



City of Madison Proceedings - Final COMMON COUNCIL

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

Tuesday, February 6, 2007

6:30 PM

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

Roll Call at 6:35 p.m., Mayor Cieslewicz in the Chair.

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

Excused: Benford and 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 Ald. King, seconded by Ald. Verveer, to Suspend the Rules. The motion passed by acclamation.

SPECIAL ORDER OF BUSINESS

- [05362](#) Commending Charles E. Cole, Assistant Chief of Police, upon his retirement after thirty-five years of dedicated service to the City of Madison.

Sponsors: David J. Cieslewicz and COMMON COUNCIL

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

Enactment No: RES-07-00157

BUSINESS BY THE MAYOR

- [05468](#) Report of the Chief of Police regarding the Downtown Safety Initiative.

Sponsors: David J. Cieslewicz

2 Registrant(s) in support wishing to speak.

A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
- [05484](#) AMENDED Report of the Mayor submitting citizen committee appointments (introduced 2-6-2007; action 2-27-2007)

Confirm at the 2/27/07 Common Council Meeting (2/3 vote for Parking Strategic Planning Com).

A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm for February 27, 2007. The motion passed by acclamation.

BUSINESS BY THE PRESIDENT OF THE COMMON COUNCIL

4. [05580](#) Establishing an advisory referendum on streetcars.
- Sponsors:** Santiago Rosas and Paul E. Skidmore
- 1 Registrant(s) in support wishing to speak; 4 Registrant(s) in opposition wishing to speak; 5 Registrant(s) in opposition not wishing to speak.*
- A motion was made by Ald. King, seconded by Ald. Verveer, to Place On File. A motion was made by Ald. King and seconded by Ald. Verveer to Adopt. No action was taken. A substitute motion to adopt ID# 05547 (item # 127) was moved in place of this item and became the main motion. Item # 127 contains the results of the vote. The motion passed by acclamation.**

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

5. [05311](#) Public Hearing - New License
West Towne PMG, LLC • dba Culinary Concepts of Madison
201 State Street • Agent: Drew Roznowski • capacity 2000
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 405
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.**
6. [05312](#) Public Hearing - New License
Blue Bandit, Inc. • dba Tonic
123 E. Main Street • Agent: Richard Brahmer • capacity 180
Class B Combination Liquor & Beer • 70% alcohol, 30% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 406
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by acclamation.**
7. [05313](#) Public Hearing - Transfer of License Location from 736 N. Midvale Blvd.
Chou Family Holdings, Inc. • dba Cheers International Grill & Pachuco's Bar
6722 Odana Road • Agent: Su-Hua Kuo • capacity 289
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 19 (Ald. Radomski) • Police Sector 113
Public Hearing Closed.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.**

REPORT OF BOARD OF PUBLIC WORKS

8. [05364](#) Approving plans, specifications and schedule of assessments for streetlights - Fahrenbrook Court. (8th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt and Close the Public Hearing. The motion passed by acclamation.**
- Enactment No:** RES-07-00158

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: 4, 11, 12, 13, 16, 21, 67, 68, 69 & 127 on a motion made by Ald. King and seconded by Ald. Verveer.

REPORTS OF OFFICERS**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

9. [05188](#) Operator License Application
Barrett Casto - Establishment where employed: Spot Liquor.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Place On File Without Prejudice. The motion passed by acclamation.**
10. [05571](#) Alcohol License Review Committee Report of Operator License Applications January 31, 2007.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

REPORT OF ALLIED AREA TASK FORCE

11. [04262](#) AMENDED - To provide for coordination and cooperation between the City of Madison and Dane County in finding short and long-term locations for service providers currently serving Allied Drive.
- Sponsors:** Kenneth Golden
- A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Adopt With Amendment(s) as follows: add "and the Community Services Commission" after "the Allied Area Task Force" in the second BE IT FURTHER RESOLVED CLAUSE. The motion passed by acclamation.**
- Enactment No:** RES-07-00203

REPORT OF BOARD OF ESTIMATES

Begins at the top of the next page.

12. [04859](#) AMENDED ALTERNATE - Amending Section 16.04 of the Madison General Ordinances to reflect the reorganization of the Department of Planning and Development as the Department of Planning, Community and Economic Development and to update existing references in various Chapters to reflect the changes in Department and Unit names.

Sponsors: Common Council By Request

As part of the motion to adopt the alternate, the following amendment (as recommended by the Board of Estimates at their 1/29/07 meeting) was referred to the Plan Commission:

The Director will create an ad hoc committee to explore creation of an Office of Neighborhood Support. This committee will be made up of neighborhood residents, neighborhood association members, planning council members, staff of the Planning Unit, CDBG, and OCS, alders and a representative of the Mayor's Office. The committee will consider the feasibility of using the new Planner 3 position to create a new staff position entitled "Neighborhood Support Officer," who will be the chief staff person to this office.

The Neighborhood Support Officer could serve as a clearinghouse for neighborhood requests, issues and services, and could implement many of the Neighborhood Staff Team draft recommendations, including the following: develop and track neighborhood early warning indicators; improve tracking of neighborhood plan recommendations; develop comprehensive, multi-agency responses to challenged neighborhoods; create and implement a neighborhood framework to improve the coordination and delivery of services to all neighborhoods; improve the coordination and strength of the Neighborhood Resource Teams; and synchronize grant programs.

The Neighborhood Support Officer will be physically located in the Planning Unit but report also to the Mayor in order to facilitate multi-agency cooperation in addressing neighborhood issues.

The ad hoc committee will be seated by May 1, 2007, with a report back date of September 4, 2007. Upon completion of the ad hoc committee's work, appropriate resolutions or ordinances will be forwarded to the City Council for approval.

