



# City of Madison

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

## Proceedings - Approved COMMON COUNCIL

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Tuesday, February 26, 2008

6:30 PM

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

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**Roll Call at 6:35 p.m, Mayor Cieslewicz in the Chair.  
Late: Ald. Brandon (6:40 p.m.)**

**Present:** 21 -

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

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

### **HONORING RESOLUTIONS**

1. [09297](#) SUBSTITUTE - Honoring the work and dedication of City of Madison employees involved in fighting the record snowfall this year.

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

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

Enactment No: RES-08-00172

### **PETITIONS AND COMMUNICATIONS**

### **COMMUNICATIONS**

- 2. [09254](#) Communication to the Common Council from the City's Independent Audit Firm.  
Accept at the 3/4/08 Common Council Meeting.  
**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Refer to a future Meeting to Accept to the COMMON COUNCIL, due back on 3/4/2008. The motion passed by voice vote/other.**

**PETITIONS REFERRED TO THIS MEETING**

- 3. [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.  
**A motion was made by Ald. Verveer, seconded by Ald. Cnare, 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 #: 4-6 (public hearing items), 17, 19, 21, 28, 31, 45, 46, 47, 48, 49, 58, 61, 62 & 64 on a motion made by Ald. Verveer, seconded by Ald. Bruer.

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

**REPORT OF BOARD OF ESTIMATES**

- 4. [08368](#) To approve the schedule of Special Charges for the State Street Mall/Capitol Concourse for 2006/07 Maintenance Charges.  
**Sponsors:** Michael E. Verveer  
**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**  
Enactment No: RES-08-00173

**REPORT OF PLAN COMMISSION**

5. [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

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

6. [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

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, 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

7. [08645](#) ALTERNATE - Creating the Zoning Code Rewrite Advisory Committee.

**Sponsors:** David J. Cieslewicz and Marsha A. Rummel

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

Enactment No: RES-08-00174

8. [09021](#) Report of the Mayor submitting citizen committee appointments (introduced 2-5-2008; action 2-26-2008).

**Sponsors:** David J. Cieslewicz

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

**Ayes:** 20 -

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

Non Voting: 1 -

David J. Cieslewicz

9. [09233](#) Authorizing public depositories and naming persons with authority to transfer funds.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00175

10. [09252](#) Report of the Mayor submitting citizen committee appointments (introduced 2-26-2008; action 3-4-2008)

**Sponsors:** David J. Cieslewicz

Confirm at the 3/4/08 Common Council Meeting (2/3 vote required for Downtown Coordinating Committee appointment).

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 3/4/2008. The motion passed by voice vote/other.**

11. [09262](#) Report of the Mayor submitting alder committee appointments (2-26-2008).

**Sponsors:** David J. Cieslewicz

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

12. [09285](#) Report of the Mayor recommending adoption of the alder and citizen appointments to the Zoning Code Rewrite Advisory Committee.

**Sponsors:** David J. Cieslewicz

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

## REPORTS OF OFFICERS

### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

13. [09300](#) Alcohol License Review Committee Report of Operator License Applications February 20, 2008. See attached report for list of operators.

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

**REPORT OF BOARD OF ESTIMATES**

14. [08628](#) Resolution that the position # 709 of Revenue Administrative Coordinator in Compensation Group 18, Range 04, (occupied by S. Sweeney) in the permanent salary detail of the Assessor's Office budget is repealed and recreated as a position of Assessment Services Supervisor in Compensation Group 18, Range 08, 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. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00176
15. [08647](#) Amending Section 3.54(1)(b) of the Madison General Ordinance by creating the class of Assessment Services Supervisor in Compensation Group 18, Range 08, thereof.
- Sponsors:** David J. Cieslewicz
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-08-00020
16. [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
- A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-08-00177

17. [08783](#) AMENDED - 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

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: add "and that the Common Council authorizes the Mayor and City Clerk to sign the necessary documents." at the end of the "BE IT FINALLY RESOLVED" clause. The motion passed by voice vote/other.**

Enactment No: RES-08-00171

18. [08784](#) Transferring a Water Utility parcel of land to City Engineering.

