



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, February 1, 2005

6:30 PM

210 Martin Luther King Jr BLVD
Room 201 (City County Building)

SPEAKING GUIDELINES

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.

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.

Notified Absences: Ald. Thomas

ROLL CALL

Present: Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkol, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Van Rooy, Verveer and Webber

Excused: Thomas

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 Konkol, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

PETITIONS AND COMMUNICATIONS

None received by the Agenda deadline.

BUSINESS BY THE MAYOR

1. [00421](#) Aldermanic Committee Appointment Report dated January 26, 2005.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.

2. [00426](#) Citizen Appointment Report dated January 26, 2005.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL, due back on February 22, 2005. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF COMMON COUNCIL

3. [00423](#) Authorizing the adoption of amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to amend the Mall/Concourse Food Vending Site map.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00088

4. [00438](#) To suspend the Class B Combination alcohol beverage license granted to Imperial Palace, Ltd., d/b/a Bluefin, Bobby H. H. Lee, Agent, located at 1291 N. Sherman Avenue, Madison, WI.
A motion was made by Council President Konkel, seconded by Ald. Olson, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00089

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

5. [00068](#) Beeber, LLC
Agent: Peter J. Beeber
DBA: Pete's Place
4915 Commercial Avenue
Reserve Class B Combination Liquor & Beer
Non-Smoking Establishment
A motion was made by Council President Konkel, seconded by Ald. Onken, to Place On File Without Prejudice - Public Hearing Closed. The motion passed by acclamation.

6. [00072](#) MKS Petroleum, LLC
Agent: Kuldip Singh Mavi
DBA: Willy Street Mini Mart
1130 Williamson Street
Class A Beer
- A motion was made by Council President Konkel, seconded by Ald. Onken, to Rerefer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.**
- Rerefer for Recessed Public Hearing to the COMMON COUNCIL**

REPORT OF PLAN COMMISSION

7. [00418](#) SECOND SUBSTITUTE Creating new Section 33.02(4)(f), renumbering current Sections 33.02(4)(f) - (h) to Sections 33.02(4)(g) through (i), respectively, and amending Sections 33.02(4)(b), 28.04(24)(b) and 28.09(3)(d)24. of the Madison General Ordinances to create design requirements for large retail establishments.
- Public Hearing Recessed. 17 registrants in support not wishing to speak; 7 registrants in support wishing to speak; 1 registrant in opposition not wishing to speak.*
- A motion was made by Ald. Golden, seconded by Ald. Van Rooy, to Rerefer to the COMMON COUNCIL, due back on March 29, 2005 (Adopt, Konkel/Webber: no action taken.) The motion passed by acclamation.**
8. [00428](#) SUBSTITUTE - Amending Section 28.04(25) of the Madison General Ordinances to provide for inclusionary dwelling units
- A motion was made by Council President Konkel, seconded by Ald. MacCubbin, to Rerefer to the PLAN COMMISSION. The motion passed by acclamation.**
- Public Hearing Recessed.*
- Rerefer for Recessed Public Hearing to the COMMON COUNCIL MTG. 2/22/2005**

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

9. [00117](#) One Fish, LLC
Agent: Charles Taylor
DBA: Blue Marlin Restaurant
101 N. Hamilton Street
Class B Comination Liquor & Beer
- Public Hearing Closed.*
- A motion was made by Council President Konkel, seconded by Ald. MacCubbin, to Grant. The motion passed by acclamation.**

10. [00118](#) Thomas G. Cooler, LLC
Agent: Thomas G. Cooler
DBA: Gaston's
2105 Sherman Avenue
Reserve Class B Combination Liquor & Beer
Public Hearing Closed. 1 registrant in support not wishing to speak.
- A motion was made by Council President Konkell, seconded by Ald. MacCubbin, to Grant. The motion passed by acclamation.**
11. [00121](#) Larry B's, Inc.
Agent: Timothy Kasmar-Ehlers
DBA: Larry B's
617 State Street
Class B Beer, Class C Wine
Non-Smoking Establishment
Public Hearing Closed.
- A motion was made by Council President Konkell, seconded by Ald. MacCubbin, to Grant. The motion passed by acclamation.**

REPORT OF PLAN COMMISSION

12. [00427](#) Creating Section 28.06(2)(a)3040 of the Madison General Ordinances rezoning property from Temp A Agriculture District to A Agriculture District, and creating Section 28.06(2)(a)3041 of the Madison General Ordinances rezoning property from Temp A Agriculture District to C Conservancy District, and creating Section 28.06(2)(a)3042 of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2T Single-Family Residence District, and creating Section 28.06(2)(a)3043 of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2Y Single-Family Residence District, and creating Section 28.06(2)(a)3044 of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2Z Single-Family Residence District. Proposed Use: Demolish Houses & Farm Buildings, Plat 261 Single Family Lots and 24 Outlots. 1st Ald. Dist., 8838 & 9102 Valley View Road.
Public Hearing Closed. 2 registrants in support not wishing to speak.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00020