A motion was made by Ald. Konkel, seconded by Ald. Webber, to Adopt the alternate with amendments. The motion passed by the following vote:

Excused: 2 - Benford and Thomas

Aye: 17 - Sanborn, Cnare, Verveer, Webber, Olson, Brandon, King, Skidmore, Golden, Gruber, Knox, Jr., Bruer, Palm, Compton, Rosas, Van Rooy and Radomski

No: 1 - Konkel

Non Voting: 1 - Cieslewicz

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

A motion was made by Ald. Konkell, seconded by Ald. Verveer, to Adopt the following amendment: change the name of the agency to read "Department of Planning and Community and Economic Development" throughout the entire ordinance. The motion passed by acclamation.

A motion was made by Ald. Konkell, seconded by Ald. Verveer, to Adopt the following amendment: strike the last sentence of Section 16.04 (l) which reads "For purposes of budget appropriations, the Department is considered a single body even if appropriations are set forth in the budget for each division, section or office of the department." The motion passed by the following vote:

Excused: 2 - Benford and Thomas

Aye: 12 - Sanborn, Konkell, Cnare, Verveer, Webber, Brandon, King, Skidmore, Gruber, Palm, Compton and Rosas

No: 6 - Olson, Golden, Knox, Jr., Bruer, Van Rooy and Radomski

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Brandon, seconded by Ald. Webber, to Adopt the following amendments: strike the following language in Section (6) (e): "services for childcare, support to families, senior services, youth services, domestic violence and sexual assault services, services that provide community assistance and access, and neighborhood organizing and capacity building,". Strike the following language in Section (6) (f): "which provide affordable housing, expand economic opportunities, enhance suitable living environments, and, support thriving neighborhoods, giving priority to persons of low and moderate income, and" and strike "for housing, business development, community gardens, neighborhood centers, housing services for people with special needs, linkages to resources, and neighborhood revitalization"

The motion passed by the following vote:

Excused: 2 - Benford and Thomas

Aye: 12 - Sanborn, Cnare, Brandon, Skidmore, Golden, Knox, Jr., Bruer, Palm, Compton, Rosas, Van Rooy and Radomski

No: 6 - Konkell, Verveer, Webber, Olson, King and Gruber

Non Voting: 1 - Cieslewicz

This matter was Adopt the following amendment: strike "Community and Economic" throughout the entire ordinance.. The motion failed.

Enactment No: ORD-07-00018

13. [05302](#) Authorizing an Agreement between the City of Madison and County of Dane for the Provision of Household Hazardous Waste Services, for the Clean Sweep household hazardous waste collection program for a period from January 1, 2007 to December 31, 2008, and authorizing assignment of the contract from the City to the new merged City-County health department upon creation of that department.
- Sponsors:** Judy K. Olson
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00200
14. [05347](#) Authorizing the Mayor and other City officials to sign an agreement with the Board of Regents of the University of Wisconsin System (UW) for the use of City fiber optic communication strands.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00159
15. [05350](#) Increasing a Public Health Nutritionist from 0.5 FTE to 0.6 FTE.
- Sponsors:** Judy K. Olson
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00160
16. [05363](#) Authorizing the acceptance of a BUILD Grant from Dane County, and the hiring of Cuningham Group, Architecture P.A., for consultation services to prepare a plan for the Stoughton Road Revitalization Project.
- Sponsors:** Judy Compton, Larry Palm and Lauren Cnare
- A motion was made by Ald. Compton, seconded by Ald. Golden, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00201
17. [05365](#) Accepting funds from Dane County for a 0.5 FTE Public Health Nurse, increasing position authority by 0.5 FTE, and amending the 2007 Operating Budget to add the revenues and expenditures.
- Sponsors:** Judy K. Olson
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00161

18. [05371](#) Authorizing the provision of HOME and HOME Match funds to assist Madison Development Corp. to develop housing in ways that address City, Community and Neighborhood Development Objectives.
- Sponsors:** Cindy Thomas, Tim Bruer and Santiago Rosas
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00162
19. [05373](#) Authorizing the provision of HOME funds to assist Common Wealth Development, Inc. develop the Central Park Lofts housing project in ways that address City, Community and Neighborhood Development Objectives.
- Sponsors:** Cindy Thomas, Tim Bruer and Santiago Rosas
- 2 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00163
20. [05375](#) Authorizing the Mayor and City Clerk to sign a contract with Systems X Design, LLC (SXD) for software maintenance.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00164
21. [05381](#) SUBSTITUTE - Authorizing the Streets Division to purchase carts for the automated refuse collection program from the Rehrig Pacific Company.
- Sponsors:** David J. Cieslewicz, Kenneth Golden, Robbie Webber, Tim Gruber and Larry Palm
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00202
22. [05385](#) Authorizing the City to enter into a two (2) year agreement with the possibility of a one year renewal term with Madison Metropolitan School District for the use of city park land for adult baseball and softball programs by the Madison School Community Recreation.
- Sponsors:** Santiago Rosas and Paul E. Skidmore
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00165

23. [05386](#) Authorizing a contract between the City and the Madison Metropolitan School District for the provision of programming by Madison School and Community Recreation at Warner Park Community and Recreation Center for 2007.

Sponsors: Brian Benford and Paul J. Van Rooy

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

Enactment No: RES-07-00166

24. [05387](#) Double-fill Authorization of Streets Operations Analyst.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-07-00167

REPORT OF BOARD OF PARK COMMISSIONERS

25. [05310](#) Authorizing the execution of an Underground Utility Easement to Madison Gas and Electric Company across a portion of Olbrich Park located at 3527 Atwood Avenue. 15th Ald. Dist.

