



City of Madison

City of Madison
Madison, WI 53703
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Agenda - Approved COMMON COUNCIL

Tuesday, November 20, 2007

6:30 PM

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

SPEAKING GUIDELINES

If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.

Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.

Если Вам необходима помощь устного или письменного переводчика, а также если Вам требуются материалы в иных форматах либо у Вас имеются особые пожелания в связи с доступом к данной услуге, мероприятию или программе, пожалуйста, позвоните по указанному ниже телефону и сообщите об этом не менее чем за три рабочих дня до соответствующей встречи.

Please contact the Office of the Common Council at 266-4071, TTY/Textnet 866-704-2340.

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.

**Roll Call at 6:30 p.m., Mayor Cieslewicz in the Chair.
Late: Ald. Pham-Remmele arrived at 6:40 p.m.**

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.

CONFIRMATION HEARING

1. [07873](#) Resolution submitting the name of Gerald Pace for confirmation of a five-year term as City Treasurer.

PETITIONS AND COMMUNICATIONS

None received by the agenda deadline.

BUSINESS BY THE MAYOR

2. [08187](#) Report of the Mayor submitting citizen committee appointments (introduced 11-20-2007; action 12-4-2007).
3. [08190](#) Report of the Mayor submitting alder committee appointments.

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

4. [07766](#) Authorizing the Mayor and City Clerk to execute an Employment Agreement between the City of Madison and David Olivares, Monona Terrace Sales Associate.

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

5. [07903](#) Approving Plans, Specifications, And Schedule Of Assessments For Schroeder Road Sidewalk Assessment District - 2007. (1st AD)

REPORT OF PLAN COMMISSION

6. [07730](#) Amending Section 28.06(1)(h) and creating Sections 28.107(12), (14), (15), and (16) of the Madison General Ordinances to establish Wellhead Protection Districts Nos. 6, 12, 18 and 24.
7. [07732](#) Amending Sections 28.11(3)(k) of the Madison General Ordinances to cap the number of parking spaces at one space for each two hundred fifty (250) square feet of gross floor area for certain uses and amending Section 28.08(2)(c)5., creating Sections 28.08(5)(c)16., (6)(c)14., (7)(c)14., (8)(c)3., and (11)(c)15., 28.085(2)(c)5. and (5)(c)6., amending Section 28.09(2)(c)8., creating Section 28.09(5)(c)22., amending Section 28.10(4)(d)11., and creating Sections 28.10(4)(d)33. and (6)(d)8. of the Madison General Ordinances to create a conditional use for exceeding the maximum number of parking spaces.
8. [07735](#) Creating Section 28.06(2)(a)3317. of the Madison General Ordinances rezoning property from A Agriculture, R2 Single-Family Residence District, R3 Single-Family and Two-Family Residence District and R4 General Residence District to R2 Single-Family Residence District; Proposed Use: 9 Residential Lots & 2 Institutional Lots; 3rd Aldermanic District: 651 South Sprecher Road.

9. [07736](#) Creating Section 28.06(2)(a)3318. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3319. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District; Proposed Use: Demolish 2 Houses to Construct 14-Story, 162-Unit Apartment Building; 8th Aldermanic District: 1022 West Johnson Street.
- NOTE: AT THE TIME THE AGENDA WAS GENERATED, THERE WAS NO RECOMMENDATION RECEIVED FROM THE PLAN COMMISSION. A RECOMMENDATION WILL NEED TO MADE FROM THE COUNCIL FLOOR.
10. [07738](#) Creating Section 28.06(2)(a)3320. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3321. 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 Plan (Specific Implementation Plan) District; Proposed Use: Construction of 124-Unit Apartment Building; 9th Aldermanic District: 639 Pleasant View Road.
- NOTE: AT THE TIME THE AGENDA WAS GENERATED, THERE WAS NO RECOMMENDATION RECEIVED FROM THE PLAN COMMISSION. A RECOMMENDATION WILL NEED TO MADE FROM THE COUNCIL FLOOR.
11. [07768](#) Amending Section 28.11(3)(l)5.d. of the Madison General Ordinances to modify the minimum number of parking spaces required for certain uses.

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 #: 20, 21, 56 & 71 on a motion made by Ald. Verveer, seconded by Ald. Bruer.

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote and are not included on the consent agenda by unanimous consent. 3) items which alderperson(s) have separated out for discussion/debate purposes.

