private Contract No. 2088. (9th AD)
86. [03476](#) Declaring the City of Madison's intention to exercise its police powers establishing the Vilas Avenue Street Assessment District - 2006. (13th AD)

**REPORT OF CITY CLERK**

87. [03536](#) New Theater License (500 or less seats)  
Club Majestic, LLC • dba Club Majestic  
115 King Street • License #74130

**REPORT OF PLAN COMMISSION**

88. [03297](#) CHARTER - Amending Section 16.01(4)(b) of the Madison General Ordinances to clarify that alternate members of the Plan Commission may serve as the representative of that Commission on other City committees.

**REPORT OF TRANSIT/ PARKING COMMISSION**

Begins at the top of the next page.

89. [03199](#) SUBSTITUTE - Amending Sections 12.031(1) and (3), 12.761(2) and (3), 12.762, 12.138(3)(f), (5), (6), (7), (8)(a), 10(b) and (c), and 3.51(3), (9) and (10) to change references to "Parking Manager" or "Director of Transportation" to "City Traffic Engineer and Parking Manager", 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 1.08(3)(a) and 1.08(4) of the Madison General Ordinances to make an editorial correction, create a new bail deposit and authorize enforcement of the new violation, amending Sections 12.144, 12.146 and 12.147 to change references to "coins" to "payment", amending Section 12.1495 to update street locations listed in that parking meter zone, repealing Section 12.150 to eliminate obsolete language, amending Sections 12.1505, 12.151 and 12.1515 to add 25 minute parking to certain meter zones, amending various Subsections of Section 12.1515 to update street locations listed in that parking meter zone, creating Sections 12.1516, 12.1517 and 12.1518 to establish three new combination parking meter zones, and amending Section 12.152 to add new Sections 12.1516, 12.1517 and 12.1518 to the list of applicable penalties.
90. [03296](#) Amending Sections 3.51(4)(e) and (6)(e) of the Madison General Ordinances to clarify that alternate members of the Transit and Parking Commission and the Pedestrian/Bicycle/Motor Vehicle Commission may serve as the representative of their Commission on other City committees.

**REPORT OF VENDING OVERSIGHT COMMITTEE**

91. [02806](#) Authorizing the adoption of amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to declare that CD's are not handcrafted goods for purposes of arts and crafts vending, to change the vehicle loading times for food carts on the Mall/Concourse and to require a 10-gallon minimum trash can for Mall/Concourse food vendors.
92. [02874](#) Amending Section 9.13(6)(j)1.a. of the Madison General Ordinances to allow Merchant Vendors to display merchandise on the sidewalks on certain federal holidays.
93. [02875](#) Creating Sections 9.13(4)(t) and (u) to establish city-wide dimensions for food vending sites and to require that all food vendors provide a trash receptacle of at least 10 (ten) gallons or larger within their vending site.

**REFERRED TO THIS MEETING****APPOINTMENTS**

94. [03414](#) Report of the Mayor submitting citizen committee appointments (introduction 4-18-2006; action 5-2-2006)

**ORDINANCES**

95. [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.

**NEW BUSINESS - Referred on a motion made by Council President King, seconded by Council President Pro Tem Skidmore****CHARTER ORDINANCES**

96. [03513](#) CHARTER - Repealing and recreating Section 3.12 of the Madison General Ordinances to establish an office of City Treasurer, repealing Section 3.35(1)(jj) of the Madison General Ordinances to delete the title of City Clerk-Treasurer from the list of positions exempt from Civil Service, creating Section 3.13 of the Madison General Ordinances to establish an office of City Clerk, creating Sections 3.35(1)(jj) and (kk) to add the titles of City Clerk and City Treasurer to the list of positions exempt from Civil Service, and amending Section 3.38(6)(b) of the Madison General Ordinances to update the list of positions to be compensated as managerial employees.

