



City of Madison

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

Proceedings - Approved COMMON COUNCIL

This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at www.madisoncitychannel.tv.

Tuesday, October 5, 2010

6:30 PM

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

ROLL CALL

6:37PM, MAYOR CIESLEWICZ IN THE CHAIR

Present: 19 - David J. Cieslewicz
Jed Sanborn
Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Satya V. Rhodes-Conway
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele

Excused: 2 - Steve King
Julia S. Kerr

SPEAKING GUIDELINES

Speaking Limits:

Public Hearing - 5 Minutes, Information Hearing - 5 Minutes, Other Items - 3 minutes.

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

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

NOTIFIED ABSENCES: Ald. King and Ald. Kerr

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.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Suspend the Rules. The motion passed by voice vote/other.

HONORING RESOLUTIONS

1. [20095](#) Proclaiming Monday, October 11, 2010, as Indigenous Peoples Day.

Sponsors: Shiva Bidar-Sielaff, Satya V. Rhodes-Conway, Marsha A. Rummel, Michael E. Verveer and Brian L. Solomon

A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Compton, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-10-00814

2. [20098](#) Congratulating Marisol López for being selected as the 2010 Miss Viva Mexico and ambassador of Mexican culture and heritage.

Sponsors: Shiva Bidar-Sielaff and Judy Compton

A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Compton, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-10-00815

PETITIONS AND COMMUNICATIONS**PETITIONS**

3. [19982](#) Petition received in the Madison City Clerk's Office September 13, 2010 from Diane Marie Sturdevant, regarding immediate attachment from the Town of Burke, Dane County to the City of Madison.

Referred to the 10/19/2010 Common Council Meeting

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the COMMON COUNCIL, due back on 10/19/2010. The motion passed by voice vote/other.

EARLY PUBLIC COMMENT

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:

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

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

4. [19368](#) Public Hearing - New License
Club One Eleven LLC • dba Retro Tavern
111 W Main St • Agent: Curtis Brink • Estimated Capacity: 399
Class B Combination Liquor & Beer • 75% alcohol, 20% food, 5% other
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

5. [19369](#) Public Hearing - New License
Sconnie Bar LLC • dba Sconnie Bar
317 W Gorham St • Agent: Troy Vosseller • Estimated Capacity: 500
Class B Combination Liquor & Beer • 65% alcohol, 25% food, 10% other
Aldermanic District 4 (Alder Verveer) • Police Sector 403 • Density Area

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer for Recessed Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

REPORT OF BOARD OF ESTIMATES

6. [19612](#) 2011 Executive Capital Budget.

Sponsors: David J. Cieslewicz

Refer to the Common Council Special Budget Meeting on 11-16-10.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer for Recessed Public Hearing to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

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

7. [19370](#) Public Hearing - New License
Puerto Escondido LLC • dba Puerto Escondido Mexican Restaurant
2705 W Beltline Highway • Agent: Eliezer Martinez
Estimated Capacity: 100
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 14 (Alder Bruer) • Police Sector 308
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.**
8. [19804](#) Public Hearing - New License
89 West LLC • dba 43 North
108 King St • Agent: Daniel Momont • Estimated Capacity: 80
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 4 (Alder Verveer) • Police Sector 406 • Density Area
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.**
9. [19806](#) Public Hearing - New License
TSE Enterprises LLC • dba China One
518 Grand Canyon Dr • Agent: Hong Kei Tse • Estimated Capacity: 360
Class B Beer, Class C Wine • 1% alcohol, 99% food
Aldermanic District 19 (Alder Clear) • Police Sector 113
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.**
10. [19808](#) Public Hearing - New License
Town Center Dining LLC • dba Steenbock's on Orchard
330 N Orchard St • Agent: Nicholas Curran
Estimated Capacity: 218 in restaurant, 55 in cafe, 158 on second floor,
and up to 1,000 on main floor for catered events.
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 8 (Alder Eagon) • Police Sector 402
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.**

11. [19811](#) Public Hearing - New License
Pho Noodle House LLC • dba Pho Nam Noodle House
610 Junction Rd Ste 109 • Agent: Thuy Do • Estimated Capacity: 70
Class B Beer, Class C Wine • 1% alcohol, 99% food
Aldermanic District 9 (Alder Skidmore) • Police Sector 128

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant . The motion passed by voice vote/other.