Sponsors: Larry Palm

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

Enactment No: RES-07-00168

REPORT OF BOARD OF PUBLIC WORKS

26. [05140](#) Repealing Section 23.01(4) of the Madison General Ordinances, which has been superseded by Wis. Stat. sec. 66.0903(6), governing the City's ability to bid separately or jointly for work on public contracts.

Sponsors: Zachariah Brandon

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

Enactment No: CHA-07-00001

27. [05333](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Grandview Commons - Phase X. (3rd AD)

Sponsors: Common Council By Request

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

Enactment No: RES-07-00169

28. [05336](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Grandview Commons - Phase VIII. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00170
29. [05337](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Grandview Commons - Phase VII. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00171
30. [05393](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on State Street. (4th AD)
Sponsors: Michael E. Verveer
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00172
31. [05395](#) Accepting storm sewer constructed by private contract in Grandview Commons - Phase 12, Private Contract No. 2018; and rescinding Res-07-00089, ID No. 05272, adopted 1/2/07. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00173
32. [05396](#) Accepting sanitary sewer constructed by Private Contract in Grandview Commons - Phase 12, Private Contract No. 2018; and rescinding Res-07-00090, ID No. 05273, adopted 1/2/07. (3rd AD)
Sponsors: Common Council By Request
A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.
Enactment No: RES-07-00174

33. [05398](#) Approving plans and specifications for public improvements required to serve Phase 5 of the Subdivision known as Linden Park, and authorizing construction to be undertaken by the Developer, Private Contract No. 2146. (1st AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00175
34. [05399](#) Approving plans and specifications for public improvements required to serve Phase 3 of the Subdivision known as The Meadowlands and authorizing construction to be undertaken by the Developer, Private Contract No. 1968, and rescinding Res. No. 61561, ID No. 36147 adopted June 1, 2004. (3rd AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00176
35. [05404](#) Improvements accepted for TANCHO/CIC Phase II Construction, Contract No. 5852. (17th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00177
36. [05405](#) Declaring the City of Madison's intention to exercise its police powers establishing the Milwaukee Street Reconstruction Assessment District-2007. (3rd AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00178
37. [05406](#) Declaring the City of Madison's intention to exercise its police powers establishing the Troy Drive Sidewalk Assessment District-2007. (18th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00179

38. [05407](#) Declaring the City of Madison's intention to exercise its police powers establishing the Coldspring Avenue Reconstruction Assessment District - 2007. (15th AD)
- Sponsors: Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00180
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39. [05411](#) Declaring the City of Madison's intention to exercise its police powers establishing the Dixon, Fairview, and Ryan Streets Reconstruction Assessment District - 2007. (6th AD)
- Sponsors: Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00181
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40. [05412](#) Declaring the City of Madison's intention to exercise its police powers establishing the Buena Vista, Garrison, and Lindbergh Streets Reconstruction Assessment District - 2007. (6th AD)
- Sponsors: Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00182
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41. [05414](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks, Major Streets - 2007, Contract No. 6012. (City Wide)
- Sponsors: Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00183
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42. [05417](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks, Local Streets - 2007, Contract No. 6011. (City Wide)
- Sponsors: Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00184

43. [05418](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Chip Sealing 2007 - District 3, Contract No. 6009. (3rd AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00185
44. [05419](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Chip Sealing 2007 - District 7, Contract No. 6010. (7th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00186
45. [05420](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Olbrich Gardens Tram Path - 2007, Contract No. 6032. (15th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00187
46. [05421](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sidewalk and Curb & Gutter, Citywide Installation and Repair-2007. (City Wide)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00188
47. [05422](#) 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. (15th, 17th, & 6th ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00189

48. [05423](#) Ordering Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 15th, 17th and 6th (ward 33) Aldermanic Districts. (15th, 17th, & 6th ADs)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00190
49. [05424](#) 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. (City Wide)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00191
50. [05425](#) Awarding Public Works Contract No. 5395, North Randall Street Reconstruction Assessment District - 2006.
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00192
51. [05435](#) Terminating the Declaration of Public Works Emergency per Section 62.15(1b) of the Wis. Stats. for roof replacement at Traffic Engineering Building "A" at Sayle Street. (13th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00193
52. [05436](#) Assessing Benefits - Randall Avenue Reconstruction Assessment District - 2006. (13th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00194

53. [05437](#) Accepting a Storm Water Management System Maintenance Agreement between the property owner of 5618 Odana Road and the City of Madison concerning the long term maintenance of an existing private storm sewer within a public easement. (19th AD)
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00195

REPORT OF CITY CLERK

54. [05489](#) New Secondhand Dealer license.
1. Savers Inc • dba Savers • 7333 West Towne Way
- A motion was made by Ald. King, seconded by Ald. Verveer, to Grant. The motion passed by acclamation.**

REPORT OF HOUSING COMMITTEE

Begins at the top of the next page.

