



# City of Madison

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

## Proceedings - Amended COMMON COUNCIL

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Tuesday, December 2, 2008

6:30 PM

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

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**Roll Call at 6:30 p.m., Mayor Cieslewicz in the Chair.**

**Present:** 19 -

Libby Monson; David J. Cieslewicz; 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; Joseph R. Clausius;  
Michael Schumacher and Mark Clear

**Excused:** 2 -

Jed Sanborn and Thuy Pham-Remmele

### **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. Clear, to Suspend the Rules. The motion passed by voice vote/other.**

**PETITIONS AND COMMUNICATIONS - None received.**

### **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 #: 1-12 (pubic hearing items), 26, 55, and 107 on a motion made by Ald. Bruer, seconded by Ald. Verveer.

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

### **REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

1.     [11388](#)           Public Hearing - New License  
Puav Pheej LLC • dba Taste of Asia • .1% alcohol, 99.9% food  
2817 E Washington Ave • Agent: Peng Her • Estimated Capacity: 130  
Class B Beer, Class C Wine  
Aldermanic District 15 (Alder Palm ) • Police Sector 603

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Place On File Without Prejudice and Close the Public Hearing. The motion passed by voice vote/other.**
  
2.     [11863](#)           Public Hearing - New License  
Brickhouse BBQ LLC • dba Brickhouse BBQ LLC • 25% alcohol, 75% food  
408 W Gorham St • Agent:Jong Yean Lee • Estimated Capacity: 180-200  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area  
2 Registrant(s) in support not wishing to speak.

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**
  
3.     [12158](#)           Public Hearing - New License  
Leziz LLC • dba Oliva • 15% alcohol, 85% food  
745 N High Point Rd • Agent: Mehmet Dayi • Estimated Capacity: 40  
Class B Beer, Class C Wine  
Aldermanic District 09 (Alder Skidmore) • Police Sector 126

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**
  
4.     [12161](#)           Public Hearing - New License  
Appetize Inc. • dba HuHot Mongolian Grill • 6% alcohol, 94% food  
610 Junction Rd • Agent: David Lindenstruth • Estimated Capacity: 250-300  
Class B Combination Liquor & Beer  
Aldermanic District 09 (Alder Skidmore) • Police Sector 128

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**

5. [12164](#) Public Hearing - New License  
RNF LLC • dba 24 Hour Pump  
2801 University Ave • Agent: Sid Kabir  
Class A Beer, Class A Liquor  
Aldermanic District 11 (Alder Gruber) • Police Sector 101

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**

6. [12167](#) Public Hearing - New License  
Madison Ice Inc. • dba Madison Ice, Inc • 5% Alcohol, 20% Food, 75% Other  
1834 Commercial Ave • Agent: Andrea Chaffee • Estimated Capacity: 500  
Class B Beer  
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 503

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**

7. [12472](#) Public Hearing - New License  
Out Nightclub Inc • dba XO2• 44% alcohol, 55% food, 1% Other  
1262 John Q Hammons Dr • Agent: Bruce M DeWall • Estimated Capacity:  
386  
Class B Combination Liquor & Beer  
Aldermanic District 09 (Alder Skidmore ) • Police Sector 127

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**

8. [12476](#) Public Hearing - New License  
Vandewalle, Brian E • dba Washington Hotel Coffee Room LLC  
10% alcohol, 80% food, 10% Other  
402 W Lakeside St • Agent: Miranda Hofmann • Estimated Capacity: 50  
Class B Combination Liquor & Beer  
Aldermanic District 13 (Alder Kerr ) • Police Sector 306

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**

9. [12479](#) Public Hearing - New License  
David Blake • dba David's Jamaican Cuisine • 20% alcohol, 80% food  
1616 Beld St • Agent: David Blake • Estimated Capacity: 42  
Class B Beer, Class C Wine  
Aldermanic District 13 (Alder Kerr) • Police Sector 306

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**

10. [12481](#) Public Hearing - New License  
Roaring Fork LLC • dba Qdoba Mexican Grill • 2% alcohol, 98% food  
4718 East Towne Blvd • Agent: Ron Stokes • Estimated Capacity:100  
Class B Combination Liquor & Beer  
Aldermanic District 17 (Alder Clausius) • Police Sector 517

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant and Close the Public Hearing. The motion passed by voice vote/other.**

#### REPORT OF PLAN COMMISSION

11. [12113](#) Creating Section 28.06(2)(a)3390. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Mixed-Use Development with Theatre/Entertainment Complex; 17th Aldermanic District: 4021 Grand Crossing Road.

**Sponsors:** Common Council By Request

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

12. [12371](#) AMENDED - Amending Secs. 28.04(20)(d), 28.06(3), 28.105(1)(c)4.b., 28.105(2)(d), 28.105(3)(e)5.a., 28.12(2)(b)11., and 28.12(10)(i) of the Madison General Ordinances to update the Floodplain Insurance Rate Map and the Flood Insurance Study for the City of Madison.