12. [19813](#) Public Hearing - New License
Singh & Son LLC • dba Cheers Liquor
1935 Monroe St • Agent: Sumanjit Singh
Class A Liquor, Class A Beer
Aldermanic District 13 (Alder Kerr) • Police Sector 303

A motion was made by Ald. Clear, seconded by Ald. Cnare, to DENY BECAUSE OF THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

13. [19842](#) Approving Plans, Specifications, and Schedule of Assessments for Lake Street and Mendota Court Reconstruction Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Verveer, seconded by Ald. Bidar-Sielaff, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL and should be returned by 10/19/2010. The motion passed by voice vote/other.

REPORT OF THE PLAN COMMISSION

14. [19379](#) Creating Section 28.06(2)(a)3498. of the Madison General Ordinances rezoning property from C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: General Development Plan to Allow Future Construction of Mixed-Use Development; 19th Aldermanic District: 5105-5117 University Avenue and 610-702 North Whitney Way.

Sponsors: Common Council By Request

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION, due back on 10/19/2010. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

- 15. [19930](#) AMENDED Report of the Mayor submitting citizen committee appointments (introduced 9-21-2010; action 10-5-2010).

Sponsors: David J. Cieslewicz

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Confirm with Amendment(s) appointments except the two appointments to the Housing Committee. The Housing Committee appointments are rereferred to the Mayor's Office. See Legistar file #20149. The motion passed by the following vote:

Ayes: 17 - Jed Sanborn
 Bridget R. Maniaci
 Lauren Cnare
 Michael E. Verveer
 Shiva Bidar-Sielaff
 Marsha A. Rummel
 Bryon A. Eagon
 Paul E. Skidmore
 Brian L. Solomon
 Chris Schmidt
 Satya V. Rhodes-Conway
 Tim Bruer
 Larry Palm
 Judy Compton
 Joseph R. Clausius
 Michael Schumacher
 Mark Clear

Abstentions: 1 - Thuy Pham-Remmele

Excused: 2 - Steve King
 Julia S. Kerr

Non Voting: 1 - David J. Cieslewicz

- 16. [20076](#) Report of the Mayor submitting citizen committee appointments (introduced 10-5-2010; action 10-19-2010).

Sponsors: David J. Cieslewicz

Confirm 10/19/2010. 2/3 vote required for Downtown Coordinating Committee, MDC Board of Directors, Senior Center Board of Directors.

This Appointment was Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 10/19/2010

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

17. [18412](#) Change of Licensed Premise
Chipotle Mexican Grill of Colorado LLC • Capacity: 52
658 State St • Agent: Sahul Flores
Class B Combination Liquor & Beer • .5% Alcohol, 99.5% food
Aldermanic District 8 (Alder Eagon) • Police Sector 403
Request to add outdoor patio.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File.
The motion passed by voice vote/other.**

18. [19158](#) Change of Licensed Premise
Inka Heritage LLC • dba Fiesta 38 Grilled Chicken & More
Capacity: 60
604 S Park St • Agent: Lucas Rodriguez
Class B Beer, Class C Wine • 10% alcohol, 90% food
Aldermanic District 13 (Alder Kerr) • Police Sector 305
Request to change licensed premise to include new acquisition connected to
current premise.

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant With
Condition(s): Applicant will obtain building capacity from Building Inspection.
The motion passed by voice vote/other.**

19. [19481](#) Operator License Application
Elijah McCloskey - Establishment where employed: Sushi Hut

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to DENY FOR
FAILURE TO MEET STATUTORY QUALIFICATIONS . The motion passed by
voice vote/other.**

20. [19508](#) Operator License Application
Stanton Svaglic - Establishment where employed: Church Key

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File
Without Prejudice . The motion passed by voice vote/other.**

21. [19520](#) Operator License Application
Jeremy Anderson - Establishment where employed: VFW Post #7591

