



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, September 5, 2006

6:30 PM

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

SPEAKING GUIDELINES

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

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

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

The consent agenda will be considered following Public Hearings.

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

NOTIFIED ABSENCES: None

Roll Call at 6:32 p.m.

Mayor Cieslewicz in the Chair.

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

Excused: Konkel and Rosas

SUSPEND THE RULES

Suspend Rules 2.04 (order of business), 2.05 (introduction of business), 2.24 (ordinances), and 2.25 (resolutions) for items so designated on the agenda.

A motion was made by Council President King, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

1. [04461](#) Proclaiming September 24 - 29, 2006 as "Parental Stress Awareness Week" in the City of Madison.
Sponsors: David J. Cieslewicz and Judy K. Olson
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00711

2. [04419](#) Proclaiming Pluto as Madison's ninth planet.
Sponsors: Kenneth Golden, Judy Compton and Judy K. Olson
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:
Excused: 2 - Konkel and Rosas
Aye: 13 - Benford, Bruer, Compton, Golden, King, Gruber, Olson, Palm, Skidmore, Van Rooy, Radomski, Verveer and Webber
No: 0 -
Abstain: 5 - Sanborn, Brandon, Cnare, Knox, Jr. and Thomas
Non Voting: 1 - Cieslewicz
Enactment No: RES-06-00712

RECESS REGULAR MEETING OF 9/5/06

A motion was made by Council President King, seconded by Ald. Webber, to Take A Recess. The motion passed by acclamation.

CONVENE AS COMMITTEE OF THE WHOLE**Roll Call at 6:38 p.m., Council President King in the Chair.**

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

3. [04459](#) Election of Common Council President Pro Tem for the remainder of 2006 - 2007.
Nomination: Ald. Paul Van Rooy.
A motion was made by Ald. Brandon, seconded by Ald. Bruer, to Accept As Presented For Office. The motion passed by acclamation.

ADJOURN COMMITTEE OF THE WHOLE

Roll Call at 6:40 p.m., Mayor Cieslewicz in the Chair.

A motion was made to Reconvene. The motion passed by acclamation.

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

Excused: Konkel and Rosas

CONFIRMATION HEARING

4. [04185](#) Submitting the name of Barbara Dimick for confirmation of a five-year term as Library Director.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-06-00713

PETITIONS AND COMMUNICATIONS**BUSINESS BY THE MAYOR**

5. [04179](#) AMENDED SUBSTITUTE - Approving plans and specifications for the Capital Square Bus Shelters Project and authorizing the Purchasing Division to solicit and receive bids for the fabrication and delivery of 5 bus shelters and alternate bids for two additional shelters.

Sponsors: Common Council By Request

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

A motion was made by Ald. Webber, seconded by Council President King, to Adopt With Amendment(s) as follows: strike second sentence in paragraph 1 & replace with " The following five shelters will be removed and will have new shelters installed."; Strike "However" second sentence in paragraph 2; The third sentence in paragraph two should read "The two remaining shelters will remain in service until the Council awards a contract, at which time a decision will be made whether to retain the shelters until funds are available to replace them."; Strike "However" at the beginning of the first sentence in paragraph 5.

The motion passed by the following vote:

Excused: 2 - Konkel and Rosas

Aye: 15 - Sanborn, Benford, Cnare, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Skidmore, Van Rooy, Radomski, Verveer and Webber

No: 3 - Brandon, Palm and Thomas

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Golden, seconded by Council President King, to Adopt With Amendment(s) as follows: Add "BE IT FINALLY RESOLOVED that the Transit and Parking Commission shall develop criteria for the placement and removal of shelters." at the end of the resolution.

The motion passed by acclamation.

Enactment No: RES-06-00714

6. [04330](#) Report of the mayor submitting alder committee appointments.
- A motion was made by Council President King, seconded by Ald. Verveer, to Confirm. The motion passed by acclamation.
7. [04331](#) AMENDED Report of the Mayor submitting citizen committee appointments (introduced 9-5-2006; action 9-19-2006)
- Confirm at the 9/19/06 Common Council Meeting (NOTE: 2/3 vote required for CDA Long Range Comm. & Contracted Service Oversight Comm.)*
- A motion was made by Council President King, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm for September 19, 2006. The motion passed by acclamation.
8. [04341](#) Increasing the size of the Madison Election Advisory Committee.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
- Enactment No: RES-06-00715

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

9. [04476](#) Amending Section 15.02(40) of the Madison General Ordinances to change the polling location for Ward 40 for the November 2006 election.
- Sponsors:** Austin W. King
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
- Enactment No: ORD-06-00121

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL REVIEW COMMITTEE

10. [03520](#) Public Hearing - New License
Estefania Garcia • dba La Zacatecana
4921 Commercial Avenue • Class A Beer
Aldermanic District 3 (Ald. Cnare) • Police Sector 609
- A motion was made by Council President King, seconded by Ald. Verveer, to Grant and Close the Public Hearing with conditions. The motion passed by acclamation.

PUBLIC HEARINGS - BEGIN AT 6:45 PM**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

11. [04229](#) Public Hearing - New License
RS/DC Investments LLC • dba State Street Bar & Grill • capacity 169
118 State Street • Agent: Robert Smith
Class B Combination Liquor & Beer • 67% alcohol, 27% food, 6% other
Aldermanic District 4 (Ald. Verveer) • Police Sector 406
A motion was made by Council President King, seconded by Ald. Olson, to Grant and Close the Public Hearing with conditions. The motion passed by acclamation.
12. [04232](#) Public Hearing - New License
Devinder Badwal & Sital Singh • dba Taste of India • est. capacity 58
2623 Monroe Street, Suite 150
Class B Beer, Class C Wine • 20% alcohol, 80% food
Aldermanic District 10 (Ald. Golden) • Police Sector 302
A motion was made by Council President King, seconded by Ald. Olson, to Grant and Close the Public Hearing. The motion passed by acclamation.
13. [04234](#) Public Hearing - New License
Darms LLC • dba South Bay Lounge • est. capacity 60
5404 Raywood Road • Agent: David Arms
Class B Combination Liquor & Beer • 45% alcohol, 55% food
Aldermanic District 14 (Ald. Bruer) • Police Sector 313
1 Registrant(s) in support wishing to speak; 1 Registrant(s) in support not wishing to speak.
A motion was made by Council President King, seconded by Ald. Olson, to Grant and Close the Public Hearing. The motion passed by acclamation.
14. [04235](#) Public Hearing - New License
Duma LLC • dba The Ivory Room • est. capacity 87
116 W. Mifflin Street • Agent: Julie Stoleson
Class B Combination Liquor & Beer • 90% alcohol, 10% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 405
A motion was made by Council President King, seconded by Ald. Olson, to Grant and Close the Public Hearing. The motion passed by acclamation.
15. [04237](#) Public Hearing - New License
Babs French Quarter Kitchen LLC • dba Babs French Quarter Kitchen
1353 Williamson Street • Agent: Barbara Matthews • est. capacity 62
Class B Beer, Class C Wine • 15% alcohol, 85% food
Aldermanic District 6 (Ald. Olson) • Police Sector 410
A motion was made by Council President King, seconded by Ald. Olson, to Grant and Close the Public Hearing. The motion passed by acclamation.

