



# City of Madison

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

## Proceedings - Approved COMMON COUNCIL

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Tuesday, January 22, 2008

6:30 PM

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

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

**Present:** 17 -

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; Tim Bruer; Larry Palm;  
Judy Compton; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

### 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. Bruer, seconded by Ald. Rhodes Conway, to Suspend  
the Rules. The motion passed by voice vote/other.**

### HONORING RESOLUTIONS

1. [08802](#) Congratulating Wade Allen on placing fifth in District 2 in the Veterans of Foreign  
Wars oratorical scholarship contest, The Voice of Democracy.

**Sponsors:** David J. Cieslewicz and COMMON COUNCIL

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

Enactment No: RES-08-00052

### PETITIONS AND COMMUNICATIONS

**PETITIONS**

- 2. [08854](#) Petition dated January 8, 2008 from Cherokee Park, Inc. re: direct annexation from the Town of Westport to the City of Madison.  
Due back at the 2/26/08 Common Council Meeting.  
  
**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Refer to the PLAN COMMISSION, due back on 2/26/2008. The motion passed by voice vote/other.**

**PETITIONS REFERRED TO THIS MEETING**

- 3. [08475](#) Petition dated December 5, 2007 from Murphy and Desmond on behalf of Gallina Investments, LLC and QRS Company, LLC re: direct attachment from the Town of Middleton to the City of Madison.  
  
**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Accept. The motion passed by voice vote/other.**

**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 #: 17, 22, 29, 40, 77, 85, and 89 on a motion made by Ald. Bruer, seconded by Ald. Webber.

**RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM**

**REPORT OF ALCOHOL REVIEW COMMITTEE**

- 4. [08334](#) Public Hearing - New License  
Jus LLC • dba: Millpond Gas Station  
6410 Millpond Rd. • Agent: Jaspalinder Singh Chahal  
Class A Liquor & Class A Beer  
Aldermanic District 16 (Compton) • Police Sector 621

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

**REPORT OF CITY ATTORNEY**

5. [07614](#) Amending Section 16.23(2), creating new Section 16.24, and renumbering current Sections 16.24 and 16.25 to 16.25 and 16.26, respectively, of the Madison General Ordinances to create review of condominium instruments.

**Sponsors:** Lauren Cnare

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Rerefer for Recessed Public Hearing to the Attorney's Office. The motion passed by voice vote/other.**

#### REPORT OF PLAN COMMISSION

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

**Sponsors:** Common Council By Petition

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Place On File Without Prejudice and Close the Public Hearing. The motion passed by voice vote/other.**

7. [06572](#) Creating Section 28.06(2)(a)3271. of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Remove 1 House, Demolish 2 Houses and 3 Garages, and Build 4-Story Apartment Building; 2nd Aldermanic District: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street.

**Sponsors:** Common Council By Petition

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

8. [06958](#) Creating Section 28.06(2)(a)3278. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Construction of 150-Room Hotel; 11th Aldermanic District: 702 North Midvale Boulevard.

**Sponsors:** Common Council By Petition

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Place On File Without Prejudice and Close the Public Hearing. The motion passed by voice vote/other.**

9. [07229](#) Creating Section 28.06(2)(a)3281 of the Madison General Ordinances rezoning property from Temp A Agriculture to R1 Single-Family Residence District and Section 28.06(2)(a)3282 of the Madison General Ordinances rezoning property from Temp A Agriculture to R4 General Residence District; Proposed Use: 159 Single Family Lots; 2 Multi-Family Lots and 5 Outlots; 9th Aldermanic District: 12003 Mineral Point Road.

**Sponsors:** Common Council By Petition

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Place On File Without Prejudice and Close the Public Hearing. The motion passed by voice vote/other.**

## **PUBLIC HEARINGS - BEGIN AT 6:45 PM**

### **REPORT OF PLAN COMMISSION**

10. [08300](#) Creating Section 28.06(2)(a)3334. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Relocated House From North Butler Street; 2nd Aldermanic District: 520 East Johnson Street.

**Sponsors:** Department of Planning and Community and Economic Development

**A motion was made by Ald. Bruer, seconded by Ald. Konkel, to Rerefer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.**

**END OF PUBLIC HEARINGS**

**BUSINESS PRESENTED BY THE MAYOR**

11. [08610](#) Report of the Mayor submitting citizen committee appointments (introduced 1-8-2008; action 1-22-2008).

**Sponsors:** David J. Cieslewicz

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

**Absent:** 1 -  
Jed Sanborn

**Excused:** 3 -  
Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 17 -  
Brenda K. Konkell; 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; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

12. [08828](#) Report of the Mayor submitting citizen committee appointments (introduced 1-22-2008; action 2-5-2008).

**Sponsors:** David J. Cieslewicz

Confirm at the 2/5/08 Common Council Meeting.

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 2/5/2008. The motion passed by voice vote/other.**

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

13. [08790](#) Change of Corporate Control -- 3 new officers  
Meriter Retirement Services, Inc. • 2% alcohol, 96% food, 2% other  
333 W. Main Street • Agent: Blair Clark  
Class B Beer, Class C Wine  
Aldermanic District 4 (Alder Verveer) • Police Sector 405

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Grant. The motion passed by voice vote/other.**

14. [08791](#) Change of Agent  
Cathay Pacific, Inc. • dba Hong Kong Cafe • 2 S. Mills Street  
New Agent: Siu Hong Leung  
Class B Combination Liquor & Beer • 10% alcohol, 90% food  
Aldermanic District 13 (Alder Kerr) • Police Sector 304

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Grant. The motion passed by voice vote/other.**

15. [08792](#) Change of Corporate Control -- 1 new officer  
Cocoliquot, LLC • dba Cocoliquot • 25% alcohol, 75% food  
225 King Street • Agent: Brian Haltinner  
Class B Combination Liquor & Beer  
Aldermanic District 6 (Alder Rummel) • Police Sector 405

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Grant. The motion passed by voice vote/other.**

16. [08814](#) Alcohol License Review Committee Report of Operator License Applications  
January 15, 2008. See attached report for list of operators.

