



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, September 16, 2008

6:30 PM

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

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

Present: 20 -

David J. Cieslewicz; Jed Sanborn; Brenda K. Konkel; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele and Libby Monson

Excused: 1 -

Lauren Cnare

OPENING REMARKS

SUSPENSION OF 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.

HONORING RESOLUTIONS

- 11990** Commending Alderperson Zach Brandon for his dedicated service to the constituents in District 7 and the City of Madison from April 1, 2003 to September 16, 2008.

Sponsors: David J. Cieslewicz, Tim Bruer, Mark Clear, Jed Sanborn, Brenda K. Konkel, Lauren Cnare, Michael E. Verveer, Robbie Webber, Marsha A. Rummel, Eli Judge, Paul E. Skidmore, Brian L. Solomon, Tim Gruber, Satya V. Rhodes Conway, Julia S. Kerr, Larry Palm, Judy Compton, Joseph R. Clausius, Michael Schumacher and Thuy Pham-Remmele

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

Enactment No: RES-08-00884

Elizabeth Monson sworn in as interim alderperson for District 7.

Present: 20 -

Libby Monson; David J. Cieslewicz; Jed Sanborn; Brenda K. Konkel;
Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Paul E.
Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia
S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius;
Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Excused: 1 -

Lauren Cnare

EARLY PUBLIC COMMENT

PETITIONS AND COMMUNICATIONS - None received.

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT #: 13, 55, and 69 on a motion made by Ald. Bruer, seconded by Ald. Verveer.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

2. [10834](#)

AMENDED - Amending Sections 28.08(2)(b)8.j., 28.08(9)(b)7.c., 28.08(11)(b)7.i. and 28.08(12)(b)2. of the Madison General Ordinances to allow the keeping ~~of chickens within 2-family detached dwellings in residential districts~~ of four chickens in residential districts on a zoning lot with up to four dwelling units.

Sponsors: Marsha A. Rummel

1 Registrant(s) in opposition wishing to speak.

A motion was made by Ald. Rummel, seconded by Ald. Skidmore, to Adopt With Amendment(s) as follows: strike "of chickens within 2-family detached dwellings in residential districts" and replace with "of four chickens in residential districts on a zoning lot with up to four dwelling units" in the title; strike "per dwelling unit" and replace with "on a lot with up to four dwelling units, provided that:" in Section 1(2)j; add "The applicant for a license notifies all residents within two hundred (200) feet of the lot. vii. Not more than fifty percent (50%) of the residents notified in vi. above object within fourteen (14) days of notification." in Section 1(2)j; strike "per dwelling unit" and replace with "on a lot with up to four dwelling units, " in Section 2; add "The applicant for a license notifies all residents within two hundred (200) feet of the lot. vii. Not more than fifty percent (50%) of the residents notified in vi. above object within fourteen (14) days of notification." to Section 2, Section 3 and Section 4. The motion passed by voice vote/other. The motion passed by the following vote:

Excused: 1 -

Lauren Cnare

Ayes: 17 -

Libby Monson; Jed Sanborn; Brenda K. Konkel; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Joseph R. Clausius; Michael Schumacher and Mark Clear

Noes: 2 -

Judy Compton and Thuy Pham-Remmele

Non Voting: 1 -

David J. Cieslewicz

Enactment No: ORD-08-00108

PUBLIC HEARINGS - BEGIN AT 6:45 PM

3. [11489](#)

To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses from 6:00 p.m. November 1 to 3:00 a.m. November 2, 2008 in the areas specified in the Street Use Permit Frank Productions, Inc. will obtain for Freakfest 2008.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-08-00885

- 4. [11490](#) Authorizing Frank Productions, Inc., as organizing group for FREAKFEST 2008, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, from November 1, 2008, 6:00 p.m. to November 2, 2008, 3:00 a.m., within the perimeter of the area, defined in the Street Use Permit for the event.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-08-00886

REPORT OF BOARD OF ESTIMATES

- 5. [11696](#) 2009 Executive Capital Budget.

