



# City of Madison

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

## Proceedings - Approved COMMON COUNCIL

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Tuesday, December 15, 2009

6:30 PM

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

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### ROLL CALL AT 6:45 PM

**Present:** 18 - David J. Cieslewicz  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Mark Clear

**Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

### SUSPENSION OF RULES

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

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 Ald. Bruer, seconded by Ald. Clear, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

### HONORING RESOLUTIONS

- 1. [16753](#) Commending Lyle Kleppe for his contributions to the City of Madison during his 57 years of service

**Sponsors:** David J. Cieslewicz and Common Council By Request

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00968

- 2. [16755](#) Commending, honoring, and expressing thanks to Nina Buske for her 42 years of dedicated service to the City of Madison, the Madison Department of Public Health, and to the newly merged Department, Public Health-Madison and Dane County

**Sponsors:** David J. Cieslewicz and Common Council By Request

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00965

- 3. [16774](#) Congratulating Tommye J. Schneider, Director of Environmental Health and Laboratories for Public Health Madison and Dane County on her retirement

**Sponsors:** David J. Cieslewicz and Common Council By Request

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00966

- 4. [16782](#) Awarding the second annual Jeffrey Clay Erlanger Civility in Public Discourse Award to Nan Fey.

**Sponsors:** Common Council By Request and David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00967

**EARLY PUBLIC COMMENT**

**PRESENTATION OF CONSENT AGENDA**

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT:

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.

**PUBLIC HEARINGS - BEGIN AT 6:45 PM**

**APPEAL OF LANDMARKS COMMISSION DECISION**

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Take A Recess at 10:08 pm . The motion passed by voice vote/other.**

RECONVENE at 10:36 pm

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Take A Recess at 2:22 am. The motion passed by voice vote/other.**

RECONVENE at 2:42 am

- Present:** 18 - David J. Cieslewicz  
Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Mark Clear
- Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

5. [16786](#)

Appeal by the Hammes Company of the Landmarks Commission decision not to grant a Certificate of Appropriateness and variance for the proposed Edgewater Hotel redevelopment, 666 Wisconsin Avenue; 2nd Ald. Dist.

A motion was made by Ald. Cnare, seconded by Ald. Rummel, to Refer to the first COMMON COUNCIL meeting, following project deliberations and recommendations being made by the Plan Commission and the Urban Design Commission. The motion failed by the following vote:  
Ayes: Cnare, Verveer, Bidar-Sielaff, Rummel, Solomon, Rhodes-Conway, Kerr, Palm  
Noes: Sanborn, Maniaci, King, Eagon, Skidmore, Schmidt, Bruer, Clausius, Clear

**A motion was made by Ald. Cnare, seconded by Ald. Rummel, to Refer to the first COMMON COUNCIL meeting, following project deliberations and recommendations being made by the Plan Commission and the Urban Design Commission. The motion failed by the following vote:**

**Ayes:** 8 - Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Brian L. Solomon  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Larry Palm

**Noes:** 9 - Jed Sanborn  
Bridget R. Maniaci  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Chris Schmidt  
Tim Bruer  
Joseph R. Clausius  
Mark Clear

**Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

A motion was made by Ald. Sanborn, seconded by Ald. Cnare, to Accept with the attached motion, striking the second bullet point . The motion failed by the following vote:

Ayes: Skidmore, Sanborn

Noes: Cnare, Verveer, Bidar-Sielaff, Rummel, King, Eagon, Solomon, Schmidt, Rhodes-Conway, Kerr, Bruer, Palm, Clausius, Clear, Maniaci

**A motion was made by Ald. Sanborn, seconded by Ald. Cnare, to Accept with the attached motion, striking the second bullet point . The motion failed by the following vote:**

**Ayes:** 2 - Paul E. Skidmore  
Jed Sanborn

**Noes:** 15 - Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Mark Clear  
Bridget R. Maniaci

**Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

A motion was made by Ald. Maniaci, seconded by Ald. Kerr, to Accept with the attached motion. The motion FAILED by the following vote:  
Ayes: Bidar-Sielaff, King, Eagon, Skidmore, Schmidt, Kerr, Bruer, Palm, Clausius, Clear, Sanborn, Maniaci  
Noes: Cnare, Verveer, Rummel, Solomon, Rhodes-Conway

**A motion was made by Ald. Maniaci, seconded by Ald. Kerr, to Accept with the attached motion. The motion FAILED by the following vote:**

**Ayes:** 12 - Shiva Bidar-Sielaff  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Chris Schmidt  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Mark Clear  
Jed Sanborn  
Bridget R. Maniaci