16. [04239](#) Public Hearing - New License
1 & 1 Food LLC • dba Ay! Caramba • est. capacity 52
702 N. Midvale Blvd., Suite W198 • Agent: Gilmer Chan
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 11 (Ald. Gruber) • Police Sector 108
A motion was made by Council President King, seconded by Ald. Olson, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.
17. [04241](#) Public Hearing - New License
La Bellitalia Inc • dba La Bellitalia • est. capacity 50
1026 N. Sherman Avenue • Agent: Pietro Pipitone
Class B Beer, Class C Wine • 15% alcohol, 85% food
Aldermanic District 12 (Ald. Benford) • Police Sector 503
A motion was made by Council President King, seconded by Ald. Olson, to Grant and Close the Public Hearing. The motion passed by acclamation.
18. [04243](#) Public Hearing - New License
Fleming's/Great Lakes-I Limited Partnership
dba Fleming's Prime Steakhouse & Wine Bar • est. capacity 208
750 N. Midvale Boulevard • Agent: Jack Maher
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 11 (Ald. Gruber) • Police Sector 108
A motion was made by Council President King, seconded by Ald. Olson, to Grant and Close the Public Hearing. The motion passed by acclamation.
19. [04244](#) Public Hearing - New License
The Real Corporation • dba Stillwaters • est. capacity 279
250 State Street • Agent: Mike Rogers
Class B Combination Liquor & Beer • 43.5% alcohol, 55% food, 1.5% other
Aldermanic District 4 (Ald. Verveer) • Police Sector 403
A motion was made by Council President King, seconded by Ald. Olson, to Place On File. The motion passed by acclamation.

REPORT OF BOARD OF PUBLIC WORKS

20. [04115](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the relocation and construction of Pleasant View Road from Valley View Road to Mineral Point Road, located in that part of the Northwest $\frac{1}{4}$, of Section 27, Town 7 North, Range 8 East, City of Madison, Dane County, Wisconsin. (9th AD)
- Sponsors:** Paul E. Skidmore
- A motion was made by Council President King, seconded by Ald. Olson, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-06-00716

21. [04230](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the relocation and construction associated with the Union Corners Development - involving the relocation of Winnebago Street Phase 2 from S. Sixth Street to LaFollette Avenue-Engineering Project No. 53W0387 and amending the 2006 Capital Budget to authorize the expenditure of an additional \$100,000 for the estimated acquisition costs associated with this project. (6th AD)

Sponsors: Judy K. Olson

A motion was made by Council President King, seconded by Ald. Olson, to Adopt. The motion passed by the following vote:

Excused: 2 - Konkel and Rosas

Aye: 18 - Sanborn, Benford, Brandon, Cnare, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber

No: 0 -

Non Voting: 1 - Cieslewicz

Enactment No: RES-06-00717

REPORT OF PLAN COMMISSION

22. [04085](#) Amending Secs. 28.03(2), 28.04(20), 28.06(3), 28.105, 28.12(2)(b), 28.12(3)(b), 28.12(6), 28.12(7)(c) and (d), 28.12(9)(c), 28.12(10)(a), (f)5., and (i) of the Madison General Ordinances to bring the ordinances into conformity with the recently amended Ch. NR 116, Wis. Adm. Code, regarding floodplain management.

Sponsors: Austin W. King and Paul J. Van Rooy

A motion was made by Council President King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.

Enactment No: ORD-06-00122

23. [04154](#) Creating Section 28.06(2)(a)3207. of the Madison General Ordinances rezoning property from C2 General Commercial District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3208. 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 Commercial Building & Build 6-Story, Mixed-Use Building with 13,500 Square Foot Retail Space, 10,025 Square Feet Office Space & 49 Condominium Units; 13th Aldermanic District: 1501 Monroe Street.

Sponsors: Common Council By Petition

A motion was made by Council President King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.

24. [04155](#) Creating Section 28.06(2)(a)3209. 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: 10 Townhouse Units; 3rd Aldermanic District: 6001 Kilpatrick Lane.
- Sponsors:** Common Council By Petition
1 Registrant(s) in support not wishing to speak.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00123
25. [04156](#) Creating Section 28.06(2)(a)3210. 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)3211. 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 3 Residential Buildings & Build 4-Story, 20-Unit Condominium Building; 4th Aldermanic District: 415, 417 & 419 West Dayton Street.
- Sponsors:** Common Council By Petition
- A motion was made by Council President King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**
26. [04157](#) Creating Section 28.06(2)(a)3212. of the Madison General Ordinances rezoning property from R2 Single-Family Residence District to R5 General Residence District. Proposed Use: Demolish 2 Townhouse Apartment Buildings & Construct New Surface Parking Lot; 10th Aldermanic District: 4381 Doncaster Drive.
- Sponsors:** Common Council By Petition
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00124
27. [04158](#) Creating Section 28.06(2)(a)3213. 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)3214. 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: Addition to Join 2 Residential Buildings & Remodel For Bakery, Restaurant/Tavern & 4 Apartments; 4th Aldermanic District: 453 W. Washington Avenue.
- Sponsors:** Common Council By Petition
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00125

28. [04197](#) Amending Sections 9.05(1) and 28.03(2) of the Madison General Ordinances to modify the definitions of "adult book or video store" to include reference to sexual paraphernalia and devices.
- Sponsors:** Tim Bruer
- A motion was made by Council President King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**
29. [04210](#) Creating Section 28.06(2)(a)3215. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) and creating Section 28.06(2)(a)3216. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Convert Vacant Retail Store to Bank with Drive-Up Windows; 9th Aldermanic District: 301 Junction Road.
- Sponsors:** Common Council By Petition
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** ORD-06-00126
30. [04214](#) Creating Section 28.06(2)(a)3218 of the Madison General Ordinances rezoning property from R1 Single-Family Residence District to R3 Single-Family and Two-Family Residence District. Proposed Use: Demolish House & Build New Duplex; 13th Aldermanic District: 2016 Sundstrom Street.
- Sponsors:** Common Council By Petition
- A motion was made by Council President King, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by acclamation.**

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 Agenda Number(s): 58, 62, & 90 on a motion made by Council President King, seconded by Ald. Verveer.

