



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, May 2, 2006

6:30 PM

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

SPEAKING GUIDELINES

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

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

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

The consent agenda will be considered following Public Hearings.

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

NOTIFIED ABSENCES: Ald. Bruer

Roll Call at 6:35 p.m., Mayor Cieslewicz in the chair.

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

Excused: 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.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Suspend the Rules. The motion passed by acclamation.

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.
1 Registrant(s) in support wishing to speak.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00370

2. [03561](#) Honoring the state championship won by the Memorial High School Forensics Team.
Suspend the Rules to consider this item before public hearings, King/Verveer: carry.
A motion was made by Council President King, seconded by Radomski, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00371

PETITIONS AND COMMUNICATIONS - 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)
Confirm at the 5/16/06 Common Council Meeting.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Refer to a future Meeting to Confirm for May 16, 2006. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF COMMON COUNCIL

APPOINTMENTS

4. [03507](#) Appointments to the Common Council Organizational Committee 2006-2007.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Confirm. The motion passed by acclamation.

5. [03530](#) Board of Assessor Appointments dated April 11, 2006.
Confirm, King/Brandon: no action taken. 2 Registrant(s) in opposition wishing to speak. Due back at the 5/16/06 Common Council Meeting.
A motion was made by Ald. Verveer, seconded by Ald. Rosas, to Refer to the Mayor's Office, due back on May 16, 2006. The motion passed by acclamation.

RESOLUTIONS

6. [03562](#) Seeking Common Council approval of the 2006 Madison Arts Commission Grant awards as recommended by the Madison Arts Commission.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Bruer
- Aye:** 17 - Sanborn, Brandon, Cnare, Compton, King, Konkel, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski and Webber
- No:** 0 -
- Abstain:** 2 - Benford and Golden
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00369
7. [03563](#) Seeking Common Council approval of the 2006 Summer Concerts Performances as recommended by the Madison Arts Commission.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00377

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
2 Registrant(s) in opposition wishing to speak; 1 Registrant(s) in opposition not wishing to speak.
- A motion was made by Ald. Olson, seconded by Ald. Verveer, to Grant and Close the Public Hearing with the following amended condition(s): strike condition # 2 "Establishment will stop taking orders on the patio at 10 p.m. on Sundays, Tuesdays, Wednesdays and Thursdays, and at 11 p.m. on Fridays and Saturdays" and refer the condition to the Plan Commission for consideration with the conditional use permit. The motion passed by acclamation.**

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 Hearing Recessed.

A motion was made by Council President King and seconded by Council President Pro Tem Skidmore to rerefer to the ALCOHOL LICENSE REVIEW COMMITTEE for a recessed public hearing.

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
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.

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
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.

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
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.

13. [03259](#) Public Hearing - New License
Troy D. Burmesch • dba Warehouse Liquors
2929 E. Washington Avenue
Class A Liquor, Class A Beer
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.
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
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.
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
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.
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
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.
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
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.

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
NOTE: SEE THE PREVIOUS HISTORY LINE FOR THE ALRC'S RECOMMENDATION FOR THIS LICENSE.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on May 16, 2006. The motion passed by acclamation.

REPORT OF BOARD OF PUBLIC WORKS

19. [03160](#) Approving Plans, Specifications, And Schedule Of Assessments For Danbury Street Assessment District - 2006. (10th AD)
1 Registrant(s) in opposition not wishing to speak.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-06-00372
20. [03161](#) Approving Plans, Specifications, And Schedule Of Assessments For Randall Avenue Reconstruction Assessment District - 2006 (13th AD)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-06-00373
21. [03447](#) Approving Plans, Specifications, And Schedule Of Assessments For Marsh Road Street Assessment District - 2006 (16th AD)
A motion was made by Ald. Compton, seconded by Ald. Rosas, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-06-00374
22. [03449](#) Approving Plans, Specifications, And Schedule Of Assessments For North Randall Street Reconstruction Assessment District - 2006 (5th & 8th ADs)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt and Close the Public Hearing. The motion passed by acclamation.
Enactment No: RES-06-00375

REPORT OF PLAN COMMISSION

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.