**Noes:** 5 - Lauren Cnare  
Michael E. Verveer  
Marsha A. Rummel  
Brian L. Solomon  
Satya V. Rhodes-Conway

**Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

6. [16413](#) Public Hearing - New License  
Ring Rodie LLC • dba JoBecks Bar • 95% alcohol, 5% food  
521 Cottage Grove Rd • Agent: Jeff Rodefeld • Estimated Capacity: 50  
Class B Combination Liquor & Beer  
Aldermanic District 15 (Alder Palm) • Police Sector 613
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**
7. [16414](#) Public Hearing - New License  
Las Cazuelas LLC • dba Las Cazuelas • 20% alcohol, 80% food  
15 N Butler St • Agent: Roberto Ubach • Estimated Capacity: 82  
Class B Combination Liquor & Beer  
Aldermanic District 02 (Alder Maniaci) • Police Sector 406 • Density Area
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**
8. [16426](#) Public Hearing - New License  
Porky Pine Pete's Smokehouse BBQ LLC  
dba Porky Pine Pete's Smokehouse BBQ  
30 % alcohol, 70% food  
7475 Mineral Point Rd • Agent: Lesley Peter • Estimated Capacity: 202  
Class B Beer, Class C Wine  
Aldermanic District 09 (Alder Skidmore) • Police Sector 124
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**
9. [16440](#) Public Hearing - New License  
552 State LLC • dba The Pub • 100% alcohol  
552 State St • Agent: Gus Paras • Estimated Capacity: 297  
Class B Combination Liquor & Beer  
Aldermanic District 08 (Alder Eagon) • Police Sector 403 • Density Area
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**
10. [16441](#) Public Hearing - New License  
Mason Lounge LLC • dba The Mason Lounge • 90% alcohol, 10% food  
416 S Park St • Agent: Bryan Richgels • Estimated Capacity: 89  
Class B Combination Liquor & Beer  
Aldermanic District 13 (Alder Kerr) • Police Sector 305
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**

- 11. [16443](#) Public Hearing - New License  
La Mestiza Mexican Cuisine Inc • dba La Mestiza Mexican Cuisine • 30% alcohol, 70% food  
121 E Main St • Agent: Antonio Estrada • Estimated Capacity: 48  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 406 • Density Area

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**

**REPORT OF PLAN COMMISSION**

- 12. [16263](#) ALTERNATE Amending Section 28.10(4)(d)7. of the Madison General Ordinances to retroactively remove the 500 foot distance requirement between Residential Districts and auto storage yards.

**Sponsors:** PLAN COMMISSION

**A motion was made by Ald. Sanborn, seconded by Ald. Rummel, to Adopt the following amendment: Grant a conditional use permit to Schmidt's Auto retroactive to 1-1-1994. The motion FAILED by the following vote:**

**Ayes:** 10 - Jed Sanborn  
Bridget R. Maniaci  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Tim Bruer  
Joseph R. Clausius  
Mark Clear

**Noes:** 7 - Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Larry Palm

**Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

[16263](#)

Amending Section 28.10(4)(d)7. of the Madison General Ordinances to retroactively remove the 500 foot distance requirement between Residential Districts and auto storage yards.

**Sponsors:** Julia S. Kerr

**A motion was made by Ald. Rhodes-Conway, seconded by Ald. Bruer, to Adopt. The motion FAILED by voice vote/other.**

Enactment No: ORD-09-00173

[16263](#)

ALTERNATE Amending Section 28.10(4)(d)7. of the Madison General Ordinances to retroactively remove the 500 foot distance requirement between Residential Districts and auto storage yards.

**Sponsors:** PLAN COMMISSION

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt. The motion FAILED by the following vote:**

**Ayes:** 8 - Lauren Cnare  
Shiva Bidar-Sielaff  
Bryon A. Eagon  
Chris Schmidt  
Julia S. Kerr  
Tim Bruer  
Joseph R. Clausius  
Mark Clear

**Noes:** 9 - Michael E. Verveer  
Marsha A. Rummel  
Steve King  
Paul E. Skidmore  
Brian L. Solomon  
Satya V. Rhodes-Conway  
Larry Palm  
Jed Sanborn  
Bridget R. Maniaci

**Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: ORD-09-00173

**A motion was made by Ald. Schmidt, seconded by Ald. Sanborn, to Reconsider. The motion passed by voice vote/other.**



[16263](#)

**AMENDED** ALTERNATE Amending Section 28.10(4)(d)7. of the Madison General Ordinances to retroactively remove the 500 foot distance requirement between Residential Districts and auto storage yards.

**Sponsors:** PLAN COMMISSION

**A motion was made by Ald. Sanborn, seconded by Ald. Schmidt, to Adopt With Amendment(s). The motion passed by voice vote/other.**

Enactment No: ORD-09-00173

13. [16442](#)

Creating Section 28.06(2)(a)3458. of the Madison General Ordinances rezoning property from R4 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3459. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Construct a 112-Unit Residential Condominium Development in 28 Buildings; 1st Aldermanic District: 1802 Maplecrest Drive and 9002 Hawks Reserve Lane.

**Sponsors:** Common Council By Request

Adopt

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Refer to a future Meeting to Adopt . The motion passed by voice vote/other.**

**END OF PUBLIC HEARINGS**

**BUSINESS PRESENTED BY THE MAYOR**

**CONFIRMATION HEARING**

14. [16184](#)

Confirming the re-appointment of Alan C. Schumacher to the position of Streets Superintendent subject to the approval and execution of a five-year employment agreement.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00969

**APPOINTMENTS**

15. [16378](#) Report of the Mayor submitting citizen committee appointments (introduced 11-17-2009; action 12-8-2009)

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Confirm . The motion passed by voice vote/other.**

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

16. [15239](#) Amending Section 38.08(4) of the Madison General Ordinances to increase the late fees for alcohol beverage licenses from 15% of the license fee to 50% of the license fee.