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

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

31. [04277](#) Change of License Premise Application
Ideal Ventures Inc • dba Ideal Bar • capacity 99
1968 Atwood Avenue • Agent: Robert Speth
Class B Combination Liquor & Beer • 98% alcohol, 2% food
Aldermanic District 6 (Ald. Olson) • Police Sector 410
Request to expand licensed premise to include outdoor patio.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant With Condition(s). The motion passed by acclamation.
32. [04278](#) Change of License Premise Application
L Corp • dba Licari's Bar & Grill • capacity "under 100"
1405 Emil Street • Agent: Gordon Lauder
Class B Combination Liquor & Beer • 70% alcohol, 30% food
Aldermanic District 14 (Ald. Bruer) • Police Sector 308
Request to expand licensed premise to include outdoor patio and building expansion.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
33. [04279](#) Change of License Premise Application
Marcus Hotels Hospitality LLC • dba Hilton Madison at Monona Terrace
9 E Wilson Street • Agent: Jerold Egner
Class B Combination Liquor & Beer • 43% alcohol, 57% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 405
Request to expand licensed premise to include outdoor patio.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
34. [04280](#) Operator License Application
Sameth Phon - Establishment where employed: None.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
35. [04281](#) Operator License Application
John Zirngible - Establishment where employed: Taste of Madison.
A motion was made by Council President King, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.
36. [04285](#) Operator License Application
Michael Caspersen - Establishment where employed: Sports Pub.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

37. [04286](#) Operator License Application (Renewal)
Carol Meister - Establishment where employed: Dutch Mill Sports Club.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
38. [04287](#) Nightclub License
Rafael Escamilla • dba Laredo's • 4001 Lien Road • capacity 99
Class B Combination Liquor & Beer • 29% alcohol, 71% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 605
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
39. [04288](#) Change of Agent
The Copps Corporation • dba Copps Food Center #8183 • 1312 S Park Street
Old Agent: Karl Wetzel • New Agent: Christopher Flannery
Class A Liquor, Class A Beer
Aldermanic District 13 (Ald. Knox) • Police Sector 306
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.
40. [04454](#) Alcohol License Review Committee Report of Operator License Applications (New & Renewal) August 29, 2006. See attached report for list of operators.
A motion was made by Council President King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.

REPORT OF BOARD OF ESTIMATES

41. [00172](#) REPORT OF DIRECTOR OF PLANNING AND DEVELOPMENT & HOUSING
OPERATIONS DIRECTOR: Dated August 23, 2004, Management Report #2: Housing
Choice Voucher (Section 8) Program Per City of Madison Resolution # 59903.
A motion was made by Council President King, seconded by Ald. Verveer, to Receive. The motion passed by acclamation.
42. [03110](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a
\$2,200,000 Tax Incremental Financing to the Gorman & Co, Inc. and its assigns plus a
\$2,000,000 additional financing instrument to assist in the development of the first
phase of a mixed-use redevelopment project located in the 800 Block of East
Washington Avenue in TID #36 (Capital Gateway).
Sponsors: Brenda K. Konkel
A motion was made by Council President King, seconded by Ald. Verveer, to Place On File. The motion passed by acclamation.

43. [04054](#) Approving additional Federal ESG funds to assist CAC, Porchlight, and Tenant Resource Center with activities to prevent homelessness, and authorizing the Mayor and City Clerk to sign agreements to implement the projects.
- Sponsors:** Cindy Thomas and Santiago Rosas
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00718
44. [04100](#) Authorizing the Mayor and City Clerk to sign an agreement with Dane County accepting \$44,509 from the Southcentral Wisconsin Bioterrorism Preparedness and Response Consortium #10 for a grant previously authorized by Common Council and this additional grant of \$7,056 and amending the 2006 Public Health Operating Budget to allow the receipt and appropriation of the additional grant of \$7,056 to be used for emergency preparedness.
- Sponsors:** Judy K. Olson
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00719
45. [04187](#) Approving Facade Improvement Grant to: 636 South Park Street (Chiripa).
- Sponsors:** Isadore Knox, Jr.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 2 - Konkel and Rosas
- Aye:** 17 - Benford, Brandon, Cnare, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 1 - Sanborn
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00720
46. [04211](#) Authorizing the Mayor, City Clerk and Chief of Police to accept an award from the State of Wisconsin, Office of Justice Assistance in the amount of \$20,000 and to utilize these funds to purchase and install recording equipment in order to comply with State requirements for recording interviews or interrogations.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00721

47. [04212](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a grant award from the U.S. Dept. of Justice, Department of Community Oriented Policing Services, in the amount of \$493,614 for the implementation of technology initiatives for law enforcement.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00722
48. [04215](#) Approving a Project Plan Amendment for Tax Incremental Finance (TIF) District #29 (Allied Drive) City of Madison. 10th Ald. Dist.
- Sponsors:** David J. Cieslewicz and Kenneth Golden
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00723
49. [04223](#) Authorizing a Community Prosecution / Nuisance Abatement position in the Office of the City Attorney, and amending the 2006 Operating Budget by appropriating \$11,100 from the Contingent Reserve to the City Attorney's Office.
- Sponsors:** David J. Cieslewicz, Tim Bruer, Lauren Cnare, Kenneth Golden, Michael E. Verveer and Paul J. Van Rooy
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 2 - Konkel and Rosas
- Aye:** 18 - Sanborn, Benford, Brandon, Cnare, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00724
50. [04225](#) Approving additional Federal HOME funds to assist The Wisconsin Partnership for Housing Development with activities to create affordable owner-occupied housing, and authorizing the Mayor and City Clerk to sign agreements to implement the projects.
- Sponsors:** Cindy Thomas and Santiago Rosas
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00725