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Grant. The motion passed by voice vote/other.**

#### REPORT OF CITY ATTORNEY

17. [07231](#) Petition dated August 7, 2007 from K. Hinkley, 206 N. 5th St., Madison re: the use of public transit system vehicles that are presently being used to advertise gambling and alcohol.

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

#### REPORT OF BOARD OF ESTIMATES

18. [07758](#) Authorizing the Mayor and the City Clerk to execute agreements with the State of Wisconsin Department of Transportation for the design and construction of the Mineral Point Road at Owen Drive Intersection Improvement, and Amending the 2008 Capital Budget for Neighborhood Traffic Management.

**Sponsors:** Common Council By Request

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

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 17 -

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; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Enactment No: RES-08-00053

19. [08316](#)

SUBSTITUTE - Authorizing hiring of The Hiebing Group Inc./Vandewalle & Associates for consultation services to develop and implement a marketing plan for Southeast Madison Business Centers and the Wisconsin BioAg Gateway.

**Sponsors:** Judy Compton and Zachariah Brandon

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

Enactment No: RES-08-00054

20. [08318](#)

Authorizing the carry-over of CDBG, HOME and other funds, and the extension of previously authorized projects within the Community Development program budget.

**Sponsors:** Marsha A. Rummel, Thuy Pham-Remmele and Tim Bruer

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

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 16 -

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; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

**Abstentions:** 1 -

Brenda K. Konkel

Enactment No: RES-08-00055

- 21. [08326](#) Authorizing a lease with the Sands Revocable Trust for the use of a portion of the City's East Rail Corridor property adjacent to the Sands property located at 202-212 South Baldwin Street.

**Sponsors:** Marsha A. Rummel

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

Enactment No: RES-08-00056

RECESS

**A motion was made by Ald. Bruer, seconded by Ald. Konkel, to Take A Recess at 8:15 p.m. The motion passed by voice vote/other.**

RECONVENE

**Roll Call at 8:30 p.m., Ald. Verveer in the Chair.**

**Present:** 17 -

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; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

- 22. [08380](#) AMENDED SUBSTITUTE - Authorizing the Mayor and the City Clerk to execute a Cooperation and Development Agreement with the CDA for the Redevelopment of the Allied Drive Neighborhood.

**Sponsors:** David J. Cieslewicz and Brian L. Solomon

5 Registrant(s) in support wishing to speak; 1 Registrant(s) neither in support nor opposition wishing to speak; 9 Registrant(s) in support not wishing to speak.

**A motion was made by Ald. Solomon, seconded by Ald. Cnare, to Adopt With Amendment(s) as follows: strike '5247' and replace with '5427' in # 4; add 'except as outlined in # 8 below' after 'Redevelopment Property' in # 6; add '# 10. If the units in Phase 1 are converted to condominiums, the net proceeds received due to the sale of rental housing shall be reinvested in rental housing for households at or below 50% AMI.' ; add 'Proceeds' to the end of 'Land Sales' in # 13; Strike 'dollars' and replace 'net proceeds' in # 10; The motion passed by the following vote:**

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 15 -

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; Michael Schumacher; Mark Clear and Lauren Cnare

**Noes:** 2 -

Thuy Pham-Remmele and Brenda K. Konkel

Enactment No: RES-08-00057

**A motion was made by Ald. Konkel, seconded by Ald. Kerr, to Adopt the following amendment(s): strike 'low and moderate income' and replace with 'rental housing for households with less than 50% AMI' in #7, #11 & #13. The motion FAILED by the following vote:**

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 9 -

Robbie Webber; Marsha A. Rummel; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Satya V. Rhodes Conway; Brenda K. Konkel; Michael E. Verveer and Lauren Cnare

**Noes:** 8 -

Tim Gruber; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Enactment No: RES-08-00057

**A motion was made by Ald. Konkel, seconded by Ald. Webber, to Adopt the following amendment: Add '# 17 - Any developer fee and/or net proceeds from this development or sale of land in Phase 2 shall be reinvested in rental housing for households at or below 40% AMI'. The motion FAILED by the following vote:**

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 3 -

Marsha A. Rummel; Brenda K. Konkel and Robbie Webber

**Noes:** 14 -

Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Michael E. Verveer and Lauren Cnare

Enactment No: RES-08-00057

**A motion was made by Ald. Konkell, seconded by Ald. Rummel, to Adopt the following amendment. The motion FAILED by the following vote:**

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 1 -

Brenda K. Konkell

**Noes:** 16 -

Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Michael E. Verveer; Lauren Cnare; Robbie Webber and Marsha A. Rummel

Enactment No: RES-08-00057

23. [08525](#)

Authorizing the Mayor and City Clerk to execute a second amendment to the lease with Madison Credit Union for the branch office space within the Madison Municipal Building.

**Sponsors:** Marsha A. Rummel

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

Enactment No: RES-08-00058

24. [08528](#)

Authorizing the Mayor and City Clerk to enter into a contract with Mark Rechlicz to operate, manage and maintain the City of Madison's Yahara Hills public golf course for a five-year period.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00059

25. [08537](#)

Authorizing the Mayor and City Clerk to enter into a contract with RJM Pro Golf, Inc., to operate, manage and maintain the City of Madison's Monona public golf course for a five-year period.