**Sponsors:** Michael Schumacher and Michael E. Verveer

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Place On File Without Prejudice . The motion passed by voice vote/other.**

17. [15937](#) Amending Section 38.05(9)(o)4.c.i. of the Madison General Ordinances to modify the Alcohol Beverage License Density Plan.

**Sponsors:** Michael E. Verveer and Michael Schumacher

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: ORD-09-00165

18. [15973](#) Operator License Application  
Corey Jarvis - Establishment where employed: Buffalo Wild Wings

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**

19. [16178](#) Operator License Application  
Roberto Abundee - Establishment where employed:Laredos

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Place On File Without Prejudice . The motion passed by voice vote/other.**

20. [16202](#) Amending Section 38.08(4)(e) of the Madison General Ordinances to change the license period of an operator's license from one year to two years and increase the fee from \$35 a year to \$75 for two years.
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: ORD-09-00166
21. [16203](#) Amending Section 38.08(4)(a) of the Madison General Ordinances to establish a uniform license fee of \$500 for Class A Beer licenses.
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: ORD-09-00167
22. [16204](#) Amending Sections 38.05(3)(g), 38.08(4) and 38.09(5) of the Madison General Ordinances to increase late fees related to filing a retail alcohol license application and paying the annual retail license fees.
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: ORD-09-00168
23. [16205](#) Amending Sections 38.06(11)(a), 38.06(11)(c), 38.06(11)(i) and 38.06(12)(c) of the Madison General Ordinances to lower the minimum patron capacity for a 21+ Entertainment license and an 18+ Center for the Visual and Performing Arts license, and to clarify the definition of live entertainment.
- Sponsors:** Michael E. Verveer and Marsha A. Rummel
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) stating "This ordinance amendment shall become effective on April 15, 2010 . The motion passed by voice vote/other.**
- Enactment No: ORD-09-00174

24. [16217](#) Change of Licensed Premise  
Roaring Fork LLC • dba Qdoba Mexican Grill • capacity of 150  
2741 University Ave • Agent: Ron Stokes  
Class B Combination Liquor & Beer • 1% Alcohol, 99% food  
Aldermanic District 05 (Alder Bidar-Sielaff) • Police Sector 301  
Request to expand dining area into 650 sq. ft. of adjacent vacant space.  
Also remodeling the existing dining area which includes a longer queuing line  
to help direct customers during peak usage.

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**

25. [16315](#) Operator License Application  
Meghan Murphy - Establishment where employed: Horseshoe Bar

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Place On File Without Prejudice . The motion passed by voice vote/other.**

26. [16411](#) Operator License Application  
Jonathan Schinke - Establishment where employed: Stadium Bar & Grill

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**

27. [16412](#) Change of Corporate Control --2 new officer(s)  
Muramoto LLC • dba The Haze • 45% alcohol, 55% food  
106 King St • Agent: Shinji Muramoto  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 406

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**

28. [16435](#) Repealing Section 38.05(6)(b); creating Sec. 38.07(15); and amending Sec.38.10(2) of the Madison General Ordinances to repeal obsolete language regarding non-alcohol licenses, clarifying that a search warrant may be obtained for unlicensed beer sellers and adopting the State law, which already applies to the City, requiring that retail alcohol sales occur face-to-face at the licensed premises.

**Sponsors:** Michael E. Verveer and Michael Schumacher

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: ORD-09-00169

29. [16476](#) Operator License Application  
Mark Harden - Establishment where employed: Opa Bistro
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Place On File Without Prejudice . The motion passed by voice vote/other.**
30. [16506](#) Change of Corporate Control -- 2 new officer(s)  
Riverbrew LLC • dba The Coopers Tavern • 40% alcohol, 60% food  
20 W Mifflin St • Agent: Peter Mcelvanna  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 406
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**
31. [16746](#) Alcohol License Review Committee Report of Operator License Applications  
11-30-09. See attached report for list of operators.
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Grant . The motion passed by voice vote/other.**

#### REPORT OF BOARD OF ESTIMATES

32. [16433](#) SUBSTITUTE RESOLUTION Approving a Project Plan Amendment for Tax Incremental District (TIF) #23 (Capitol Square Revitalization) City of Madison and authorizing the use of the "Half-Mile Rule" as provided for in State of Wisconsin TIF Law.
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-09-00970
33. [16462](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a 2009 Innovative Law Enforcement Program award from the State of Wisconsin, Office of Justice Assistance, in the amount of \$14,500 and to utilize these funds toward crime prevention and anti-gang community-policing enforcement efforts.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-09-00973

34. [16496](#) Approving a contract with WMMIC for third party administration of the City's worker's compensation claims.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00974

35. [16559](#) SUBSTITUTE To authorize the Mayor and City Clerk to enter into an ~~eighteen~~ <sup>nine</sup> month renewal of the existing contract for towing and vehicle storage services with Schmidt's Auto Inc.

**Sponsors:** David J. Cieslewicz, Tim Bruer and Mark Clear

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00975

36. [16584](#) SUBSTITUTE - Amending Sections 35.02(7) to establish 2010 Sewer Utility Rates effective January 1, 2010 and amending Section 37.05(4) of the Madison General Ordinances to establish 2010 rates for the Public Stormwater System.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: ORD-09-00170

37. [16595](#) A RESOLUTION authorizing the Mayor and City Clerk to enter into Contracts with Tyler Technologies, Inc. for the purchase and implementation of the MUNIS system and other software products for the City's Integrated Enterprise Resource Planning System project (ERP) and for related services.