55. [04748](#) SUBSTITUTE - Amending Section 32.07(7) of the Madison General Ordinances to clarify that any statement sent to a tenant to explain the withholding of any portion of a security deposit shall specify the amount of rent credit due to the tenant.
- Sponsors:** Brenda K. Konkel
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00015
56. [04842](#) Amending Section 3.23(4)(a) of the Madison General Ordinances to prohibit discrimination in housing based on the tenant's source of income being from rental assistance under the federal Section 8 Housing Program.
- Sponsors:** Brenda K. Konkel
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00016

REPORT OF PLAN COMMISSION

57. [05408](#) Approving the final plat/revised preliminary plat known as "The American Center Plat - Hanson First Addition" located at 4698 Eastpark Boulevard. 17th Ald. Dist.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00196

REPORT OF THE PLANNING UNIT

58. [05556](#) Approving a Certified Survey Map of property owned by the MLG Capital/ Meadowood, LLC at 5702 Raymond Road. 20th Ald. Dist.
- Sponsors:** Common Council By Request
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** RES-07-00197

REPORT OF RISK MANAGER

59. [05263](#) R. Bonomo for Holy Redeemer Catholic Church, 120 W. Johnson St., Madison - property damage - \$9,857.16.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.**
60. [05297](#) Collman & Company, LLC for Eastside Evangelical Lutheran Church, 2310 Independence Lane, Madison - property damage - \$18,692.01.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.**
61. [05342](#) Kevin T. Roach, attorney for D. White - vehicle damage - \$3,122.22.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.**
62. [05344](#) F. Scarano, 6053 Lake St., Middleton - personal injury - \$50,000.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.**
63. [05401](#) Travelers Property Casualty Company of America for 33 East Main Associates, 33 East Main St., Madison - property damage - \$48,249.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Disallow. The motion passed by acclamation.**

REFERRED TO THIS MEETING**APPOINTMENTS**

64. [05394](#) Report of the Mayor submitting citizen committee appointments (introduced 1-16-2007; action 2-6-2007)
- A motion was made by Ald. King, seconded by Ald. Verveer, to Confirm. The motion passed by the following vote:**
- Excused:** 2 - Benford and Thomas
- Aye:** 18 - Sanborn, Konkell, Cnare, Verveer, Webber, Olson, Brandon, King, Skidmore, Golden, Gruber, Knox, Jr., Bruer, Palm, Compton, Rosas, Van Rooy and Radomski
- No:** 0 -
- Non Voting:** 1 - Cieslewicz

ORDINANCES

65. [05366](#) Creating Section 15.01(561) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the Middleton-Cross Plains Area School District Attachment, creating Section 15.02(141) of the Madison General Ordinances to assign the attached property to Ward 141, and amending 15.03(9) to add new Ward 141 to the 9th Aldermanic District.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion passed by acclamation.**
- Enactment No:** ORD-07-00017

PETITIONS

66. [05397](#) Petition dated November 15, 2006 from Lathrop & Clark, LLP on behalf of the Middleton-Cross Plains Area School District re: direct attachment from the Town of Middleton to the City of Madison.
- A motion was made by Ald. King, seconded by Ald. Verveer, to Accept. The motion passed by acclamation.**

RESOLUTIONS

67. [05379](#) AMENDED SUBSTITUTE - Directing the Director of Planning and Development to provide written authorization to Meyer Realty and Management, Inc. to enter into new leases with individuals and families who are displaced from their housing due to nuisance abatement actions of the City of Madison if they are not part of the reason for the City nuisance abatement action and to renew leases of current tenants who are in good standing.
- Sponsors:** Brenda K. Konkel
- 9 Registrant(s) in support wishing to speak; 3 Registrant(s) in support not wishing to speak.*
- A motion was made by Ald. Golden, seconded by Ald. King, to Adopt With Amendment(s) as follows: add "BE IT FURTHER RESOLVED, that the Allied Drive Task Force, with assistance of staff, develop screening criteria and conditions under which tenants may be admitted to the City-owned properties; and BE IT FURTHER RESOLVED, that if month-to-month leases are used, a 60 day notice to terminate shall be utilized unless there is good cause to terminate for violations of the lease;"**
- The motion passed by acclamation.**
- Enactment No:** RES-07-00199
68. [05439](#) Calling for a referendum on Presidential Accountability.
- Sponsors:** Austin W. King
- A substitute motion to Refer was made by Ald. Sanborn. There was no second.*
- A motion was made by Ald. King, seconded by Ald. Verveer, to Adopt. The motion failed by the following vote:**
- Excused:** 2 - Benford and Thomas
- Aye:** 5 - Konkel, Verveer, Webber, King and Gruber
- No:** 10 - Sanborn, Cnare, Olson, Brandon, Golden, Knox, Jr., Compton, Rosas, Van Rooy and Radomski
- Abstain:** 3 - Skidmore, Bruer and Palm
- Non Voting:** 1 - Cieslewicz

RECONSIDERATION(S)

69. [04443](#) SECOND SUBSTITUTE - Creating Section 28.108 of the Madison General Ordinances to establish a "Neighborhood Conservation District" and creating Section 28.12(9)(d)21. of the Madison General Ordinances to add variance of a requirement in a Neighborhood Conservation District to the list of variances that may be requested.

Sponsors: Judy K. Olson, Brenda K. Konkell, Kenneth Golden, Lauren Cnare and Michael E. Verveer

NOTE: There were 5 Registrant(s) in support wishing to speak and 2 Registrant(s) in support not wishing to speak. However, since the motion to reconsider failed, the speakers were not afforded an opportunity to speak.

A motion was made by Ald. King, seconded by Ald. Verveer, to Reconsider. The motion failed by the following vote:

Excused: 2 - Benford and Thomas

Aye: 10 - Konkell, Cnare, Verveer, Webber, Olson, King, Golden, Gruber, Knox, Jr. and Radomski

No: 8 - Sanborn, Brandon, Skidmore, Bruer, Palm, Compton, Rosas and Van Rooy

Non Voting: 1 - Cieslewicz

A motion was made by Ald. King, seconded by Ald. Verveer, to Take A Recess at 8:35 p.m. The meeting was called to order at 8:47 p.m., Mayor Cieslewicz in the Chair. The motion passed by acclamation.