13. [00432](#) SUBSTITUTE - Creating Section 28.06(2)(a)3045 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) 3046 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 Bank & Auto Repair Shop & Build 38 Residential Units, 600 Stall Parking Ramp and 70,000 Square Feet of Retail Space on Shopping Center Site 11th Ald. Dist. 702 North Midvale Boulevard.
- Public Hearing Closed. 1 registrant in support not wishing to speak, 2 registrants in support wishing to speak.*
- A motion was made by Ald. MacCubbin, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00021
14. [00017](#) Amending Section 28.03(2) of the Madison General Ordinances to change one of the requirements for an accessory building or use.
- Public Hearing Closed.*
- A motion was made by Council President Konkel, seconded by Ald. MacCubbin, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-05-00022
15. [00009](#) SUBSTITUTE - Creating Section 28.06(2)(a)3028 of the Madison General Ordinances rezoning property from C1 Limited Commercial District and R2 Single-Family Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish Commercial Buildings and Build 5-Story Mixed-Use Building with 12,000 Square Feet Commercial Space and 51 Condominium Units.10th Ald. Dist., 1802-1864 Monroe Street.
- 1 registrant in support not wishing to speak, 1 registrant in support wishing to speak, 1 registrant in opposition not wishing to speak.*
- A motion was made by Ald. Onken, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on February 22, 2005. The motion passed by acclamation.**

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

16. [00108](#) The Noodle Shop Co., Inc.
Agent: Wayne Kimmel
DBA: Noodles & Company
232 State Street
Class B Beer, Class C Wine
Request to completely renovate the premises
- A motion was made by Council President Konkel, seconded by Ald. Olson, to Grant. The motion passed by acclamation.**

17. [00109](#) Spices Restaurante, Inc.
Agent: Vincenzo Amodeo
DBA: Frida Mexican Grill
117 State Street
Class B Combination Liquor & Beer
Request to eliminate condition that restaurant close one hour before bar time.
A motion was made by Council President Konkell, seconded by Ald. Olson, to Grant. The motion passed by acclamation.
18. [00110](#) Woodman's Food Market, Inc.
Agent: Dale Martinson
DBA: Woodman's Food Market
711 S. Gammon Road
Class A Liquor, Class A Beer
Request to move liquor department into new expansion to allow more retail area for the store. Liquor store size will remain the same.
1 registrant in support not wishing to speak.
A motion was made by Council President Konkell, seconded by Ald. Olson, to Grant. The motion passed by acclamation.
19. [00125](#) The Noodle Shop Co, Inc.
Agent: Wayne Kimmell
DBA: Noodles & Company
7050 Mineral Point Road
Class B Beer, Class C Wine
Request to renovate premises
A motion was made by Council President Konkell, seconded by Ald. Olson, to Grant. The motion passed by acclamation.
20. [00111](#) Change of Agent
Imperial Palace, Ltd.
Old Agent: Bobby H. Lee
New Agent: Sean Lee
DBA: Bluefin (Capacity of 300)
1291 N. Sherman Avenue
Class B Combination Liquor & Beer
A motion was made by Council President Konkell, seconded by Ald. Olson, to Rerefer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.
21. [00112](#) Bridges Golf Course, LLC
Old Agent: James Thomas
New Agent: SuAnn Byrd
DBA: Bridges Golf Course
2702 Shopko Drive
Class B Combination Liquor & Beer
Request to Change Agent
A motion was made by Council President Konkell, seconded by Ald. Olson, to Grant. The motion passed by acclamation.

22. [00113](#) Creative Host Services, Inc.
Agent: Matthew Mlsna
DBA: Creative Croissants
4000 International Lane
Class B Combination Liquor & Beer
Application for Approval of Change of Corporate Control
A motion was made by Council President Konkell, seconded by Ald. Olson, to Grant. The motion passed by acclamation.
23. [00114](#) Las Palmas Group, LLC
Agent: Mary Belderas
DBA: Las Palmas
Old Location: 2105 Sherman Avenue
New Location: 2810 E. Washington Avenue
Class B Combination Liquor & Beer
Application for Transfer of License
A motion was made by Council President Konkell, seconded by Ald. Olson, to Grant. The motion passed by acclamation.
24. [00119](#) Robert E. Brunious, 38 Harding Street, Madison
A motion was made by Council President Konkell, seconded by Ald. Olson, to Place On File. The motion passed by acclamation.
25. [00120](#) Operator's License Application
Benjamin J. Swenson, 6218 Strathmore Lane, Madison
A motion was made by Council President Konkell, seconded by Ald. Olson, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.
26. [00445](#) Operator License Applications
A motion was made by Council President Konkell, seconded by Ald. Olson, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF ESTIMATES