51. [04226](#) Authorizing the provision of EDI and Match funds to assist Movin' Out, Inc., to develop housing in ways that address City, Community and Neighborhood Development Objectives and authorizing the Mayor and City Clerk to sign an agreement to implement the project.
- Sponsors:** Cindy Thomas and Santiago Rosas
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00726
52. [04227](#) Approving a fall firefighter recruit class of 10 firefighters to start on October 2, 2006.
- Sponsors:** Paul E. Skidmore
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00727
53. [04231](#) Approving the CDA's borrowing of \$2,100,000 from Fannie Mae in order to loan the proceeds to the Wisconsin Partnership for Housing Development, Inc., for the purpose of constructing affordable condominium units in the Twin Oaks neighborhood.
- Sponsors:** Judy Compton, Tim Bruer and Isadore Knox, Jr.
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00728
54. [04233](#) To amend the Building Inspection 2006 Operating Budget to recognize additional inter-departmental billings and offsetting expenses in recognition of the need for increased maintenance services by BI to the Madison Police Department East Station Facility and the Police Evidence Vehicle Search Facility located at 2434 Vondron Road and to increase a 50% permanent Custodial Worker 2 position to a 100% FTE.
- Sponsors:** Paul J. Van Rooy
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00729
55. [04238](#) Approving settlement of the use value penalty case entitled City of Madison v. Nesbitt Farms LLC.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00730

56. [04242](#) Authorizing the Mayor and City Clerk to execute a development agreement to fund a Tax Incremental Finance Loan not to exceed \$195,000 to Monroe Neighbors, LLC to assist in the construction of a Plaza adjacent to the Monroe Commons project located at 1864 Monroe Street in Tax Incremental Finance District No. 33 (Monroe-Harrison).

Sponsors: Kenneth Golden

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

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

Enactment No: RES-06-00731

57. [04263](#) Establishing a Glass-Free Zone for the State Street area on October 27, 2006, October 28, 2006 and October 29, 2006 from 9:30 p.m. to 6:00 a.m.

Sponsors: David J. Cieslewicz, Michael E. Verveer and Austin W. King

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

Enactment No: RES-06-00732

58. [04264](#) SUBSTITUTE - Authorizing the Police Department, Engineering Division and Parks Division to accept donated funds, to utilize a fencing and admission system, and to utilize those funds to offset costs associated with the 2006 Halloween event on State Street.

Sponsors: David J. Cieslewicz and Michael E. Verveer

4 Registrant(s) in support wishing to speak; 1 Registrant(s) neither in support or opposition wishing to speak.

Adopt at the 9/19/06 Common Council Meeting.

A motion was made by Council President King, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt for September 19, 2006. The motion passed by acclamation.

59. [04265](#) Amending the Police Department, Engineering Division, and Parks Division 2006 Operating Budgets by appropriating \$85,692 from the Contingent Reserve, and to utilize these funds for various expenses related to the Halloween event; and authorizing the receipt of revenues derived from admission fees and donations.
- Sponsors:** David J. Cieslewicz and Michael E. Verveer
- A motion was made by Council President King, seconded by Council President Pro Tem Van Rooy, to Adopt. The motion passed by the following vote:**
- Excused:** 2 - Konkel and Rosas
- Aye:** 18 - Sanborn, Benford, Brandon, Cnare, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00733
60. [04271](#) Authorizing the Mayor and City Clerk to sign an amendment to the Intergovernmental Records Management System (RMS) Agreement with 16 Dane County police agencies, to add the Village of Cross Plains, Village of Brooklyn and City of Stoughton; and to create a procedure to allow other agencies to be added to the agreement in the future at the option of the Madison Police Chief.
- Sponsors:** Paul E. Skidmore
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00734
61. [04391](#) Amending the 2006 Operating Budget of the Community and Economic Development Unit to transfer up to \$50,000 in permanent salaries to Purchased Services to enable the hiring of a consultant to serve as a Project Manager for redevelopment of The Villager site, and authorizing the issuance of a Request for Proposals and providing that the Mayor and City Clerk may enter into a contract with the selected consultant.
- Sponsors:** David J. Cieslewicz
- A motion was made by Council President King, seconded by Council President Pro Tem Van Rooy, to Adopt. The motion passed by the following vote:**
- Excused:** 2 - Konkel and Rosas
- Aye:** 17 - Sanborn, Benford, Cnare, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00735

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

62. [03761](#) SECOND SUBSTITUTE ORDINANCE - Amending Section 25.22(2) of the Madison General Ordinances to establish definitions for competent individual; amending Sections 25.22(3)(a) and (b) of the Madison General Ordinances to require the option of continued impoundment during the entire dangerous animal investigation and until compliance with Subsection (7) or department determination of a safe return of the animal and updating references to the Administrative Hearings Committee; amending Section 25.22(6)(b) of the Madison General Ordinances to clarify the disposition of a dangerous animal; creating new Sections 25.22(7) and (8) of the Madison General Ordinances to require an owner of a dangerous animal to comply with outlined restrictions and to be licensed under Section 25.225; renumbering current Section 25.22(7) through (12) of the Madison General Ordinances to Sections (9) through (14) and updating references to the Administrative Hearings Committee; amending renumbered Section 25.22(11) of the Madison General Ordinances to change the certiorari appeal time to ten days; creating Section 25.225 of the Madison General Ordinances, which requires a dangerous animal license for animals declared dangerous; and amending Section 1.08(3)(a) of the Madison General Ordinances to modify bail deposit amounts.