70. [05159](#) Requesting that the State of Wisconsin Divest from Sudan.

Sponsors: Austin W. King, Brian Benford, Brenda K. Konkell, Michael E. Verveer, Tim Gruber, Santiago Rosas, Robbie Webber, Judy K. Olson and Isadore Knox, Jr.

A motion to Reconsider was made by Ald. King and seconded by Ald. Verveer. The motion passed unanimously.

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

Excused: 2 - Benford and Thomas

Aye: 14 - Sanborn, Konkell, Cnare, Verveer, Webber, Olson, King, Golden, Gruber, Knox, Jr., Bruer, Rosas, Van Rooy and Radomski

No: 1 - Compton

Abstain: 3 - Brandon, Skidmore and Palm

Non Voting: 1 - Cieslewicz

Enactment No: RES-07-00198

NEW BUSINESS - Referred on a motion made by Ald. King and seconded by Ald. Verveer.

ORDINANCES

71. [05465](#) Creating Section 28.06(2)(a)3241. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3242. 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: 60-Unit Assisted Living Building (CBRF); 9th Aldermanic District: 8210 Highview Drive.
- Sponsors:** Common Council By Petition
- Due back at the 3/20/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
72. [05466](#) Creating Section 28.06(2)(a)3243. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Multi-Family Residential Apartment Development; 9th Aldermanic District: 733 County Hwy M.
- Sponsors:** Common Council By Petition
- Due back at the 3/20/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
73. [05472](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by creating the class of Street Use Staff Team Coordinator in Compensation Group 18, Range 04, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
74. [05473](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Housing Assistance Program Supervisor in Compensation Group 18, Range 05, and recreating said class in Compensation Group 18, Range 07, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**

75. [05474](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Monona Terrace Community Relations Manager in Compensation Group 18, Range 10, and creating the class of Monona Terrace Community Relations Supervisor in Compensation Group 18, Range 08, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
76. [05475](#) Amending Section 3.38(1)(b) of the Madison General Ordinances by deleting the classification of Purchasing Supervisor in Compensation Group 18, Range 10, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board*
- Refer to the BOARD OF ESTIMATES**
77. [05478](#) Adopting and confirming a Labor Agreement between the City of Madison and the Building and Construction Trades Council of South Central Wisconsin and its Appropriate Affiliated Locals from January 1, 2006 to December 31, 2007.
- Sponsors:** Common Council By Request
- Refer to the BOARD OF ESTIMATES**
78. [05499](#) Amending Sections 16.23(8)(a)1. and 7. of the Madison General Ordinances to clarify the use of cul-de-sac streets.
- Sponsors:** Austin W. King
- Additional Referral(s): Engineering Division*
- Refer to the PLAN COMMISSION**
79. [05500](#) Amending Sections 3.23(1), (3), (4)(a), (c), (d), (f)1.,(f)2., (g), (h), (i), (j), and (k), (5), (7), (8)(a), (b), (c), (d), (e), (l), and (m), (9)(c), and (10)b.1. and (b)2. of the Madison General Ordinances to modify the list of protected classes in the Equal Opportunities Ordinance to include persons who are members of a domestic partnership as defined in the ordinances.
- Sponsors:** David J. Cieslewicz, Brenda K. Konkell and Zachariah Brandon
- Refer to the EQUAL OPPORTUNITIES COMMISSION**
80. [05511](#) Amending Section 28.07(2)(f) of the Madison General Ordinances to include schools as an exception to minimum yard requirements in the Conservancy District.
- Sponsors:** Jed Sanborn
- Due back at the 3/20/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**

81. [05512](#) Creating Section 25.26 of the Madison General Ordinances to restrict the possession and use of paintball guns in the City of Madison, and amending Section 1.08(3)(a) of the Madison General Ordinances to establish bail amounts for this section.
- Sponsors:** Judy Compton, Kenneth Golden, Paul J. Van Rooy and Cindy Thomas
- Additional Referral(s): Board of Estimates*
- Refer to the PUBLIC SAFETY REVIEW BOARD**
82. [05533](#) Amending Sections 37.04, 37.05(6)(b), (6)(c), and (7)(b)6., 37.06(3), 37.08(1) and (2) (o), creating Sections 37.08(5) and Sections 37.09(2)(k), amending Sections 37.09(3) (f), (3)(g), (4)(b), and (6), 37.10(2)(e), and 37.11(1)(a) and (5) of the Madison General Ordinances to make changes to the City's Erosion and Stormwater Runoff Control Ordinance that will conform to and exceed recent County ordinances to improve the quality and increase the amount of runoff infiltrated or recharged.
- Sponsors:** Larry Palm
- Refer to the BOARD OF PUBLIC WORKS**
83. [05534](#) Amending Section 28.06(1)(h) and creating Sections 28.107(10), (11) and (12) of the Madison General Ordinances to create three additional wellhead protection districts for wells Nos. 9, 14 & 30.
- Sponsors:** David J. Cieslewicz and Lauren Cnare
- Due back at the 3/20/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
84. [05538](#) Creating Sec. 28.04(3)(o) of the Madison General Ordinances to add enforcement of Dane County Shoreland Zoning Ordinances in areas annexed to the City since May 7, 1982.
- Sponsors:** David J. Cieslewicz
- Due back at the 3/20/07 Common Council Meeting.*
- Refer For Public Hearing to the PLAN COMMISSION**
85. [05539](#) Amending Section 12.1385(54) and creating Section 12.1517(112) of the Madison General Ordinances to remove a portion of Broom Street from the Residential Daytime Parking Permit program and establish it as a Combination Two Hour And 25 Minute Parking Meter Zone.
- Sponsors:** Michael E. Verveer
- Due back at the 3/20/07 Common Council Meeting.*
- Refer to the TRANSIT AND PARKING COMMISSION**