27. [00037](#) Accepting grant monies in the amount of \$136,770 from WisDOT for the fabrication and installation of overhead, oversize street name signs at signalized intersections along arterial streets in Madison.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00090

28. [00241](#) Authorizing the City to enter into an agreement with Madison Parks Foundation, Inc., for the transfer of funds for the design and construction of the Goodman Pool.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00091
29. [00245](#) Authorizing the Mayor and City Clerk to execute an Intergovernmental Agreement Between Town of Blooming Grove and City of Madison regarding boundary changes and other urban growth and delivery of municipal services issues, pursuant to an approved cooperative plan under Sec. 66.0307, Wis. Stats.; authorizing participation in the preparation of the cooperative plan for public hearing and submittal to the Wisconsin Department of Administration for approval.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00087
30. [00260](#) Authorizing the City of Madison, through the Police Department to accept an award from the State of Wisconsin Office of Justice Assistance and amending the Police Department 2005 Operating Budget to allow for the hire of a 1.0 LTE - Police Info. Systems Coordinator 1 position.
- A motion was made by Council President Konkel, seconded by Ald. Onken, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00092
31. [00267](#) Approve the acceptance of a grant from the U. S. Department of Homeland Security, Federal Emergency Management Agency for \$400,000 for the Metropolitan Medical Response System (MMRS).
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00093
32. [00268](#) Authorizing the Mayor and City Clerk to sign a contract for monitoring and troubleshooting services for the City's Information Technology Network.
- A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00094

33. [00269](#) Authorizing the City Engineer to purchase 3.9 acres of wetland credits from Wisconsin Waterfowl Association, Inc. and amend the 2005 Stormwater Utility Capital Budget to increase general obligation borrowing by \$110,000.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 - Thomas
- Aye:** 19 - Benford, Brandon, Bruer, Compton, Ferrell, Golden, Heidt, Holtzman, King, Konkell, MacCubbin, Markle, Olson, Onken, Rosas, Skidmore, Van Rooy, Verveer and Webber
- No:** 0 -
- Enactment No:** RES-05-00095
34. [00333](#) FOURTH SUBSTITUTE RESOLUTION - Accepting an Offer to Sell from Friends Community Housing, Inc. for an eight-unit apartment building located at 4713-4717 Jenewein Road.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-05-00096
35. [00362](#) Report of Department of Revenue dated April 27, 2004 re: Limited Liability Corporations.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
36. [00363](#) SUBSTITUTE - Accepting the Energy Task Force Report entitled "Building a Green Capital City" and referring the recommendations contained in the report to the Mayor's Office for consideration in future budgets.
- 1 registrant in support wishing to speak.*
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- A motion was made by Ald. Holtzman, seconded by Ald. Compton, to Adopt an Amendment adding "Be it finally resolved that any expenditures be funded through savings generated" to the end of the Resolution. The motion failed by the following vote:**
- Excused:** 1 - Thomas
- Aye:** 10 - Bruer, Compton, Ferrell, Holtzman, Markle, Onken, Rosas, Van Rooy, Verveer and Webber
- No:** 9 - Benford, Brandon, Golden, Heidt, King, Konkell, MacCubbin, Olson and Skidmore
- Enactment No:** RES-05-00097

37. [00364](#) Accepting the Vision Document for the Allied Community as presented by the Mayor.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
38. [00365](#) Accepting an Offer to Sell from Whitson Swift Homes, Inc. for the acquisition of approximately 18 acres for the Northeast Open Space.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Rerefer to the BOARD OF ESTIMATES. The motion passed by acclamation.

REPORT OF BOARD OF PUBLIC WORKS

39. [00339](#) Approving plans and specifications for public improvements necessary for the project known as 1025-1027 Williamson Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2019.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00098
40. [00341](#) Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Village At Autumn Lake and authorizing construction to be undertaken by the Developer, Private Contract No. 1959.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00099
44. [00340](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for North Hamilton Street Apartments PUD, Private Contract No. 1879.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00100
41. [00342](#) Approving plans and specifications for public improvements required to serve Phase II of the Subdivision known as Village At Autumn Lake and authorizing construction to be undertaken by the Developer, Private Contract No. 2016.
A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00101

42. [00313](#) Approving plans and specifications for public improvements necessary for the Subdivision known as The American Center Plat Buttonwood Addition and authorizing construction to be undertaken by the Developer, Private Contract No. 2020.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00102
60. [00319](#) Ordering Property Owners to Remove and Replace Unsafe, Defective and Insufficient Sidewalk in the 10th Aldermanic District (Wards 65,66,67 &68), and 20th Aldermanic District (Wards 84 & 85).
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00103
43. [00314](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Lancaster Drive Certified Survey Map and authorizing construction to be undertaken by the Developer, Private Contract No. 2022.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00104
45. [00315](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Reston Heights - Phase V, Private Contract No. 1816.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00105
46. [00316](#) Accepting sanitary sewer constructed by Private Contract In Reston Heights - Phase V, Private Contract No. 1816.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00106
48. [00343](#) Improvements accepted for water main by Private Contract to serve Churchill Heights - Phase III.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00107