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

12. [08209](#) Alcohol License Review Committee Report of Operator License Applications November 20, 2007. See attached report for list of operators.

REPORT OF BOARD OF ESTIMATES

13. [07363](#) Amending the 2007 Streets Capital Budget for coverage from the insurance fund for fire damage to the Olin Avenue Transfer Station.
14. [07741](#) Authorizing a lease agreement with Bock Water Heaters, Inc. for the use of a portion of

the City's East Rail Corridor property adjacent to Bock's property located at 110 South Dickinson Street.

15. [07747](#) Approving plans and specifications for the reconstruction of the Lien Road Underpass of I-39/90/94 and authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for reconstruction and cost sharing of the Lien Road Underpass of I-39/90/94. (17th AD)
16. [07824](#) Authorizing the submission of a Brownfield Site Assessment Grant (SAG) Application to the Wisconsin Department of Natural Resources (WDNR).
17. [07862](#) Report of Police Chief re: 3rd Quarter 2007 Overtime
18. [07924](#) Authorizing an Extension of the Maturity Date of the Loan Made by the CDA to Lake Point Madison, LLC
19. [07932](#) Amending the title of Chapter 35 of the Madison General Ordinances to remove the reference to "drainage", amending Sections 35.02(7) and 35.025(4) of the Madison General Ordinances to establish 2008 Sewer Utility Rates (including Landfill Remediation Fees) effective January 1, 2008, and amending Section 37.05(4) of the Madison General Ordinances to establish 2008 rates for the Public Stormwater System.

REPORT OF BOARD OF PUBLIC WORKS

20. [07591](#) Vacation/Discontinuance of a portion of Shaw Street between Grim Street and Swanson Street and a portion of Swanson Street near the intersection of Shaw Street, being located in part of the Southeast 1/4 of the Southeast 1/4 of Section 30, Town 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, and authorizing the Mayor and City Clerk to accept dedication of lands from Dane County as needed for the proposed improvements to Grim and Swanson Streets. (17th AD)
21. [07745](#) Awarding Public Works Contract No. 6080, CCB/MMB Tenant Improvement Remodels - Phase 2.
22. [07748](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction of sidewalk within the property at 6102 Schroeder Road related to Sidewalk and Curb & Gutter, Citywide Installation and Repair-2007-Engineering Project No. 53W0417. (1st AD)
23. [07769](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 409 West Gorham Street PUD, Private Contract No. 2030. (4th AD)
24. [07771](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 1025-1027 Williamson Street PUD, Private Contract No. 2021. (6th AD)
25. [07772](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for Troy Gardens, Private Contract No. 2066. (18th AD)
26. [07773](#) Accepting sanitary sewer constructed by Private Contract In Troy Gardens, Private

- Contract No. 2066. (18th AD)
27. [07774](#) Accepting sanitary sewer constructed by Private Contract In 6001 Canyon Parkway Sanitary Sewer, Private Contract No. 2143. (16th AD)
28. [07775](#) Accepting detention basin improvements constructed by private contract in Buckeye Meadows, Private Contract No. 1872. (16th AD)
29. [07776](#) Accepting detention basin improvements constructed by private contract in Southern Ridge, Private Contract 1987. (1st AD)
30. [07778](#) Accepting sidewalk improvements constructed by private contract in the Lancaster Drive Certified Survey Map, Private Contract No. 2022. (17th AD)
31. [07779](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 8414-8522 Old Sauk Road PUD, Private Contract No. 1955. (9th AD)
32. [07780](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 702 N. Midvale Blvd. (Hilldale Center) PUD, Private Contract No. 2029. (11th AD)
33. [07781](#) Approving plans and specifications for the reconstruction of Siggelkow Road from Marsh Road to Catalina Parkway and authorizing the Mayor and City Clerk to execute agreements with the Village of McFarland and the Town of Blooming Grove for reconstruction and cost sharing of the project. (16th AD)
34. [07877](#) Improvements accepted for Howard Place Reconstruction Assessment District - 2004, Contract No. 5609. (8th AD)
35. [07878](#) Improvements accepted for 902 Magnolia Lane Building Demolition, Contract No. 5917. (14th AD)
36. [07882](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Carpet Replacement at North District Police Building, Contract No. 6146. (12th AD)
37. [07885](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Carpet Replacement at South Madison Health and Family Center - Harambee, Contract No. 6147. (14th AD)
38. [07891](#) Accepting sanitary sewer constructed by Private Contract in High Crossing First Addition - Phase II, Private Contract No. 1530. (17th AD)
39. [07897](#) Accepting sanitary sewer constructed by Private Contract In Eighth Addition to Blackhawk Subdivision - Phase I, Private Contract No. 2070. (9th AD)
40. [07899](#) Accepting sanitary sewer constructed by Private Contract In Linden Park - Phase IV, Private Contract No. 2079. (1st AD)
41. [07900](#) Accepting storm sewer constructed by private contract in Eighth Addition to