86. [05540](#) Amending Section 3.38 (1)(b) of the Madison General Ordinances by creating the class of Landscape Architect 4 in Compensation Group 18, Range 12, thereof.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

Refer to the BOARD OF ESTIMATES

RESOLUTIONS

87. [05447](#) That the position #3466 of Community Events Coordinator in Compensation Group 18, Range 02, (occupied by K. Lamberty) in the permanent salary detail of the Parks Division budget is repealed and recreated as a position of Street Use Staff Team Coordinator in Compensation Group 18, Range 04, 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

88. [05448](#) That the vacant position (#1043) of Housing Assistance Program Supervisor in Compensation Group 18, Range 05, in the permanent salary detail of the Housing Operations Unit budget is repealed and recreated as a position of Housing Assistance Program Supervisor in Compensation Group 18, Range 07, thereof.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

Refer to the BOARD OF ESTIMATES

89. [05449](#) That the vacant position (#3334) of Monona Terrace Community Relations Manager in Compensation Group 18, Range 10, in the permanent salary detail of the Monona Terrace budget is repealed and recreated as a position of Monona Terrace Community Relations Supervisor in Compensation Group 18, Range 08, thereof.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

Refer to the BOARD OF ESTIMATES

90. [05450](#) That the vacant position (#790) of Purchasing Supervisor in Compensation Group 18, Range 10, in the permanent salary detail of the Comptroller's Office budget is repealed and recreated as a position of Accountant 2 in Compensation Group 18, Range 08, thereof.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

Refer to the BOARD OF ESTIMATES

91. [05459](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Waubesa/St. Paul Relief Storm Sewer and amending the 2007 Storm Water Utility Capital Budget to transfer budget authority from the Shorelines capital project (810388) to the Storm Sewer with Street Projects capital project (810381) (6th AD)
- Sponsors:** Judy K. Olson
- Additional Referral(s): Board of Public Works*
- Refer to the BOARD OF ESTIMATES**
92. [05464](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and Building and Construction Trades Council of South Central Wisconsin and its Appropriate Affiliated Locals, for the period of January 1, 2006 through December 31, 2007.
- Sponsors:** David J. Cieslewicz
- Refer to the BOARD OF ESTIMATES**
93. [05467](#) Authorizing Mayor and City Clerk to enter into a three (3) year agreement on behalf of the City with Madison Area Radio Control Society (MARCS) for use of Kettle Field, City parkland.
- Sponsors:** Judy Compton
- Additional Referral(s): Board of Park Commissioners*
- Refer to the BOARD OF ESTIMATES**
94. [05470](#) Authorizing the Common Council to accept ownership from Twin Oaks Neighborhood Association of a neighborhood entrance sign to be located within the public right-of-way of Siggelkow Road.
- Sponsors:** Judy Compton
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF PUBLIC WORKS**
95. [05471](#) Authorizing the execution of an Underground Utility Easement to Madison Gas and Electric Company across a portion of the East District Police Station located at 809 S. Thompson Drive.
- Sponsors:** Lauren Cnare
- Additional Referral(s): Plan Commission*
- Refer to the BOARD OF PUBLIC WORKS**

96. [05514](#) That the positions (#1321 and #1494) of Landscape Architect 3 in Compensation Group 18, Range 10 (occupied by W. Bauer and T. Maglio) in the permanent salary detail of the Parks Division budget are repealed and recreated as positions of Landscape Architect 4 in Compensation Group 18, Range 12, thereof. Be it further resolved that the incumbents shall be reallocated to said positions.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

Refer to the BOARD OF ESTIMATES

97. [05523](#) Authorizing the Mayor and City Clerk to execute an amendment to an existing lease with Russell C. and Marjorie A. Marty pertaining to lands located in Verona and Middleton Townships.

Sponsors: Zachariah Brandon

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

Refer to the BOARD OF ESTIMATES

98. [05532](#) Accepting the Final Report of the East Washington Capitol Gateway Plan Advisory Committee and adopting the East Washington Capitol Gateway Corridor Plan and Urban Design Guidelines as a supplement to the City of Madison Comprehensive Plan, and other City plans to be used to guide future land use and development within the East Washington Capitol Gateway Corridor.

Sponsors: Judy K. Olson and Brian Benford

Additional Referral(s): Economic Development Commission, Urban Design Commission

Refer to the PLAN COMMISSION

99. [05537](#) Authorizing the Mayor and City Clerk to enter into a Purchase of Service agreement with the YWCA to operate an Alternative Transportation Service utilizing funds from the City's 2007 adopted operating budget.

Sponsors: David J. Cieslewicz, Lauren Cnare, Paul J. Van Rooy, Austin W. King, Brenda K. Konkel and Brian Benford

Refer to the BOARD OF ESTIMATES

100. [05542](#) Authorizing the Mayor and city Clerk to execute an Operating Agreement with Supreme Water Sports LLC, to offer canoe/kayak/windsurfing/sailing lessons, canoe/kayak/windsurf/sailboat rental service, and concessions, available to the general public, at James Madison park for the year 2007, with the option to renew for three (3) one (1) year terms.