**Sponsors:** David J. Cieslewicz

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

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

Enactment No: RES-08-00060

26. [08538](#) Authorizing the Mayor and City Clerk to enter into a contract with Bill Scheer to operate, manage and maintain the City of Madison's Glenway public golf course for a five-year period.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00061

27. [08539](#) Authorizing the Mayor and City Clerk to enter into a contract with Thomas F. Benson to operate, manage and maintain the City of Madison's Odana Hills public golf course for a five-year period.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00062

28. [08567](#) Amending RES-06-00471, File No. 03543, adopted on May 16, 2006 authorizing the Mayor and City Clerk to execute a development agreement to fund a \$3,000,000 Tax Incremental Finance Loan to University Square, LLC ("Developer") to assist in the development of University Square retail/commercial redevelopment project.

**Sponsors:** David J. Cieslewicz and Eli Judge

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

Enactment No: RES-08-00063

29. [08569](#) Authorizing a grant to the Community Development Authority for the acquisition of the Citgo Gas Station located at 2200 S. Park Street.

**Sponsors:** Tim Bruer

1 Registrant in support not wishing to speak.

**A motion was made by Ald. Bruer, seconded by Ald. Konkel, to take out of order. The motion passed by voice vote/other.**

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

Enactment No: RES-08-00064

30. [08577](#) Authorizing the Mayor and City Clerk to sign a three (3) year contract for Cisco hardware and software support and maintenance services with Berbee Information Networks.

**Sponsors:** Mark Clear

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

Enactment No: RES-08-00065

31. [08629](#) Resolution that the positions #607 and #608 of Community Development Grants Administrator 3 in Compensation Group 18, Range 10, (occupied by M. Charnitz and B. Constans, respectively) in the permanent salary detail of the Community Development Grants Office budget are repealed and recreated as two positions of Community Development Grants Administrator 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

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

Enactment No: RES-08-00066

32. [08630](#) Resolution that the position #3245 of Monona Terrace Sales/Marketing/Events Manager in Compensation Group 19, Range 10 (occupied by B. Zeinemann) in the permanent salary detail of the Monona Terrace budget is repealed and recreated as a position of Monona Terrace Associate Director - Marketing/Events/Community and Public Relations in Compensation Group 18, Range 14, thereof. Be it further resolved that the former position shall not be deleted until the new position is filled.

**Sponsors:** David J. Cieslewicz

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

**Absent:** 1 -  
Jed Sanborn

**Excused:** 3 -  
Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 16 -  
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; Michael Schumacher; Thuy Pham-Remmele; Brenda K. Konkel; Michael E. Verveer and Lauren Cnare

**Abstentions:** 1 -  
Mark Clear

Enactment No: RES-08-00067

33. [08631](#) Resolution that the new position tentatively identified as Planning - Systems Analyst (no Compensation Group/Range specified) in the permanent salary detail of the budget is repealed and recreated as a position of Overture Center Planning Analyst in Compensation Group 18, Range 07, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00068

34. [08632](#) Resolution that the position #1129 of Street and Sewer Maintenance Worker 3 in Compensation Group 15, range 07, (occupied by J. Schwartz) in the permanent salary detail of the Engineering Division budget is repealed and recreated as a position of Engineering Field Aide in Compensation Group 15, Range 07, thereof. Be it further resolved that the former position shall not be deleted until it is vacated.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00069

35. [08633](#) Resolution that the vacant position (#3944) of Engineer 3 in compensation Group 18, Range 10 and the position (#1779) of Quality Manager, (occupied by J. Grande) in Compensation Group 18, range 10 in the permanent salary detail of the Water Utility Budget are repealed and recreated as a position of Water Supply Manager in Compensation Group 18, range 14 and a position of Water Quality Manager in Compensation Group 18, range 14 thereof. Be it further resolved that the incumbent shall be reallocated to said position.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00070

36. [08649](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the class of Community Development Grants Administrator 4 in Compensation Group 18, Range 12, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00011

- 37. [08650](#) Amending Section 3.54(1)(i) of the Madison General Ordinances by deleting the classification of Monona Terrace Sales/Marketing/Events Manager in Compensation Group 19, Range 10, and creating the class of Monona Terrace Associate Director - Marketing, Events, Community and Public Relations in Compensation Group 18, Range 14, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00012

- 38. [08652](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the class of Overture Center Planning Analyst in Compensation Group 18, Range 07, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00013

- 39. [08653](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Supply Supervisor in the Compensation Group 18, Range 09, and creating the class of Supply Manager in Compensation Group 18, Range 14, and deleting the position of Water Quality Manager in Compensation Group 18, Range 10 and recreating said class in compensation Group 18, Range 14, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00014

**REPORT OF BOARD OF PUBLIC WORKS**

- 40. [05388](#) Determining a Public Purpose and necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for improvements for Troy Drive Sidewalk from School Drive to Forster Drive, being located in part of the Southwest 1/4 of Section 25, Town 8 North, Range 9 East, City of Madison, Dane County, Wisconsin and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the acquisition of land interests. (18th AD)

**Sponsors:** Paul J. Van Rooy

**A motion was made by Ald. Rhodes Conway, seconded by Ald. Webber, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.**

41. [08328](#) Authorizing the Common Council to accept ownership from Eken Park Neighborhood Association of a public picnic table to be located within a public greenway at 702 McCormick Avenue.

