



City of Madison

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

Agenda - Approved COMMON COUNCIL

Tuesday, October 16, 2007

6:30 PM

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

SPEAKING GUIDELINES

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

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

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

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

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

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

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

The consent agenda will be considered following Public Hearings.

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

Roll Call at 6:32 p.m., Ald. Mike Verveer in the Chair.

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.

PETITIONS AND COMMUNICATIONS

None received by the agenda deadline.

BUSINESS BY THE MAYOR

1. [07729](#) Report of the Mayor submitting Alder committee appointments.
2. [07744](#) Report of the Mayor submitting citizen committee appointments (introduced 10-16-2007; action 11-6-2007).

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF PLAN COMMISSION**

Begins at the top of the next page.

3. [07228](#) Creating Section 28.06(2)(a)3284. of the Madison General Ordinances rezoning property from Temp A Agriculture to M1 Limited Manufacturing District and creating Section 28.06(2)(a)3285. of the Madison General Ordinances rezoning property from Temp A Agriculture to W Wetlands District; Proposed Use: Demolish Single-Family Home & Construct Multi-Tenant Industrial Building; 16th Aldermanic District: 5402 Voges Road

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF ESTIMATES

- 4. [07639](#) 2008 Executive Operating Budget and Amendments.

REPORT OF BOARD OF PUBLIC WORKS

- 5. [07570](#) Approving plans, specifications and schedule of assessments for streetlights - Reston Heights. (3rd AD)

REPORT OF PLAN COMMISSION

6. [07316](#) Creating Section 28.06(2)(a)3292. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District and W Wetland District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3293. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Construct 12-Unit Townhouse Building; 7th Aldermanic District: 6733 Fairhaven Road.

7. [07317](#) Creating Section 28.06(2)(a)3294. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3295. 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: Add Additional Unit in Multi-Family Residential Building; 4th Aldermanic District: 430 West Dayton Street.

END OF PUBLIC HEARINGS

At this time, the balance of the agenda which has not been acted upon will be moved with the recommended action listed for each items EXCEPT #'s: 12 & 48 on a motion made by Ald. Bruer, seconded by Ald. Brandon.

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

REPORTS OF OFFICERS**REPORT OF AFFIRMATIVE ACTION COMMISSION**

8. [07373](#) Amending 39.02(9)(a)3. to make the Affirmative Action requirements consistent for subdivision improvement contracts and similar contracts for the construction of public improvements that will be accepted by the city, and creating 39.02(9)(a)2.i. and amending 39.02(9)(b) to clarify the affirmative action and nondiscrimination contract requirements for contracts with state and federal governments, and exempting written employment contracts from the Affirmative Action provisions.

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

9. [07728](#) Alcohol License Review Committee Report of Operator License Applications October 16, 2007. See attached report for list of operators.

REPORT OF BOARD OF BUILDING CODE, FIRE CODE, AND LICENSING APPEALS

Begins at the top of the next page.

10. [07159](#) Amending Section 1.08(4) of the Madison General Ordinances to allow the Director of the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development, or designee, to issue citations for violations of the City's Noise Control Regulation Ordinance, Section 24.08 of the Madison General Ordinances.

REPORT OF BOARD OF ESTIMATES

11. [07354](#) Amending the policy for collection of refuse from nonresidential properties and establishing an annual per cart collection fee for properties using more than four carts.
12. [07522](#) Dissolving Tax Incremental District (TID) #24 (Southeast Industrial).

NOTE: THE ECONOMIC DEVELOPMENT COMMISSION HAS NOT MADE A FINAL RECOMMENDATION.