49. [00344](#) Improvements accepted for water main by Private Contract to serve Reston Heights - Phase V.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00108
50. [00345](#) Improvements accepted for water main by Private Contract to serve Reston Heights - Phase VI.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00109
51. [00346](#) Improvements accepted for water main by Private Contract to serve Reston Heights - Phase VIII.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00110
52. [00347](#) Improvements accepted for water main by Private Contract to serve Troy Court.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00111
53. [00348](#) IMPROVEMENTS ACCEPTED for a Tenney Park Light Pole Base Installation. Contract No. 5786.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00112
54. [00349](#) IMPROVEMENTS ACCEPTED for a Marshall Boat Launch Dredging 2003. Contract No. 5560.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00113
55. [00350](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks, Local Streets - 2005, Contract No. 5800.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00114

56. [00351](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks, Major Streets - 2005, Contract No. 5801.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00115
57. [00352](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Allied Drive connector bike path.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00116
58. [00353](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Work Ordered by the Common Council.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00117
59. [00354](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Work Installed At the Request of the Property Owner.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00118
47. [00317](#) Accepting storm sewer constructed by private contract in Reston Heights - Phase V, Private Contract No. 1816.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00119
61. [00355](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Park Paving - 2005, Contract No. 5794.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00120

62. [00356](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Olin Landfill LFG Collection System Extension - 2005, Contract No. 5834.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00121
63. [00357](#) Approving a Minimum Rate of Wage Scale to be paid by Contractors to the Employees on any Project of Public Works for the City of Madison.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00122
64. [00358](#) Authorizing the Mayor and City Clerk to execute an amendment to the present agreement between The City of Madison and Ayres and Associates, and Amending the 2005 Capital Budget to allow for completion of the Digital Terrain Model Project.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00123
65. [00359](#) Approving plans and specifications for Railroad Street Reconstruction Assessment District - 2004.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00124

REPORT OF BOARD OF PUBLIC WORKS - BIDS

66. [00360](#) AWARDING PUBLIC WORKS CONTRACT NO. 5795, WARNER PARK ASPHALT REPAIR - 2005.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00125

REPORT OF CITY ATTORNEY

67. [00424](#) SUBSTITUTE - To establish and execute a fair and participatory process for deciding whether or not and ~~for~~ how to restrict the flow of motorized vehicular traffic on Edgewood Drive, a remnant of the Park and Pleasure Drive system. The process includes public information, citizen participation, attorney analysis, traffic engineering analysis, consultation with the Edgewood schools and the other abutting property owner and, finally, consideration by the Common Council of any restrictions recommended by the Board of Park Commissioners.
- The City Attorney submitted this item on their report, however, the Board of Park Commissioners is the lead referral & will include this report with their final report to the Common Council.*
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF PARK COMMISSIONERS. The motion passed by acclamation.**
- Refer to the Engineering Division**
68. [00425](#) Communication dated November 3, 2004 from D. Kiesel, 229 Dunning St., Madison re: challenging the wording of the pool referendum on the 2004 Presidential election ballots.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**
69. [00407](#) NOTICE OF CLAIM - Whyte Hirschboeck Dudek, S.C., attorney for Main Street Coalition for Economic Growth, Inc. - minimum wage ordinance suit - amount to be determined.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.**

REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

70. [00007](#) Creating Subsection (175) of Section 12.1334 entitled "Parking Prohibited Except Temporarily While Attended by Operator" of the Madison General Ordinances, portion of Rugby Row.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: ORD-05-00023**
71. [00008](#) Creating Subsection (156) of Section 12.53 entitled "Through Streets" of the Madison General Ordinances, portion of Junction Road.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: ORD-05-00024**

72. [00010](#) Creating Subsection (176) of Section 12.1334 entitled "Parking Prohibited Except Temporarily While Attended by Operator" of the Madison General Ordinances, portion of Virginia Terrace.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00025
73. [00012](#) Creating Paragraph 74. of Subsection (1) of Section 12.89 entitled "Heavy Traffic Routes" of the Madison General Ordinances, portion of Zeier Road.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00026
74. [00013](#) Creating Subsection (157) of Section 12.53 entitled "Through Streets" of the Madison General Ordinances, portion of Pleasant View Road.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00027
75. [00014](#) Creating Paragraph 75. of Subsection (1) of Section 12.89 entitled "Heavy Traffic Routes" of the Madison General Ordinances, portion of Thierer Road.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00028
76. [00015](#) Amending Subsection (561) of Section 12.132 entitled "Parking Prohibited At All Times" of the Madison General Ordinances, portion of Tree Lane.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00029
77. [00035](#) Amending Subsection (548) of Section 12.132 entitled "Parking Prohibited At All Times" of the Madison General Ordinances, portion of Commercial Avenue.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00030
78. [00033](#) Creating Subsection (177) of Section 12.1334 entitled "Parking Prohibited Except Temporarily While Attended by Operator" of the Madison General Ordinances, portion of Rethke Avenue.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00031