**Sponsors:** David J. Cieslewicz and Mark Clear

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00976

38. [16598](#) Authorizing the Mayor and City Clerk to execute Amendment #1 to the Contract for Purchase of Services with Accela, Inc. and amending the Information Technology 2009 Capital Budget by transferring \$127,000 from Purchased Software Enhancements Project # 810345 to the Enterprise Land and Asset Mgmt. Syst. Project # 810558 to fund Amendment #1.

**Sponsors:** David J. Cieslewicz and Mark Clear

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by the following vote:**

**Ayes:** 17 - Jed Sanborn  
Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Mark Clear

**Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-09-00971

39. [16608](#) Appropriating \$2,778,000 from the General Fund Balance and transferring within agency budgets and to the Workers Compensation Fund to cover various unbudgeted departmental expenditures during 2009.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt. The motion passed by the following vote:**

**Ayes:** 17 - Bridget R. Maniaci  
Lauren Cnare  
Michael E. Verveer  
Shiva Bidar-Sielaff  
Marsha A. Rummel  
Steve King  
Bryon A. Eagon  
Paul E. Skidmore  
Brian L. Solomon  
Chris Schmidt  
Satya V. Rhodes-Conway  
Julia S. Kerr  
Tim Bruer  
Larry Palm  
Joseph R. Clausius  
Mark Clear  
Jed Sanborn

**Excused:** 3 - Judy Compton  
Michael Schumacher  
Thuy Pham-Remmele

**Non Voting:** 1 - David J. Cieslewicz

Enactment No: RES-09-00972

40. [16671](#) Authorizing the Mayor and City Clerk to execute a lease with MLG Capital/Meadowood LLC for space within the Meadowood Plaza located at 5734 Raymond Road for the continued operation of the Meadowood Neighborhood Center.

**Sponsors:** David J. Cieslewicz, Tim Bruer, Mark Clear, Thuy Pham-Remmele and Steve King

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00977

**REPORT OF BOARD OF PUBLIC WORKS**

41. [16189](#) Accepting a Sanitary Sewer Easement from Amanda and Yong Chen across a portion of their property located at 3497 County Trunk Highway BB (Cottage Grove Road).

**Sponsors:** Judy Compton

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00978



42. [16283](#) Authorizing the execution of an Underground Utility Easement to Wisconsin Bell d/b/a AT&T across a portion of a City-owned Stormwater Utility parcel located at 5307 Lien Road.

**Sponsors:** Joseph R. Clausius

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00979

43. [16430](#) A Resolution Accepting a Proposed Settlement with the Sentry Insurance Company for Landfill Remediation Claims, Authorizing the Mayor and City Clerk to Sign Settlement Agreements and any Other Documents Necessary to Complete the Settlement, including Releases and Indemnifications, and Directing that Settlement Funds Be used to Reduce Future Remediation Fees.

**Sponsors:** David J. Cieslewicz, Joseph R. Clausius and Larry Palm

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00980

44. [16481](#) Improvements accepted for repairs at Capitol Square North, Government East, and State Street Campus (Lake) Parking Ramp, Contract No. 6089. (2nd, 6th & 8th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00981

45. [16486](#) Improvements accepted for repairs at Overture Center, State Street Capitol, and State Street Campus (Frances) Parking Ramp, Contract No. 6185. (4th and 8th AD),

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00982

46. [16495](#) Improvements Accepted for Water Service Laterals by Private Contract to serve: Eighth Addition to Blackhawk - Phase 4 (9th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00983

47. [16511](#) Awarding Public Works Contract No. 6300, West Gilman Street Reconstruction Assessment District 2 - 2009.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00984

48. [16512](#) Awarding Public Works Contract No. 6404, Monona Terrace Exhibition Hall Epoxy Floor Resurfacing.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00985

49. [16513](#) Awarding Public Works Contract No. 6316, Bowman/Lakeview Culvert Replacement.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00986

50. [16572](#) Declaring the City of Madison's intention to exercise its police powers establishing the Curb and Gutter in Conjunction with Resurfacing - 2010 Assessment District. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00987

51. [16573](#) Approving future phase contract for public improvements necessary for the Subdivision known as University Research Park - Pioneer be undertaken by the Developer, Private Contract No. 2238.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-09-00988
52. [16574](#) Approving Addendum No. 1 to the Subdivision Contract for Eighth Addition to Blackhawk, Phase 4, Contract No. 2202. (9th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-09-00989
53. [16575](#) Authorizing the Mayor and City Clerk to enter into an agreement with MSA Professional Services, Inc. for design services for design engineering services for Central Park. (6th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-09-00990
54. [16586](#) Improvements accepted for Lake Mendota Dr. (5300 Block) Assessable Sewer Relocation, Contract No. 6166.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**
- Enactment No: RES-09-00991
55. [16587](#) Improvements accepted for McKee Road @ Stratton Way Intersection Improvement, Contract No. 6357.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt the following amendment . The motion passed by voice vote/other.**
- Enactment No: RES-09-00992

56. [16592](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Booster Pump Upgrade at Well 25, Contract No. 6433. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00993

57. [16635](#) Declaring the City of Madison's intention to exercise its police powers establishing the Lakeland Avenue and Schurz Avenue Reconstruction Assessment District - 2010. (6th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00994

58. [16647](#) Improvements accepted for Monona Terrace Community and Convention Center - 2009, Contract No. 6240.