**Sponsors:** Satya V. Rhodes Conway

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

Enactment No: RES-08-00178

19. [08870](#) SUBSTITUTE - Authorizing the Forestry Section of the Parks Division of the City of Madison to accept a grant of \$22,365 under the Urban Forestry Grant Program to provide for the continuation of the City's Tree Inventory Project, Arbor Week Education, and i-tree training session. (1st, 7th, & 9th ADs)

**Sponsors:** Paul E. Skidmore

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

Enactment No: RES-08-00179

20. [08885](#) Accepting grant monies in the amount of \$13,500.00 from the Wisconsin Department of Transportation for the installation of all-way stop control and minor intersection modifications at the intersection of Segoe Road & Tokay Boulevard.

**Sponsors:** Thuy Pham-Remmele

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

Enactment No: RES-08-00180

21. [08910](#) AMENDED SUBSTITUTE - Resolution that the position (#692) of Community Development Supervisor in Compensation Group 18, Range 15 (occupied by P. Brown) in the permanent salary detail of the Economic Development Division budget is repealed and recreated as a position of ~~Neighborhood~~ Economic Revitalization Supervisor in Compensation Group 18, Range 15, thereof. Be it further resolved that the incumbent shall be reallocated to said position as a retirement.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: strike "Neighborhood" in the title and body. The motion passed by voice vote/other.**

**Ayes:** 19 -

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

**Noes:** 1 -

Brenda K. Konkel

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: RES-08-00181

22. [08911](#) Resolution that the new position tentatively identified as Economic Development Director, no Compensation Group/Range specified, in the permanent salary detail of the new Economic Development Division budget is repealed and recreated as a position of Economic Development Division Director in Compensation Group 21, Range 18, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00182

23. [08912](#) Resolution that the new position tentatively identified as Community Development Director, no Compensation Group/Range specified, in the permanent salary detail of the new Community Development Division budget is repealed and recreated as a position of Community Development Division Director in Compensation Group 21, Range 18, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00183

24. [08913](#) Resolution that the 24.0 FTE positions of Public Works Maintenance Worker 2 in Compensation Group 16, Range 09, and the 14.0 FTE positions of Public Works Maintenance Worker 1 in Compensation Group 16, Range 08 in the permanent salary detail of the Parks Division budget are repealed and recreated as 38.0 FTE positions of Parks Maintenance Worker in Compensation Group 16, Range 09, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-08-00184

25. [08923](#) Authorizing the Mayor and City Clerk to execute an agreement to fund a \$250,000 Madison Capital Revolving Fund (MCRF) loan to Blount Street, LLC to renovate 301 Blount Street and 702-06 Williamson Street into 51,000 SF of commercial space.

**Sponsors:** Marsha A. Rummel

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

Enactment No: RES-08-00185

26. [08939](#) Amending Section 3.54(1)(g) of the Madison General Ordinances by deleting the classification of Economic and Community Development Unit Director in Compensation Group 21, Range 19 and creating the classes of Economic Development Division Director and Community Development Division Director in Compensation Group 21, Range 18, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00021

27. [08940](#) Amending Section 3.54(1)(c) of the Madison General Ordinances by creating the class of Parks Maintenance Worker in Compensation Group 16, Range 09, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00022

28. [08941](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Community Development Supervisor in Compensation Group 18, Range 15, and creating the class of Economic Revitalization Supervisor in Compensation Group 18, Range 15, thereof.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: strike "Neighborhood" throughout the ordinance. The motion passed by voice vote/other.**

**Ayes:** 19 -

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

**Noes:** 1 -

Brenda K. Konkel

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: ORD-08-00023

29. [08942](#) Amending Section 3.54(1)(l) of the Madison General Ordinances by creating the class of Library Computer Technician in Compensation Group 32, Range 05, thereof.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-08-00024

30. [08976](#) Authorizing City Staff to prepare a "Request for Qualifications" and advertise for Architect consultant design services for interior improvements for South Madison Branch Library located on South Park Street. (14th AD)

**Sponsors:** Tim Bruer, David J. Cieslewicz and Larry Palm

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

Enactment No: RES-08-00186

31. [09018](#) SUBSTITUTE - Authorizing a grant to the Community Development Authority for the design and development of a new Atrium at The Villager and the acquisition and clearance of a gas station located at 2342 South Park Street and the transfer of City-owned real estate located at 809-825 Ridgewood Way to the CDA to be used in the redevelopment of The Villager and amending the 2008 PCED capital budget as appropriate.