Due back at the 10/7/08 Common Council Meeting for Recessed Public Hearing.
Rerefer for Recessed Public Hearing, Common Council Meeting 11/11/08.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on 10/7/2008. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

- 6. [11572](#) SUBSTITUTE - Report of the Mayor submitting citizen committee appointments (introduced 9-2-2008; action 9-16-2008).

Sponsors: David J. Cieslewicz

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

Excused: 2 -

Lauren Cnare and Zachariah Brandon

Ayes: 19 -

Brenda K. Konkel; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Libby Monson and Jed Sanborn

Non Voting: 1 -

David J. Cieslewicz

7. [11988](#) Report of the Mayor submitting citizen committee appointments (introduced 9-16-2008; action 10-7-2008).

Sponsors: David J. Cieslewicz

Confirm at the 10/7/08 Common Council Meeting.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 10/7/2008. The motion passed by voice vote/other.

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

8. [11980](#) Appointing Elizabeth (Libby) Monson as Interim Alderperson of District 7 to serve until the Spring 2009 election.

Sponsors: Tim Bruer, Mark Clear, Judy Compton, Brenda K. Konkell, Satya V. Rhodes Conway, Michael Schumacher, Michael E. Verveer and Robbie Webber

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Take # 8 out of order. The motion passed by voice vote/other.

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

Enactment No: RES-08-00887

9. [11893](#) Approving the schedule of Common Council meeting dates and times for 2009.

Sponsors: Tim Bruer, Mark Clear, Brenda K. Konkell, Satya V. Rhodes Conway and Michael Schumacher

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

Enactment No: RES-08-00888

10. [11921](#) Accepting ownership of the artwork "1-2-3 Go!" by Melanie Kehoss, located on the fence at Cypress Spray Park.

Sponsors: Tim Bruer and Tim Gruber

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

Enactment No: RES-08-00889

11. [11971](#) Recognizing October as Italian-American Heritage Month and October 13, 2008 as Christopher Columbus Day.
- Sponsors:** Tim Bruer, David J. Cieslewicz, Brenda K. Konkel, Judy Compton, Joseph R. Clausius and Michael Schumacher
- 1 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00890

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

12. [11970](#) Alcohol License Review Committee Report of Operator License Applications 9-10-08. See attached report for list of operators.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**

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

13. [07734](#) SUBSTITUTE - Creating Sections 27.05(2)(aa), (bb), (cc), and (dd) and Section 29.20(21) of the Madison General Ordinances to require bulbs with an energy efficiency of at least thirty (30) lumens in some common areas and dwelling units in residential buildings.
- Sponsors:** Larry Palm and Brian L. Solomon
- 1 Registrant(s) in support wishing to speak.
1 Registrant(s) neither in support nor opposition wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Webber, to Refer to the Attorney's Office. The motion passed by voice vote/other.**

REPORT OF BOARD OF ESTIMATES

14. [11531](#) City of Madison TIF Objective & Policies Report.
- Additional Referral(s): Economic Development Commission
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to the TAX INCREMENTAL FINANCING POLICY AD HOC COMMITTEE. The motion passed by voice vote/other.**

15. [11536](#) Dissolving Tax Incremental District (TID) #26 (Park & Regent).
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00891
16. [11537](#) Dissolving Tax Incremental District (TID) #30 (East Washington Avenue).
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00892
17. [11538](#) Dissolving Tax Incremental District (TID) #31 (Atwood @ Amoth).
- Sponsors:** David J. Cieslewicz and Marsha A. Rummel
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00893
18. [11689](#) Amending the 2008 Public Health Operating Budget to accept Women, Infants, and Children Nutrition Program supplemental funding and increase a Dietetic Specialist from 0.5 FTE to 1.0 FTE.
- Sponsors:** Lauren Cnare
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00894
19. [11710](#) Approval to accept a Homeland Security/2007 Metropolitan Medical Response System OJA Grant for \$250,401.
- Sponsors:** Paul E. Skidmore and Lauren Cnare
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00895