**A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File
Without Prejudice. The motion passed by voice vote/other.**

22. [19554](#) Operator License Application
Bradley Bingham - Establishment where employed: Nitty Gritty
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.**
23. [19555](#) Operator License Application
Michael Potchoiba - Establishment where employed: Olive Garden
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Place On File Without Prejudice. The motion passed by voice vote/other.**
24. [19805](#) 21+ Entertainment License
Town Center Dining LLC, an Affiliate of the Wisconsin Alumni Research Foundation • dba Steenbock's on Orchard • Capacity: Potential increase from restaurant capacity of 163 to 1,000 in Town Center.
330 N Orchard St • Agent: Nicholas Curran
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 8 (Alder Eagon) • Police Sector 402
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.**
25. [19810](#) 21+ Entertainment License
Lula LLC • dba Talula • Capacity: 280
802 Atlas Ave • Agent: Mary Reed
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 3 (Alder Cnare) • Police Sector 611
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.**
26. [20086](#) Alcohol License Review Committee Report of Operator License Applications
September 28, 2010. See attached report for list of operators.
- A motion was made by Ald. Clear, seconded by Ald. Cnare, to Grant. The motion passed by voice vote/other.**

REPORT OF BOARD OF ESTIMATES

27. [19697](#) Authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for the design and construction of the High Point Road Bridge and Approaches over the West Beltline Highway (USH 12/14).

Sponsors: Jed Sanborn and Paul E. Skidmore

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

Enactment No: RES-10-00816

28. [19786](#) Amending the 2010 Operating Budgets of the Police Department, Engineering Division, Streets Division and Parks Division by appropriating \$35,690 from the Contingent Reserve Fund, utilizing these funds for various expenses related to the Halloween event, and authorizing the receipt of revenues derived from admission fees and donations. Authorizing the Mayor and City Clerk to execute a contract with Frank Productions, Inc., subject to the conditions included in the Street Use Permit expected to be issued to Frank Productions, Inc. for events associated with Halloween 2010.

Sponsors: David J. Cieslewicz, Mark Clear, Michael E. Verveer, Bridget R. Maniaci and Bryon A. Eagon

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

Ayes: 16 - Bridget R. Maniaci
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Bryon A. Eagon
Paul E. Skidmore
Brian L. Solomon
Chris Schmidt
Tim Bruer
Larry Palm
Judy Compton
Joseph R. Clausius
Michael Schumacher
Mark Clear
Thuy Pham-Remmele
Jed Sanborn

Noes: 2 - Marsha A. Rummel
Satya V. Rhodes-Conway

Excused: 2 - Steve King
Julia S. Kerr

Non Voting: 1 - David J. Cieslewicz

Enactment No: RES-10-00817

29. [19892](#) Authorizing the Mayor and City Clerk to execute agreements with City of Fitchburg for the operation and maintenance of traffic control signals and street lights at various locations.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00818

30. [19933](#) Authorizing the City to enter into an Intergovernmental Cooperative Agreement to join the Wisconsin Investment Series Cooperative (WISC), designating U.S. Bank National Association and other approved financial institutions as depositories of the City of Madison per Wis. Stats. §34.05, authorizing contracts with PMA Financial Network Inc. and PMA Securities, Inc. and other authorizations necessary for participation in the WISC fund.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-10-00819

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

31. [19728](#) Developing a program for on-going collection and disposal of household pharmaceuticals in Madison and Dane County.

Sponsors: Lauren Cnare

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

Enactment No: RES-10-00820

REPORT OF MADISON CITY CHANNEL AD HOC ADVISORY COMMITTEE

32. [20028](#) Recommendations of the Madison City Channel Ad Hoc Advisory Committee.

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

REPORT OF THE OVERTURE AD HOC COMMITTEE

33. [19944](#) City of Madison Staffing Study for the Overture Center: An Analysis of Various Operating Structures for the Overture Center - Brad Wirtz, Human Resources Director & Mike Lipski, Compensation & Benefits Manager
Referred to 11/9/2010 Common Council Meeting to Accept.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Accept to the COMMON COUNCIL and should be returned by 11/9/2010. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

34. [19664](#) Awarding Public Works Contract No. 6321, Sauk Creek Sanitary Access Road.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00821

35. [19692](#) Assessing Benefits - Old Sauk Trails Park Sidewalk Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00822

36. [19794](#) Authorizing the Common Council to accept ownership from Rolling Meadows Neighborhood Association of a neighborhood entrance sign and decorative landscaping to be located in the public right-of-way of Acewood Boulevard, near the intersection of Cottage Grove Road.