**Sponsors:** Larry Palm

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

Enactment No: RES-08-00071

42. [08464](#) Awarding Public Works Contract No. 6146, Carpet Replacement at North District Police Building.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00072

43. [08497](#) Accepting bituminous pavement constructed by private contract in Nesbitt Valley The First Addition, Private Contract No. 1900. (7th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00073

44. [08498](#) Accepting bituminous pavement constructed by private contract in Hillpoint Senior Campus PUD (513 Plaza Drive), Private Contract No. 1925. (9th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00074

45. [08499](#) Accepting bituminous pavement constructed by private contract in Nesbitt Valley The First Addition, Private Contract No. 1976. (7th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00075

- 46. [08500](#) Accepting sanitary sewer constructed by Private Contract In Glacier Valley - Phase I, Private Contract No. 1934. (7th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00076

- 47. [08501](#) Accepting sanitary sewer constructed by Private Contract In Eagle Crest Subdivision, Private Contract No. 2052. (17th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00077

- 48. [08502](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Glacier Valley - Phase I, Private Contract No. 1934. (7th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00078

- 49. [08510](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Eagle Crest Subdivision, Private Contract No. 2052. (17th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00079

- 50. [08514](#) Accepting storm sewer constructed by private contract in Glacier Valley - Phase I, Private Contract No. 1934. (7th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00080

51. [08516](#) Accepting storm sewer constructed by private contract in Eagle Crest Subdivision, Private Contract No. 2052. (17th AD)  
**Sponsors:** Common Council By Request  
  
**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00081
52. [08517](#) Accepting detention basin improvements constructed by private contract in Heath Glen (Replat) - Phase I, Private Contract No. 1984. (7th AD)  
**Sponsors:** Common Council By Request  
  
**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00082
53. [08519](#) Accepting detention basin and ditch improvements constructed by private contract in Eagle Crest Subdivision, Private Contract No. 2052. (17th AD)  
**Sponsors:** Common Council By Request  
  
**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00083
54. [08522](#) Declaring the City of Madison's intention to exercise its police powers establishing the Curb and Gutter in Conjunction With Resurfacing - 2008 Assessment District. (City Wide ADs)  
**Sponsors:** Common Council By Request  
  
**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00084
55. [08523](#) Declaring the City of Madison's intention to exercise its police powers establishing the Winnebago, Merry, and Buell Streets Reconstruction Assessment District - 2008. (6th AD)  
**Sponsors:** Common Council By Request  
  
**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-00085

56. [08530](#) Authorizing the Mayor and the City Clerk to amend an agreement with Owen Ayres & Associates, Inc. for design engineering services for CTH M/Valley View Road Intersection and Pleasant View Road from Prairie Hill Road to CTH S. (9th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00086

57. [08564](#) Improvements accepted for Commonwealth Ave., Rowley Ave., Prospect Ave., & Harrison Street Reconstruction Assessment District, Contract No. 5525. (5th, 10th, & 13th ADs)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00087

58. [08566](#) Authorizing the Mayor and City Clerk to execute a Cooperative Agreement 2008 Renewal with the Capital Area Regional Planning Commission for the investigation of water resources within the City of Madison through the Dane County Cooperative Water Resources Monitoring Program. Said Agreement renewal covers the period of 1/1/08 thru 12/31/08. (City-Wide)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00088

59. [08576](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for North Police HVAC Retrofit 2008, Contract No. 6161. (12th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00089

60. [08578](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Park Paving - 2008, Contract No. 6160. (3rd, 13th, 15th, 16th, & 18th ADs)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00090

61. [08623](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Mineral Point Road and Gammon Road. (9th & 19th ADs)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00091

62. [08635](#) Declaring the City of Madison's intention to exercise its police powers establishing the Sherman Avenue Resurfacing Assessment District - 2008. (12th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00092

63. [08641](#) Improvements accepted for Repairing & Sealing Pavement Cracks, Major Streets - 2007, Contract No. 6012. (Various ADs)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00093

64. [08642](#) Improvements accepted for Senior Center Dining Wood Floor Replacement, Contract No. 6042. (4th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00094

- 65. [08643](#) Authorizing a Payment to the Friends of Starkweather Creek for Funding of Water Monitoring Activities in Starkweather Creek. (Various ADs)

**Sponsors:** Common Council By Request

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

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

**Ayes:** 16 -

Marsha A. Rummel; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Judy Compton; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Brenda K. Konkel; Michael E. Verveer; Robbie Webber and Lauren Cnare

**Abstentions:** 1 -

Larry Palm

Enactment No: RES-08-00095

- 66. [08659](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Building Demolition at 17-19 S. Orchard. (13th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00096

- 67. [08661](#) Declaring the City of Madison's intention to exercise its police powers establishing the Kendall Avenue, Chestnut Street, and Walnut Street Reconstruction Assessment District - 2008. (5th AD)

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00097

68.     [08662](#)     Declaring the City of Madison's intention to exercise its police powers establishing the Herndon Drive Assessment District - 2008. (3rd AD)
- Sponsors:     Common Council By Request
- A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00098
69.     [08665](#)     Declaring the City of Madison's intention to exercise its police powers establishing the East Main Street and North Dickinson Street Reconstruction Assessment District - 2008. (6th AD)
- Sponsors:     Common Council By Request
- A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00099
70.     [08696](#)     Awarding Public Works Contract No. 6147, Carpet Replacement at South Madison Health and Family Center, Harambee.
- Sponsors:     Common Council By Request
- A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00100
71.     [08697](#)     Awarding Public Works Contract No. 6088, Waubesa Street Reconstruction District 2008.
- Sponsors:     Common Council By Request
- A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00101
72.     [08698](#)     Awarding Public Works Contract No. 6112, Siggelkow Road Reconstruction Assessment District - 2008.
- Sponsors:     Common Council By Request
- A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00102

**REPORT OF CITY CLERK**

73. [08809](#) Mobile Home Park License Renewal (2008 license year)  
Uniprop Homes, Inc. • 10 Malibu Drive • 360 mobile home spaces

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Grant. The motion passed by voice vote/other.**

**REPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION**

74. [08670](#) Approving a loan of \$207,000 in Federal HOME and/or Match funds to allow Operation Fresh Start to re-pay bank loans on 2 properties.