Blackhawk Subdivision - Phase I, Private Contract No. 2070. (9th AD)

42. [07901](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Eighth Addition to Blackhawk Subdivision - Phase I, Private Contract No. 2070. (9th AD)
43. [07902](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Linden Park - Phase IV, Private Contract No. 2079. (1st AD)
44. [07912](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sequoya Branch Library Interior Building Improvements, Contract No. 6148. (11th AD)
45. [07985](#) Authorizing City Engineering to process and pay for costs incurred in accord with an intermunicipal agreement with the City of Monona for construction and maintenance of a stormwater treatment facility located in the City of Monona Lake Edge Park. Previous resolution (Enactment Number RES-07-0078) provided for the authorization to sign this intermunicipal agreement. (15th AD & City of Monona)

REPORT OF PLAN COMMISSION

46. [07835](#) Approving the final plat of Sprecher Road Estates located at 651 South Sprecher Road. 3rd Ald. Dist.

REPORT OF RISK MANAGER

47. [07369](#) K. Kalscheur, 6890 Fisher Rd., Waunakee - property damage - \$75.00.
48. [07370](#) D. Griffiths, AT&T, 2140 Davidson Rd., Waukesha - property damage - \$1,118.08.
49. [07464](#) R. and J. Rindy, 6241 Perrot Pl., McFarland - vehicle damage - \$573.87.
50. [07636](#) J. Hayward, 5423 Lost Woods Ct., Oregon - vehicle damage - \$1,113.81.

REPORT OF TRANSIT/ PARKING COMMISSION

51. [07827](#) Authorizing the City Traffic Engineer and Parking Manager (or designee) to enter into "Coupon Agreements" and other agreements with individuals, businesses and organizations to allow alternative payment methods for parking in City Parking Facilities.
52. [07846](#) Authorizing the Mayor and City Clerk to enter into an agreement with Dane County to amend the 2007 contract for the purpose of providing the City with MA Waiver Community Integration Program (CIP), to offset approximately 60% of the cost of eligible paratransit trips provided by Metro Transit in calendar year 2007.

53. [07847](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County for the following purposes in the calendar year 2008: (1) providing the Transit Utility with MA waiver Community Integration Program (CIP) funding and State 85.21 funding by Dane County for the provision of paratransit services; (2) providing Dane County with State 85.20 funding by the Transit Utility for the County's provision of accessible transportation for persons unable to use the Transit Utility's paratransit services within its service area.

REFERRED TO THIS MEETING

APPOINTMENTS

54. [07845](#) Report of the Mayor submitting citizen committee appointments (introduced 11-6-2007; action 11-20-2007).

ORDINANCES

55. [07946](#) Amending Sections 15.02(83), (110), (112), (119), (120), and (129) of the Madison General Ordinances to change the polling location for Wards 83, 110, 112, 119, 120, and 129.

RESOLUTIONS

56. [07458](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to enter into a contract on behalf of the City with Cuningham Group Architecture who will lead a team of consultants to prepare a new Zoning Code and map for the City of Madison, and amending the Planning Division 2007 Operating Budget to move \$24,000 from Permanent Salaries to Consulting Services.

NEW BUSINESS - Referred on a motion made by Ald. Verveer, seconded by Ald. Bruer

ORDINANCES

57. [08071](#) Amending Chapter 2 of the Madison General ordinances to clarify and modify a number of the Standing Rules of the Common Council.
58. [08165](#) Creating Section 28.06(2)(a)3327. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to R6 General Residence District; Proposed Use: Remodel Existing Warehouse for Use as UW Arts Department Studios; 4th Aldermanic District: 630 West Mifflin Street.
59. [08166](#) Creating Section 28.06(2)(a)3328. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3329. 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 Plan (Specific Implementation Plan) District; Proposed Use: Construction of 140-Room Hotel

in Place of Previously Approved 90-Unit Condominium; 11th Aldermanic District: 702 North Midvale Boulevard.