Sponsors: Lauren Cnare

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

Enactment No: RES-10-00823

37. [19829](#) Awarding Public Works Contract No. 6324, James Madison Park Shoreline.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00824

- 38. [19844](#) Declaring the City of Madison's intention to exercise its police powers establishing the Ivy Street Assessable Street Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00825

- 39. [19845](#) Declaring the City of Madison's intention to exercise its police powers establishing the Thorp Street Sanitary Sewer with Resurfacing Assessment District - 2011.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00826

- 40. [19856](#) Declaring the City of Madison's intention to exercise its police powers establishing the Joylyne Drive and Douglas Trail Assessment District - 2010. (16th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00827

- 41. [19868](#) Approving a cost sharing agreement between the City of Madison and Dane County for the Ice Age Junction Trail from Badger Prairie Park to CTH PD (McKee Road). (7th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00828

42. [19910](#) Improvements accepted for Olbrich Boat Launch Dredging, Contract No. 6250.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00829
43. [19911](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Senior Center Remodeling Phase II, Contract No. 6462.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00830
44. [19912](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Hudson Park Sewer Sliplining, Contract No. 6578. (6th AD)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00831
45. [19917](#) Assessing Benefits - Capitol Square Streetscape Updates Assessment District - 2010.
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.
Enactment No: RES-10-00832

46. [19923](#) Authorizing an amendment to the contract between the City of Madison and Angus Young Associates, Inc., in the amount of \$145,000 for additional architectural and engineering design services for Phase #2 Firing Range Building Addition at Femrite Drive Madison Police Department Training Center.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00833

47. [19956](#) Approving plans and specifications for public improvements necessary for the project known as Gordon Commons - 717 W. Johnson Street and authorizing construction to be undertaken by the Developer, Private Contract No. 2253. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00834

48. [19990](#) Authorizing the Mayor and City Clerk to execute an agreement with the City of Monona for cost sharing for the design of Monona Drive reconstruction from Pflaum Road to Winnequah Road. (15th & 16th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-10-00835

REPORT OF PLAN COMMISSION

49. [19903](#) Approving the final plat of Hilldale Hurrah located at 750 Hilldale Way (at University Avenue). 11th Ald. Dist.

Sponsors: Common Council By Request

A motion was made by Ald. Clear, seconded by Ald. Cnare, to ADOPT WITH THE FOLLOWING RECOMMENDATIONS: Subject to the comments and conditions contained in the Plan Commission materials, UNDER SUSPENSION OF RULES 2.04, 2.24, & 2.25 . The motion passed by voice vote/other.

Enactment No: RES-10-00836

REPORT OF RISK MANAGER

- 50. [18887](#) NOTICE OF CLAIM AND CIRCUMSTANCES - John L. Cates, Gingras, Cates & Luebke, attorney for L. Wiegert, 6202 Lomax Ln., Madison, 53711 - personal injury - \$1,235,562.40.

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

- 51. [19593](#) CLAIM: L. Pines, 122 W. Washington Ave., Ste. 900, Madison, 53703, attorney for D. Haber - liquor license - \$428,522.00.

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

- 52. [19942](#) S. Gratton, 1510 Stark St., Wausau, 54403 - vehicle damage - \$200.00.

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

REPORT OF THE WATER UTILITY BOARD

- 53. [19871](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with Ruekert/Mielke of Waukesha, Wisconsin for the preparation of wellhead protection plans for Madison Water Utility unit wells 8, 13, and 19 (Citywide).

Sponsors: Lauren Cnare and Larry Palm

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

Enactment No: RES-10-00837

- 54. [19872](#) Authorizing the Mayor and the City Clerk to execute a Professional Services Agreement with AECOM of Stevens Point, Wisconsin for the preparation of wellhead protection plans for Madison Water Utility unit wells 20, 23, and 27 (Citywide).

Sponsors: Lauren Cnare and Larry Palm

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

Enactment No: RES-10-00838

ITEMS REFERRED TO THIS MEETING

ORDINANCES

- 55. [19349](#) Amending Secs. 9.49 and 39.03 of the Madison General Ordinances to clarify judicial review and revise the Equal Opportunities Ordinance.