Sponsors: Santiago Rosas and Paul E. Skidmore

Refer to the BOARD OF PARK COMMISSIONERS

101. [05544](#) Authorizing the transfer of the balance of a Capital Revolving Fund Loan from a CDA-owned property located at 315 South Brooks Street to CDA-owned properties located at 601 South Baldwin, 612-632 East Dayton Street and 202 North Blount Street.
- Sponsors:** Isadore Knox, Jr.
- Refer to the BOARD OF ESTIMATES**
102. [05548](#) Authorizing the Mayor and City Clerk to enter into a Purchase of Service agreement with T. J.'s Support Brokerage Firm to provide the MAP program utilizing unused Year 3 Weed and Seed funds.
- Sponsors:** David J. Cieslewicz, Lauren Cnare, Paul J. Van Rooy, Brian Benford, Austin W. King and Kenneth Golden
- Refer to the BOARD OF ESTIMATES**
103. [05559](#) Amending the Library's 2007 Capital Budget to reauthorize funding and increase G.O. borrowing by \$300,000 in accordance with Federal Arbitrage law.
- Sponsors:** Larry Palm
- Refer to the BOARD OF ESTIMATES**
104. [05563](#) Authorizing specific projects for an application to the State of Wisconsin for ESG and related Rental Assistance/Homeless funds and authorizing the Mayor and City Clerk to sign agreements with various agencies to implement the projects.
- Sponsors:** Cindy Thomas, Santiago Rosas and Tim Bruer
- Refer to the BOARD OF ESTIMATES**
105. [05574](#) Accepting the "Department of Planning and Development Reorganization Report" with its recommendations.
- Sponsors:** Kenneth Golden
- Refer to the PLAN COMMISSION**

LICENSES

106. [05493](#) Public Hearing - New License
PDQ Food Stores, Inc. • dba PDQ Store #115 • 4402 E. Buckeye Road
Class A Liquor
Aldermanic District 16 (Ald. Compton) • Police Sector 614
Due back at the 3/6/07 Common Council Meeting.
- Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE**

107. [05494](#) Public Hearing - Transfer of License Location from 1864 Monroe Street
Trader Joe's East, Inc • dba Trader Joe's # 712
1810 Monroe Street • Agent: Melanie Lee
Class A Liquor, Class A Beer
Aldermanic District 10 (Ald. Golden) • Police Sector 301
Due back at the 3/6/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

108. [05495](#) Public Hearing - New License
Azzalino's Bar and Grill, LLC • dba Azzalino's Bar and Grill
416 S Park Street • Agent: Gerald D Canon • estimated capacity: 80
Class B Combination Liquor & Beer • 80% alcohol, 19% food, 1% other.
Aldermanic District 13 (Ald. Knox) • Police Sector 305
Due back at the 3/6/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

109. [05497](#) Public Hearing - New License
Moco Market LLC • dba MoCo Market
804 Williamson Street • Agent: Megan Ramey • estimated capacity: 15
Class B Combination Liquor & Beer • 5% alcohol, 50% food, 45% other
Aldermanic District 6 (Ald. Olson) • Police Sector 408
Due back at the 3/6/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

110. [05501](#) Public Hearing - New License
Takumi Inc • dba Takumi Japanese Restaurant
4222 East Towne Boulevard • Agent: Kong Feng Ni • estimated capacity: 90
Class B Combination Liquor & Beer • 5% alcohol, 95% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 515
Due back at the 3/6/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

111. [05522](#) Public Hearing - New License
Trejo, Josefa • dba Taqueria Gaudalajara
1033 S Park Street • Agent: Josefa Trejo • estimated capacity 16
Class B Beer • 1% Alcohol, 97% Food, 2% other
Aldermanic District 13 (Ald. Knox) • Police Sector 306
Due back at the 3/6/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

112. [05530](#) Change of Agent
Roaring Fork LLC • dba Qdoba Mexican Grill
6650 Mineral Point Road, 548 State Street, and 2741 University Avenue
Old Agent: David DeMarco • New Agent: Ron Stokes
Class B Combination Liquor & Beer • .8% alcohol, 99.2% food
Aldermanic Districts 19, 8, and 5 (ALDER Radomski, King, and Webber) • Police
Sectors 112, 403 and 301

Refer to the ALCOHOL LICENSE REVIEW COMMITTEE
113. [05549](#) Change of Corporate Control and Liquor Agent - 1 Officer
Stop-N-Go of Madison, Inc. • dba Stop-N-Go #287 and #253
3734 Speedway Road and 5445 University Avenue • Old Agent John Becker New Agent
Andrew Bowman
Class A Beer • 5% alcohol, 12% food, 83% other
Aldermanic District 11 and 19 (Alder Gruber and Radomski) • Police Sector 101 and
109

Refer to the ALCOHOL LICENSE REVIEW COMMITTEE
114. [05568](#) Public Hearing - New License
Mazu Restaurant, LLC • dba Mazu Restaurant
558 State Street • Agent: Shekeba Samadzada • estimated capacity 80
Class B Beer, Class C Wine • 20% alcohol 80% food
Aldermanic District 8 (Ald. King) • Police Sector 403
Due back at the 3/6/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE
115. [05572](#) Public Hearing - New License
El Mercadito Uscanga LLC • dba El Mercadito Uscanga • 916 S Whitney Way
Class A Beer
Aldermanic District 1 (Ald. Sanborn) • Police Sector 115
Due back at the 3/6/07 Common Council Meeting.

Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE
116. [05575](#) Change of Agent
Eagles 623, Fraternal Order of • dba Eagles 623, Fraternal Order of • 2109 Bartillon Drive
Old Agent: Frank J. Arena • New Agent: Michael A. Meiller
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 17 (Ald. Rosas) • Police Sector 516

Refer to the ALCOHOL LICENSE REVIEW COMMITTEE

117. [05577](#) Application for Change of Licensed Premise
Monona Catering LLC • dba Monona Catering LLC • capacity varies by event
1 John Nolen Drive
Class B Combination Liquor & Beer • 13.8% alcohol, 86.2% food
Aldermanic District 4 (Alder Verveer) Police Sector 405
Request to replace temporary consession trailer with a permanent rooftop concession kiosk.