20. [11737](#) That two positions (#504 and #514) of Librarian Supervisor in Compensation Group 18, Range 10 (occupied by J. Roughen and C. Froistad, respectively) in the permanent salary detail of the Library budget are repealed and recreated as positions of Library Community Services Manager in Compensation Group 18, Range 14, thereof. Be it further resolved that the incumbents shall be reallocated to said positions.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-08-00896

21. [11738](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and Local 60, AFSCME, AFL-CIO, Para-Professional Library Unit, for the period of January 1, 2008 through December 31, 2009.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-08-00897

22. [11739](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and Dane County Municipal Employees, AFSCME, AFL-CIO, for the period of January 1, 2008 through December 31, 2009.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-08-00898

23. [11740](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and Local 60, AFSCME, AFL-CIO, Professional Librarian Unit, for the period of January 1, 2008 through December 31, 2009.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-08-00899

24. [11749](#) Authorizing the Mayor and City Clerk to enter into an agreement with Engberg Anderson, Inc. to provide professional architectural and engineering design services for interior improvements at South Madison Library located on South Park Street. (14th AD)

Sponsors: Tim Bruer and Larry Palm

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

Enactment No: RES-08-00900

25. [11750](#) Authorizing the Mayor and the Chief of Police to accept donated funds for the implementation of traffic safety projects.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-08-00901

26. [11765](#) Authorizing the Mayor and City Clerk to execute an Addendum to Agreement between the City of Madison and Dane County for the Sale of Space in the City-County Building.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-08-00902

27. [11771](#) Amending Section 3.12(2) of the Madison General Ordinances to reflect the renaming of the Neighborhood Preservation and Inspection Division to the Building Inspection Division and to update existing references in various Chapters to reflect the change in the Division name.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-08-00109

28. [11776](#) Adopting and confirming the Labor Agreement between the City of Madison and Local 60, AFSCME, AFL-CIO, Library Unit from January 1, 2008 to December 31, 2009.

Sponsors: Common Council By Request

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

Enactment No: ORD-08-00110

29. [11779](#) Adopting and confirming the Labor Agreement between the City of Madison and Local 60, AFSCME, AFL-CIO, Professional Librarian Unit from January 1, 2008 to December 31, 2009.

Sponsors: Common Council By Request

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

Enactment No: ORD-08-00111

30. [11782](#) Amending portions of Section 3.54 of the Madison General Ordinances to modify the salary ranges for Compensation Groups 17 and 43 and various nonrepresented hourly classifications.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-08-00112

31. [11784](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of Library Community Services Manager in Compensation Group 18, Range 14, thereof.

Sponsors: Common Council By Request

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

Enactment No: ORD-08-00113

32. [11785](#) Adopting and confirming the Labor Agreement between the City of Madison and Dane County, Wisconsin Municipal Employees Local 60, AFSCME, AFL-CIO from January 1, 2008 to December 31, 2009.

Sponsors: Common Council By Request

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

Enactment No: ORD-08-00114

33. [11806](#) SUBSTITUTE - Authorizing the subordination of a previously approved loan to Arise Family Services to a first mortgage holder and authorizing the Mayor and City Clerk to sign agreements to effect such a change.

Sponsors: Thuy Pham-Remmele

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

Enactment No: RES-08-00903

REPORT OF BOARD OF PUBLIC WORKS

34. [10434](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6231, Professional Drilling Services associated with the Installation of a Groundwater Monitoring (Sentry) Well - Unit Well #29 / Sycamore Landfill. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00904

35. [11334](#) Authorizing the Mayor and the City Clerk to execute a release of a portion of a public utility easement reserved in Lots 18 and 19 of the Plat of Colony Heights, located at 1602 Parkside Drive.