Sponsors: Brian L. Solomon

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

- Ayes:** 17 - Lauren Cnare
 Michael E. Verveer
 Shiva Bidar-Sielaff
 Marsha A. Rummel
 Bryon A. Eagon
 Paul E. Skidmore
 Brian L. Solomon
 Chris Schmidt
 Satya V. Rhodes-Conway
 Tim Bruer
 Larry Palm
 Judy Compton
 Joseph R. Clausius
 Michael Schumacher
 Mark Clear
 Jed Sanborn
 Bridget R. Maniaci

Noes: 1 - Thuy Pham-Remmele

Excused: 2 - Steve King
 Julia S. Kerr

Non Voting: 1 - David J. Cieslewicz

Enactment No: ORD-10-00096

- 56. [19997](#) Creating Section 15.01(575) of the Madison General Ordinances entitled "City Boundaries" attaching to the Sturdevant Attachment and assigning a temporary zoning classification of A Agriculture District.

Sponsors: Joseph R. Clausius

To 10/19/2010 Common Council Meeting to adopt.

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Refer to a future Meeting to Adopt to the COMMON COUNCIL and should be returned by 10/19/2010. The motion passed by voice vote/other.

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

- 57. [19788](#) SUBSTITUTE Creating Section 28.06(2)(a)3499. of the Madison General Ordinances rezoning property from Temp R1 Single Family Residence District to Amended R1 Single Family Residence District. Proposed Use: Requesting permanent zoning to allow remodeling and addition of existing house; 19th Aldermanic District; 6901 Old Sauk Court.

Sponsors: PLAN COMMISSION

This Ordinance was Referred for Public Hearing

- 58. [20031](#) Amending Sections 8.15(1)(a), (3) and (4) to clarify the requirements of this section, and amending Sec. 1.08(4) of the Madison General Ordinances to provide the Parks Division with enforcement authority over violations thereof.

Sponsors: Paul E. Skidmore and Joseph R. Clausius

Additional Referral to: Board of Public Works

This Ordinance was Referred to the BOARD OF PARK COMMISSIONERS

- 59. [20066](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Police Records Section Manager" in Compensation Group 18, Range 12, thereof.

Sponsors: David J. Cieslewicz

Additional Referral to: Personnel Board

This Ordinance was Referred to the BOARD OF ESTIMATES

- 60. [20078](#) Amending and repealing various sections of the Madison General Ordinances to correct inconsistencies and improper references in the Madison General Ordinances, constituting the 2010 City Attorney Reviser's Ordinance.

Sponsors: Common Council By Request

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

- 61. [20082](#) Repealing Sec. 31.041(1)(c) to eliminate the requirement of using permit tags on signs, amending Sec. 31.041(2) to correct an error and amending Sec. 31.046(2)(a) of the Madison General Ordinances to allow the display of portable signs on nonresidential uses on private property in all zoning districts and clarifying the criteria for such portable signs.

Sponsors: Thuy Pham-Remmele

This Ordinance was Referred to the URBAN DESIGN COMMISSION

RESOLUTIONS

62. [20005](#) Authorizing the execution of a lease for space in The Village on Park located at 2300 South Park Street for use by Public Health - Madison and Dane County for office/clinical purposes.
- Sponsors:** Lauren Cnare
- Additional Referral to: Board of Health for Madison and Dane County
- This Resolution was Referred to the BOARD OF ESTIMATES**
63. [20006](#) Reallocation of the incumbent of a Civil Technician 1 position (#4094) to a Civil Technician 2 in the Water Utility budget.
- Sponsors:** David J. Cieslewicz
- Additional Referral to: Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
64. [20007](#) Confirming the renewed appointment of Thomas L. Schlenker, M.D. to the position of Unified Public Health Director subject to the execution of an Addendum to the Employment Services Agreement with Dane County.
- Sponsors:** David J. Cieslewicz
- Additional Referral to: Board of Health for Madison and Dane County
- This Resolution was Referred to the BOARD OF ESTIMATES**
65. [20049](#) Recreating the existing position (#1079) of Engineer 4 in the Engineering Division budget as a Principal Engineer 1 and reallocating the incumbent to the new position.
- Sponsors:** David J. Cieslewicz
- Additional Referral to: Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
66. [20054](#) Creating the classification of Police Records Section Manager in CG18, Range 12, recreating the current position (#4202) of Police Records Section Supervisor as a Police Records Section Manager in the Police Department budget, and reallocating the incumbent to the new classification.
- Sponsors:** David J. Cieslewicz
- Additional Referral to: Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**