**Sponsors:** Lauren Cnare

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: add "If more than one map or revision is referenced, the most restrictive information shall apply" in subsection 2 of section 28.06(3) (a). The motion passed by voice vote/other.**

Enactment No: ORD-08-00136

**END OF PUBLIC HEARINGS**

**BUSINESS PRESENTED BY THE MAYOR**

13. [12595](#) Report of the Mayor submitting citizen committee appointments (introduced 11-18-2008; action 12-2-2008).
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Confirm. The motion passed by the following vote:**
- Excused:** 2 -  
Jed Sanborn and Thuy Pham-Remmele
- Ayes:** 18 -  
Libby Monson; 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; Joseph R. Clausius; Michael Schumacher and Mark Clear
- Non Voting:** 1 -  
David J. Cieslewicz
14. [12882](#) Report of the Mayor submitting citizen committee appointment (introduced 12-2-2008; action 1-6-2009).
- Sponsors:** David J. Cieslewicz
- Confirm at the 1/6/09 Common Council Meeting.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 1/6/2009. The motion passed by voice vote/other.**
15. [12883](#) Report of the Mayor submitting alder committee appointment.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Confirm. The motion passed by voice vote/other.**

## **BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL**

16. [12886](#) Authorizing the City of Madison, within the 2009 City of Madison Operating Budget to enter into purchase of services contracts as recommended by the Community Services Commission and administered by the Office of Community Services for an amount not to exceed \$3,701,608.
- Sponsors:** David J. Cieslewicz, Lauren Cnare and Brian L. Solomon
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**

**Excused:** 2 -  
Jed Sanborn and Thuy Pham-Remmele

**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;  
Joseph R. Clausius; Mark Clear and Libby Monson

**Abstentions:** 2 -  
Brenda K. Konkel and Michael Schumacher

**Non Voting:** 1 -  
David J. Cieslewicz

Enactment No: RES-08-01048

17. [12889](#) Authorizing the Office of Community Services to enter into purchase of service contracts utilizing City of Madison funds allocated in the 2008 City of Madison budget for the continuation of successful Weed and Seed programs.

**Sponsors:** Lauren Cnare and Brian L. Solomon

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

Enactment No: RES-08-01049

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

18. [09919](#) Change of Licensed Premise  
Applicant: K Street, LLC • dba: Madison's Downtown • Capacity of 216  
Address: 119 King Street • Agent: Andy Haker  
Class B Combination Liquor & Beer • 40% Alcohol, 60% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 405  
Request to increase capacity to 340.

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

19. [11126](#) Operator License Application  
Tim Harris - Establishment where employed: Holiday Inn East

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

20. [11436](#) SUBSTITUTE - Creating new Section 38.05(3)(d) and renumbering current Sec. 38.05(3)(d) through (m) to Sec. 38.05(3)(e) through (n) of the Madison General Ordinances to require the posting of a sign on premises where application has been made for a retail alcohol beverage license.

**Sponsors:** Michael E. Verveer

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

Enactment No: ORD-08-00135

21. [11905](#) Operator License Application  
Chad Rowin - Establishment where employed: Qdoba

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

22. [12159](#) Change of Corporate Control -- 1 new officer  
CEC Entertainment Inc • dba Chuck E Cheese's • 3% alcohol, 97% food  
438 Grand Canyon Dr • Agent: Donald Olbrys  
Class B Beer, Class C Wine  
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

23. [12160](#) Change of Agent  
M&M Madison Concessions LLC • dba Howard Johnson  
3841 E Washington Ave  
New Agent: Terrance E Gray  
Class B Combination Liquor & Beer • 20% alcohol, 80% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 605

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

24. [12163](#) Creating New Sec. 38.10(1)(f), renumbering current Sec. 38.10(1)(f) to (g) and amending Renumbered Sec. 38.10(1)(g) of the Madison General Ordinances relating to nonrenewal of unissued or unused retail alcohol beverage licenses, upon the recommendation of the Alcohol License Review Committee.

**Sponsors:** Michael E. Verveer and Michael Schumacher

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

Enactment No: ORD-08-00137

25. [12170](#) Change of Agent  
117 MLK LLC • dba Ocean Grill • 117 Martin Luther King Jr Blvd  
New Agent: Holly Mucci  
Class B Combination Liquor & Beer • 27% alcohol, 73% food  
Aldermanic District 04 (Alder Verveer) • Police Sector 405

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

26. [12263](#) Disciplinary matter ALRC, proposed settlement Good Times/LWS Investments.

**A motion was made by Ald. Verveer, seconded by Ald. Schumacher, to Accept with the following amendments, which are reflected in the attachment labeled "Final LWS Stipulation": (1) Dates of suspension shall be December 25, 2008 at 2:00 a.m. to December 31, 2008 at 2:30 a.m.; (2) Reference to "East District Captain" in paragraphs 3. A. & B to be replaced with "Chief of Police or designee"; and (3) Recommendation of ALRC to Common Council with respect to various court cases listed in paragraph 4, that respondent shall plead "no contest" to all of the counts in each case, with a total of forfeiture of \$4,500 plus municipal court costs. The motion passed by voice vote/other.**

27. [12474](#) 18+ Center for Visual & Performing Arts License  
Out Nightclub Inc • dba XO2 • Capacity:386  
1262 John Q Hammons Dr • Agent: Bruce DeWall  
Class B Combination Liquor & Beer • 44% alcohol, 55% food, 1% Other  
Aldermanic District 09 (Alder Skidmore) • Police Sector 127