Sponsors: Joseph R. Clausius

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

Enactment No: RES-08-00905

36. [11471](#) Authorizing the execution of an Amendment to Easement pertaining to a Gas Regulator Station Vault and Access Easement from the City to Madison Gas and Electric Company, within a public greenway at 404 Burdette Court.

Sponsors: Tim Bruer

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

Enactment No: RES-08-00906

37. [11545](#) Awarding Public Works Contract No. 6240, Window Pane Replacement at Monona Terrace Community and Convention Center.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00907

38. [11623](#) Assessing Benefits - S. Bedford Street and W. Main Street Assessment District - 2007. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Excused: 1 -
Lauren Cnare

Ayes: 18 -
Brenda K. Konkel; Robbie Webber; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele and Jed Sanborn

Abstentions: 1 -
Michael E. Verveer

Non Voting: 1 -
David J. Cieslewicz

Enactment No: RES-08-00908

39. [11722](#) Assessing Benefits - Hoard Street, Upham Street, N. Sixth Street and N. Fifth Street Reconstruction Street Assessment District - 2007. (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00909

40. [11724](#) Assessing Benefits - Rethke Avenue Street Assessment District - 2007. (15th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00910

41. [11726](#) Assessing Benefits - Gammon Lane Street Assessment District - 2007. (1st AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00911

42. [11727](#) Assessing *Partial* Benefits - Center for Industry & Commerce Assessment District - 2007. (17th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00912

43. [11733](#) Awarding Public Works Contract No. 6247, Fire Sprinkler Installation at Fire Station #3 and #9.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00913

44. [11748](#) Approving plans for the restoration of Randall, Dayton, Charter and Johnson Streets in accordance with the Permit to Excavate in the Right of Way. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00914

45. [11815](#) Declaring the City of Madison's intention to exercise its police powers establishing the Troy Drive Sidewalk Assessment District-2009. (12th & 18th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00915

46. [11816](#) Assessing *Partial* Benefits - Lien Road Assessment District - 2005. (17th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00916

47. [11818](#) Assessing Benefits - North Randall Street Reconstruction Assessment District - 2006. (5th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00917

48. [11820](#) Assessing Benefits - Chamberlain Avenue Reconstruction Assessment District - 2007. (5th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00918

49. [11821](#) Assessing Benefits - Colby Street Storm Sewer Assessment District. (13th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00919

50. [11822](#) Assessing Benefits - Colby Street Reconstruction Assessment District - 2007. (13th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00920

51. [11826](#) Assessing Benefits - Spaight Street, Russell Street and Walton Place Reconstruction Assessment District - 2007. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00921

52. [11830](#) Assessing Benefits - South Livingston Street Reconstruction Assessment District - 2007. (6th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00922

53. [11833](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for "Arboretum Storm / Pond #3 Restoration, Phase 1". (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-00923

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

- 54. [11466](#) Amending Section 2.04(4) and Section 2.29(6) of the Madison General Ordinances to allow the continuation of the Early Public Comment period at each Council meeting, and to make consistent the timing of the Early Public Comment period.

Sponsors: Brenda K. Konkel and Satya V. Rhodes Conway

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

Enactment No: ORD-08-00115

REPORT OF PUBLIC SAFETY REVIEW BOARD

- 55. [10426](#) Amending Sec. 26.13(1) of the Madison General Ordinances creating a definition for performance space and adding this language into the definition of child safety zone.

Sponsors: Larry Palm and Judy Compton

A motion was made by Ald. Bruer, seconded by Ald. Compton to Refer to the Public Safety Review Board. The motion FAILED by voice vote/other.