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

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

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

**Ayes:** 19 -

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; Thuy Pham-Remmele; Jed Sanborn and David J. Cieslewicz

**Noes:** 1 -

Zachariah Brandon

**Abstentions:** 1 -

Brenda K. Konkel

Enactment No: RES-08-00187

#### REPORT OF BOARD OF PARK COMMISSIONERS

32. [08640](#) Approving the settlement of Dane County Circuit Court Case No. 07CV3296 and authorizing the Mayor and City Clerk to execute related documents conveying certain City-owned land in the Town of Burke to John F. and Elizabeth M. Becker.

**Sponsors:** Joseph R. Clausius

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

Enactment No: RES-08-00188

#### REPORT OF BOARD OF PUBLIC WORKS

33. [08619](#) Accepting a 15-foot wide Public Sanitary Sewer Easement from Mortenson Investment Group across property located at 2705 W Beltline Hwy.

**Sponsors:** Tim Bruer

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

Enactment No: RES-08-00189

34. [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

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

Enactment No: RES-08-00190

35. [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

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

Enactment No: RES-08-00191

36. [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

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

Enactment No: RES-08-00192

37. [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

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

Enactment No: RES-08-00193

38. [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

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

Enactment No: RES-08-00194

39. [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

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

Enactment No: RES-08-00195

40. [08892](#) Authorizing the Mayor and the City Clerk to execute a Release of Platted Utility Easement located in Lots 3 and 4, High Crossing Plat, located at 5401 High Crossing Blvd.

**Sponsors:** Joseph R. Clausius

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

Enactment No: RES-08-00196

41. [08993](#) Authorizing the Mayor and City Clerk to execute a Subterranean and Air Space Lease with Opitz Real Estate Limited Partnership and Perina 509 Company LLC, the owners of property located at 676 State Street, to accommodate the existing encroachments of an underground vault, a building canopy and two business identification signs into the State Street and North Lake Street Public rights of way.

**Sponsors:** Eli Judge

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

Enactment No: RES-08-00197

42. [09007](#) Authorizing the Mayor and City Clerk to execute a Subterranean and Air Space Lease with Arist Christ, the owner of property located at 226 State Street, to accommodate the existing encroachments of an underground vault, a building cornice, a business identification sign and below-awning lighting into the State Street public right-of-way.

**Sponsors:** Michael E. Verveer

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

Enactment No: RES-08-00198

**REPORT OF COMMISSION ON THE ENVIRONMENT**

43. [09097](#) Approving the formation of an Erosion Control Subcommittee to the Commission on the Environment

**Sponsors:** Larry Palm

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

**Ayes:** 20 -

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

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: RES-08-00199

**REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

44. [07784](#) SUBSTITUTE - Requesting quarterly financial reports from the Comptroller and City agencies.

**Sponsors:** Brenda K. Konkel

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

Enactment No: RES-08-00200

45. [08238](#) SUBSTITUTE - Requesting a report with recommendations from a Common Council President's Workgroup regarding improvements to the budget process.

**Sponsors:** Brenda K. Konkel

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Editorial Correction as follows: change report back date from 'March 15, 2008' to 'May 15, 2008.' The motion passed by voice vote/other.**

Enactment No: RES-08-00201

46. [08590](#) AMENDED SUBSTITUTE - Amending Sections 3.12(2) and (6), creating a new Section 3.12(7), and renumbering current Sections 3.12(7) through (9) to Sections 3.12(8) through (10), respectively of the Madison General Ordinances to separate the Economic and Community Development Division into two Divisions, and creating Section 33.14 of the Madison General Ordinances to restore the language outlining the Senior Center Board, which was inadvertently omitted from the reorganization of Chapters 3 and 33.