**Sponsors:** BOARD OF PUBLIC WORKS

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00995

#### REPORT OF CITY CLERK'S OFFICE

59. [16684](#) Report of City Clerk dated December 8, 2009, re: Election Official Appointments.

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Accept. The motion passed by voice vote/other.**

#### REPORT OF MADISON ARTS COMMISSION

60. [16599](#) Accepting ownership of the artwork "Four Lakes" by *Myklebust, Sears, & Sons*, a public art water feature located in Frances Plaza.

**Sponsors:** Michael E. Verveer and Marsha A. Rummel

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00996

**REPORT OF PARKS DIVISION**

- 61. [16297](#) SUBSTITUTE - Amending Sections 9.13(2) and 9.13(3) to increase fees for special event umbrella vending licenses and allow applications to be filed with the Parks Division; amending Sec. 10.056(3)(a) to clarify the membership of the Street Use Staff Commission; amending Sec. 10.056(4) (a) to allow Street Use applications to be filed at the Parks Division; amending Sec. 10.056(4)(b) regarding the application deadlines; amending Sec. 10.056(5) regarding the street use permit application procedure, clarifying references to vending, and to create an administrative approval for small block parties; and amending Sec. 10.056(8)(b) of the Madison General Ordinances regarding insurance requirements for Street Use Permits.

**Sponsors:** Michael E. Verveer

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: ORD-09-00171

**REPORT OF PED BIKE MOTOR VEHICLE COMMISSION**

- 62. [16250](#) Reaffirming the City’s commitment to Complete Streets and directing staff of various agencies including but not limited to Planning & Development, City Engineering, Traffic Engineering and Metro to follow to the extent possible Complete Streets concepts for all new developments, redevelopments, and street reconstruction projects.

**Sponsors:** Judy Compton, Bryon A. Eagon, Paul E. Skidmore and Mark Clear

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00997

**REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT**

- 63. [16783](#) Seeking Common Council approval of the remaining 2009-2010 Arts Grants awards as recommended by the Madison Arts Commission.

**Sponsors:** Marsha A. Rummel

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 . The motion passed by voice vote/other.**

Enactment No: RES-09-00998

**REPORT OF RISK MANAGER**

- 64. [16510](#) P. Helt, 1422 E. Dayton St., #23, Madison, 53703 - vehicle damage - \$1466.94.

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Disallow . The motion passed by voice vote/other.**

- 65. [16566](#) K. McCann for McCann's Sewer & Drain Cleaning Service, 611 N. Burr Oak Ave., Oregon (53575) - property damage - \$2,505.97.

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Disallow . The motion passed by voice vote/other.**

- 66. [16596](#) J. Camnitz, 2802 Kingston, Madison, 53703 - property damage - \$236.85.

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Disallow . The motion passed by voice vote/other.**

**REPORT OF VENDING OVERSIGHT COMMITTEE**

- 67. [16367](#) SECOND SUBSTITUTE Creating Section 9.13(1)(b)2. of the Madison General Ordinances to create a prohibition against street vending on certain "arterial" or "collector" streets near schools, and creating a procedure for a licensed vendor to request permission from the Vending Oversight Committee to vend in these locations.

**Sponsors:** Michael E. Verveer, Paul E. Skidmore, Thuy Pham-Remmele and Shiva Bidar-Sielaff

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: ORD-09-00172

**REPORT OF WATER UTILITY BOARD**

- 68. [16438](#) Authorizing the Mayor and the City Clerk to enter into an Electric Service Agreement for the Purchase of Backup Generation Service with Madison Gas & Electric Company, for a period of ten years to commence not later than December 31, 2009, at the rate of \$2.00 per KW per day for each of 9 unit wells.

**Sponsors:** Lauren Cnare and Michael Schumacher

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt . The motion passed by voice vote/other.**

Enactment No: RES-09-00964

**ITEMS REFERRED TO THIS MEETING**

**ORDINANCES**

- 69. [14171](#) THIRD SUBSTITUTE - Creating 38.07(15) of the Madison General Ordinances to prohibit the sale of beer or malt liquor in amounts less than the amount contained in a six pack of bottles or cans, intoxicating liquor in amounts of two hundred (200) milliliters or less in volume, malt based flavored coolers in less than a four pack, and the sale of fortified wines for consumption off premises.  
  
**Sponsors:** Michael Schumacher and Michael E. Verveer

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Referred to the ALCOHOL LICENSE REVIEW COMMITTEE and should be returned by 1/20/2010. The motion passed by voice vote/other.**

**INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE**

**CHARTER ORDINANCES**

- 70. [16759](#) CHARTER ORDINANCE Amending Section 23.01(1)(a). of the Madison General Ordinances to clarify the application of prevailing wage standards to certain public works projects.  
  
**Sponsors:** Joseph R. Clausius and Larry Palm

**This Charter Ordinance was Referred to the BOARD OF PUBLIC WORKS**

**ORDINANCES**

- 71. [16734](#) Amending Sections 37.05(7)(b), 37.08(6)(a) & (b), and 37.09(7), and creating Sections 37.09(3)(d)7. and 37.09(3)(i) of the Madison General Ordinances to update stormwater and erosion control requirements.  
  