13. [07523](#) Dissolving Tax Incremental District (TID) #28 (Bassett Neighborhood).
14. [07544](#) That the position (#3892) of Zoning Code Enforcement Officer 1 in Compensation Group 16, Range 13, (occupied by J. Kirchgatter) in the permanent salary detail of the Inspection Unit budget is repealed and recreated as a position of Zoning Code Enforcement Officer 2 in Compensation Group 16, Range16, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
15. [07546](#) That the 0.65 FTE position (#3919) of Clerk Typist 2 in Compensation Group 20, Range 06, (occupied by J. McClain) in the permanent salary detail of the Overture Center budget is repealed and recreated as a 0.65 FTE position of Administrative Clerk 1 in Compensation Group 20, Range 09, thereof. Be it further resolved that the incumbent shall be reallocated to said position.

16. [07547](#) That the 0.80 FTE position (#438) of Librarian 2 in Compensation Group 33, Range 02, (occupied by T. Elias) in the permanent salary detail of the Madison Public Library budget is repealed and recreated as a 0.80 FTE position of Librarian 3 in Compensation Group 33, Range 03, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
17. [07564](#) Approving Facade Improvement Grant to: 12 South Carroll Street (Fromagination).
18. [07587](#) That the vacant position (#2582) of Automotive Service worker in Compensation Group 16, Range 08, in the permanent salary detail of the Police Department budget is repealed and recreated as a position of Police Property Clerk in Compensation Group 16, Range 07, thereof.
19. [07592](#) Approving the settlement of all issues arising out of an arbitration between the City of Madison and the Building and Construction Trades Council of South Central Wisconsin.

REPORT OF BOARD OF PARK COMMISSIONERS

20. [06568](#) Authorizing the Mayor and City Clerk to enter into an Amendment to the Agreement between the City and Organizacion Latina De Futbol, Inc. to require Organizacion Latina to schedule and designate a field marshal for Elver Park fields #3 and #4.

REPORT OF BOARD OF PUBLIC WORKS

21. [07323](#) Amending the Master List of Street Names and Designations and amending the City Engineer's Street Numbering Map, referred to in Sections 10.34(1) and 10.35, Madison General Ordinances: Changing the existing name of Yesterday Drive to Eagle Summit Court from Owl Creek Drive to the point of intersection with a line between the Northeast corner of Lot 22 and the Southeast corner of Lot 31, Madison Commerce Park. (16th AD)
22. [07351](#) Authorizing the Mayor and the City Clerk to execute a release of the platted public utility easement reserved along the lot line dividing Lots 239 and 240, First Addition to Reston Heights.
23. [07368](#) Authorizing the Mayor and City Clerk to execute a lease with the Perry J. Schappe Revocable Trust, the owner of property located at 819 East Washington Avenue, to accommodate the existing air space encroachment of a building canopy into the East Washington Avenue public right of way.
24. [07497](#) Improvements accepted for Drinking Fountains - 2005, Contract No. 5772. (Various ADs)
25. [07520](#) Declaring the City of Madison's intention to exercise its police powers establishing the Schroeder Road Sidewalk Assessment District - 2007. (1st AD)
26. [07521](#) Improvements Accepted for Street Tree Installation- 2007 Contract #6050.(Various ADs)
27. [07568](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Southern Ridge. (1st AD)
28. [07594](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on State Street. (4th AD)
29. [07604](#) Improvements accepted for John Nolen Drive Service Road Extension Assessment District - 2002, Contract No. 5398. (14th AD)
30. [07605](#) Approving plans and specifications for public improvements necessary for the project known as 8001 Raymond Road PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2176. (7th AD)
31. [07606](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Hawks Ridge and authorizing construction to be undertaken by the Developer, Private Contract No. 2129. (1st AD)
32. [07608](#) Authorizing an Amendment No. 4 to the contract between the City of Madison and Potter Lawson, Inc., in the amount of \$11,458 for additional architectural and engineering design services for the City-County Building & Madison Municipal Building Tenant Improvements. (6th AD)
33. [07610](#) Improvements accepted for Restoration/Landscaping - 2005, Contract No. 5826. (Various ADs)