**Sponsors:** Tim Bruer, Thuy Pham-Remmele and Marsha A. Rummel

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

Enactment No: RES-08-00103

**REPORT OF PLAN COMMISSION**

75. [02314](#) Approving a Certified Survey Map of property owned by Daniel Duren and Jeff M. Fuller at 3600 Portage Road. 17th Ald. Dist.

**Sponsors:** Common Council By Request

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

76. [08169](#) Adopting the Southwest Neighborhood Plan and recommendations contained therein as a supplement to the City's adopted Comprehensive Plan. Ald. Districts 1, 19, & 20.

**Sponsors:** Jed Sanborn, Thuy Pham-Remmele and Mark Clear

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

Enactment No: RES-08-00104

77. [08645](#) Creating the Zoning Code Rewrite Advisory Committee.

**Sponsors:** David J. Cieslewicz

Adopt at the 2/5/08 Common Council Meeting.

**A motion was made by Ald. Bruer, seconded by Ald. Compton, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 2/5/2008. The motion passed by voice vote/other.**

**REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT**

78. [08803](#) Re-approving a Certified Survey Map of property owned by James M. Corcoran at 2620 & 2612 Arbor Drive, 713 & 717 Knickerbocker Street, 2609 & 2605 Monroe Street. 10th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00105

79. [08804](#) Approving a Certified Survey Map of property owned by Stephen D. Brown at 615 Pleasant View Road. 9th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00106

80. [08823](#) Approving a Certified Survey Map of property owned by Arbor Gate Development, LLC at 2501 West Beltline Highway. 14th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00107

81. [08824](#) Approving a Certified Survey Map of property owned by TNT of McFarland, LLC at 5302 Voges Road. 16th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-00108

**REPORT OF PUBLIC SAFETY REVIEW BOARD**

82. [04162](#) SUBSTITUTE - Creating Section 23.12 of the Madison General Ordinances to prohibit the operation of transient hotels & motels, amending Section 1.08(3)(a) of the Madison General Ordinances to establish bail amounts, and amending Section 1.08(4) of the Madison General Ordinances to establish enforcement authority for the section.

**Sponsors:** Tim Bruer

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

Adopt at the 2/5/08 Common Council Meeting.

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 2/5/2008. The motion passed by voice vote/other.**

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

#### REPORT OF RISK MANAGER

83. [08330](#) A. McGuire, Afni Insurance Services, for J. and L. Butcher, 5154 Loruth Ter., Madison - property damage - \$6,000.00.

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

84. [08474](#) K. Brown, 4937 Goldfinch Dr., Madison - vehicle damage - \$290.86.

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

#### REPORT OF SUSTAINABLE DESIGN AND ENERGY COMMITTEE

85. [07453](#) SUBSTITUTE - Requiring Green Building Certification for new City buildings.

**Sponsors:** Satya V. Rhodes Conway, Robbie Webber, Brian L. Solomon, Michael E. Verveer, Larry Palm, Joseph R. Clausius, Tim Gruber, Marsha A. Rummel, Michael Schumacher, Eli Judge, Brenda K. Konkel and Julia S. Kerr

**A motion was made by Ald. Compton, seconded by Ald. Schumacher to Adopt the following amendment: strike 'lead' and replace with 'highest attainable certification. The motion failed by voice vote/other.**

**A motion was made by Ald. Compton, seconded by Ald. Cnare to Refer to the Board of Estimates, Economic Development Commission, Plan Commission, TIF Subcommittee and Comptroller. The motion failed by voice vote/other.**

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

Enactment No: RES-08-00109

**REPORT OF TRANSIT/ PARKING COMMISSION**

86. [02731](#) Authorizing the Mayor and City Clerk to execute an Engineering Services Contract between the City of Madison and Thornton-Tomasetti Group, Inc. for the design and construction administration of the Mid-State Street Parking Ramp.

**Sponsors:** David J. Cieslewicz and Michael E. Verveer

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

87. [08211](#) Relating to 2007-2008 Badger Bus Lines, Inc. Taxicab Operator License Application.

**Sponsors:** Jed Sanborn

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

Enactment No: RES-08-00110

88. [08323](#) Authorizing the Mayor and the City Clerk to execute agreements with the City of Middleton, the Town of Madison, the City of Fitchburg, the Board of Regents of the University of Wisconsin-Madison (for both campus and Kohl Center service), Madison Area Technical College, Madison Metropolitan School District and the City of Verona for provision of transit service benefiting these partner municipalities, institutions and organizations starting January 1, 2008 and continuing until written notice of termination or amendment by either party.

**Sponsors:** Jed Sanborn

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

**Absent:** 1 -

Jed Sanborn

**Excused:** 3 -

Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz

Enactment No: RES-08-00111

89. [08438](#) Authorizing the Mayor and City Clerk to amend the city's agreement with Adams Outdoor Advertising to add five vehicles to the total number of buses that are authorized to participate in the two year full-wrap pilot project.

**Sponsors:** Jed Sanborn, Brian L. Solomon and Mark Clear

1 Registrant(s) in opposition wishing to speak.

The motion to adopt failed with 10 ayes, 7 noes (3 excused).

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adopt. The motion FAILED by the following vote:**

- Absent:** 1 -  
Jed Sanborn
- Excused:** 3 -  
Zachariah Brandon; Joseph R. Clausius and David J. Cieslewicz
- Ayes:** 10 -  
Brian L. Solomon; Tim Gruber; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear; Thuy Pham-Remmele and Lauren Cnare
- Noes:** 7 -  
Eli Judge; Paul E. Skidmore; Satya V. Rhodes Conway; Brenda K. Konkel; Michael E. Verveer; Robbie Webber and Marsha A. Rummel

90. [08548](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to enter into a five-year contract with the Gillig Corporation for the manufacture and delivery of up to seventy-five (75) coaches and spare parts. The estimated cost of the first order of buses is \$6,921,000, and amending the 2008 Metro Transit Capital budget to transfer \$477,200 from Transit System Upgrades and the Bus Vacuum System to support the purchase of the Transit coaches.