REPORT OF PLAN COMMISSION

79. [00337](#) Adopting the Allied-Dunn's Marsh-Belmar Neighborhood's Physical Improvement Plan. 10th Ald. Dist.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the PLAN COMMISSION, due back on May 3, 2005. The motion passed by acclamation.**
- Refer to the BOARD OF ESTIMATES**
- Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**
- Refer to the TRANSIT AND PARKING COMMISSION**
- Refer to the LONG RANGE TRANSPORTATION PLANNING COMMISSION**
80. [00129](#) Petition dated December 28, 2004 from Starkweather Square, LLC re: direct annexation from the Town of Blooming Grove to the City of Madison.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**
81. [00107](#) SUBSTITUTE - Creating Section 15.01(542) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to 3rd Aldermanic District the Milwaukee Street-Starkweather Square annexation and assigning a temporary zoning classification of A Agriculture District, and repealing and recreating Section 15.02(5) of the Madison General Ordinances to add the annexed property to Ward 5.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: ORD-05-00032**
82. [00200](#) Amending a Deed Restriction for property located at 2202-2110 West Broadway.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: RES-05-00126**
83. [00361](#) Approving a Certified Survey Map of property owned by McKy-North Partnership, LLC and Rick and Julie McKy at 5371, 5375 and 5379 Park Way. Aldermanic District 19.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: RES-05-00127**
84. [00440](#) Approving the preliminary plat/final plat of "Linden Park" located at 8838-9102 Valley View Road - Aldermanic District 1.
- A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No: RES-05-00128**

REPORT OF PUBLIC HEALTH COMMISSION

85. [00003](#) Amending Section 12.129(2) of the Madison General Ordinances to modify the restriction against idling a motor bus on a highway abutting a residential zoned district.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the PUBLIC HEALTH COMMISSION. The motion passed by acclamation.
86. [00036](#) SUBSTITUTE - Amending Sections 7.01 and 7.02 to dissolve the Public Health Commission and create a Board of Health for Madison and Dane County and Director and amending Sections 3.09(2), 3.73(2), 7.07(8)(d), 7.08(14), 7.15(5), 7.44(1)(d), 7.47(10), 7.52(3), 7.53(3), 23.18(3), and 25.22(2), (3)(a), (8) and (9) to update references to the Public Health Commission, effective upon execution of the Intergovernmental Agreement between the City of Madison and Dane County for Public Health Services and appointment of the Board and Director.
EXHIBIT X
1 registrant in support wishing to speak.
A motion was made by Council President Konkell, seconded by Ald. Onken, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00033
87. [00368](#) Approving an intergovernmental agreement between the City of Madison and Dane County, to govern the first phase of the merger of the health agencies of the City and the County.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00129

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: Items 93, 109, and 110.

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.

REPORT OF RISK MANAGER

88. [00281](#) T. Laufenberg, 4513 Gordon Ave., Madison - vehicle damage - amount to be determined.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.
89. [00282](#) Hausmann-Johnson Insurance for F. Ryan, 2914 Grandview Blvd., Madison - vehicle damage - \$699.68.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Deny. The motion passed by acclamation.

REFERRED TO THIS MEETING

APPOINTMENTS

90. [00249](#) Citizen Committee Appointments dated January 18, 2005.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.

ORDINANCES

91. [00093](#) SUBSTITUTE - Amending Sections 7.48(6) and (7) of the Madison General Ordinances to recognize the corresponding County ordinance pertaining to fertilizer containing phosphorus, to incorporate County provisions for consistency, and to clarify that there are no conflicts between the ordinance and federally approved label instructions.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00034
92. [00251](#) Adopting and confirming Revision 249 of the Madison General Ordinances as of December 15, 2004 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: ORD-05-00035

RESOLUTIONS

93. [00330](#) SUBSTITUTE - In support of janitors organizing to improve their lives.
7 Registrants in support not wishing to speak; 3 Appearances in support.
A motion was made by Council President Konkell, seconded by Ald. Bruer, to Adopt. The motion passed by acclamation.
Enactment No: RES-05-00130

NEW BUSINESS

94. [00239](#) Creating Section 15.01(543) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to 10th Aldermanic District the Seminole Highway Area attachment, and repealing and recreating Section 15.02(59) of the Madison General Ordinances to add the attached property to Ward 59.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL, due back on February 22, 2005. The motion passed by acclamation.