Refer to the ALCOHOL LICENSE REVIEW COMMITTEE

REPORTS

118. [05483](#) Report of City Attorney - 2006 Annual Lobbying Report.
Accept at the 2/27/07 Common Council Meeting.

Refer to a future Meeting to Accept

CLAIMS - REFER TO RISK MANAGER

119. [05416](#) CLAIM - D. Murphy, 7353 W. Old Sauk Rd., Middleton - property damage - \$585.42.
120. [05428](#) E. Duran, 1162 Petra Place, # 4, Madison - vehicle damage - \$1,361.79.
121. [05429](#) P. Wilhite, 604 Emerson St., Madison - vehicle damage - \$2,047.96.
122. [05444](#) M. Willis, 306 N. Brooks St., # 302, Madison - personal injury - \$1,557.00.
123. [05469](#) NOTICE OF CLAIM - L. Joranger, 79 Lakewood Gardens Ln., Madison - personal injury - amount to be determined.
124. [05520](#) J. Falk, 1909 Kropf Ave., Madison - property damage - \$55.00.
125. [05521](#) General Casualty for Blue Plate Catering, Inc., 8401 Greenway Blvd., Middleton - vehicle damage - \$7,975.72.
126. [05573](#) J. LaDue, 333 W. Dayton St., # 209, Madison - property damage - amount to be determined.

ADDENDUM

127. [05547](#) Requiring a Binding Referendum, in a Form to Be Approved by the City Attorney, Prior to Expenditure of City Funds to Construct a Streetcar or Commuter Rail System in the City of Madison.

Sponsors: David J. Cieslewicz, Zachariah Brandon, Austin W. King, Paul J. Van Rooy, Larry Palm, Noel T. Radomski, Lauren Cnare and Tim Gruber

Additional Referral(s): Transport 2020 Implementation Task Force, Streetcar Study Committee, Board of Public Works, City-County Liason Committee

A motion was made by Ald. Golden, seconded by Ald. Verveer, to Refer to the LONG RANGE TRANSPORTATION PLANNING COMMISSION. The motion passed by the following vote:

Excused: 2 - Benford and Thomas

Aye: 17 - Sanborn, Konkell, Cnare, Verveer, Webber, Olson, Brandon, King, Skidmore, Golden, Gruber, Knox, Jr., Palm, Compton, Rosas, Van Rooy and Radomski

No: 0 -

Abstain: 1 - Bruer

Non Voting: 1 - Cieslewicz

A motion was made by Ald. Rosas, seconded by Ald. Compton, to Adopt With Amendment(s) as follows: BE IT FINALLY RESOLVED that a binding referendum be placed on the April 3, 2007 ballot for consideration by the voters of the City of Madison. The motion failed by the following vote:

Excused: 2 - Benford and Thomas

Aye: 1 - Rosas

No: 16 - Sanborn, Konkell, Cnare, Verveer, Webber, Olson, Brandon, King, Skidmore, Golden, Gruber, Knox, Jr., Palm, Compton, Van Rooy and Radomski

Abstain: 1 - Bruer

Non Voting: 1 - Cieslewicz

ITEM(S) INTRODUCED FROM THE COUNCIL FLOOR

128. [05600](#) Amending Section 9.13(6)(j)3. of the Madison General Ordinances to repeal the requirement that restaurant wait staff must carry and serve all food, beverage and alcohol beverages to patrons within a sidewalk café.

Sponsors: Austin W. King

Additional Referral(s): Alcohol License Review Committee, Public Safety Review Board

A motion was made by Ald. King, seconded by Ald. Verveer, to Refer to the VENDING OVERSIGHT COMMITTEE. The motion passed by acclamation.

CLAIMS - REFER TO CITY ATTORNEY

129. [05615](#) J. & B. Grell, 4502 Marsh Rd., Madison - excessive assessment - \$10,404.66.
130. [05616](#) Reinhart, Boerner, Van Deuren, S.C., attorney for Walgreen Co, 2909 E. Washington Ave., Madison - excessive assessment - \$72,203.46 plus interest.
131. [05617](#) Reinhart, Boerner, Van Deuren, S.C., attorney for Walgreen Co., 3710 E. Washington Ave., Madison - excessive assessment - \$58,470.08 plus interest.
132. [05618](#) Brennan, Steil, & Basting, S.C., attorney for Adams Outdoor Advertising, LTD, 102 E. Badger Rd., Madison - amount to be determined.
133. [05619](#) Brennan, Steil & Basting, S.C., attorney for Lamar Outdoor Advertising, P.O. Box 66338, Baton Rouge, LA - excessive assessment - amount to be determined.
134. [05620](#) Axley Brynelson, LLP attorney for Future Madison Wexford, Inc., 7012 Tree Ln., Madison - unlawful taxation - amount to be determined.
135. [05621](#) Axley Brynelson, LLP attorney for Future Madison Eastpointe, Inc., 3041 Webb Ave., 3033 Webb Ave., 3029 Webb Ave., 3037 Webb Ave., Madison - unlawful taxation - amount to be determined.

ADJOURNMENT

A motion was made by Ald. King, seconded by Ald. Verveer, to Adjourn at 10:20 p.m.

The motion passed by acclamation.

I certify that the foregoing action of the Common Council was approved by the Mayor on February 7, 2007.

Ordinances published February 22, 2007.

MARIBETH WITZEL-BEHL, CITY CLERK