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

Excused: 1 -

Lauren Cnare

Ayes: 18 -

Michael E. Verveer; Marsha A. Rummel; Zachariah Brandon; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Jed Sanborn and Brenda K. Konkel

Noes: 1 -

Robbie Webber

Non Voting: 1 -

David J. Cieslewicz

Enactment No: ORD-08-00116

REPORT OF RISK MANAGER

56. [11179](#) D. Andersen, 630 S. Whitney Way, Madison, 53711 - actual, statutory, compensatory and punitive damages, legal fees, cruel and unusual punishment, false arrest, false imprisonment, gross negligence, breach of duty, infliction of emotional distress and embarrassment - \$25,000.00
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
57. [11324](#) B. Metz, 1705 Southern Ridge Tr., Madison, 53719 - property damage - \$82.29.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
58. [11326](#) Joseph Green, Unitrin Direct, for C. Dabner, 4517 Hammersley Rd., # 118, 53711 - vehicle damage - \$2,328.02.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
59. [11444](#) R. Crabtree, 117 S. Rosa Rd., Madison - property damage - \$421.25.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
60. [11539](#) M. Gosz, 1016 Fulton St., De Pere - property damage - \$495.82.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
61. [11589](#) M. Pothour-Provost, 560 W. Collins St., # 5, Portage, 53901 - vehicle damage - \$711.24.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
62. [11660](#) D. Kvidera, P.O. Box 816, Madison, 53701 - personal injury - \$700.00.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**

63. [11786](#) G. Staffeld, 6633 Century Ave., Apt. 6, Middleton, 53562 - vehicle damage - \$263.87.

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

64. [11794](#) E. Tallard, 5718 Lake Mendota Dr., Madison, 53705 - vehicle damage - \$614.52.

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

REPORT OF SOLID WASTE ADVISORY COMMITTEE

65. [11852](#) Status Report of Madison's Automated Collection Program, September 2008.

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

REPORT OF TRANSIT/ PARKING COMMISSION

66. [10772](#) Adopting the final report of the Long Range Metro Transit Planning Ad Hoc Committee and the recommendations contained therein.

Sponsors: Satya V. Rhodes Conway, Brian L. Solomon and Robbie Webber

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

Enactment No: RES-08-00924

67. [11496](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County Human Services to provide RSVP Driver Escort Services for the City of Madison for the calendar year 2008.

Sponsors: Brian L. Solomon and Robbie Webber

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

Enactment No: RES-08-00925

68. [11703](#) Authorizing the Mayor and the City Clerk to enter into an agreement with Meriter Hospital, Inc. for the provision of free access by its employees and volunteers to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for employee and volunteer trips for the period December 1, 2008 through November 30, 2009 with an option to renew for one additional year.

Sponsors: Brian L. Solomon and Jed Sanborn

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

Enactment No: RES-08-00926

ORDINANCES & RESOLUTIONS REFERRED TO THIS MEETING

RESOLUTIONS

69. [11558](#) Authorizing the issuance of a Request for Proposals for the Purchase and Redevelopment of the Central Library parcel located at 201 West Mifflin Street, Madison, Wisconsin and the sale of a Condominium Unit within the Redevelopment for a new Central Library.

Sponsors: Larry Palm and Michael E. Verveer

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

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt with the following amendment to the RFP: on page 6, '8. ALTERNATE SITE OPTION' strike "existing Central Library location" and replace with "State Capitol". The motion passed by voice vote/other.

Enactment No: RES-08-00927

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

70. [11883](#) Creating Section 20.08(8) of the Madison General Ordinances to establish the Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee and District.

Sponsors: Paul E. Skidmore

Additional Referral(s): Board of Estimates, Plan Commission. Due back at the 10/21/08 Common Council Meeting.