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

28. [12542](#) Change of Agent  
WHG Real Estate South • dba Applebees Neighborhood Grill & Bar  
4710 East Towne Blvd  
New Agent: Tom Higgins  
Class B Combination Liquor & Beer • 11% alcohol, 89% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 517

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

29. [12543](#) Operator License Application  
Joshua Bissen - Establishment where employed: Paradise Lounge

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

30. [12545](#) Operator License Application  
John Faulkner - Establishment where employed: Club 5
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**
31. [12552](#) Change of Licensed Premise  
GD 3 LLC • dba Great Dane Pub • capacity of 236  
357 Price Pl • Agent: Ted Peterson  
Class B Combination Liquor & Beer • 45% Alcohol, 55% food  
Aldermanic District 11 (Alder Gruber) • Police Sector 108  
Request to create a pool hall & lounge and add a 16' x 19' second floor mezzanine.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**
32. [12896](#) Alcohol License Review Committee Report of Operator License Applications  
11/25/08. See attached report for list of operators.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**

#### REPORT OF BOARD OF ESTIMATES

33. [11695](#) Accepting the Staff Report on Alternatives to Improve Stump Grubbing, Street Tree Pruning Cycles and Preparation for the Emerald Ash Borer (EAB).
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01050
34. [12311](#) SUBSTITUTE - Authorizing the submission of a Round 10 Brownfield Site Assessment Grant (SAG) Application to the Wisconsin Department of Natural Resources (WDNR).
- Sponsors:** Marsha A. Rummel
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01047

35. [12365](#) Resolution that the position (#1067) of Civil Technician 2 in Compensation Group 16, Range 14A (occupied by G. Clark) in the permanent salary detail of the Engineering Division budget is repealed and recreated as Engineering Program Specialist 1 in Compensation Group 16, Range 17, 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. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01051
36. [12441](#) Amending the 2008 Capital Budget of Facilities Management to authorize the spending of additional grant money received from Focus on Energy.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01052
37. [12453](#) 2009 Public Health Grants and Contracts.
- Sponsors:** Lauren Cnare
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01053
38. [12487](#) Approving the provision of \$116,300 of CDBG dollars for improvement projects in the Hiestand neighborhood as a way to implement a portion of the Hiestand Neighborhood Plan, and in a manner that will address City, community and neighborhood development objectives, and amending the 2008 CDBG operating budget, the Engineering and the Parks 2008 capital budgets to authorize the implementation of the projects.
- Sponsors:** Tim Bruer, Thuy Pham-Remmele and Marsha A. Rummel
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01054

39. [12488](#) Authorizing the carry-over of CDBG, HOME and other funds, and the extension of previously authorized projects within the Community Development program budget.
- Sponsors:** Tim Bruer, Thuy Pham-Remmele and Marsha A. Rummel
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01055
40. [12490](#) Authorizing the provision of \$50,000 of Federal HOME Match funds and \$50,000 of City Housing Trust funds to assist Common Wealth Development, Inc to acquire and develop the East Wilson Homeownership Program in ways that address City, Community and Neighborhood Development Objectives;
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01056
41. [12491](#) Authorizing the provision of \$124,000 in CDBG funds to assist Community Coordinated Child Care (4-C's) to construct a building at 5 Odana Court to allow them to continue to address City, Community and Neighborhood Development Objectives, and authorizing the Mayor and City Clerk to enter into contractual agreements as appropriate.
- Sponsors:** Tim Bruer, Thuy Pham-Remmele and Marsha A. Rummel
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01057
42. [12499](#) Authorizing the Mayor and City Clerk to sign a three (3) year contract for software support and maintenance services with New World Systems Corporation.
- Sponsors:** Paul E. Skidmore
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01058

43. [12537](#) Amending Section 3.32(16)(b) of the Madison General Ordinances relating to compensation for employees serving as city election officials.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00138

44. [12546](#) Release of Licensed Establishment Reserves.

**Sponsors:** David J. Cieslewicz and Lauren Cnare

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

Enactment No: RES-08-01059

45. [12547](#) SUBSTITUTE - Authorizing the Mayor and Chief of Police to accept four (4) traffic safety grants totaling \$630,000 from WI Department of Transportation for the following activities in 2008/2009: Alcohol Enforcement Grant (\$25,000), Speed Enforcement Grant (\$3027,000), Pedestrian Safety Enforcement Grant (\$4,000) and Bicycle Safety Enforcement Grant (\$4,000).

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-01060

46. [12565](#) Authorizing the Mayor and Chief of Police to accept a grant award from the U.S. Dept. of Justice, Office of Community Oriented Policing Services, in the amount of \$444,268 for the implementation of technology initiatives.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-01061

47. [12579](#) Amending Sections 35.02(7) and 35.025(4) of the Madison General Ordinances to establish 2009 Sewer Utility Rates (including Landfill Remediation Fees) effective January 1, 2009 and Amending Section 37.05(4) of the Madison General Ordinances to establish 2009 rates for the Public Stormwater System.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00139

48. [12587](#) Reallocating previously approved CDBG funds to alternative Southwest Neighborhood Projects.