**Sponsors:** Larry Palm  
  
Additional Referral: Committee on the Environment

**This Ordinance was Referred to the BOARD OF PUBLIC WORKS**

- 72. [16735](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Deputy City Attorney" in Compensation Group 18, Range 22, thereof.  
  
**Sponsors:** David J. Cieslewicz  
  
Additional Referral: Personnel Board

**This Ordinance was Referred to the BOARD OF ESTIMATES**

73. [16736](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of "Parks Recreational Services Supervisor" in Compensation Group 18, Range 8 and creating the classification of "Recreation Services Coordinator" in Compensation Group 18, Range 8, thereof.

**Sponsors:** David J. Cieslewicz

Additional Referral: Personnel Board

**This Ordinance was Referred to the BOARD OF ESTIMATES**

74. [16737](#) Creating Section 28.06(2)(a)3462. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Revise Density of Previously Approved 33-Unit Building to 40-Unit Building and a 36-Unit Building to a 29-Unit Building; 3rd Aldermanic District: 5801 Gemini Drive and 825 Jupiter Drive.

**Sponsors:** Common Council By Request

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**

75. [16761](#) Amending Sections 3.32(1)(a), (6)(b), (6)(f), (7)(a), (7)(c)1., repealing Sec. 3.32(7)(c)2., amending Sections 3.32(7)(c)3., (8)(a), (8)(b), (8)(e), (9), (10), (11)(a), (11)(b)1. (11)(b)2., (12), (13)(a), (14), and (15) of the Madison General Ordinances to expand or clarify the eligibility for various forms of paid leave for hourly, limited term and probationary employees.

**Sponsors:** David J. Cieslewicz

Additional Referral: Board of Estimates

**This Ordinance was Referred to the PERSONNEL BOARD**

76. [16769](#) Creating Section 28.06(2)(a)3463. of the Madison General Ordinances rezoning property from Temp A Agriculture District & R1 Single Family Residence District & PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: General Development Plan for Future Construction of 190 Apartments in five Residential Buildings & 33,000 Square Feet of Retail in five Commercial Buildings; 7th Aldermanic District: 6701-6921 McKee Road & 3210 Maple Grove Drive.

**Sponsors:** Common Council By Request

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**



77. [16778](#) Creating Section 28.06(2)(a)3464. of the Madison General Ordinances rezoning property from C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3465. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Retail Building to Allow Mixed-Use Building with 9,870 Square Feet of Commercial Space and 12 Apartment Units; 13th Aldermanic District: 801 South Park Street.

**Sponsors:** Common Council By Request

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION**

**RESOLUTIONS**

78. [16600](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas Boykoff, for his 2010 contract for professional services as Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.

**Sponsors:** Bridget R. Maniaci

**This Resolution was Referred to the HOUSING COMMITTEE**

79. [16603](#) Authorizing the Mayor and the City Clerk to sign an agreement with Thomas LaFleur, for his 2010 contract for professional services as Rent Abatement Hearing Examiner for the Building Inspection Division of the Department of Planning and Community and Economic Development.

**Sponsors:** Bridget R. Maniaci

**This Resolution was Referred to the HOUSING COMMITTEE**

80. [16674](#) Authorizing the Transit General Manager to file an application for Urbanized area Capital Assistance, public transit Stimulus ARRA (American Recovery & Reinvestment Act), Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER) program with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

**Sponsors:** Jed Sanborn, Chris Schmidt and Brian L. Solomon

Additional Referral: Board of Estimates

**This Resolution was Referred to the TRANSIT AND PARKING COMMISSION**

81. [16675](#) Authorizing the Transit General Manager to file an amendment to the application for Urbanized area Capital Assistance formula, public transit Stimulus ARRA (American Recovery & Reinvestment Act) capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

**Sponsors:** Jed Sanborn, Chris Schmidt and Brian L. Solomon

Additional Referral: Board of Estimates

**This Resolution was Referred to the TRANSIT AND PARKING COMMISSION**

82. [16676](#) Authorizing the Mayor and City Clerk to enter into an agreement with the Capital Area Regional Planning Commission (CARPC) for the Madison Area Transportation Planning Board (TPB) to provide transportation planning work activities to the CARPC in calendar year 2010.

**Sponsors:** Paul E. Skidmore and Joseph R. Clausius

**This Resolution was Referred to the BOARD OF ESTIMATES**

83. [16687](#) Retitling the classification of Recreation Services Supervisor in CG18-08 as a Recreation Services Coordinator and reallocating the vacant Recreation Services Supervisor position (#1483) in the Parks Division Budget to a Recreation Services Coordinator.

**Sponsors:** David J. Cieslewicz

Additional Referral: Personnel Board

**This Resolution was Referred to the BOARD OF ESTIMATES**

84. [16700](#) Creating the classification of Deputy City Attorney in CG 18, Range 22.

**Sponsors:** David J. Cieslewicz

Additional Referral: Personnel Board

**This Resolution was Referred to the BOARD OF ESTIMATES**

85. [16701](#) Creating the classification of Maintenance Electrician 2 in CG16-19 and reallocating the vacant Maintenance Electrician 1 position (#1497) in the Parks Division Budget to a Maintenance Electrician 2.