12 Registrant(s) in support wishing to speak; 10 Registrant(s) in opposition wishing to speak; 9 Registrant(s) in support not wishing to speak; 4 Registrant(s) in opposition not wishing to speak; 1 Registrant(s) neither in support or opposition not wishing to speak.

A motion was made by Ald. Gruber, seconded by President Pro Tem Skidmore, to Adopt and Close the Public Hearing with th following amendment(s): add "a maximum allowed parking of 200 spaces (4 stalls per 1000 square feet) with added green space in place of parking. The Planning Unit Director must approve the modified site plan." The motion failed by the following vote:

Excused: 1 - Bruer

Aye: 9 - Sanborn, Brandon, Cnare, Golden, Gruber, Knox, Jr., Palm, Skidmore and Radomski

No: 10 - Benford, Compton, King, Konkell, Olson, Rosas, Thomas, Van Rooy, Verveer and Webber

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Compton, seconded by Ald. Konkell, to Refer to the PLAN COMMISSION and PED BIKE MOTOR VEHICLE COMMISSION. The motion failed by the following vote:

Excused: 1 - Bruer

Aye: 9 - Benford, Compton, King, Konkell, Olson, Rosas, Thomas, Verveer and Webber

No: 10 - Sanborn, Brandon, Cnare, Golden, Gruber, Knox, Jr., Palm, Skidmore, Van Rooy and Radomski

Non Voting: 1 - Cieslewicz

RECESS

A motion was made by Council President King, seconded by Ald. Verveer, to Take A Recess at 9:30 p.m. The motion passed by acclamation.

Roll Call at 9:45 p.m., Mayor Cieslewicz in the Chair.

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

Excused: Bruer

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.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00055
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.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00056

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

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

26. [02777](#) Operator License Application
Brooks J. Jewell, 309 Memphis
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.**
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
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.**

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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
31. [03174](#) Change of Agent
Copps Corporation • dba Copps Food Center
620 S. Whitney Way • Old Agent: Mark E. Elliott • New Agent: Corey Stillman
Class A Liquor, Class A Beer
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.

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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.

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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.

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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.

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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Place On File. The motion passed by acclamation.
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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.
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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.

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.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Bruer
- Aye:** 19 - Benford, Brandon, Cnare, Compton, Golden, King, Konkell, Gruber, Olson, Knox, Jr., Rosas, Palm, Skidmore, Thomas, Van Rooy, Verveer, Radomski, Webber and Cieslewicz
- No:** 1 - Sanborn
- Enactment No:** ORD-06-00057

REPORT OF BOARD OF ESTIMATES

61. [03008](#) SUBSTITUTE - Authorizing the ~~Mayor and City Clerk~~ ~~City Controller~~ 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.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Bruer
- Aye:** 19 - Benford, Sanborn, Brandon, 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
- Enactment No:** RES-06-00378
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.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00379

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.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00380
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.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00381
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.
- 1 Registrant(s) in support not wishing to speak.*
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00382
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.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Bruer
- Aye:** 19 - Benford, Sanborn, Brandon, 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-06-00383
67. [03406](#) Dissolving Tax Incremental District (TID) #15 (Capitol Square South).
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00376

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.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00384

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.
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00385

REPORT OF BOARD OF PUBLIC WORKS

70. [03288](#) Improvements accepted for Water Main by private contract to serve: Southern Ridge. (1st AD)
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00386
71. [03290](#) Improvements accepted for Water Main and Water Service Laterals by private contract to serve: Sauk Heights, Phase I. (9th AD)
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00387
72. [03291](#) Improvements accepted for Water Service Laterals by private contract to serve: Churchill Heights - Phase II. (17th AD)
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00388
73. [03316](#) Improvements accepted by Private Contract to serve: Tradewinds Business Centre. (16th AD)
- A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00389