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

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

Enactment No: RES-08-01062

49. [12589](#) Authorizing the execution of a lease at 29 Marsh Court for the storage of evidentiary vehicles and other miscellaneous materials associated with Madison Police Department operations.

**Sponsors:** Judy Compton

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

Enactment No: RES-08-01063

50. [12590](#) Authorizing the Mayor and City Clerk to execute a Memorandum of Understanding with the County of Dane providing for the City's short-term use of County-owned space within the City-County Building.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-01064

51. [12598](#) Authorizing the Mayor and City Clerk to execute a loan agreement for funds not to exceed \$51,786 Bassett Neighborhood Small Cap TIF Loan to Brandon Cook ("Borrower") to purchase and rehabilitate the property located at 115 S. Bassett Street to convert it from a rental to owner-occupied housing.

**Sponsors:** Michael E. Verveer

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

52. [12613](#) Amending the 2008 Capital Budget of Engineering-Other to Increase the Budget Authority of Bikeways (Project 7) by \$631,000.

**Sponsors:** Michael E. Verveer

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

**Excused:** 2 -

Jed Sanborn and Thuy Pham-Remmele

**Ayes:** 18 -

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; Joseph R. Clausius; Michael Schumacher; Mark Clear and Libby Monson

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: RES-08-01065

53. [12614](#) Authorizing the Mayor and City Clerk to sign a four year contract for software support and maintenance services with Sagem Morpho, Inc. for the AFIS Workstation.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-01066

- 54. [12631](#) Authorizing the Board of Health for Madison and Dane County on behalf of Public Health - Madison and Dane County to execute a lease with International Properties LLP for office space located at 2701 International Lane.

**Sponsors:** Lauren Cnare and Joseph R. Clausius

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

Enactment No: RES-08-01067

- 55. [12715](#) Appropriating \$342,000 from the General Fund Balance and transferring within agency budgets to cover various unbudgeted departmental expenditures during 2008.

**Sponsors:** David J. Cieslewicz

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

**Excused:** 2 -

Thuy Pham-Remmele and Jed Sanborn

**Ayes:** 18 -

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; Joseph R. Clausius; Michael Schumacher; Mark Clear and Libby Monson

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: RES-08-01068

- 56. [12787](#) Authorizing the execution of a Purchase and Sale Agreement with the Urban League of Greater Madison (“ULGM”) for the purchase of a condominium unit for the expansion of the South Madison Branch Library within a proposed new building to be constructed by the ULGM at The Villager located at 2200 South Park Street.

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

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

Enactment No: RES-08-01069

**REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY**

57. [12414](#) Amending Sections 7.46(10) and 7.47(13) to increase the respective penalties and amending Sec. 1.08(3) of the Madison General Ordinances to establish a bail deposit for a violation.

**Sponsors:** Lauren Cnare and Larry Palm

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

Enactment No: ORD-08-00140

58. [12585](#) Amending Section 7.47(8)(b) of the Madison General Ordinances to increase the application fee and the annual discharge permit fees for the discharge of nonstorm water.

**Sponsors:** Lauren Cnare

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

Enactment No: ORD-08-00141

#### REPORT OF BOARD OF PUBLIC WORKS

59. [11800](#) Approving plans for the restoration of East Campus Mall (FNA North Murray Street) in accordance with the Permit to Excavate in the Right of Way and Agreement to provide maintenance of North Murray Street/East Campus Mall from University Avenue to State Street.

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01070

60. [11944](#) Authorizing the Common Council to accept ownership from Worthington Park Neighborhood Association of a neighborhood entrance sign to be located within a public right-of-way at 3051 East Washington Avenue.

**Sponsors:** Larry Palm

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

Enactment No: RES-08-01071

61. [11982](#) Authorizing the execution of a Permanent Limited Easement to the Board of Regents of the University of Wisconsin System for access and maintenance purposes of the UW-Arboretum Pond No. 4 across City-owned land, located at 2160 Fish Hatchery Road.

**Sponsors:** Tim Bruer

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

Enactment No: RES-08-01072

62. [12071](#) Amending Section 9.20 of the Madison General Ordinances to add a licensing requirement to more types of work in the public right-of-way, to require a permit for more types of work in the public right-of-way, and to increase license and permit fees.

**Sponsors:** David J. Cieslewicz, Lauren Cnare, Julia S. Kerr and Larry Palm

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

Enactment No: ORD-08-00142

63. [12367](#) Authorizing the execution of an Overhead Electric Line Easement to Madison Gas and Electric Company across a portion of public greenway in the Park Addition to Meadowood located at 6105 Hammersley Road.

**Sponsors:** Thuy Pham-Remmele

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

Enactment No: RES-08-01073

64. [12368](#) Authorizing the grant to Madison Gas and Electric Company of an Underground Gas Main Easement across the public greenway located at 1701-1703 Fish Hatchery Road.