This Ordinance was Referred to the BOARD OF PUBLIC WORKS, due back on 10/21/2008

71. [11888](#) Amending and repealing various sections of the Madison General Ordinances to correct inconsistencies and improper references in the Madison General Ordinances, constituting the 2008 City Attorney Reviser's Ordinance.
- Sponsors:** Common Council By Request
- This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**
72. [11908](#) Amending Section 33.15(2)(b) of the Madison General Ordinances to allow alternate members of the Community Development Block Grant (CDBG) Commission to serve as CDBG Commission representatives on other City committees at any time.
- Sponsors:** Marsha A. Rummel, Thuy Pham-Remmele and Tim Bruer
- This Ordinance was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION**
73. [11913](#) Adopting and confirming the Labor Agreement between the City of Madison and Teamsters Union Local 695 from January 1, 2008 to December 31, 2009.
- Sponsors:** Common Council By Request
- Due back at the 10/7/08 Common Council Meeting.
- This Ordinance was Referred to the BOARD OF ESTIMATES, due back on 10/7/2008**
74. [11935](#) Creating Section 28.06(2)(a)3388. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3389. of the Madison General Ordinances rezoning property from Amended PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Enlarge and Convert 2-Unit Building Into Single Family Home; 13th Aldermanic District: 718 South Orchard Street.
- Sponsors:** Common Council By Request
- Due back at the 10/28/08 Common Council Meeting.
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 10/28/2008**

75. [11955](#) Creating Section 13.205 and amending Section 1.08(3)(a) of the Madison General Ordinances to prohibit tampering with Water Utility mains and to establish a bail deposit for a violation.

Sponsors: Lauren Cnare and Michael Schumacher

This Ordinance was Referred to the WATER UTILITY BOARD

RESOLUTIONS

76. [11790](#) Authorizing the Mayor and the City Clerk to enter into an on-going agreement with the Madison Gas and Electric Company for the purchase of electric service for Metro Transit at One South Ingersoll Street at a discounted rate in exchange for the ability of Madison Gas and Electric to interrupt Metro Transit's electric service. During such interruption, Metro's generator will keep the electrical output level until normal service is resumed.

Sponsors: Jed Sanborn and Brian L. Solomon

Additional Referral(s): Board of Estimates

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

77. [11812](#) A resolution regarding application to the Dane County Board for exemption from Dane County Library tax levied under Section 43.64(2) Wisconsin Statutes.

Sponsors: Larry Palm

Additional Referral(s): Madison Public Library Board

This Resolution was Referred to the BOARD OF ESTIMATES

78. [11862](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and Teamsters Union Local 695 for the period of January 1, 2008 through December 31, 2009.

Sponsors: David J. Cieslewicz

Due back at the 10/7/08 Common Council Meeting.

This Resolution was Referred to the BOARD OF ESTIMATES, due back on 10/7/2008

79. [11880](#) Transferring Debt Proceeds among several projects in the Stormwater Utility and amending the 2008 Capital Budget of the Stormwater Utility.

Sponsors: Joseph R. Clausius and Larry Palm

This Resolution was Referred to the BOARD OF ESTIMATES

80. [11918](#) Accepting ownership of the sculpture "Lantern in Beige" by Sid Boyum, to be located at the entrance of the Carpenter-Ridgeway Park .
Sponsors: Larry Palm and Joseph R. Clausius
Additional Referral(s): Board of Park Commissioners
This Resolution was Referred to the MADISON ARTS COMMISSION
81. [11944](#) Authorizing the Common Council to accept ownership from Worthington Park Neighborhood Association of a neighborhood entrance sign to be located within a public right-of-way at 3051 East Washington Avenue.
Sponsors: Larry Palm
Additional Referral(s): Plan Commission
This Resolution was Referred to the BOARD OF PUBLIC WORKS
82. [11977](#) Creating an Ad Hoc Housing Merger Planning Committee.
Sponsors: David J. Cieslewicz
Additional Referral(s): Community Development Authority
This Resolution was Referred to the HOUSING COMMITTEE
83. [11983](#) Authorizing the issuance of \$_____ General Obligation Promissory Notes, Series 2008-A, of the City of Madison, Wisconsin, providing the details thereof, establishing interest rates thereon and levying taxes therefor.
Sponsors: David J. Cieslewicz
This Resolution was Referred to the BOARD OF ESTIMATES
84. [11982](#) Authorizing the execution of a Permanent Limited Easement to the Board of Regents of the University of Wisconsin System for access and maintenance purposes of the UW-Arboretum Pond No. 4 across City-owned land, located at 2160 Fish Hatchery Road.
Sponsors: Tim Bruer
Additional Referral(s): Plan Commission
This Resolution was Referred to the BOARD OF PUBLIC WORKS
85. [11992](#) Authorizing an amendment to the Planning Division 2008 Adopted Operating Budget to increase expenditures and offsetting revenues by \$11,200 to upgrade the MPO's Internet Ride-matching Software.
Sponsors: Joseph R. Clausius, Paul E. Skidmore, Satya V. Rhodes Conway and Robbie Webber
This Resolution was Referred to the BOARD OF ESTIMATES