Sponsors: Cindy Thomas, Zachariah Brandon, Lauren Cnare, Jed Sanborn, Paul E. Skidmore, Judy K. Olson, Judy Compton, Isadore Knox, Jr., Larry Palm and Noel T. Radomski

3 Registrant(s) in support wishing to speak.

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

Enactment No: ORD-06-00127

REPORT OF BOARD OF PUBLIC WORKS

63. [03123](#) Authorizing the Mayor and City Clerk to execute an agreement with the Village of McFarland and the Town of Blooming Grove for cost sharing for the design of Siggelkow Road Reconstruction. (16th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-06-00736

64. [04204](#) Approving plans and specifications, and authorizing the Board of Public Works to advertise and receive bids for the construction of HVAC equipment installation at Police Storage Building located at 120 North First Street, Contract No. 5970. (12th AD)

Sponsors: Common Council By Request

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

Enactment No: RES-06-00737

65. [04240](#) Revising the Schedule of Assessments for the Valley View Road Street Assessment District-2006. (9th AD)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00738
66. [04245](#) Declaring the City of Madison's intention to exercise its police powers establishing the South High Point Road Reconstruction Assessment District - 2006. (1st AD)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00739
67. [04254](#) Awarding Public Works Contract No. 5965, CIPP Rehab of Sanitary Sewers - 2006.
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00740
68. [04257](#) Awarding Public Works Contract No. 5956, 2006 Warning Sirens.
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00741
69. [04258](#) Improvements accepted for Repairing & Sealing Pavement Cracks, Major Streets - 2005, Contract No. 5801. (Various ADs)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00742
70. [04259](#) Improvements accepted for Repairing & Sealing Pavement Cracks, Local Streets - 2005, Contract No. 5800.
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00743

71. [04289](#) Declaring the City of Madison's intention to exercise its police powers establishing the South High Point Road Reconstruction Assessment District 2 - 2006. (1st AD)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00744
72. [04295](#) Approving plans, specifications and schedule of assessments for street lights - Grandview Commons Phase 15A. (3rd Ald. District)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00745
73. [04297](#) Approving plans, specifications and schedule of assessments for street lights - Heather Glen Replat Phase 2A. (7th Ald. District)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00746
74. [04298](#) Approving plans, specifications and schedule of assessments for street lights - Meadowlands Phase 4. (3rd Ald. District)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00747
75. [04302](#) Improvements accepted for Crossing Place, Grand Crossing Road and Morgan Way Assessment District - 2003, Contract No. 5458. (17th AD)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00748
76. [04306](#) Awarding Public Works Contract No. 5810, Lien Road Partial Reconstruction - Sidewalk Fill at Autumn Woods III. (17th AD)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00749

77. [04307](#) Approving plans and specifications, and authorizing the Board of Public Works to advertise and receive bids for the construction of carpet installation at Madison Senior Center located at 330 West Mifflin Street, Contract No. 5974. (4th AD)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00750
78. [04308](#) Improvements Accepted, Fire Administration Building Remodeling, Contract No. 5868. (4th AD)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00751
79. [04309](#) Improvements accepted for Water Main by Private Contract to serve: Crosswinds at Hawks Landing, Phase 4. (AD 1)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00752
80. [04310](#) Improvements accepted for Water Main by Private Contract to serve: Atticus Way C.S.M. (AD 10)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00753
81. [04311](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Painting at Various Park Buildings. (Various ADs)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00754

82. [04312](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Grandview Commons - Phase 5. (AD 3)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00755
83. [04313](#) Improvements accepted for Private Contract to serve: Grandview Commons - Phase 4. (AD 3)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00756
84. [04314](#) Improvements accepted for Water Service Laterals by Private Contract to serve: First Addition to Valley Ridge. (AD 1)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00757
85. [04317](#) Declaring the City of Madison's intention to exercise its police powers establishing the Gammon Lane Street Assessment District-2007. (1st AD)
Sponsors: Jed Sanborn
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00758
86. [04356](#) Approving plans and specifications for public improvements necessary for the project known as 4402 and 4420 Buckeye Road (PDQ) and authorizing construction to be undertaken by the Developer, Private Contract No. 2115. (16th AD)
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00759

87. [04357](#) Declaring the City of Madison's intention to exercise its police powers establishing the Chandler, Charter, and Orchard Streets Reconstruction Assessment District - 2007. (13th AD)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00760
88. [04358](#) Authorizing the Mayor and City Clerk to enter into a contract with Topline Survey LLC for surveying services entitled "2007 Street and Sewer Reconstruction Surveys". (City Wide ADs)
- Sponsors:** Common Council By Request
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00761

REPORT OF COMMUNITY DEVELOPMENT AUTHORITY

89. [04369](#) Report of Proposed Transfer of Real Property in the Todd Drive / West Beltline Redevelopment Area.
- A motion was made by Council President King, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

REPORT OF HOUSING COMMITTEE

90. [03515](#) SUBSTITUTE - Amending Section 32.07(5) of the Madison General Ordinances to require separate Check-In and Check-Out forms for rental properties.
- Sponsors:** Brenda K. Konkel and Michael E. Verveer
- 2 Registrant(s) in support wishing to speak; 4 Registrant(s) in opposition wishing to speak; 6 Registrant(s) in opposition not wishing to speak.*
- Request to Reconsider this item made by Council President Ald. King. Place on 9/19 CC Agenda under reconsiderations.*
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt With Amendment(s) as follows: strike "separate" in Subsection (5) (a) in the first and second sentence and strike "be separate from and " in Subsection (5) (d) in the first sentence. The motion failed by the following vote:**
- Excused:** 2 - Konkel and Rosas
- Aye:** 9 - Benford, Cnare, Golden, Gruber, Olson, Knox, Jr., Radomski, Verveer and Webber
- No:** 9 - Sanborn, Brandon, Bruer, Compton, King, Palm, Skidmore, Thomas and Van Rooy
- Non Voting:** 1 - Cieslewicz

REPORT OF MADISON METRO TRANSIT SYSTEM

91. [04480](#) Report - Metro Transit Performance Audit update for Transit and Parking Commission and Common Council.
- A motion was made by Council President King, seconded by Ald. Verveer, to Receive. The motion passed by acclamation.**

REPORT OF THE PLANNING UNIT

92. [04466](#) Approving a Certified Survey Map of property owned by Martin Wingrove & Matthew M. Wingrove at 4216 Jerome Street. 15th Ald. Dist.
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00762
93. [04467](#) Re-approving a Certified Survey Map of property owned by Devin & Christopher Wixon Keller at 5505 Greening Lane. 19th Ald. Dist.
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00763
94. [04468](#) Approving a Certified Survey Map of property owned by Timothy J. Voeller at 14-18 Marsh Court. 16th Ald. Dist.
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00764
95. [04469](#) Approving a Certified Survey Map of property owned by 401 North Third Street, LLC at 401 North Third Street. 12th Ald. Dist.
Sponsors: Common Council By Request
A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-06-00765

REPORT OF RISK MANAGER

96. [03867](#) NOTICE OF CLAIM: Attorney Michael Luebke for K. Knapp - personal injury - \$25,000.00.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
97. [03967](#) NOTICE OF CLAIM: J. Kotnour, 4402 Woods End - sidewalk replacement - \$531.26.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.