**Sponsors:** David J. Cieslewicz

Additional Referral: Personnel Board

**This Resolution was Referred to the BOARD OF ESTIMATES**

86. [16709](#) Authorizing a second amendment to the lease between the City of Madison and Madison-Kipp Corporation within the East Rail Transportation Corridor.  
**Sponsors:** Marsha A. Rummel  
Additional Referrals: Pedestrian/Bicycle/Motor Vehicle Commission, Plan Commission  
**This Resolution was Referred to the BOARD OF PUBLIC WORKS**
87. [16711](#) Authorizing the Mayor and City Clerk to enter into an agreement with Dane County to provide \$19,300 in assistance to Metro Transit for transit information services, promotion efforts, and operations for calendar year 2010, and \$12,900 to the Madison Area Transportation Planning Board (a Metropolitan Planning Organization) to support the County Specialized Transportation coordination activities for the calendar year 2010.  
**Sponsors:** Jed Sanborn, Chris Schmidt and Brian L. Solomon  
Additional Referral: Board of Estimates  
**This Resolution was Referred to the TRANSIT AND PARKING COMMISSION**
88. [16733](#) Accepting a 15-foot wide Public Sanitary Sewer Easement from the Vedders-Shults Trust and the Twesme Trust across property located at 5108 Spring Court.  
**Sponsors:** Mark Clear  
Additional Referral: Plan Commission  
**This Resolution was Referred to the BOARD OF PUBLIC WORKS**
89. [16745](#) Authorizing the Mayor and City Clerk to enter into a contract with the University of Wisconsin's Applied Population Lab to maintain, update and refine the Neighborhood Indicators project.  
**Sponsors:** David J. Cieslewicz  
**This Resolution was Referred to the BOARD OF ESTIMATES**
90. [16764](#) Authorizing the Mayor and City Clerk to execute an Agreement between the City of Madison and Dane County regarding snow removal service on part of Buckeye Road.  
**Sponsors:** David J. Cieslewicz  
**This Resolution was Referred to the BOARD OF PUBLIC WORKS**

91. [16765](#) Adopting the final Legally Binding Agreement (LBA) to accommodate Goodwill Industries of South Central Wisconsin at 4829 Anniversary Lane, amending the City’s previously submitted Redevelopment Plan, Homeless Assistance Submission, and Public Comment documents regarding the Truman Olson United States Army Reserve Center (1402 S. Park Street) property accordingly, authorizing submission by the LRA of said revised documents to the Federal Government, and execution of the LBA by the Mayor and City Clerk upon acceptance by the United States Department of Housing and Urban Development.

**Sponsors:** Joseph R. Clausius

Additional Referrals: Community Development Authority, Plan Commission, Community Development Block Grant Committee

**This Resolution was Referred to the BOARD OF ESTIMATES**

92. [16767](#) Modifying the Brownfields Remediation/Elimination & Workforce Development (BREWD) Program guidelines.

**Sponsors:** Marsha A. Rummel and Mark Clear

Additional Referral: Economic Development Committee

**This Resolution was Referred to the BOARD OF ESTIMATES**

93. [16775](#) Authorizing the execution of an Agreement for Installation, Operation, Maintenance and Repair of Photovoltaic Lighting System with Madison Gas and Electric Company for the installation of a demonstration photovoltaic lighting system in Thut Park, located at 2630 Nana Lane.

**Sponsors:** Tim Bruer

Additional Referral: Plan Commission

**This Resolution was Referred to the BOARD OF PARK COMMISSIONERS**

**LICENSES**

94. [16677](#) Public Hearing - New License  
Triple B LLC • dba Nitty Gritty, The • 46% alcohol, 53% food, 1% Other  
223 N Frances St • Agent: Eric Suemnicht • Estimated Capacity: 402  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 404 • Density Area

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

95. [16678](#) Public Hearing - New License  
RARE Hospitality International Inc • dba LongHorn Steakhouse #5361  
10% alcohol, 90% food  
418 S Gammon Rd • Agent: James Kasprzak • Estimated Capacity: 269  
Class B Combination Liquor & Beer  
Aldermanic District 09 (Alder Skidmore) • Police Sector 124
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE due back on 1/5/2010**
96. [16679](#) Public Hearing - New License  
S&K Odana LLC • dba Indian Spice N Curry Restaurant • 20% alcohol, 80% food  
6119 Odana Rd • Agent: Sukhwinder Singh • Estimated Capacity: 80  
Class B Combination Liquor & Beer  
Aldermanic District 19 (Alder Clear) • Police Sector 113
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE due back on 1/5/2010**
97. [16688](#) Public Hearing - New License  
Madison Hotel Associates LP • dba Hyatt Place  
1.8% alcohol, 2.9% food, 95.3% Other  
333 W Washington Ave • Agent: Blaze Brigman • Estimated Capacity: 420  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 405 • Density Area
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE due back on 1/5/2010**
98. [16712](#) Public Hearing - New License  
Francesca's Madison LLC • dba Francesca's al Lago • 30% alcohol, 70% food  
111 Martin Luther King Jr Blvd • Agent: Ron Trachtenberg  
Estimated Capacity: 165  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 405 • Density Area
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE due back on 1/5/2010**