**Sponsors:** Julia S. Kerr

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

Enactment No: RES-08-01074

65. [12375](#) Improvements accepted for Water Main by Private Contract to serve: Glacier Valley - Phase 1 (7th AD).  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01075
66. [12389](#) Awarding Public Works Contract No. 6258, Villager IT Training Room Remodel.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01076
67. [12422](#) Improvements accepted for Remodel Fire Station #5, 4418 Cottage Grove Rd., Contract No. 6063. (3rd AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01077
68. [12429](#) Approving a maintenance agreement for privately maintained improvements within the public right of way (S. Brooks Street, Erin Street, Delaplaine Street and Park Street, adjacent to the St. Mary's Hospital Campus). (13th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01078
69. [12432](#) Approving a maintenance agreement for privately maintained improvements within the public right of way (within Portia Court as part of the Grandview Commons Subdivision improvements for Phase 10). (3rd AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01079

70.     [12465](#)           Improvements accepted for Fire Stations 3 & 9 Lighting Retrofit - 2008, Contract No. 6149.  
**Sponsors:**       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01080
71.     [12466](#)           Improvements accepted for Cottage Grove Road Bike Lanes - 2006, Contract No. 5613.  
**Sponsors:**       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01081
72.     [12467](#)           Improvements accepted for Mineral Point Rd. & Gammon Rd. Pavement Repairs - 2007, Contract No. 6013.  
**Sponsors:**       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01082
73.     [12468](#)           Improvements accepted for Water Mains by Private Contract to serve: Metrotech. (3rd AD).  
**Sponsors:**       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01083
74.     [12469](#)           Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for James Madison Park Basketball Court/Parking Lot Renovation - 2009, Contract No. 6267. (2nd AD)  
**Sponsors:**       BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-08-01084

75. [12475](#) Improvements accepted for Water Main by Private Contract to serve: 54-58 Farwell Street C.S.M. Contract No. 2145. (6th AD).

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01085

76. [12477](#) Accepting sanitary sewer constructed by Private Contract In Metrotech, Private Contract No. 1889. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01086

77. [12478](#) Accepting storm sewer constructed by Private Contract In Metrotech, Private Contract No. 1889. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01087

78. [12480](#) Accepting street improvements (including bituminous surface) constructed by private contract in Metrotech, Private Contract No. 1889. (3rd AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01088

79. [12483](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 54-58 Farwell Street CSM, Private Contract No. 2145. (6th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01089

80. [12484](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for 301 South Ingersoll Street PUD, Private Contract No. 2134. (6th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01090

81. [12485](#) Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as McAllen 120 Business Park and authorizing construction to be undertaken by the Developer, and rescinding RES-08-00862, ID No. 11699, Private Contract No. 2209. (16th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01091

82. [12497](#) Approving plans for public improvements on Proudfit Street as necessary for the project known as Findorff Yards Office Lofts. (4th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01092

83. [12517](#) Accepting sanitary sewer constructed by Private Contract In Capitol West / Block 51 PUD, Private Contract No. 2076. (4th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01093

84. [12518](#) Accepting storm sewer constructed by Private Contract In Capitol West / Block 51 PUD, Private Contract No. 2076. (4th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01094

85. [12519](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for Capitol West / Block 51 PUD, Private Contract No. 2076. (4th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01095

86. [12520](#) Accepting bituminous pavement constructed by private contract in Maywick Estates, Private Contract No. 1943. (16th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01096

87. [12530](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Cardinal Glenn - Phase 2A (9th AD).

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01097

88. [12532](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Cardinal Glenn - Phase 3 (9th AD).

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01098

89. [12612](#) Improvements accepted for Woodrow Street & Edgewood Drive Cul De Sac, Contract No. 5967. (10th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01099

90. [12616](#) Declaring the City of Madison's intention to exercise its police powers establishing the Curb and Gutter in Conjunction With Resurfacing - 2009 Assessment District (see attached list).

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01100

91. [12621](#) Declaring the City of Madison's intention to exercise its police powers establishing the Division Street and Helena Street Reconstruction Assessment District - 2009. (6th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01101

92. [12622](#) Declaring the City of Madison's intention to exercise its police powers establishing the Fox Avenue, Keyes Avenue, South Prospect Avenue, and Spooner Street Reconstruction Assessment District - 2009. (10th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01102

93. [12629](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sidewalk and Curb & Gutter, Citywide Installation and Repair-2009 and Annual Sawcutting of Concrete Sidewalk and Incidental Work. (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01103

94. [12630](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for North Police HVAC Energy Efficiency Upgrade. (12th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01104
95. [12661](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6261, Senior Center HVAC & Lighting Upgrade, Remodeling Project. (4th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01105
96. [12662](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6263, City Attorney Ceiling Replacement. (4th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01106
97. [12713](#) Awarding Public Works Contract No. 6130, Local Road Traffic Calming and Arterial Pedestrian Enhancements - 2009.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-01107
98. [12714](#) Accepting detention basin improvements constructed by private contract in Twin Oaks, Private Contract No. 1930. (16th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-08-01108

99. [12717](#) Accepting storm sewer constructed by private contract in Second Addition to Hawks Creek, Contract No. 2138. (1st AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01109

100. [12719](#) Accepting sanitary sewer constructed by Private Contract In Second Addition to Hawks Creek, Private Contract No. 2138. (1st AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01110

101. [12720](#) Accepting street improvements, excluding the bituminous pavement, constructed by private contract in Second Addition to Hawks Creek, Private Contract No. 2138. (1st AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01111

102. [12782](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 1 to the contract between Madison and HNTB Corporation for additional design engineering services for CTH S and Junction Road/CTH M. (9th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-08-01112

## REPORT OF COMMISSION ON THE ENVIRONMENT

103. [11316](#) Approving the dissolution of the Air Quality Subcommittee to the Commission on the Environment.