**ORDINANCES**

97. [03515](#) Amending Section 32.07(5) of the Madison General Ordinances to require separate Check-In and Check-Out forms for rental properties.
98. [03524](#) Amending Section 3.38 (1)(i)(2) of the Madison General Ordinances by deleting the class of City Clerk-Treasurer in Compensation Group 21, Range 16, and creating the classes of City Clerk and City Treasurer in Compensation Group 21, Range 15; and amending Section 3.38(1)(b) of said Ordinances by deleting the classes of Treasury Operations Manager in Compensation Group 18, Range 12, and Clerks Office Supervisor in Compensation Group 18, Range 08, and creating the class of Clerks Office Coordinator in Compensation Group 18, Range 06, thereof.
99. [03547](#) Adopting and confirming the Labor Agreement between the City of Madison and Local 236, LIUNA, AFL-CIO from January 1, 2006 to December 31, 2007.
100. [03548](#) Amending Section 3.38 (1)(b) of the Madison General Ordinances by creating the classification of Overture Center Development Associate in Compensation Group 18, Range 04, thereof.
101. [03549](#) Amending Section 3.38 (1)(c) of the Madison General Ordinances by creating the classification of Traffic Engineering Development Specialist in Compensation Group 16, Range 21, thereof.



102. [03550](#) Amending Section 3.38 (1)(b) of the Madison General Ordinances by deleting the classification of Maintenance and Repair Coordinator in Compensation Group 18, Range 04, when vacated.
103. [03551](#) Amending Section 3.38 (1)(i)2. of the Madison General Ordinances by deleting the classification of City Traffic Engineer in Compensation Group 21, Range 21, and creating the classification of City Traffic Engineer and Parking Manager in Compensation Group 21, Range 21, thereof.

## RESOLUTIONS

104. [03351](#) Authorizing the Mayor and the City Clerk to execute an Agreement with Blue Plate Catering, Inc. for exclusive alcohol beverage services at Warner Park Community Recreation Center and Olbrich Botanical Gardens from January 1, 2007 through December 31, 2008, with the possibility of two successive two year renewal terms.
105. [03437](#) Authorizing the closure of the Warner Park lagoon and its connecting waterway to Lake Mendota during the 2006 Rhythm and Booms celebration.
106. [03461](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and Local 236, L.I.U.N.A., AFL-CIO, for the period of January 1, 2006 through December 31, 2007 and amending the 2006 Operating Budget to appropriate the funds associated with wage and benefit costs.
107. [03464](#) Adopting the final version of the Town of Blooming Grove and City of Madison Cooperative Plan Under Section 66.0307, Wisconsin Statutes, authorizing the Mayor and City Clerk to execute the Plan and directing the City Attorney to submit the Plan to the State of Wisconsin Department of Administration for approval.
108. [03466](#) Amending the 2006 Public Health Operating Budget to receive a grant for HIV prevention.
109. [03467](#) Authorizing the Madison Department of Public Health to accept a grant from the State Department of Health and Family Services-Division of Public Health for \$23,400 and amending the 2006 Public Health Operating Budget to allow for the receipt and expenditure of these grant funds.
110. [03471](#) That the vacant position #1070 of Engineering Program Specialist 2 in Compensation Group 16, Range 19, 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.
111. [03472](#) That the position #1214 of Engineering Program Specialist 2 in Compensation Group 16, Range 19, occupied by J. Leach in the permanent salary detail of the Traffic Engineering Division budget is repealed and recreated as a position of Traffic Engineering Development Specialist in Compensation Group 16, Range 21, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
112. [03473](#) That the new vacant position tentatively identified as a Overture IT Coordinator in Compensation Group 18, Range 08, in the permanent salary detail of the Overture Center budget is repealed and recreated as a position of Overture Center Development Associate in Compensation Group 18, Range 04, thereof.