LICENSES

86. [11789](#) Public Hearing - New License
Fugu Eastern Inc • dba Fugu Eastern Cuisine • 8% alcohol, 92% food
411 W Gilman St • Agent: Kong Feng Ni • Estimated Capacity: 90
Class B Beer, Class C Wine
Aldermanic District 4 (Alder Verveer) • Police Sector 403 • Density Area
Due back at the 10/7/08 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 10/7/2008**
87. [11817](#) Public Hearing - New License
Applicant OCRV LLC • dba la Baguette • 8% alcohol, 92% food
7424 Mineral Point Rd • Agent: Carine Vigy • Estimated Capacity: 30
Class B Combination Liquor & Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 125
Due back at the 10/7/08 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 10/7/2008**
88. [11863](#) Public Hearing - New License
Brickhouse BBQ LLC • dba Brickhouse BBQ LLC • 25% alcohol, 75% food
408 W Gorham St • Agent: Jong Yean Lee • Estimated Capacity: 180-200
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area
Due back at the 10/7/08 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 10/7/2008**

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON**CLAIMS - REFER TO RISK MANAGER**

89. [11853](#) NOTICE OF CLAIM: Lisa C. Goldman, Lawton & Cates, S.C., attorney for J. Huebner, 1209 McArthur Rd., # 1A, Madison - personal injury - amount to be determined.
90. [11854](#) L. Rzentkowski, 629 N. Blackhawk Ave., Madison - vehicle damage - \$2,904.06.
91. [11885](#) J. Kammerud, 4602 Stonewood Dr., Middleton, 53562 - vehicle damage - \$734.07.
92. [11886](#) Dawn Gillitzer, American Family Insurance Group, for W. Hong and S. J. F. Kao, 5356 W. Silverleaf Ln., Brown Deer, 53223 - vehicle damage - \$826.79.

93. [11887](#) A. Bruner Zimmerman, 2045 Atwood Ave., # 408, Madison, 53704 - property damage - \$519.00.
94. [11922](#) S. Britt, 4123 Bruns Ave., 53714 - personal injury - \$326.21.
95. [11934](#) NOTICE OF CLAIM: D. Hanson, American Family Mutual Insurance Co., for K. and A. Elvord, P.O. Box 67, Stoughton - vehicle damage - amount to be determined.
96. [11945](#) J. Muller, 408 Maple St., DeForest - vehicle damage - \$615.70.

INTRODUCTION OF ITEMS FROM THE FLOOR

97. [12001](#) To approve the 2009 Operating Plan for Madison's Central Business Improvement District (#1).

Sponsors: Michael E. Verveer

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Refer to the DOWNTOWN COORDINATING COMMITTEE. The motion passed by voice vote/other.

98. [12024](#) Proclaiming Monday, October 13, 2008, as Indigenous Peoples Day.

Sponsors: Brenda K. Konkel, Michael E. Verveer, Satya V. Rhodes Conway, Marsha A. Rummel and Robbie Webber

Adopt at the 10/7/08 Common Council Meeting.

A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 10/7/2008. The motion passed by voice vote/other.

ADJOURNMENT

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adjourn at 8:45 p.m. The motion passed by voice vote/other.

I certify that the foregoing action of the Common Council was approved by the Mayor on September 22, 2008.

Ordinances published October 7, 2008.

MARIBETH WITZEL-BEHL, CITY CLERK