**Sponsors:** Robbie Webber and Brian L. Solomon

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

- Absent:** 1 -  
Jed Sanborn
- Excused:** 3 -  
Joseph R. Clausius; David J. Cieslewicz and Zachariah Brandon
- Ayes:** 17 -  
Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Brenda K. Konkel; Michael E. Verveer; Lauren Cnare; Robbie Webber and Marsha A. Rummel

Enactment No: RES-08-00112

91. [08549](#) Authorizing the Mayor and City Clerk to enter into an agreement with the University of Wisconsin - Madison for the continuation of provision of access by its employees to Metro Transit fixed route and ADA paratransit services, with reimbursement to the transit utility for rides by UW and UW Hospital employees and members of affiliate groups as designated by UW Transportation Services for academic years 2007-08, 2008-09, 2009-10, 2010-11 and 2011-12.

**Sponsors:** Brian L. Solomon and Jed Sanborn

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

Enactment No: RES-08-00113

92. [08555](#) Authorizing the Mayor and City Clerk to enter into an agreement with Dane County to provide \$19,300 in assistance to Metro Transit for transit information services, promotion efforts and operations for calendar year 2008, and \$12,900 to the Madison Area Transportation Planning Board (a Metropolitan Planning Organization) to support the County Specialized Transportation coordination activities for the calendar year 2008.

**Sponsors:** Brian L. Solomon

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

Enactment No: RES-08-00114

## ORDINANCES & RESOLUTIONS REFERRED TO THIS MEETING

### ORDINANCES

93. [08749](#) Creating Section 15.01(566) 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 Gallina Schewe Attachment and amending Section 15.01(141) of the Madison General Ordinances to assign the attached property to Ward 141.

**Sponsors:** David J. Cieslewicz

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

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

Enactment No: ORD-08-00015

### RESOLUTIONS

94. [07665](#) Urging passage of the Wisconsin State Senate version of the State Biennial Budget.

**Sponsors:** Satya V. Rhodes Conway, Brian L. Solomon, Brenda K. Konkell, Robbie Webber, Marsha A. Rummel, David J. Cieslewicz, Michael E. Verveer, Michael Schumacher, Mark Clear, Judy Compton, Joseph R. Clausius and Thuy Pham-Remmele

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

Enactment No: RES-08-00115

**INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE -  
Referred on a motion made by Ald. Bruer, seconded by Ald. Webber.**

**ORDINANCES**

95. [08749](#) Creating Section 15.01(566) 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 Gallina Schewe Attachment and amending Section 15.01(141) of the Madison General Ordinances to assign the attached property to Ward 141.

**Sponsors:** David J. Cieslewicz

Withdrawn (duplicate of item #93).

Enactment No: ORD-08-00015

96. [08750](#) Amending Section 3.14(4)(k)3. to increase the membership of the Contracted Service Oversight Committee.

**Sponsors:** Jed Sanborn and Brian L. Solomon

**This Ordinance was Refer to the TRANSIT AND PARKING COMMISSION**

97. [08817](#) Creating Section 28.06(2)(a)3335. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: WID/MIR Specific Implementation Plan; 8th Aldermanic District: 1301 University Avenue (The block bounded by Campus Drive, University Avenue, N. Randall Avenue and N. Orchard Street.)

**Sponsors:** Common Council By Request

Due back at the 3/4/08 Common Council Meeting.

**This Ordinance was Refer For Public Hearing to the PLAN COMMISSION, due back on 3/4/2008**

98. [08818](#) Creating Section 28.06(2)(a)3336. 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)3337. 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: Replace 11-Story Residential/Office Building with 5-Story Office Building; 11th Aldermanic District: 702 North Midvale Boulevard.

**Sponsors:** Common Council By Request

Due back at the 3/4/08 Common Council Meeting.

**This Ordinance was Refer For Public Hearing to the PLAN COMMISSION, due back on 3/4/2008**

99. [08819](#) Creating Section 28.06(2)(a)3338. 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: Hyatt Place Hotel at Capitol West; 4th Aldermanic District: 333 West Washington Avenue.

**Sponsors:** Common Council By Request

Due back at the 2/26/08 Common Council Meeting.

**This Ordinance was Refer For Public Hearing to the PLAN COMMISSION, due back on 2/26/2008**

100. [08820](#) Creating new Section 12.1335(4)(d), renumbering current Section 12.1335(4)(d) to Section 12.1335(4)(e), amending Section 12.1339, amending Section 12.141(2), creating new Section 12.141(3), renumbering current Sections 12.141(3)-(9) to Sections 12.141(4)-(10), and amending Section 1.08(3)(a) of the Madison General Ordinances to further deter snow parking violations and more efficiently allow for cleaning of the streets.

**Sponsors:** David J. Cieslewicz

Additional Referral(s): Pedestrian/Bicycle/Motor Vehicle Commission, Common Council Organizational Committee, Board of Estimates, Public Safety Review Board

**This Ordinance was Refer to the TRANSIT AND PARKING COMMISSION**

101. [08822](#) Amending Section 9.13(6)(e)7.e. of the Madison General Ordinances to allow more than two hotdog vendors to be licensed as Mall/Concourse food vendors.

**Sponsors:** Michael E. Verveer and Thuy Pham-Remmele

**This Ordinance was Refer to the VENDING OVERSIGHT COMMITTEE**

102. [08827](#)

Creating Section 15.01(567) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(143) of the Madison General Ordinances to assign the attached property to Ward 143.