67. [20071](#) Authorizing the Mayor and the City Clerk to enter into agreements with Abby Vans, Badger Bus Lines, and Transit Solutions Inc. for the purpose of providing Complementary Paratransit Services to Metro Transit for a term of 2½ years ending in June 2013 with two additional one-year options ending in June 2015 that may be executed by the Metro Transit General Manager.
- Sponsors:** Brian L. Solomon and Chris Schmidt
- Additional Referral to: Board of Estimates
- This Resolution was Referred to the TRANSIT AND PARKING COMMISSION**
68. [20073](#) Approving the Community Development Division's HUD required 2011 Action Plan.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel
- Additional Referral to: Community Development Block Grant Committee
- This Resolution was Referred to the BOARD OF ESTIMATES**
69. [20079](#) A Resolution Authorizing and Providing for the Sale and Issuance of \$13,250,000 [Taxable] Water Utility Revenue Bonds, Series 2010, and All Related Details
- Sponsors:** Lauren Cnare and Larry Palm
- This Resolution was Referred to the BOARD OF ESTIMATES**
70. [20094](#) Approving the reapportionment of \$664,145 in previously-approved EECBG funds for the Community Development Division's Business Energy Incentives Program (BEEP), and authorizing the Mayor and City Clerk to execute all requisite agreements with the designated recipient businesses and organizations.
- Sponsors:** Shiva Bidar-Sielaff, Tim Bruer, Marsha A. Rummel and Satya V. Rhodes-Conway
- Additional Referral to: Community Development Block Grant Committee
- This Resolution was Referred to the BOARD OF ESTIMATES**
71. [20096](#) Authorizing the Mayor and City Clerk to execute a ten (10) year Use Agreement with the Northwoods League, Inc. and the Madison Mallards LLC for nonexclusive use of Warner Park Stadium. (AD#12)
- Sponsors:** Satya V. Rhodes-Conway, Michael Schumacher, Joseph R. Clausius and Paul E. Skidmore
- Additional Referral to: Board of Park Commissioners
- This Resolution was Referred to the BOARD OF ESTIMATES**

72. [20097](#) Authorizing the Mayor and City Clerk to execute an Agreement to Undertake Improvements to Warner Park Stadium Between the City of Madison and Madison Mallards LLC. (AD#12)

Sponsors: Michael Schumacher, Joseph R. Clausius and Paul E. Skidmore

Additional Referral to: Board of Park Commissioners

This Resolution was Referred to the BOARD OF ESTIMATES

73. [20099](#) Authorizing a loan up to \$650,000 from the general fund to Madison Development Corporation, or its assigns, for the purpose of paying eligible expenses related to architecture/engineering, construction management, Madison Development Corporation project management, and construction of BioLink.

Sponsors: Judy Compton and Mark Clear

This Resolution was Referred to the BOARD OF ESTIMATES

74. [20104](#) To authorize the Mayor and City Clerk to execute an agreement with Dudgeon-Monroe Neighborhood Association, Inc. for the planting and maintaining of an edible landscape to be located in Wingra Park. (AD 10)

Sponsors: Brian L. Solomon, Joseph R. Clausius and Paul E. Skidmore

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

LICENSES

75. [20087](#) Public Hearing - New License
Madison Club House Corporation • dba The Madison Club
5 E Wilson St • Agent: Mary Gaffney Ward • Estimated Capacity: 600
Class B Combination Liquor & Beer • 72% alcohol, 25% food, 3% other
Aldermanic District 4 (Alder Verveer) • Police Sector 405 • Density Area

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

76. [20088](#) Public Hearing - New License
InterMarket LLC • dba InterMarket
5317 Old Middleton Rd Ste 101 • Agent: Ekaterina Pronina
Class A Liquor, Class A Beer
Aldermanic District 19 (Alder Clear) • Police Sector 111