98. [03969](#) NOTICE OF CLAIM: R. Martinez, 106 S. Owen Drive - property damage - \$500.00.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
99. [03974](#) NOTICE OF CLAIM: P. O'Leary, 1134 E. Mifflin St., Madison - property damage - \$240.00.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
100. [04120](#) L. Blair Warren, 3801 St. Clair St., Madison - property damage - \$219.81.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
101. [04122](#) R. & C. Reeb, 3713 Hillcrest Dr., Madison - property damage - \$2,310.55.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
102. [04125](#) R. Mitra, 05478-090, Box 1000, Milan, MI - property loss - \$141,000.00.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
103. [04126](#) NOTICE OF CLAIM - Vang Law Office for S. Sisavath, 2953 Fish Hatchery Rd. # 102, Madison - \$25,000.00.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
104. [04172](#) NOTICE OF CLAIM - E. Horn, 5802 Meadowood Dr., Madison - towing expense - \$79.13.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
105. [04247](#) NOTICE OF CLAIM - General Casualty Insurance for M. Catlin, 10 W. Creek Water Court, Appleton - vehicle damage - \$1,622.22.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
106. [04248](#) NOTICE OF CLAIM - The Cincinnati Insurance Company for D. Denning - vehicle damage - \$10,333.13.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.
107. [04249](#) NOTICE OF CLAIM - Attorney D. Phebus for L. Zarate, 1140 Morrairie View Drive - personal injury - \$50,000.00.
A motion was made by Council President King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.

REPORT OF STREET USE STAFF TEAM

108. [01375](#) Amending 10.056(4)(c), regarding the method of counting 75% of signatures of residents for purposes of a petition for certain street use permits, and clarifying which types of street closures require a petition.
- Sponsors:** Kenneth Golden
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00129
109. [04220](#) Amending Section 10.056(5)(e) of the Madison General Ordinances to clarify that time limits for sound amplification equipment which is approved as part of a Street Use Permit shall be determined by the Street Use Staff Team.
- Sponsors:** David J. Cieslewicz and Michael E. Verveer
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-06-00128

REFERRED TO THIS MEETING**APPOINTMENTS**

110. [04222](#) AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 8-1-2006; action 9-5-2006)
- A motion was made by Council President King, seconded by Ald. Verveer, to Confirm. The motion passed by the following vote:**
- Excused:** 2 - Konkel and Rosas
- Aye:** 18 - Sanborn, Benford, Brandon, Cnare, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 0 -
- Non Voting:** 1 - Cieslewicz

RESOLUTIONS

111. [03657](#) To set forth the Agreement between the City of Madison and Dane County regarding Lyckberg Park and the surrounding area.
- Sponsors:** Isadore Knox, Jr.
- A motion was made by Council President King, seconded by Ald. Knox, Jr., to Adopt. The motion passed by the following vote:**
- Excused:** 2 - Konkel and Rosas
- Aye:** 17 - Sanborn, Benford, Cnare, Bruer, Compton, Golden, King, Gruber, Olson, Knox, Jr., Palm, Skidmore, Thomas, Van Rooy, Radomski, Verveer and Webber
- No:** 1 - Brandon
- Non Voting:** 1 - Cieslewicz
- Enactment No:** RES-06-00766
112. [04224](#) To establish the Garver Building Reuse Committee under the guidelines of the Procedures for the Disposal of Surplus City Real Property, and to appoint the Committee members.
- Sponsors:** David J. Cieslewicz, Larry Palm and Judy K. Olson
- A motion was made by Council President King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-06-00767

NEW BUSINESS - Referred on a motion made Council President King, seconded by Ald. Verveer.**ORDINANCES**

113. [04429](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Parks Facilities Maintenance Supervisor in Compensation Group 18, Range 08, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board. Due back at the 9/19/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**

114. [04434](#) Adopting and confirming the Labor Agreement between the City of Madison and the Madison Professional Police Officers Association (MPPOA) from January 1, 2006 to December 31, 2007.
- Sponsors:** David J. Cieslewicz
- Due back at the 9/19/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
115. [04437](#) Adopting and confirming the Labor Agreement between the City of Madison and SEIU District 1199W/UPQHC from January 1, 2006 to December 31, 2007.
- Sponsors:** David J. Cieslewicz
- Due back at the 9/19/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
116. [04441](#) Amending Sec. 1.08(3)(a) of the Madison General Ordinances to establish a bail deposit for placing articles on a sidewalk.
- Sponsors:** Michael E. Verveer
- Adopt at the 9/19/06 Common Council Meeting.*
- Refer to a future Meeting to Adopt**
117. [04443](#) Creating Section 28.108 of the Madison General Ordinances to establish a "Neighborhood Conservation District".
- Sponsors:** Michael E. Verveer, Judy K. Olson, Noel T. Radomski, Judy Compton, Brenda K. Konkel, Lauren Cnare and Robbie Webber
- Due back at the 10/16 Plan Commission Meeting & 11/7/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
118. [04470](#) Creating Section 28.06(2)(a)3220. of the Madison General Ordinances rezoning property from R1 Single-Family Residence District to C1 Limited Commercial District. Proposed Use: Convert Residential Structure Into Veterinary Clinic; 16th Aldermanic District: 4421 Cottage Grove Road.
- Sponsors:** Common Council By Petition
- Due back at the 10/16/06 Plan Commission Meeting & the 11/7/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**

119. [04471](#) Creating Section 28.06(2)(a)3219. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to R4 General Residence District. Proposed Use: Move 2 Single-Family Houses; 6th Aldermanic District: 54 & 58 Farwell Street.
- Sponsors:** Common Council By Petition
- Due back at the 10/16/06 Plan Commission Meeting & the 11/7/06 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
120. [04483](#) Amending Sections 9.05(3)(e) and 9.05(8)(b), deleting Section 9.05(12), renumbering Sections 9.05(13) to (16), amending Section 9.49(3) and creating Section 9.49(4)(g) of the Madison General Ordinances to remove the administrative appeal of decisions to deny, not renew, revoke, or suspend an adult entertainment license.
- Sponsors:** Common Council By Request
- Note: This item was drafted at the request of City Attorney Michael May pursuant to Section 2.05(6)3. He requests referral to the Common Council Organizational Committee.*
- Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