74. [03318](#) Improvements accepted for Water Main by Private Contract to serve: Crosswinds at Hawks Landing - Phase III. (1st AD)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00390
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.
Substitute Motion to Refer to Board of Estimates on a motion made by Ald. Brandon, seconded by Ald. King: failed.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion failed by the following vote:
Excused: 1 - Bruer
Aye: 13 - Benford, Cnare, Compton, King, Gruber, Olson, Knox, Jr., Rosas, Skidmore, Thomas, Van Rooy, Verveer and Webber
No: 6 - Sanborn, Brandon, Golden, Konkel, Palm and Radomski
Non Voting: 1 - Cieslewicz
A motion was made by Ald. Golden, seconded by Ald. Verveer, to Reconsider. The motion passed by acclamation.
Adopt at the 5/16/06 Common Council Meeting.
A motion was made by Ald. Golden, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for May 16, 2006. The motion passed by acclamation.
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)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00391
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)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00392

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).
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00393
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)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00394
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)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00395
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)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00396
82. [03428](#) Awarding Public Works Contract No. W7573, Glenway Street Test Well, opened April 14, 2006.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00397
83. [03452](#) Declaring the City of Madison's intention to exercise its police powers establishing the Union Corners Reconstruction Assessment District - 2006. (6th AD)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00398

84. [03456](#) Ordering Property Owners to Install Sidewalk in the 13th Aldermanic District. (13th AD)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00399
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)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00400
86. [03476](#) Declaring the City of Madison's intention to exercise its police powers establishing the Vilas Avenue Street Assessment District - 2006. (13th AD)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00401

REPORT OF CITY CLERK

87. [03536](#) New Theater License (500 or less seats)
Club Majestic, LLC • dba Club Majestic
115 King Street • License #74130
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Grant. The motion passed by acclamation.

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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by the following vote:
- Excused:** 1 - Bruer
- Aye:** 19 - Benford, Sanborn, Brandon, 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
- Enactment No:** CHA-06-00004

REPORT OF TRANSIT/ PARKING COMMISSION

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.

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

A motion was made by Ald. Verveer, seconded by President Pro Tem Skidmore, to Refer to the TRANSIT AND PARKING COMMISSION. The motion passed by acclamation.

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.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.

Enactment No: ORD-06-00058

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.

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

Adopt Substitute at the 5/16/06 Common Council Meeting.

A motion was made by Ald. Verveer, seconded by Ald. Konkel, to Refer to a future Meeting to Adopt for May 16, 2006. The motion passed by acclamation.

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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: ORD-06-00059
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.
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Adopt. The motion passed by acclamation.
Enactment No: ORD-06-00060

REFERRED TO THIS MEETING

APPOINTMENTS

94. [03414](#) Report of the Mayor submitting citizen committee appointments (introduction 4-18-2006; action 5-2-2006)
A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Confirm. The motion passed by the following vote:
- Excused:** 1 - Bruer
- Aye:** 19 - Benford, Sanborn, Brandon, 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

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.
A motion was made by Ald. Golden, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.

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.

Refer to the BOARD OF ESTIMATES

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.
Refer to the HOUSING COMMITTEE
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.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
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.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
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.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES

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.
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
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.
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
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.
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**

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.
- Refer to the BOARD OF PARK COMMISSIONERS**
105. [03437](#) Authorizing the closure of the Warner Park lagoon and its connecting waterway to Lake Mendota during the 2006 Rhythm and Booms celebration.
- Refer to the BOARD OF PARK COMMISSIONERS**
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.
- Refer to the BOARD OF ESTIMATES**
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.
Additional Referral(s): Plan Commission. Due back at the 5/16/06 Common Council Meeting.
- Refer to the BOARD OF ESTIMATES**