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

77. [20089](#) Public Hearing - New License
Bullzels LLC • dba Bella Vita Italian Grill & Pizzeria
420 Gammon Pl • Agent: Roy Vivian • Estimated Capacity: 150
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 19 (Alder Clear) • Police Sector 113

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

78. [20090](#) Public Hearing - New License
GVCGD LLC • dba Great Dane Pub
876 Jupiter Dr • Agent: Theodore Peterson • Estimated Capacity: 272
Class B Combination Liquor & Beer • 30% alcohol, 68% food, 2% other
Aldermanic District 3 (Alder Cnare) • Police Sector 627

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

79. [20091](#) AMENDED Public Hearing - New License
Umami Dumpling & Ramen Bar LLC • dba Umami Dumpling & Ramen Bar
923 Williamson St • Agent: Randy Ng • Estimated Capacity: 50
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 6 (Alder Rummel) • Police Sector 408 • Density Area
With the following condition: Establishment must meet the definition of a restaurant as defined by MGO section 38.02.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

80. [20092](#) Public Hearing - New License
The New Old Town Pub LLC • dba The New Old Town Pub
724 S Gammon Rd • Agent: Lori Zenz • Estimated Capacity: 89
Class B Combination Liquor & Beer • 40% alcohol, 50% food, 10% other
Aldermanic District 1 (Alder Sanborn) • Police Sector 123

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

81. [20093](#) AMENDED Public Hearing - New License
Walgreen Co • dba Walgreens #04240
3710 E Washington Ave • Agent: Ricky Loger
Class A Liquor, Class A Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 516
With the following condition: Liquor sales will be limited to wine only.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE

OPERATING BUDGET

82. [19986](#) 2011 Executive Operating Budget And Amendments.

Sponsors: David J. Cieslewicz

This Operating Budget was Referred to the BOARD OF ESTIMATES, due back on 10/19/2010

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

83. [20026](#) NOTICE OF INJURY - Kevin R. Martin, Cannon & Dunphy, S.C., 595 N. Barker Rd., P.O. Box 1750, Brookfield, 53008-1750, attorney for S. Norman - personal injury - greater than \$1.00.

This Claim was Referred to the Risk Manager

84. 20038 M. Turk, 597 Windmill Rd., Brooklyn, 53521 - property damage - \$580.00.

This Claim was Referred to the Risk Manager

85. 20042 C. Maly, 6250 Aspen Ln., Mazomanie, 53560 - vehicle damage - \$204.62.

This Claim was Referred to the Risk Manager

86. [20057](#) J. Limbach, 1051 Spaight St., Madison, 53703 - property damage - \$522.23.

This Claim was Referred to the Risk Manager

87. [20074](#) K. Drew, 4150 Monona Dr., Madison, 53716 - vehicle damage - \$90.16.

This Claim was Referred to the Risk Manager

88. 20102 J. Carrillo for AT&T Risk Management Services, N17W24300 Riverwood Dr., 3C190, Waukesha, 53188 - vehicle damage - \$2,760.51.

This Claim was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

THE FOLLOWING ITEMS WERE INTRODUCED FROM THE FLOOR AT THE LAST COMMON COUNCIL MEETING, AND ARE ON THIS AGENDA PURSUANT TO SEC. 2.05(1)(B), MGO SOLELY FOR THE PURPOSE OF ADDING ADDITIONAL REFERRALS.

89. [19995](#) Authorizing the execution of a Real Estate Contract with M&I Regional Properties, LLC for the purchase by the City of properties located at 2507, 2504 and 2340 Winnebago Street (Union Corners) and authorizing the use of Land Banking Funds for the acquisition.
- Sponsors:** David J. Cieslewicz, Marsha A. Rummel and Mark Clear
90. [19997](#) Creating Section 15.01(575) of the Madison General Ordinances entitled "City Boundaries" attaching to the Sturdevant Attachment and assigning a temporary zoning classification of A Agriculture District.
- Sponsors:** Joseph R. Clausius

Note: File 19997 is also item #57 on this agenda for re-referral to the 10/19 Common Council meeting for adoption.

ADJOURNMENT @ 8:00 PM

A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adjourn at 8:00pm. The motion passed by voice vote/other.