RESOLUTIONS

121. [04270](#) Amending the Streets Division 2006 Capital Budget to transfer funds from the 2006 Transfer Station Redesign/Reconstr capital project to the Two Street Repair Trucks and the Recycling Cart capital projects.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**
122. [04354](#) Be it hereby resolved that the position #698 of Real Estate Agent 2 in Compensation Group 18, Range 08, (occupied by J. Lund) in the permanent salary detail of the Community and Economic Development Unit budget is repealed and recreated as a position of Real Estate Agent 3 in Compensation Group 18, Range 10, thereof. Be it further resolved that the incumbent shall be reallocated to said position.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
123. [04366](#) Authorizing the Mayor and Clerk to execute a Labor Agreement between the City of Madison and SEIU District 1199W/United Professionals for Quality Health Care (UPQHC) for the period of January 1, 2006 through December 31, 2007.
- Sponsors:** David J. Cieslewicz
- Due back at the 9/19/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**

124. [04367](#) Authorizing the Madison Department of Planning and Development to accept a grant, on behalf of the Allied Area Task Force, from the Fannie Mae Housing and Community Development Division in the amount of \$3,500 to support the community outreach and planning process documentation efforts throughout the Community Design Process.
- Sponsors:** David J. Cieslewicz and Kenneth Golden
- Refer to the BOARD OF ESTIMATES**
125. [04389](#) Authorizing the Mayor and Clerk to execute a Labor Agreement between the City of Madison and the Madison Professional Police Officers Association (MPPOA) for the period of January 1, 2006 through December 31, 2007.
- Sponsors:** David J. Cieslewicz
- Due back at the 9/19/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
126. [04392](#) Submitting the name of Charles L. Kamp for confirmation of a five-year term as Transit General Manager.
- Sponsors:** David J. Cieslewicz
- Due back at the 9/19/06 Common Council Meeting.*
- Refer for Confirmation Hearing to the BOARD OF ESTIMATES**
127. [04393](#) That the vacant position #1455 of Parks Facilities Maintenance Supervisor in Compensation Group 18, Range 08, in the permanent salary detail of the Parks Division budget is repealed and recreated as a position of Surveyor 2 in Compensation Group 18, Range 08, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
128. [04395](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction improvements for two segments of South High Point Road from Mid Town Road to Twinflower Drive-and from Welton Drive to Velvet Leaf Drive - Engineering Project No. 53W0256. (1st Ald. Dist.)
- Sponsors:** Judy K. Olson
- Additional Referral(s): Plan Commission. Due back at the 10/17/06 Common Council Meeting.*
- Refer For Public Hearing to the BOARD OF PUBLIC WORKS**

129. [04398](#) Authorizing the issuance of \$_____ General Obligation Promissory Notes, Series 2006-B, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Plan Commission. Due back at the 9/19/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
130. [04399](#) Authorizing the issuance of \$_____ Taxable General Obligation Promissory Notes, Series 2006-C, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor. BY TITLE ONLY.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Plan Commission. Due back at the 9/19/06 Common Council Meeting.*
- Refer to the BOARD OF ESTIMATES**
131. [04409](#) Vacating a portion of Milwaukee Street, near the intersection of East Washington Avenue, being located in part of the Northeast ¼ of the Southeast 1/4 of Section 06, Town 07 North, Range 10 East, City of Madison, Dane County, Wisconsin. (6th AD).
- Sponsors:** Judy K. Olson
- Additional Referral(s): Plan Commission. Due back at the 10/17/06 Common Council Meeting.*
- Refer For Public Hearing to the BOARD OF PUBLIC WORKS**
132. [04414](#) Submitting the name of Maribeth Witzel-Behl for confirmation of a five-year term as City Clerk.
- Sponsors:** David J. Cieslewicz
- Due back at the 9/19/06 Common Council Meeting.*
- Refer for Confirmation Hearing to the BOARD OF ESTIMATES**
133. [04415](#) Amendment #1 to existing contract with Brickline, Inc. to provide additional epoxy pavement markings.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF PUBLIC WORKS**
134. [04416](#) Authorizing the Mayor and City Clerk to execute a lease with Group Health Cooperative of South Central Wisconsin for City-owned property held for future transportation purposes.
- Sponsors:** Michael E. Verveer
- Additional Referral(s): Pedestrian/Bicycle/Motor Vehicle Commission, Plan Commission*
- Refer to the BOARD OF ESTIMATES**

135. [04426](#) Supporting the efforts by the City and its partners to achieve a Platinum Award through the League of American Bicyclist-Bicycle Friendly Communities program and to make Madison the best city in the country for bicycling; creating a Platinum Biking City Planning Committee.
- Sponsors:** David J. Cieslewicz
- Adopt at the 9/19/06 Common Council Meeting.*
- Refer to a future Meeting to Adopt**
136. [04449](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 1202 Northport Drive. 18th Ald. Dist.
- Sponsors:** Paul J. Van Rooy
- Additional Referral(s): Board of Public Works, Plan Commission, Board of Water Commissioners*
- Refer to the BOARD OF ESTIMATES**
137. [04451](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 5815 Milwaukee Street. 3rd Ald. Dist.
- Sponsors:** Lauren Cnare
- Additional Referral(s): Board of Public Works, Plan Commission, Board of Water Commissioners*
- Refer to the BOARD OF ESTIMATES**
138. [04452](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 910 South High Point Road. 1st Ald. Dist.
- Sponsors:** Jed Sanborn
- Additional Referral(s): Board of Public Works, Plan Commission, Board of Water Commissioners*
- Refer to the BOARD OF ESTIMATES**
139. [04456](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 4701 Bunker Hill Lane. 17th Ald. Dist.
- Sponsors:** Santiago Rosas
- Additional Referral(s): Board of Public Works, Plan Commission, Board of Water Commissioners*
- Refer to the BOARD OF ESTIMATES**

140. [04457](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 2829 Prairie Road. 7th Ald. Dist.

Sponsors: Zachariah Brandon

Additional Referral(s): Board of Public Works, Plan Commission, Board of Water Commissioners

Refer to the BOARD OF ESTIMATES

141. [04458](#) Authorizing the grant of a license to TDS Metrocom, LLC for the installation of wireless digital communications equipment on the City's water tower located at 4740 Spaanem Avenue, and authorizing the related conveyance to TDS of an existing equipment shelter at the site. 15th Ald. Dist.