95. [00318](#) Permitting the CDBG/HOME funds previously approved to assist Goodwill Industries acquire a property on Old Middleton Road be transferred to a single purpose non-profit corporation called Old Middleton Road Apartments, Inc., in order to receive HUD Section 811 funds and continue to address City Community and Neighborhood Development Objectives.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES, due back on February 22, 2005. The motion passed by acclamation.**
96. [00335](#) Conditionally accepting the Proposal from Statehouse West, LLC for a Mid-State Street Parking and Mixed-Use Facility, authorizing staff to negotiate the terms of the disposition of the Buckeye Lot, and for staff to submit to the Common Council the terms and conditions of any sale or redevelopment, and authorizing the Parking Utility to release a Request for Proposals for architectural and design services for an underground short-term parking facility to replace the existing Buckeye Lot.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.**
- Refer to the TRANSIT AND PARKING COMMISSION**
- Refer to the COMMUNITY DEVELOPMENT AUTHORITY**
- Refer to the BOARD OF PARK COMMISSIONERS**
97. [00371](#) That the positions (#1092, #1150, and #1132) of Administrative Clerk 1 in Compensation Group 20, Range 09, (occupied by M. Hacker, J. Sarette, and C. Hemerway) in the permanent salary detail of the Engineering Division budget are repealed and recreated as a position of Program Assistant 1 and two positions of Administrative Clerk 2, respectively, in Compensation Group 20, Range 11, thereof, and that the incumbents shall be reallocated to said positions.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the PERSONNEL BOARD. The motion passed by acclamation.**
- Refer to the BOARD OF ESTIMATES**
98. [00373](#) That the position of (#3563) of Construction Inspector 1 in Compensation Group 15, Range 09, (occupied by B. Schotthauer) in the permanent salary detail of the Engineering Division budget is repealed and recreated as a position of Construction Inspector 2 in Compensation Group 15, Range 11, thereof, and that the incumbent shall be reallocated to said position.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the PERSONNEL BOARD. The motion passed by acclamation.**
- Refer to the BOARD OF ESTIMATES**
99. [00374](#) That the vacant position (#3232) of Public Works Foreperson, in Compensation Group 18, Range 05, in the permanent salary detail of the Water Utility budget is repealed and recreated as a Public Works Leadworker in Compensation Group 16, Range 12, thereof.
- A motion was made by Council President Konkol, seconded by Ald. Verveer, to Refer to the PERSONNEL BOARD. The motion passed by acclamation.**

Refer to the BOARD OF ESTIMATES

100. [00405](#) Creating Section 28.06(2)(a)3064 of the Madison General Ordinances rezoning property from C2 General Commercial District to C3 Highway Commercial District. Proposed Use: Future Commercial Development. 17th Ald. Dist., 5401 and 5425 High Crossing Boulevard.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer For Public Hearing to the COMMON COUNCIL, due back on March 29, 2005. The motion passed by acclamation.

Refer For Public Hearing to the PLAN COMMISSION

Refer to the Zoning Administration

101. [00417](#) Amending Section 10.085(4)(c) to increase the threshold for the required lighting on a residential site to one with three or more parking spaces.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the COMMISSION ON THE ENVIRONMENT. The motion passed by acclamation.

102. [00420](#) Authorizing and providing for the sale and issuance of \$3,595,000 Water Utility Mortgage Revenue Refunding Bonds, Series 2005A, and all related details.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.

Refer to the BOARD OF WATER COMMISSIONERS

Fiscal Note Required / Approval to the Comptroller's Office/Approval Group

103. [00422](#) Authorizing the Mayor and City Clerk to sign an Agreement with Catholic Charities, Inc. Diocese of Madison.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.

Refer to the Assessor's Office

104. [00429](#) Accepting \$10,000 from the Downtown Madison Kiwanis Club and thanking them for their support for early childhood education.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the COMMON COUNCIL, due back on February 22, 2005. The motion passed by acclamation.

105. [00430](#) Authorizing the Transit General Manager to prepare and file an application for a Reverse Commute grant with Wisconsin Department of Transportation in connection with proposed commuter service to the City of Verona, and authorizing the Mayor to sign the application.

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

Refer to the BOARD OF ESTIMATES

106. [00435](#) Authorizing the execution of an Underground Gas and Electric Easement to Madison Gas and Electric Company within an existing City Sanitary Sewer Easement located at 5030 Lake Mendota Drive.

A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by acclamation.

Refer to the PLAN COMMISSION

107. [00436](#) Revising a December 14, 2004 resolution that altered the repayment terms from three existing CDBG Loans totaling \$970,000 to Genesis Development Corporation to permit a refinancing with New Market Tax Credits, and authorizing the Mayor and the City Clerk to sign agreements to effect such a change through the Dane Fund and an entity qualifying under the NMTC laws.

A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.

Refer to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

108. [00437](#) Authorizing the carry-over of CDBG, HOME and other funds, and the extension of previously authorized projects within the CDBG program budget.

A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the BOARD OF ESTIMATES. The motion passed by acclamation.