113. [03474](#) That position #1442 of Program Assistant 1, in Compensation Group 20, Range 11, (occupied by P. Jorenby) in the permanent salary detail of the Parks Division budget is repealed and recreated as a Program Assistant 2 in Compensation Group 20, Range 12, thereof. Be it further resolved that the incumbent shall be reallocated to the said position.
114. [03475](#) That the vacant position #675 of Administrative Clerk 1, Compensation Group 20, Range 09, in the permanent salary detail of the Inspection Unit budget is repealed and recreated as a position of Clerk Typist 2 in Compensation Group 20, Range 06, thereof.
115. [03477](#) Submitting the name of Diane Hermann-Brown for confirmation of a five-year term as City Clerk.
116. [03482](#) That position #1636 of Maintenance and Repair Coordinator, in Compensation Group 18, Range 04, (occupied by K. Hansen) in the permanent salary detail of the Streets Division budget is repealed and recreated as a Public Works General Foreperson in Compensation Group 18, Range 07, thereof. Be it further resolved that the former position will not be deleted until vacated.
117. [03489](#) That the vacant position #774 of Accountant 2 in Compensation Group 18, Range 08, in the permanent salary detail of the Comptroller's Office budget is repealed and recreated as a position of Administrative Analyst 2 in Compensation Group 18, Range 08, thereof.
118. [03494](#) That the position #1198 of City Traffic Engineer in Compensation Group 21, Range 21, (occupied by D. Dryer) in the permanent salary detail of the Traffic Engineering budget is repealed and recreated as a position of City Traffic Engineer and Parking Manager in Compensation Group 21, Range 21, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
119. [03495](#) That the vacant positions of Clerk-Treasurer in Compensation Group 21, Range 16; Treasury Operations Manager in Compensation Group 18, Range 12; and Clerk's Officer Supervisor in Compensation Group 18, Range 08, in the permanent salary detail of the Clerk-Treasurer's Office Budget are repealed and recreated as a position of City Clerk in Compensation Group 21, Range 15; a position of City Treasurer in Compensation Group 21, Range 15; and a position of Clerk's Office Coordinator in Compensation Group 18, Range 06, thereof. Further, said City Clerk and Clerk's Office Coordinator shall be established in the newly created Clerk's Office Department; and the position of City Treasurer shall be established in the newly created Treasurer's Office Department.
120. [03496](#) Authorizing the Mayor and City Clerk to enter into an agreement with Madison Area Technical College (MATC) for the continuation of provision of MATC-paid access by its students to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for student trips for the period August 20, 2006 through August 18, 2007.
121. [03497](#) Authorizing the Mayor and City Clerk to enter into an agreement with Edgewood College for the continuation of provision of Edgewood College-paid access by its students and employees to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for student and employee trips for the period August 28, 2006 through May 18, 2007.
122. [03498](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County for purpose of providing funding for Medicaid Common Carrier Transportation services

for Metro Transit's provision of accessible transportation for persons eligible for funding and their use of Metro services within its service area.

123. [03502](#) Authorizing the Mayor and City Clerk to enter into agreement with Atlas Bus Sales for the purchase of up to sixteen (16) cutaway design transit coaches at an estimated cost of \$794,217.
124. [03533](#) Authorizing and providing for the sale and issuance of \$15,065,000 Water Utility Mortgage Revenue Bonds, Series 2006A, and all related details.
125. [03540](#) Accepting a \$7,750 check from the Downtown Madison Kiwanis Club for the Bright and Early early childhood education campaign.
126. [03543](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$3,000,000 Tax Incremental Finance Loan to University Square, LLC and its assigns to assist in the development of the University Square retail redevelopment project located on Lake Street between Johnson Street and University Avenue to be located in a proposed boundary amendment to TID #32 (Upper State Street). BY TITLE ONLY.
127. [03544](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a \$2,000,000 Tax Incremental Finance Loan to Landmark Gate, LLC and its assigns to assist in the development of the Landmark Gate commercial and office redevelopment project located at Todd Drive and the West Beltline Highway in TID #35 (Todd Drive). BY TITLE ONLY.
128. [03546](#) Authorizing the Mayor and City Clerk to execute a Third Amendment to Project Lease with Block 89 Parking Limited Partnership and disburse \$1,235,000 to the Bond trustee in full satisfaction of the TID 15 increment credit.
129. [03552](#) Authorizing the Mayor and City Clerk to enter into agreement with Gillig Corporation for the purchase of five (5) hybrid diesel-electric coaches at an estimated cost of \$2,500,000, and authorizing the Transit General Manager to accept the assignment of coaches from CityBus of Greater Lafayette.