60. [08171](#) Creating Section 28.06(2)(a)3330. of the Madison General Ordinances rezoning property from R6 General Residence District and C1 Limited Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 6 Buildings for Future Construction of a 70-Unit Apartment Building; 2nd Aldermanic District: 301 North Hamilton Street.
61. [08172](#) Creating Section 28.06(2)(a)3332. of the Madison General Ordinances rezoning property from Temp A Agriculture to R1 Single-Family Residence District and creating Section 28.06(2)(a)3333. of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District. Proposed Use: 162 Single-Family Lots, 3 Multi-Family Lots & 5 Outlots; 9th Aldermanic District: 12003 Mineral Point Road.

RESOLUTIONS

62. [07795](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the reconstruction of Siggelkow Road from Marsh Road to Catalina Road related to Siggelkow Road Engineering Project No. 53W0324. (16TH AD)
63. [07857](#) Authorizing the Traffic Engineering Division to accept a grant for \$113,600 from the Wisconsin Department of Transportation to maintain and expand a safety education program and authorizing the Mayor and City Clerk to enter into the grant contract.
64. [07970](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas Boykoff, his 2008 contract for professional services as Rent Abatement Hearing Examiner for the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development.
65. [07975](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas LaFleur, his 2008 contract for professional services as Rent Abatement Hearing Examiner for the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development.
66. [08027](#) Authorizing the Mayor and Clerk to execute a contract to purchase a iStan human patient simulator from Medical Education Technologies, Inc.
67. [08034](#) Approving the provision of \$120,000 of CDBG dollars for improvement projects in the South West area neighborhoods as a way to implement a portion of the South West Neighborhood Plan and in a manner that will address City Community and Neighborhood Development Objectives.
68. [08036](#) Accepting the 2007 Annual Report of the Inclusionary Zoning Advisory Oversight Committee.
69. [08070](#) Amending the Master List of Street Names and Designations and amending the City Engineers Street Numbering Map (Official Map), referred to in

Sections 10.34(1) and 10.35, Madison General Ordinances. Changing the existing name of Whenona Drive to Cochise Trail from Clover Court to the existing north terminus at vacated Whenona Drive, also being the Daisy Drive Bike Path and Marlborough Park Bike Path Spur at Marlborough Park.

70. [08157](#) Authorizing the Mayor and City Clerk to enter into a contract with the University of Wisconsin's Applied Population Lab to develop a pilot for the Neighborhood Indicators Project.
71. [08158](#) Approving a Certified Survey Map of property owned by the Litho Productions, Inc. at 2814 Perry Street. 14th Ald. Dist.
72. [08161](#) Establishing the dates of Common Council Meetings for 2008.
73. [08169](#) Adopting the Southwest Neighborhood Plan and recommendations contained therein as a supplement to the City's adopted Comprehensive Plan. Ald. Districts 1, 19, & 20.
74. [08184](#) Authorizing the billing of \$3,080 for costs associated with the 2007 Tree Inventory Project in TID #28 and amending the Parks 2007 Operating Budget as appropriate.
75. [08186](#) Appropriating \$185,605 from the Contingent Reserve, appropriating \$5,300,000 from the General Fund Balance and transferring within agency budgets to cover various unbudgeted departmental expenditures during 2007.
76. [08189](#) Amending the Library's 2007 Capital Budget by \$33,000 to accommodate increased costs for the Pinney Branch Improvements project.

CLAIMS - REFER TO RISK MANAGER

77. [08017](#) J. Weaver, 3507 Cross St., Madison - vehicle damage - \$2,731.60.
78. [08018](#) Liberty Mutual Fire Insurance Company for A. Gores Sandy, 612 Pickford St., Madison - vehicle damage - \$656.06.
79. [08020](#) J. Mescher, 7862 Paulson Rd., Verona - vehicle damage - \$1,809.54.
80. [08021](#) D. Cohen and W. Slaymaker, 706 S. Orchard St., Madison - property damage - \$769.41.
81. [08022](#) Farmers Insurance Group for A. Lawrence, 744 W. Wisconsin Ave., # 5, Pewaukee - vehicle damage - \$2,040.84.
82. [08026](#) Nicholas J. McNamara, Habush Habush & Rottier S.C., attorney for S. Seaton, 414 Manley Ln., Cottage Grove, WI - personal injury, medical expenses, loss of wages, pain and suffering - \$250,000.00.