**Sponsors:** Larry Palm

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

Enactment No: RES-08-01113

**REPORT OF PLAN COMMISSION**

104. [12568](#) Approving the revised preliminary and final plats of McAllen 120 Business Park located at 6403-6504 Femrite Drive. 16th Ald. Dist

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-01114

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

105. [12872](#) Approving a Certified Survey Map of property owned by University of Wisconsin Hospitals and Clinics Authority at 8433-8501 Excelsior Drive. 9th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-08-01115

**REPORT OF TRANSIT/ PARKING COMMISSION**

106. [12385](#) SUBSTITUTE - Authorizing the Mayor and the City Clerk to enter into an agreement with Care Wisconsin First, Inc. for the purpose of providing reimbursement to Metro Transit from funding for Medicaid Partnership services for Metro Transit's provision of accessible transportation within its service area to persons eligible for funding under the Care Wisconsin Program, for an initial one-year contract period during the calendar year 2009 with automatic renewal for additional one-year periods in 2010, 2011, 2012, and 2013.

**Sponsors:** Brian L. Solomon, Robbie Webber and Jed Sanborn

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

Enactment No: RES-08-01046

### RECONSIDERATION(S)

107. [12535](#) AMENDED SUBSTITUTE - Creating an Ad Hoc Housing Diversity Planning Committee.

**Sponsors:** David J. Cieslewicz, Mark Clear, Tim Bruer, Brenda K. Konkel and Lauren Cnare

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

1 Registrant(s) in opposition wishing to speak; 2 Registrant(s) neither in support nor opposition not wishing to speak.

**A motion was made by Ald. Cnare, seconded by Ald. Konkel, to Adopt Substitute With Amendment(s) as follows: add "from the Housing Committee and one member from the Inclusionary Zoning Oversight Committee" after "four other members" in the "BE IT FURTHER RESOLVED" clause. The motion passed by voice vote/other.**

Enactment No: RES-08-01045

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

### ORDINANCES

108. [12536](#) Amending Sections 3.32(7)(b) and 3.32(13)(b), creating Sections 3.32(9)(c) and 3.32(13)(c) of the Madison General Ordinances to modify carry-over, floating holiday, and bereavement times.

**Sponsors:** David J. Cieslewicz

**This Ordinance was Referred to the BOARD OF ESTIMATES**

109. [12548](#) Creating new Section 3.54(27) and renumbering current Sections 3.54(27) through (30) to Sections 3.54(28) through (31) of the Madison General Ordinances, respectively, to reimburse a retired employee for three months premium gap for period between health plans.

**Sponsors:** David J. Cieslewicz

**This Ordinance was Referred to the BOARD OF ESTIMATES**

110. [12851](#) Creating Section 12.132(689) of the Madison General Ordinances to prohibit parking at all times on both sides of a segment of Rieder Road.

**Sponsors:** Joseph R. Clausius

**This Ordinance was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

111. [12852](#) Creating Section 12.132(690) of the Madison General Ordinances to prohibit parking at all times on a segment of the east side of Melvin Court.

**Sponsors:** Larry Palm

**This Ordinance was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

112. [12853](#) Creating Section 12.132(691) of the Madison General Ordinances to prohibit parking at all times on the north side of Stephen Street.

**Sponsors:** Satya V. Rhodes Conway

**This Ordinance was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

113. [12854](#) Creating Section 12.1332(66) of the Madison General Ordinances to prohibit parking except for common motor carriers on a segment of the north side of Harvey Street.

**Sponsors:** Tim Gruber

**This Ordinance was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

114. [12855](#) Repealing Section 12.132(633) of the Madison General Ordinances to eliminate a segment of the north side of Harvey Street from the "Parking Prohibited At All Times" section.

**Sponsors:** Tim Gruber

**This Ordinance was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

115. [12856](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of Police Records Section Supervisor in Compensation Group 18, Range 10, thereof.

**Sponsors:** Common Council By Request

Additional Referral(s): Personnel Board

**This Ordinance was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION**

116. [12857](#) Amending Section 3.54(1)(p) of the Madison General Ordinances by creating the classification of Transit Customer Service Supervisor in Compensation Group 44, Range 05, thereof.

**Sponsors:** Common Council By Request

Additional Referral(s): Personnel Board

**This Ordinance was Referred to the BOARD OF ESTIMATES**

## RESOLUTIONS

117. [12615](#) Authorizing the acceptance of a Dedication and Purchase Agreement for the acquisition of the remaining interests of Cherokee Park, Inc. in approximately 48 acres of land located adjacent to Wheeler Road referred to as the Wheeler Open Space Parcel and including agreement on the estimated dedication requirements for the remaining lands that Cherokee Park, Inc. intends to develop and amending the 2008 Parks Capital Budget to authorize the expenditure of an amount not to exceed \$90,000 for this acquisition.