34. [07616](#) Awarding Public Works Contract No. 6028, Starkweather Creek Improvements and Clyde Gallagher Avenue Reconstruction - 2007.
35. [07617](#) Awarding Public Works Contract No. 6058, Kettle Pond Dredging.
36. [07619](#) Awarding Public Works Contract No. 6083, Fire Sprinkler Installation @ Fire Stations 1, 5, & 6.
37. [07621](#) Awarding Public Works Contract No. 6092, CDS Device Installation - Erin Street Outfall & Starker Avenue.
38. [07637](#) Improvements accepted for Local Road Traffic Calming & Arterial Pedestrian Enhancement - 2005, Contract No. 5814. (Various ADs)
39. [07644](#) To establish assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived). (Various ADs)

REPORT OF COMMUNITY AND ECONOMIC DEVELOPMENT UNIT

40. [07689](#) Report of the Community Development Authority of the City of Madison, Wisconsin re: WID/MIR Redevelopment Plan.

REPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

41. [07623](#) SUBSTITUTE - Authorizing the subordination of a previously approved loan to Wexford Ridge Neighborhood Center to a first mortgage holder during the period of construction and authorizing the Mayor and City Clerk to sign agreements to effect such a change.

REPORT OF DOWNTOWN COORDINATING COMMITTEE

42. [07559](#) To approve the 2008 Operating Plan for Madison's Central Business Improvement District (#1).

REPORT OF PLAN COMMISSION

Begins at the top of the next page.

43. [07601](#) Approving the preliminary plat of "Edge of Madison" located at 4216 Jerome Street. 15th Ald. Dist.
44. [07602](#) Approving Certified Survey Map of the Matthew E. Lund property located at 5306 Raymond Road. 20th Ald. Dist.

REPORT OF RISK MANAGER

45. [07531](#) B. Nelson, 933 Waban Hill, Madison - vehicle damage - \$1,000.00.

REFERRED TO THIS MEETING**APPOINTMENTS**

46. [07625](#) Report of the Mayor submitting citizen committee appointments (introduced 10-2-2007; action 10-16-2007).

ORDINANCES

47. [07609](#) Adopting and confirming Revision 260 of the Madison General Ordinances as of September 15, 2007 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.
48. [07715](#) Repealing Section 2.38(2) of the Madison General Ordinances to remove the deadline requirements by which the Common Council must take action on a recommendation to confirm the appointment of a City employee.

RESOLUTIONS

49. [07220](#) SUBSTITUTE - Amending the 2007 Operating Budget to appropriate \$100,000 from Contingent Reserve for Citywide Neighborhood Safety Initiatives.
50. [07665](#) Urging passage of the Wisconsin State Senate version of the State Biennial Budget.

NEW BUSINESS**ORDINANCES**

51. [07651](#) Amending Sections 31.05(2)(b) and 31.11 of the Madison General Ordinances to remove the prohibition on relocating or replacing advertising street graphics.
52. [07730](#) Amending Section 28.06(1)(h) and creating Sections 28.107(12), (14), (15), and (16) of the Madison General Ordinances to establish Wellhead Protection Districts Nos. 6, 12, 18 and 24.
53. [07732](#) Amending Sections 28.11(3)(k) of the Madison General Ordinances to cap the number of parking spaces at one space for each two hundred fifty (250) square feet of gross floor area for certain uses and amending Section 28.08(2)(c)5., creating Sections 28.08(5)(c)16., (6)(c)14., (7)(c)14., (8)(c)3., and (11)(c)15., 28.085(2)(c)5. and (5)(c)6., amending Section 28.09(2)(c)8., creating Section 28.09(5)(c)22., amending Section 28.10(4)(d)11., and creating Sections 28.10(4)(d)33. and (6)(d)8. of the Madison General Ordinances to create a conditional use for exceeding the maximum number of parking spaces.
54. [07734](#) Creating Sections 27.05(2)(aa), (bb), (cc), and (dd) and Section 29.20(21) of the Madison General Ordinances to require bulbs with an energy efficiency of at least thirty (30) lumens in some common areas and dwelling units in residential buildings.
55. [07735](#) Creating Section 28.06(2)(a)3317. of the Madison General Ordinances rezoning property from A Agriculture, R2 Single-Family Residence District, R3 Single-Family and Two-Family Residence District and R4 General Residence District to R2 Single-Family Residence District; Proposed Use: 9 Residential Lots & 2 Institutional Lots; 3rd Aldermanic District: 651 South Sprecher Road.
56. [07736](#) Creating Section 28.06(2)(a)3318. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3319. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District; Proposed Use: Demolish 2 Houses to Construct 14-Story, 162-Unit Apartment Building; 8th Aldermanic District: 1022 West Johnson Street.
57. [07738](#) Creating Section 28.06(2)(a)3320. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3321. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit

Development Plan (Specific Implementation Plan) District; Proposed Use: Construction of 124-Unit Apartment Building; 9th Aldermanic District: 639 Pleasant View Road.

RESOLUTIONS

58. [07643](#) Declaring November 11-17, 2007 as Voter Registration Week in the City of Madison.
59. [07690](#) Authorizing the Common Council to accept ownership from Hiestand Neighborhood Association of a neighborhood entrance sign to be located within a public greenway at 402 Swanton Road.
60. [07696](#) Requiring non-represented employees in Compensation Groups 18, 19, 21, and 44 to make a co-payment for health insurance coverage for 2008.
61. [07717](#) Authorizing Public Health-Madison and Dane County to accept a grant from the National Association for County and City Health Organizations for community-based preparedness.
62. [07741](#) Authorizing a lease agreement with Bock Water Heaters, Inc. for the use of a portion of the City's East Rail Corridor property adjacent to Bock's property located at 110 South Dickinson Street.
63. [07742](#) Transferring debt proceeds among several projects in Engineering-Major Streets, Engineering-Other, Sewer Utility and the Stormwater Utility and amending the 2007 and 2008 Capital Budgets.
64. [07747](#) Approving plans and specifications for the reconstruction of the Lien Road Underpass of I-39/90/94 and authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for reconstruction and cost sharing of the Lien Road Underpass of I-39/90/94. (17th AD)
65. [07748](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction of sidewalk within the property at 6102 Schroeder Road related to Sidewalk and Curb & Gutter, Citywide Installation and Repair-2007-Engineering Project No. 53W0417. (1st AD)
66. [07749](#) Authorizing and Providing for the Sale and Issuance of \$30,525,000 Water Utility Mortgage Revenue Bonds, Series 2007, and All Related Details
67. [07753](#) Amending the Ground Lease Agreements between the City of Madison and Larry E. and Dolores A. Lichte and between the City of Madison and Polly O'Hare to delete references to a 42 inch high, 2-rail, split-rail fence, and to make other minor modifications.

CLAIMS - REFER TO RISK MANAGER

68. [07648](#) C. Sayers, 1814 Waunona Way, Madison - property damage - \$229.00.
69. [07662](#) J. Bunbury for Randall Park Rentals, 103 N. Randall, Madison - property damage - \$665.00.
70. [07663](#) A. Pollasch, 420 W. Doty St., Madison - vehicle damage - \$3,210.45

71. **07664** M. Pribbernow, 2551 Kendall Ave., Madison - vehicle damage - \$1,696.61.
72. **07716** C. and M. Dilorio, 941 Spaight St., Madison - property damage - \$2,100.00.
73. **07719** J. Wooten, 12 Coronado Ct., # 4 - Madison - vehicle damage - \$1,843.12.
74. [07722](#) P. Rebek, NaviTech, Inc., 11330 Lakefield Dr., Bldg. 2, Ste. 200, Duluth, GA - vehicle damage - \$488.64.
75. **07723** M. Meyer, 2002 Yahara Pl., Madison - vehicle damage - \$319.51.
76. [07764](#) S. Eisenberg, Eisenberg Law Offices, S.C. for P. Hammersley, 1406 Chandler St., Madison - personal injury - \$600,000.