Refer to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

LATE ITEM(S)**REPORTS OF OFFICER****REPORT OF BOARD OF ESTIMATES AND PLAN COMMISSION**

109. [00290](#) AMENDED SUBSTITUTE - Accepting an Offer to Purchase from Gorman & Company, Inc. for the purchase of a City-owned property located at 4629 Verona Road (the former Super Saver site) for the development of a rental housing project.

2 Registrants in support not wishing to speak; 4 Registrants in opposition not wishing to speak. 2 Appearances in support; 5 Appearances in opposition.

A motion was made by Ald. King, seconded by Ald. Brandon, to Suspend the Rules to allow speaker one additional minute. The motion carried by acclamation.

A motion was made by Council President Konkell, seconded by Ald. Verveer, to Suspend the Rules to take item out of order. The motion carried by acclamation.

A motion was made by Council President Konkell, seconded by Ald. Onken, to Table. The motion passed by acclamation.

A motion was made by Council President Konkell, seconded by Ald. Verveer, to take a 20-minute recess at 8:50 p.m. The motion carried by acclamation.

Roll Call at 9:10 p.m., Mayor Cieslewicz in the chair.

Present: Benford, Ferrell, Brandon, Onken, Bruer, Compton, Golden, Holtzman, Konkel, King, MacCubbin, Olson, Heidt, Onken, Markle, Rosas, Skidmore, Van Rooy, Verveer, Webber and Mayor Cieslewicz

Excused: Thomas

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Take Off The Table. The motion passed by acclamation.

A motion was made by Council President Konkel, seconded by Ald. Golden, to add Attachment B to the "Area Median Income" and add the following language to section 6 after "The Buyer and City shall...mixed income retail housing development on the Property that will provide": "at a minimum, the levels of affordability as noted in Attachment B." The motion carried by acclamation.

A motion was made by Council President Konkel, seconded by Ald. Bruer, to add the following language to the Resolution: "BE IT STILL FURTHER RESOLVED that the Buyer dedicates sufficient land on the Property for a daycare facility for approximately 80-85 children ranging in age from infant to four years of age with approximately 50% of the openings targeted to the Allied Neighborhood." The motion carried by acclamation.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to adopt an amendment adding the following language to the Resolution: "BE IT FURTHER RESOLVED, that the City finds it necessary and appropriate to make an exception to TIF Policy for this project by providing 250% of the present value of the project's increment as a write-down to the Buyer in order to assist a development project which will provide a day care center site and affordable rental housing units, a portion of which will be made available at less than 40% Area Median Income in an economically challenged and geographically isolated neighborhood." The motion carried by acclamation.

A motion was made by Council President Konkel, seconded by Ald. Onken, to adopt an amendment changing "BE IT STILL FURTHER RESOLVED that the City and the Buyer agree to continue discussions..." to read "BE IT STILL FURTHER RESOLVED that the City and the Buyer agree to continue discussion with Allied residents but is not obligated to agree to the provision of units for residents who may have a poor credit rating or criminal background, to provide employment opportunities to Allied residents, contributing to the development of the daycare building, funding and an endowment for the Allied Drive area, developing a plan to give current Allied Drive residents a priority for new affordable housing and providing seminars on cultural sensitivity and job fairs and that the City will commit to exhaust all measures to work with Gorman and the neighborhood association to accomplish discussion and possible implementation of these elements in a memorandum of understanding. The Buyer agrees to make a good faith effort to develop a written memorandum of understanding with the neighborhood association on these issues and report back to the Common Council and the Allied Drive area task force on or before the closing date of July 15, 2005." The motion carried by acclamation.

A motion was made by Ald. Markle to add the following language to the previous amendment: "The buyer shall target 20% EBE contractors and develop an employment recruitment plan to recruit neighborhood residents." No action taken.

A motion was made by Ald. Golden, seconded by Ald. Onken, to Adopt an amendment adding the following language to the Resolution: "BE IT FURTHER RESOLVED that the city shall use \$300,000 of the \$560,000 paid by the buyer in cash to be used as matching funds to be paid toward the construction of the childcare center for which land was dedicated." The motion passed by the following vote:

Excused: 1 - Thomas

Aye: 18 - Benford, Ferrell, Brandon, Onken, Bruer, Golden, Holtzman, Konkell, King, MacCubbin, Olson, Heidt, Markle, Rosas, Skidmore, Van Rooy, Verveer and Webber

No: 1 - Compton

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Golden, seconded by Ald. Bruer, to add the following language to the Resolution: "The city shall commit up to \$10,000 in funds from the Allied and Emerging Neighborhood Fund to finance the work of the taskforce. Commitment of funds shall be subject to approval of a work plan by the Mayor." The motion carried by acclamation.

A motion was made by Council President Konkell, seconded by Ald. Golden, to Adopt. The motion passed by acclamation.