**Sponsors:** Michael Schumacher

Additional Referral(s): Board of Park Commissioners, Plan Commission

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

118. [12771](#) Establishing sustainability goals to guide the development of the plan for the Northeast Neighborhoods.

**Sponsors:** David J. Cieslewicz, Tim Bruer, Joseph R. Clausius and Lauren Cnare

Additional Referral(s): Sustainable Design and Energy Committee, Long Range Transportation Planning Commission, Water Utility Board

**This Resolution was Referred to the PLAN COMMISSION**

119. [12776](#) Resolution that the position (#1886) of Engineer 3 in Compensation Group 18, Range 10, (occupied by D. DeMaster) in the permanent salary detail of the Water Utility budget is repealed and recreated as Engineer 4 in Compensation Group 18, Range 12, thereof. Be it further resolved that the incumbent shall be reallocated to said position.

**Sponsors:** David J. Cieslewicz

Additional Referral(s): Personnel Board

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

120. [12777](#) Resolution that the position (#1885) of Administrative Clerk 2 in Compensation Group 20, Range 11, (occupied by S. Pounders) in the permanent salary detail of the Water Utility budget, and the position (#721) of Treasury Operations Leadworker in Compensation Group 20, Range 12, (occupied by P. Stone) in the permanent salary detail of the Treasury Office budget, are repealed and recreated as Financial Operations Leadworker in Compensation Group 20, Range 12, thereof. Be it further resolved that the incumbents shall be reallocated to said positions.

**Sponsors:** David J. Cieslewicz

Additional Referral(s): Personnel Board

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

121. [12791](#) Resolution that the position (#825) of Public Health Administrative Services Manager in Compensation Group 18, Range 11, occupied by D. Caes, in the permanent salary detail of the Public Health Department budget is repealed and recreated as Public Health Administrative Services Manager in Compensation Group 18, Range 12 thereof. Be it further resolved that the incumbent shall be reallocated to said position.

**Sponsors:** David J. Cieslewicz

Additional Referral(s): Personnel Board

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

122. [12796](#) Authorizing the Mayor and City Clerk to enter into an agreement with Dane County to amend the 2008 contract for the purpose of providing the City with MA Waiver Community Integration Program (CIP), to offset approximately 60% of the cost of eligible paratransit trips provided by Metro Transit in calendar year 2008.
- Sponsors:** Jed Sanborn, Brian L. Solomon and Robbie Webber
- Additional Referral(s): Board of Estimates
- This Resolution was Referred to the TRANSIT AND PARKING COMMISSION**
123. [12808](#) Resolution that the vacant position (#3881) of Transit Marketing Specialist 1 in Compensation Group 44, Range 04 in the permanent salary detail of the Madison Metro Transit budget is repealed and recreated as a position of Transit Customer Service Supervisor in Compensation Group 44, Range 05. Be it further resolved that the position shall be filled competitively.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
124. [12810](#) Resolution that one vacant position of "Police Records Section Supervisor" in Compensation Group 18, Range 10, in the permanent salary detail of the Police Department budget is created thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
125. [12823](#) Authorizing the Mayor and the City Clerk to execute a Release of Public Utility Easements pertaining to the platted public utility easements reserved within Lot 29, Lot 28 and part of Lot 27, First Addition to Capitol Industrial Park, located at 2302 Vondron Road.
- Sponsors:** Judy Compton
- Additional Referral(s): Plan Commission
- This Resolution was Referred to the BOARD OF PUBLIC WORKS**
126. [12829](#) Accepting the Final Report of the Transient and Occupancy Tax Study Committee dated October 2008. - Jim Hess, Director
- Sponsors:** Michael Schumacher
- Additional Referral(s): Greater Madison Convention and Visitors Bureau Board, Economic Development Commission, Monona Terrace Community and Convention Center Board
- This Resolution was Referred to the BOARD OF ESTIMATES**

127. [12862](#) Approving Facade Improvement Grants to: 1051-1053 Williamson St. (Tellurian), 114-116 King St. (Opus Lounge & Woofs), 520 S. Park St. (Vacant), 501 State St. (The Stop & Shop Grocery) and 100 N. Hamilton St. (Madison Children's Museum).

**Sponsors:** Julia S. Kerr, Marsha A. Rummel and Michael E. Verveer

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

128. [12885](#) Deaccessioning Original *Effigy Tree* (1991), Wood Carved Sculpture, by Harry Whitehorse and Accepting Ownership of a Bronze Version of *Effigy Tree*.

**Sponsors:** Marsha A. Rummel and Tim Gruber

Additional Referral(s): Board of Park Commissioners

**This Resolution was Referred to the MADISON ARTS COMMISSION**

129. [12867](#) Approving a contract with E. B. Jacobs, LLC for consultant services for firefighter applicant processes.

**Sponsors:** Paul E. Skidmore

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

130. [12887](#) Authorizing the execution of a lease with the Community Development Authority of the City of Madison for space within the lower level of The Villager to be used by the City's Information Technology (IT) Department.