108. [03466](#) Amending the 2006 Public Health Operating Budget to receive a grant for HIV prevention.
Refer to the BOARD OF ESTIMATES
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.
Additional Referral(s): Board of Health for Madison and Dane County
Refer to the BOARD OF ESTIMATES
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.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
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.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
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.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES
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.
Additional Referral(s): Personnel Board
Refer to the BOARD OF ESTIMATES

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.
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
115. [03477](#) Submitting the name of Diane Hermann-Brown for confirmation of a five-year term as City Clerk.
- Refer to the BOARD OF ESTIMATES**
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.
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
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.
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
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.
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**
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.
Additional Referral(s): Personnel Board
- Refer to the BOARD OF ESTIMATES**

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.
Additional Referral(s): Board of Estimates
- Refer to the TRANSIT AND PARKING COMMISSION**
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.
Additional Referral(s): Board of Estimates
- Refer to the TRANSIT AND PARKING COMMISSION**
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.
Additional Referral(s): ADA Transit Subcommittee, Board of Estimates
- Refer to the TRANSIT AND PARKING COMMISSION**
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.
Additional Referral(s): Board of Estimates
- Refer to the TRANSIT AND PARKING COMMISSION**
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. BY TITLE ONLY.
Additional Referral(s): Board of Water Commissioners
- Refer to the BOARD OF ESTIMATES**
125. [03540](#) Accepting a \$7,750 check from the Downtown Madison Kiwanis Club for the Bright and Early early childhood education campaign.
- Refer to the BOARD OF ESTIMATES**

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.

Refer to the BOARD OF ESTIMATES

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.

A motion was made by Council President King, seconded by President Pro Tem Skidmore, to Withdraw. The motion passed by acclamation.

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.

Refer to the BOARD OF ESTIMATES

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.

Additional Referral(s): Board of Estimates

Refer to the TRANSIT AND PARKING COMMISSION

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
Due back at the 6/6/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

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
Due back at the 6/6/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

132. 03520 Public Hearing - New License
Estefania Garcia • La Zacatecana
4921 Commercial Avenue
Class A Beer
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
135. 03523 Public Hearing - New License
La Queretana 2, LLC • dba La Queretana 2
4686 Cottage Grove Road • Agent: Antonio Ruiz
Class A Beer
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
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
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**
143. [03535](#) Public Hearing - New License
George Vitense Golfland, Inc. • dba Vitense Golfland • capacity of 500
500 Schroeder Road • Agent: Joel Weitz
Class B Beer, Class C Wine • 10% alcohol, 90% food
Due back at the 6/6/06 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

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.

Due back at the 6/6/06 Common Council Meeting.

Refer to the ALCOHOL LICENSE REVIEW COMMITTEE

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

Due back at the 6/6/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

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 - amount to be determined.
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.

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

152. [03588](#) Amending Section 28.04(25)(d)4. of the Madison General Ordinances to provide additional incentives for use of inclusionary zoning units by allowing up to a 10% set-aside for non-inclusionary zoning units and duplexes.
Due back at the 6/20/06 Common Council Meeting.
- A motion was made by Ald. Konkel, seconded by Council President King, to Refer For Public Hearing to the PLAN COMMISSION, due back on June 20, 2006. The motion passed by acclamation.**
153. [03590](#) Authorizing the Mayor and City Clerk to enter into agreements with Waldbillig & Besteman, Inc., for \$38,000, to provide communications and community outreach services, as part of the Allied Revitalization Plan.
- Refer to the BOARD OF ESTIMATES**
154. [03480](#) Amending Section 8.15 of the Madison General Ordinances to establish requirements and procedures for public lands or greenway use permits. BY TITLE ONLY.
Additional Referral(s): Board of Public Works
- Refer to the COMMISSION ON THE ENVIRONMENT**

ADJOURNMENT

A motion was made by Council President King, seconded by Ald. Verveer, to Adjourn at 11:45 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 5th of May, 2006.

Ordinances published May 20th, 2006.

SHARON CHRISTENSEN, DEPUTY CITY CLERK