99. [16713](#) Public Hearing - New License  
802 Regent LLC • dba Buckingham's • 48% alcohol, 51% food, 1% Other  
802 Regent St • Agent: Dan Ironmonger • Estimated Capacity: 180  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 404 • Density Area

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE due back on 1/5/2010**

100. [16717](#) Public Hearing - New License  
Luckys Madison LLC • dba Lucky's Bar & Grille • 66% alcohol, 33% food, 1% Other  
1421 Regent St • Agent: Rodney Ripley • Estimated Capacity: 160  
Class B Combination Liquor & Beer  
Aldermanic District 13 (Alder Kerr) • Police Sector 303

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE due back on 1/5/2010**

101. [16726](#) Public Hearing - New License  
Tai's Corporations • dba Tai's • 5% alcohol, 95% food  
638 S Whitney Way • Agent: Chan Li • Estimated Capacity: 50  
Class B Beer, Class C Wine  
Aldermanic District 19 (Alder Clear) • Police Sector 113

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE due back on 1/5/2010**

102. [16727](#) Public Hearing - New License  
Bernie & Tony's Piano Bar & Sicilian Restaurante LLC  
dba Bernie & Tony's • 30% alcohol, 65% food, 5% Other  
4265 W Beltline Hwy • Agent: Thomas Caputo • Estimated Capacity: 100  
Class B Combination Liquor & Beer  
Aldermanic District 10 (Alder Solomon) • Police Sector 104

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE due back on 1/5/2010**

**PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON**

**CLAIMS - REFER TO RISK MANAGER**

103. [16606](#) S. Wells, 2709 Westview Ct., # 3, Cross Plains, 53528 - vehicle damage - \$3,334.03.

**This Claim was Referred to the Risk Manager**

104. 16665 B. Berninger, 579 Park Ln., Madison, 53711 - property damage - \$27.67.

**This Claim was Referred to the Risk Manager**

105. 16705 E. Marcotte, General Casualty Ins. for T. Stenback, 1101 Pontiac Tr., Madison, 53711 - vehicle damage - \$3,232.75.

**This Claim was Referred to the Risk Manager**

106. 16706 S. Gent, 534 E. Bluff, Madison, 53704 - vehicle damage - \$3,400.00.

**This Claim was Referred to the Risk Manager**

107. [16707](#) K. Zumwalt, 618 Engelhart Dr., Madison, 53713 - property damage - \$120.00.

**This Claim was Referred to the Risk Manager**

108. 16729 C. Williams, 2621 Fairfield Pl., #2, Madison, 53704 - vehicle damage - \$1,059.00

**This Claim was Referred to the Risk Manager**

109. 16750 A. Schroeder, 7451 Terrace Ave., Middleton, 53562 - vehicle damage - \$944.12.

**This Claim was Referred to the Risk Manager**

110. 16751 NOTICE OF CLAIM: Eric J. Ryberg, Habush Habush & Rottier S.C., attorney for L. Darboe, 2203 Woodview Ct., #10, Madison, 53713 - personal injury - greater than \$1.00.

**This Claim was Referred to the Risk Manager**

111. 16752 P. Wright, 135 W. Gilman St., #4, Madison, 53703, vehicle damage - \$1,080.53.

**This Claim was Referred to the Risk Manager**

THE FOLLOWING ITEMS WERE INTRODUCED FROM THE FLOOR ON 11/17/09, AND ARE ON THIS AGENDA PURSUANT TO SEC. 2.05(1)(B), MGO SOLELY FOR THE PURPOSE OF ADDING ADDITIONAL REFERRALS.

- 112. [16662](#) Amending Sections 32.12(8) and 32.12(9)(a) of the Madison General Ordinances to modify the regulations for showing and re-renting rental premises.

**Sponsors:** Bridget R. Maniaci

**There were no additional referrals.**

- 113. [16263](#) ALTERNATE Amending Section 28.10(4)(d)7. of the Madison General Ordinances to retroactively remove the 500 foot distance requirement between Residential Districts and auto storage yards.

**Sponsors:** PLAN COMMISSION

**There were no additional referrals.**

Enactment No: ORD-09-00173

**ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR**

**ADDENDUM**

**LATE ITEMS**

- 114. [16656](#) Report of the Mayor submitting citizen committee appointments (introduced 12-8-2009; action 1-5-2010).

**Sponsors:** David J. Cieslewicz

Confirm

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Refer to the COMMON COUNCIL, due back on 1/5/2010. The motion passed by voice vote/other.**

- 115. [16817](#) Amending Sec. 39.02(9)(a)2.f. of the Madison General Ordinances to exempt relocation type contracts from the Affirmative Action requirements.

**Sponsors:** Joseph R. Clausius, Paul E. Skidmore and David J. Cieslewicz

Additional Referral: Board of Public Works

**This Ordinance was Referred to the AFFIRMATIVE ACTION COMMISSION**



116. [16855](#)

Authorizing the increase of Police Department fleet vehicles by one and amending the 2009 Operating Budget to transfer \$5,000 from the Police Department to Fleet Service as partial funding of the purchase.

**Sponsors:** David J. Cieslewicz, Paul E. Skidmore, Tim Bruer, Bryon A. Eagon and Lauren Cnare

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.**

Enactment No: RES-09-00999

**ADJOURNMENT at 5:22 AM**

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adjourn at 5:22 AM. The motion passed by voice vote/other.**