**Sponsors:** Tim Bruer

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

131. [12888](#) Vacating a portion of West Johnson Street between North Randall Avenue and Campus Drive and authorizing the City to petition the State of Wisconsin Commissioner of Railroads for removal of the existing vehicular crossing of the Wisconsin & Southern Railroad (WSOR) at West Johnson Street and modification of the existing crossing on North Randall Avenue and North Orchard Street (8th AD)

**Sponsors:** Eli Judge

Additional Referral(s): Plan Commission, Pedestrian Bicycle Motor Vehicle Commission, Common Council Meeting 1/20/09

**This Resolution was Referred for Public Hearing to the BOARD OF PUBLIC WORKS, due back on 1/20/2009**

132. [12893](#) Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction of the Lien Road Roundabout Engineering Project No. 53B0790 at the intersection of Lien Road / North Thompson Drive / Zeier Road. (17th AD)

**Sponsors:** Joseph R. Clausius

Additional Referral(s): Plan Commission

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

133. [12894](#) Authorizing the Mayor and the City Clerk to enter into a contract, not to exceed \$30,500, with Zillman Advertising, for expenses related to the design and creation of two-dimensional and three-dimensional Public Art Work and Community Identity Imagery for the Allied Redevelopment Project.

**Sponsors:** Brian L. Solomon and Tim Gruber

Additional Referral(s): Madison Arts Commission, Allied Area Task Force

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

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

### CLAIMS - REFER TO RISK MANAGER

134. [12858](#) K. Schroader, TransPaC Solutions for S. Bartholow, 2602 Stevens St., Madison (53705) - property damage - \$2,601.34.
135. [12863](#) W. Conklin, 2122 Allied Dr., # 3, Madison (53711) - personal injury - \$1,500.00.
136. [12861](#) K. Schroader, TransPaC Solutions for M. Roy, 817 Eagle Heights # E, Madison (53705) - vehicle damage - \$6,836.00.
137. [12865](#) B. Armstrong, Trident Contract Management, LLC, 2918 Marketplace Dr., # 206, Madison (53719) - property damage - \$262.00.
138. [12871](#) J. Tomcany, 5309 Fairway Dr., Madison (53711) - vehicle damage - \$365.14.
139. [12873](#) Madison Gas and Electric Company, PO Box 1231, Madison (53701) - property damage - \$300.63.
140. [12874](#) S. Wajda, 5611 Crestwood Pl., Madison (53705) - property damage - \$685.00.
141. [12875](#) R. Siddall, 3254 Bookham Dr., Sun Prairie (53590) - vehicle damage - \$640.77.

142. [12879](#) R. Krantz, The Neckerman Agency for Schmidt's Auto, Inc., 1621 Beld St., Madison (53715) - vehicle damage - \$2,014.10.
143. 12880 C. Williams, 328 Huntsville Ridge, Sun Prairie (53590) - vehicle damage - \$175.65.
144. 12881 S. Vang, 1093 US Hwy. 14, P.O. Box 162, Oregon (53575) - property damage - \$185.00.

#### INTRODUCTION OF ITEMS FROM THE FLOOR

145. [12918](#) Public Hearing - New License  
Bradburys Coffee LLC • dba Bradburys • 10% alcohol, 90% food  
127 N Hamilton • Agent: Joshua Makoutz • Estimated Capacity: 15  
Class B Beer, Class C Wine  
Aldermanic District 04 (Alder Verveer) • Police Sector 406 • Density Area  
Due back at the 1/6/09 Common Council Meeting.
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 1/6/2009. The motion passed by voice vote/other.**
146. [12921](#) Public Hearing - New License  
Gretisman Investments LLC • dba Plan B • 60% alcohol, 30% food, 10% Other  
924 Williamson St • Agent: Corey Gresen • Estimated Capacity: 300-350  
Class B Combination Liquor & Beer  
Aldermanic District 06 (Alder Rummel) • Police Sector 408  
Due back at the 1/6/09 Common Council Meeting.
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 1/6/2009. The motion passed by voice vote/other.**
147. [12922](#) Public Hearing - New License  
Nightengale Classic Enterprises Inc • dba Quiznos Sub • 10% alcohol, 90% food  
365 East Campus Mall Suite 222 • Agent: Thomas Klein • Estimated Capacity: 729  
Class B Beer  
Aldermanic District 08 (Alder Judge) • Police Sector 402 • Density Area  
Due back at the 1/6/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 1/6/2009**

148. [12923](#) Public Hearing - New License  
Ounla Thongsavanh • dba Vientiane Palace • 30% alcohol, 70% food  
1441 Regent St • Estimated Capacity: 20  
Class B Beer, Class C Wine  
Aldermanic District 13 (Alder Kerr) • Police Sector 303  
Due back at the 1/6/09 Common Council Meeting.

**This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 1/6/2009**

149. [12926](#) Creating Section 3.38(1)(h)5. and amending Section 3.54(26) of the Madison General Ordinances to provide for the payment of health insurance premiums for up to 3 months after the month of lay-off of city employees.  
**Sponsors:** David J. Cieslewicz, Lauren Cnare, Michael E. Verveer and Satya V. Rhodes Conway

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Referred to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

**ADJOURNMENT**

**A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adjourn at 7:19 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 December 8, 2008.  
Ordinances published December 23, 2008.  
MARIBETH WITZEL-BEHL, CITY CLERK