**Sponsors:** David J. Cieslewicz

Due back at the 2/26/08 Common Council Meeting.

**This Ordinance was Refer to the PLAN COMMISSION, due back on 2/26/2008**

103. [08830](#)

Amending Section 28.06(1)(h) and creating Sections 28.107(17) through (29) of the Madison General Ordinances to establish Wellhead Protection Districts Nos. 7, 8, 10, 11, 13, 16, 17, 19, 20, 23, 25, 27 and 28.

**Sponsors:** David J. Cieslewicz, Lauren Cnare and Robbie Webber

Due back at the 2/26/08 Common Council Meeting.

**This Ordinance was Refer For Public Hearing to the PLAN COMMISSION, due back on 2/26/2008**

## RESOLUTIONS

104. [08768](#)

Authorizing the Mayor and Chief of Police to accept three (3) highway safety grants totaling \$33,000 WI Department of Transportation for the following activities in 2008: Pedestrian Enforcement Grant (\$4,000), Bike Enforcement Grant (\$4,000) and Alcohol Enforcement Grant (\$25,000).

**Sponsors:** David J. Cieslewicz

**This Resolution was Refer to the BOARD OF ESTIMATES**

105. [08769](#)

Authorizing the execution of an Underground Utility Easement to Madison Gas and Electric Company across a public greenway at 404 Burdette Court.

**Sponsors:** Tim Bruer

**This Resolution was Refer to the BOARD OF PUBLIC WORKS**

106. [08778](#) Authorizing the Mayor and City Clerk to sign a Distributed Generation Interconnection Agreement for photovoltaic generation with Madison Gas and Electric Company as part of the "Clean Power Partner" Program, authorizing indemnification of MG&E for purposes of the Emil Street site, approving a request for waiver from the PSC and authorizing future interconnection agreements for eligible city-owned PV installations already installed and in the future.

**Sponsors:** David J. Cieslewicz and Larry Palm

**This Resolution was Refer to the BOARD OF ESTIMATES**

107. [08782](#) 2008 Public Health Contracts with the Department of Health and Family Services for Tobacco Control and the regional Emergency Preparedness Consortium.

**Sponsors:** Lauren Cnare

Additional Referral(s): Board of Health for Madison and Dane County

**This Resolution was Refer to the BOARD OF ESTIMATES**

108. [08783](#) Authorizing the Blue Ribbon Committee on Clean Elections to accept a one-time grant from the Joyce Foundation in the amount of \$16,188 and amending the 2008 Adopted Operating budget of the Mayor's Office to provide for additional grant revenues and associated expenditures.

**Sponsors:** David J. Cieslewicz

**This Resolution was Refer to the BOARD OF ESTIMATES**

109. [08784](#) Transferring a Water Utility parcel of land to City Engineering.

**Sponsors:** Satya V. Rhodes Conway

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

**This Resolution was Refer to the BOARD OF ESTIMATES**

110. [08785](#) 2008 Public Health Contracts with the Department of Health and Family Services for the Wisconsin Well Woman Program and Radon Prevention.

**Sponsors:** Lauren Cnare

Additional Referral(s): Board of Health for Madison and Dane County

**This Resolution was Refer to the BOARD OF ESTIMATES**

111. [08793](#) Amending the 2008 Major Streets Capital Budget and Authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for the construction of East Washington Ave Segment Six and approving the plan for pavement replacement on East Washington Avenue Segment Six (Thierer Road to East Springs Drive). (17th AD)

**Sponsors:** Joseph R. Clausius and David J. Cieslewicz

Additional Referral(s): Board of Estimates

**This Resolution was Refer to the BOARD OF PUBLIC WORKS**

112. [08796](#) Authorizing the Mayor and the City Clerk to amend an existing agreement with the consultant team of HNTB, et al., for Transport 2020 Preliminary Engineering and environmental documentation services for the City of Madison.

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

**This Resolution was Refer to the BOARD OF ESTIMATES**

113. [08797](#) Authorizing the Madison Metro Transit General Manager to amend a public transit capital grant from the U.S. Department of Transportation and matching funds from the Wisconsin Department of Transportation (WisDOT) for continuing work on the Transport 2020 project, and authorizing the Mayor and the City Clerk to execute the associated amended grant agreements with USDOT.

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

**This Resolution was Refer to the BOARD OF ESTIMATES**

114. [08798](#) Adopting the Platinum Biking City Planning Committee's report, "Making Madison the Best Place in the Country to Bicycle" and recommendations contained therein

**Sponsors:** Mark Clear, Robbie Webber, Brian L. Solomon, Satya V. Rhodes Conway, David J. Cieslewicz and Judy Compton

Additional Referral(s): Board of Estimates, Board of Public Works, Long Range Transportation Planning Commission, Board of Park Commissioners, Plan Commission, Transit and Parking Commission, Public Safety Review Board, Board of Health for Madison and Dane County

**This Resolution was Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

115. [08799](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to assess demerit points for Food Vendors who have been shut down by the Health Department during the previous vending season, and to eliminate a reference to the two-vendor limit on hotdog/sausage vendors.

**Sponsors:** Michael E. Verveer

**This Resolution was Refer to the VENDING OVERSIGHT COMMITTEE**

116. [08805](#) Authorizing City staff to prepare a "Request for Qualifications" and advertise for Architect consultant services on behalf of the CDA for The Villager Atrium, located at 2202 South Park Street.

**Sponsors:** David J. Cieslewicz and Tim Bruer

**This Resolution was Refer to the BOARD OF ESTIMATES**

117. [08806](#) Authorizing the Mayor and City Clerk to execute an amended contract with Forward Community Investments, Inc., to provide additional project management services as part of the redevelopment of The Villager, and to increase the term and compensation.