Enactment No: RES-05-00086

REFERRED TO THIS MEETING

110. [00079](#) Applicant to Appear to Answer Allegations in the Complaint
Imperial Palace, Ltd.
Agent: Bobby H. Lee
DBA: Bluefin
1291 N. Sherman Avenue
Class B Combination Liquor & Beer

A motion was made by Council President Konkell, seconded by Ald. Olson, to Place On File. The motion passed by acclamation.

CLAIMS - REFER TO RISK MANAGER

111. [00452](#) B. Wagner, 5 S. Allen St. # 2, Madison - vehicle damage - \$898.56.

A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.

112. [00453](#) G. Thompson, 3705 Goodland Dr., Madison - vehicle damage - \$733.66.

A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.

113. [00454](#) NOTICE OF CLAIM - K. Senke for Wisconsin Management Co. - monetary relief in connection with a lease entered into under the Section 8 Tenant-Based Assistance Housing Choice Voucher Program - \$7,714.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
114. [00455](#) Housing Initiatives, Inc. - lien of any money, bond, or warrants due or to become due to Gilbert Construction Corporation - \$1,334.76.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
115. [00456](#) J. Bergman, W8772 U.S. Hwy. 10, Ellsworth - vehicle damage - \$877.41.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
116. [00457](#) A.J. Matkom, 7425 Welton Dr., Madison - property damage - \$225.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
117. [00458](#) K. Williams-Schmaltz, 4601 Maher Ave., Madison - property damage/property loss - \$3,036.41.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
118. [00459](#) A. & C. Moore, 826 Gannon Ave., Madison - property damage/property loss, \$7,213.40.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
119. [00460](#) P. & J. Prusaitis, 4513 Maher Ave., Madison - property damage/property loss - \$1,651.68.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
120. [00461](#) Hausmann-Johnson Insurance for T. Dolphin, 3302 Olson Rd., Dodgeville - vehicle damage - \$1,652.42.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
121. [00462](#) E. Hardiman, N7567 Island Dr., Pardeeville - vehicle damage - \$437.67.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.

122. [00463](#) T. & M. Thies, 4525 Camden Rd., Madison - property damage/property loss - \$3,000.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
123. [00464](#) L. Kinkade, 319 E. Verleen Ave., Madison - vehicle damage - \$341.29.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.
124. [00465](#) NOTICE OF CLAIM - Michael F. Hupy & Associates, S.C. for G. Gohedotte, P.O. Box 3413, Madison - past/future medical expenses, loss of earning capacity, pain and suffering - \$250,000.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Risk Manager. The motion passed by acclamation.

CLAIMS - REFER TO CITY ATTORNEY

125. [00466](#) Brennan, Steil & Basting, S.C., attorney for Lamar Advertising Company, 5551 Corporate Blvd., Baton Rouge, LA - excessive assessment - \$31,845.15.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.
126. [00467](#) Michael, Best & Friedrich, LLP, attorney for American Family Insurance, 6000 American Pkwy., 6102 American Pkwy., 6152 American Pkwy., Madison - excessive assessment - \$1,750,000.00 plus interest.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.
127. [00468](#) Brennan, Steil, & Basting, S.C., attorney for Adams Outdoor Advertising, 102 E. Badger Road, Madison - excessive assessment - \$4,192,716.00.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.
128. [00469](#) Reinhart, Boerner, Van Deuren, S.C., attorney for United Rentals #0939, 1018 Ann Street, Madison - unlawful taxation - \$54,543.72.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.
129. [00470](#) Reinhart, Boerner, Van Deuren, S.C., attorney for Attic Angel Prairie Point, Inc. properties located at: 517 Samuel Dr., 437 Samuel Dr., 8601 Blackwolf Dr., 502 Samuel Dr., 8602 Wood Violet Way, 406 Samuel Dr., 327 Samuel Dr., 401 Wild Indigo Way, - unlawful taxation - \$108,443.71.
A motion was made by Council President Konkell, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.

130. [00471](#) Michael, Best & Friedrich, LLP, attorney for Walgreen Co., 2909 E. Washington Ave. & 3710 E. Washington Ave., Madison - excessive assessment - \$93,063.56.

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Refer to the Attorney's Office. The motion passed by acclamation.

INTRODUCED FROM THE FLOOR

- [00334](#) Approving plans, specifications, and schedule of assessments for State Street & Adjacent Streets Reconstruction Assessment District (2005) and Authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for engineering and construction cost sharing.

A motion was made by Ald. Verveer, seconded by Council President Konkel, to Refer For Public Hearing to the COMMON COUNCIL, due back on February 22, 2005. The motion passed by acclamation.

ADJOURNMENT

A motion was made by Council President Konkel, seconded by Ald. Verveer, to Adjourn at 10:34 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 9th of February, 2005.

Ordinances published February 24th, 2005.

RAY FISHER, CITY CLERK