Sponsors: Larry Palm

Additional Referral(s): Board of Public Works, Plan Commission, Board of Water Commissioners

Refer to the BOARD OF ESTIMATES

LICENSES

142. [04439](#) Public Hearing - New License
HJ Madison, Inc. • dba Happy Joe's • est. capacity 200
202 S. Gammon Road • Agent: Tim Gantz
Class B Beer, Class C Wine • 2% alcohol, 82% food, 16% other
Aldermanic District 9 (Ald. Skidmore) • Police Sector 125
Due back at the 10/3/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

143. [04445](#) Public Hearing - New License
Cosi, Inc. • dba Cosi • est. capacity 116
250 State Street • Agent: Nathan Heeney
Class B Beer, Class C Wine • 2% alcohol, 98% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 403
Due back at the 10/3/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

144. [04446](#) Public Hearing - New License
Laundry 101 of Madison, LLC • dba Laundry 101 • capacity 99
437 W. Gilman Street • Agent: Richard Anderegg
Class B Combination Liquor & Beer • 3% alcohol, 7% food, 90% other
Aldermanic District 4 (Ald. Verveer) • Police Sector 403
Due back at the 10/3/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

145. 04447 Public Hearing - New License
GD 3, LLC • dba The Great Dane Pub • est. capacity 300
357 Price Place • Agent: Ted Peterson
Class B Combination Liquor & Beer • 38% alcohol, 60% food, 2% other
Aldermanic District 11 (Ald. Gruber) • Police Sector 108
Due back at the 10/3/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

146. 04448 Public Hearing - New License
The Bamboo House, LLC • dba The Bamboo Hut • est. capacity 50
1318 S. Midvale Boulevard • Agent: Tou Vue
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 10 (Ald. Golden) • Police Sector 106
Due back at the 10/3/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

147. 04460 Public Hearing - New License
Adair Enterprises, LLC • dba Adair's Lounge • est. capacity 99
121 W. Main Street • Agent: Rita Adair
Class B Combination Liquor & Beer • 95% alcohol, 5% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 405
Due back at the 10/3/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

148. 04462 Public Hearing - New License
Samba, LLC • dba Samba Steak House • est. capacity 358
240 W. Gilman Street • Agent: Jongyeon Lee
Class B Combination Liquor & Beer • 40% alcohol, 55% food, 5% other
Aldermanic District 8 (Ald. King) • Police Sector 403
Due back at the 10/3/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

149. 04463 Public Hearing - New License
Rising Sons Deli, LLC • dba Rising Sons Deli • est. capacity 40
617 State Street • Agent: Sinarack MacVilay
Class B Beer, Class C Wine • 10% alcohol, 90% food
Aldermanic District 8 (Ald. King) • Police Sector 403
Due back at the 10/3/06 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

CLAIMS - REFER TO RISK MANAGER

150. 04250 NOTICE OF CLAIM - J. Klinkner, 10 Bea Circle, Madison - property damage - \$18.73.

151. [04251](#) NOTICE OF CLAIM - American Family Insurance for C. Gross, 717 Copernicus Way, Madison - vehicle damage - \$1,351.19.
152. [04325](#) C. Chislom, 701 Pirate Island #208, Monona - vehicle damage - \$579.83.
153. [04326](#) NOTICE OF CLAIM - Habush, Habush & Rottier S.C., Attorney for L. Bjorklund, 2510 Commonwealth Ave., Madison - damages & injury - amount to be determined.
154. [04327](#) N. Danekes, 1042 N. High Point Rd #106, Madison - vehicle damage - \$173.44.
155. [04328](#) R. & R. Donkle, 121 Frigate Dr., Madison - vehicle damage - \$546.79.
156. [04329](#) T. Norman, 968 Lawrence St., Madison - vehicle damages - amount to be determined.
157. [04332](#) S. James, 5301 South Hill Dr., Madison - vehicle damage - \$210.00.
158. [04333](#) D. Holbrook, 5910 Woodcreek Ln., Middleton - amount to be determined.
159. [04362](#) D. Veloff, 5333 Kingsbridge Rd., Madison - property damage - \$2,190.00.
160. [04374](#) B. Chatman, 2013 Canterbury Rd, Madison - vehicle damage - \$1,733.00.
161. [04375](#) K. SeptMatthews, 5209 Manitowoc Pkwy., Madison - amount to be determined.
162. [04376](#) NOTICE OF CLAIM - Gingras, Cates & Luebke, S.C., Attorney for G. Converse, Madison - amount to be determined.
163. [04377](#) NOTICE OF CLAIM - Lawton & Cates, S.C., Attorney for the estate of V. Montero-Diaz, Madison - mental, emotional and physical injury -\$1,500,000.00.
164. [04378](#) Progressive Insurance for L. Cook, 1302 Woodvale Dr., Madison - vehicle damage - \$1,500.69.
165. [04380](#) C. Clark, 401 Bowman Ave., Madison - vehicle damage - amount to be determined.
166. [04400](#) F. Herschelman, 2533 E Dayton St. #2, Madison - personal injury - amount to be determined.
167. [04403](#) G. Rosendahl, 120 D Evanston Ave., Arlington Heights, IL - vehicle damage - \$230.00.
168. [04410](#) J. Foster, 9950 Blue Valley Rd., Mt.Horeb - vehicle damage - amount to be determined.

169. [04411](#) A. Sassano, 3938 Earlston Rd. , Downers Grove, Ill. - reimbursement/rental car - \$250.00.
170. [04450](#) L. Aschbrenner, 808 Chickadee Dr., Cambridge - vehicle damage - \$167.32.
171. [04487](#) B. Bankston, 1738 Roth St., Madison - personal injury - \$5,000.00.

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR**04500**

2007 Executive Capital Budget.

Due back at the 9/19/06 Common Council Meeting.

Refer For Public Hearing to the BOARD OF ESTIMATES

ADJOURNMENT

A motion was made by Council President King, seconded by Ald. Verveer, to Adjourn at 8:20 p.m. The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on the 6th of September, 2006.

Ordinances published September 21st, 2006.

MARIBETH WITZEL-BEHL, INTERIM CITY CLERK