**Sponsors:** David J. Cieslewicz and Tim Bruer

**This Resolution was Refer to the BOARD OF ESTIMATES**

118. [08813](#) Amending the "Regulations Governing Vending on the State Street Mall/Concourse" to allow first-time food vendors to be eligible for vacant food vending sites on the Mall/Concourse during the winter vending season following their completion of the Fall Food Review, and clarifying the procedure for filling vacant and unoccupied sites and different stages during the vending season.

**Sponsors:** Michael E. Verveer

**This Resolution was Refer to the VENDING OVERSIGHT COMMITTEE**

119. [08821](#) Accepting a 15-foot wide Public Sanitary Sewer Easement from the Cynthia M. Rogerson Trust, across property located at 2918 Waunona Way.

**Sponsors:** Tim Bruer

Additional Referral(s): Plan Commission

**This Resolution was Refer to the BOARD OF PUBLIC WORKS**

120. [08845](#) Declaring the City of Madison's intention to exercise its police powers establishing the following Traffic Signal Assessment District: Tree Lane-Gammon Road Traffic Signal Assessment District.

Sponsors: Paul E. Skidmore

**This Resolution was Refer to the BOARD OF PUBLIC WORKS**

121. [08849](#) Declaring the City of Madison's intention to exercise its police powers establishing the following Traffic Signal Assessment District: Raymond Road-Whitney Way Traffic Signal Assessment District.

Sponsors: Thuy Pham-Remmele

**This Resolution was Refer to the BOARD OF PUBLIC WORKS**

122. [08851](#) Declaring the City of Madison's intention to exercise its police powers establishing the following Traffic Signal Assessment District: Watts Road-Walmart West Driveway Traffic Signal Assessment District.

Sponsors: Jed Sanborn

**This Resolution was Refer to the BOARD OF PUBLIC WORKS**

## REPORTS

123. [08865](#) Report dated January 16, 2008 re: Board, Committee, Commission, Ad Hoc Committee & Subcommittee Members who have not filed the Statement of Interests Form.

Accept the report of the City Clerk at the 2/26/08 Common Council Meeting (revoking appointment to committees/commissions for non-filers).

**This Report was Refer to a future Meeting to Accept to the COMMON COUNCIL, due back on 2/26/2008**

## CLAIMS - REFER TO RISK MANAGER

124. [08735](#) R. Mitchell, 142 S. Marquette, # 2, Madison - vehicle damage - \$1,610.67.
125. [08736](#) M. Tuong, 6410 Jacobs Way, Madison - vehicle damage - \$213.67.
126. [08737](#) J. McShan, 3111 Webb Ave., Madison - vehicle damage - \$3,000.00.

127. [08738](#) NOTICE OF CIRCUMSTANCES: T. Spoerle, 212 E. Dean Ave., Madison - vehicle damage - amount to be determined.
128. [08739](#) D. Sikorski, 114 State St., # 4, Madison - vehicle damage - \$26.38.
129. [08740](#) J. Giles, 815 N. College Ave., # 11, Bloomington, IN - vehicle damage - \$119.62.
130. [08741](#) J. Rust, 872 Hancock Ct., Oconomowoc - vehicle damage - \$2,894.27.
131. [08771](#) C. Cid, 2105 Taft St. - vehicle damage - \$280.10.
132. [08772](#) C. Stremke, 9172 Gateway Ln., Eden Prairie, MN - vehicle damage - \$4,905.00.
133. [08773](#) J. Mathews for Construction and General Laborers Union Local 464 - property damage - \$168.00.
134. [08774](#) NOTICE OF CLAIM - D. Mandell, attorney for J. and B. Thiel, 1518 Blue Heron Way, Oregon - property damage - amount to be determined.
135. [08775](#) D. Kirchgessner, 801 Nancy Ln. - vehicle damage - \$158.02.
136. [08776](#) R. Herzog, 340 Monte Carlo Dr., Eau Claire - vehicle damage - \$318.16.
137. [08777](#) J. Green, 1670 Lake Point Dr. - physical injury and property loss - \$25,000.
138. [08800](#) W. Weeden, 3030 Maple Grove Dr., Madison - property damage - \$55.00.
139. [08808](#) A. Borokhim, 1801 Monroe St., Madison - property damage - \$150.00.
140. [08810](#) R. Hummel, 4538 Surrey Cir., Madison - property damage - \$750.00.
141. [08811](#) S. Mills, 2430 Fox Ave., Madison - vehicle damage - \$323.68.
142. [08812](#) J. Hassemer, 4337 Britta Dr., #4, Madison - vehicle damage - \$1,279.13.

**INTRODUCTION OF ITEMS FROM THE FLOOR**

143. [08896](#) Petition dated January 10, 2008 from Equity Advisors, LLC on behalf of McAllen Properties 120 LLC re: direct attachment from the Town of Blooming Grove to the City of Madison.

Accept at the 2/5/08 Common Council Meeting.

**A motion was made by Ald. Compton, seconded by Ald. Bruer, to Refer to a future Meeting to Accept to the COMMON COUNCIL, due back on 2/5/2008. The motion passed by voice vote/other.**

144. [08889](#) Creating Section 15.01(568) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the Sixteenth Aldermanic District the McAllen Attachment and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(2) of the Madison General Ordinances to add the attached property to Ward 2.

**Sponsors:** David J. Cieslewicz

Adopt at the 2/5/08 Common Council Meeting.

**A motion was made by Ald. Compton, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 2/5/2008. The motion passed by voice vote/other.**

#### ADJOURNMENT

**A motion was made by Ald. Bruer, seconded by Ald. Webber, to Adjourn at 11:20 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 January 29, 2008.

Ordinances published February 13, 2008.

MARIBETH WITZEL-BEHL, CITY CLERK