#### LICENSES

130. [03518](#) Public Hearing - New License  
Aparsons, Inc. • dba India Darbar Restaurant • capacity 80  
6119 Odana Rd • Agent: Rattan Ghotra  
Class B Combination Liquor & Beer • 5% alcohol, 95% food
131. [03519](#) Public Hearing - New License  
Ultra Mart Foods, LLC • dba Pick 'n Save #6395  
6655 McKee Road • Agent: Eddie Roberson  
Class A Beer, Class A Liquor
132. [03520](#) Public Hearing - New License  
Estefania Garcia • dba La Zacatecana  
4921 Commercial Avenue • Class A Beer  
Aldermanic District 3 (Ald. Cnare) • Police Sector 609
133. [03521](#) Public Hearing - New License  
Cafe Porta Alba, LLC. • dba Cafe Porta Alba • capacity 40  
15 N. Butler Street • Agent: Vincent Pugliese

- Class B Beer, Class C Wine • 25% alcohol, 75% food
134. [03522](#) Public Hearing - New License  
Le Chardonnay, Inc. • dba Le Chardonnay • capacity 65  
320 W. Johnson Street • Agent: Sami Fgaier  
Class B Combination Liquor & Beer • 30% alcohol, 70% food  
Aldermanic District 4 (Ald. Verveer) • Police Sector 403
135. [03523](#) Public Hearing - New License  
La Queretana 2, LLC • dba La Queretana 2  
4686 Cottage Grove Road • Agent: Antonio Ruiz  
Class A Beer
136. [03525](#) Public Hearing - New License  
Francois Oil Company, Inc. • dba Mineral Point Road Quik Mart  
6702 Mineral Point Road • Agent: Steven Merry  
Class A Beer
137. [03526](#) Public Hearing - New License  
Church Key/Food Market/The Vineyard LLC • dba Food Market  
626 University Avenue • Agent: Jongyeon Lee  
Class A Beer
138. [03527](#) Public Hearing - New License  
Church Key/Food Market/The Vineyard LLC • dba The Vineyard  
626 University Avenue • Agent: Jongyeon Lee  
Class A Beer, Class A Liquor
139. [03528](#) Public Hearing - New License  
Church Key/Food Market/The Vineyard LLC • dba Church Key • capacity 190  
626 University Avenue • Agent: Jongyeon Lee  
Class B Combination Liquor & Beer • 90% alcohol, 10% food
140. [03529](#) Public Hearing - New License  
Riley's/Badger Liquor LLC • dba Badger Liquor  
402 State Street • Agent: Jongyeon Lee  
Class A Beer, Class A Liquor
141. [03532](#) Public Hearing - New License  
Riley's/Badger Liquor LLC • dba Riley's Wines of the World  
402 W. Gorham Street • Agent: Jongyeon Lee  
Class A Beer, Class A Liquor
142. [03534](#) Public Hearing - New License  
Riley's/Badger Liquor LLC • dba Badger Tasting Room • capacity of 10  
402 State Street • Agent: Jongyeon Lee  
Class B Combination Liquor & Beer • 100% alcohol
143. [03535](#) Public Hearing - New License  
George Vitense Goffland, Inc. • dba Vitense Goffland • capacity of 500  
500 Schroeder Road • Agent: Joel Weitz  
Class B Beer, Class C Wine • 10% alcohol, 90% food
144. [03539](#) To grant Class A Liquor, Class A Beer, Class B Beer, Class B Combination Liquor & Beer, Class C Wine, Wholesale Beer 2006-2007 License Renewals with restrictions as

previously approved and to include any change of corporate structure and amended conditions as set forth in the report.

145. [03556](#) Public Hearing - New License  
Wings on State, LLC • dba Buffalo Wild Wings • capacity of 99  
529 State Street • Agent: Greg Meyers  
Class B Combination Liquor & Beer • 28% alcohol, 72% food

**CLAIMS - REFER TO RISK MANAGER**

146. [03564](#) C. Lindeen, 220 E. Lakelawn Place, Madison - property damage/loss - \$1,609.07.
147. [03565](#) NOTICE OF INJURY - Michael Jan Steckelis, attorney for C. Earnest, 1110 N. Sherman Ave., # 220, Madison - personal injury - greater than \$1.00.
148. [03566](#) NOTICE OF INJURY - R. Kay, 1148 Florence Ct., Madison - personal injury - amount to be determined.
149. [03567](#) NOTICE OF CLAIM - Stafford Rosenbaum, LLP for S. & D. Anderson, 2133 Lakeland , Madison - lost wages, medical bills, past/future pain, loss of enjoyment of life, society of companionship - \$66,303.04.
150. [03568](#) P. Zentmire, 389 Alpine Meadow Circle, Oregon - vehicle damage - \$145.56.
151. [03569](#) P. Norton, N4651 CTH F, Brodhead - vehicle damage - \$450.59.