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

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: add Section 5 to state "The City Attorney is directed to make corresponding changes to other city ordinances to reflect these new titles and officials". The motion passed by voice vote/other.**

Enactment No: ORD-08-00025

#### REPORT OF COMMUNITY DEVELOPMENT AUTHORITY

47. [09117](#) 2008 Community Development Authority Work Plan.

1 Registrant(s) in support wishing to speak.

Due back at the Common Council meeting that the CDA Budget will be considered (anticipated date is 4/22/08).

**A motion was made by Ald. Konkel, seconded by Ald. Bruer to Accept the report and rescind the 2008 Operating Budget Amendment # 29 requiring that the Comptroller's Office will initiate billings to the CDA for personnel charges for 2007 and 2008 if they fail to meet the February 1, 2008 deadline for the annual workplan. No action was taken.**

**A substitute motion was made by Ald. Konkel, seconded by Ald. Webber, to Refer to a future Meeting to Accept to the COMMON COUNCIL, due back on 4/22/2008. The motion passed by voice vote/other.**

#### REPORT OF LANDMARKS COMMISSION

48. [07792](#) Doris House, 603-605 West Main Street - Proposed Landmark Nomination  
*Owner: Pville-78-2 LLC*  
*Contact: Carolyn Freiwald, Madison Trust for Historic Preservation*

**Sponsors:** COMMON COUNCIL

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

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

49. [08925](#) Schubert Building, 120 West Mifflin Street - Proposed Landmark Nomination  
*Owner: Central Focus LLC*  
*Contact: Carolyn Freiwald, Madison Trust for Historic Preservation*

7 Registrant(s) in support wishing to speak; 4 Registrant(s) in support not wishing to speak.

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Accept with the following correction: change the address of the landmark from 120 West Main Street to 120 West Mifflin Street. The motion passed by voice vote/other.**

#### REPORT OF PLAN COMMISSION

50. [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

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

**Ayes:** 20 -

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

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: ORD-08-00026

51. [08854](#) Petition dated January 8, 2008 from Cherokee Park, Inc. re: direct annexation from the Town of Westport to the City of Madison.

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

**REPORT OF RISK MANAGER**

52. [05322](#) NOTICE OF INJURY - Gendlin & Liverman, S.C. for S. Smith, 506 Moorland Rd., Madison - personal injury, pain, suffering and disability and incurred medical expenses - \$4,203.50.

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

53. [08613](#) K. Hegeholz, 1726 Van Hise Ave., Apt. #2, Madison - vehicle damage - \$223.31.

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

54. [08737](#) J. McShan, 3111 Webb Ave., Madison - vehicle damage - \$3,000.00.

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

55. [08775](#) D. Kirchgessner, 801 Nancy Ln. - vehicle damage - \$158.02.

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

56. [08776](#) R. Herzog, 340 Monte Carlo Dr., Eau Claire - vehicle damage - \$318.16.

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

57. [09044](#) L. and J. Butcher, 5154 Loruth Ter., Madison - property damage - \$30,727.58.

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

**REPORT OF TAX INCREMENTAL FINANCING POLICY AD HOC COMMITTEE**

58. [01933](#) Repealing the 10% set-aside committees and changing the policy so that the Board of Estimates and the Alder in the TID act on each 10% neighborhood set-aside project request.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Konkel, seconded by Ald. Verveer, to Refer to the Mayor's Office. The motion passed by voice vote/other.**

#### REPORT OF TRANSIT/ PARKING COMMISSION

59. [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

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

Enactment No: ORD-08-00027

60. [08987](#) Amending the Parking Utility's 2008 Capital Budget in order to purchase additional multi-space meters and approving the Parking Utility's issuance of a Request-for-Proposal for multi-space parking meters.

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

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

Enactment No: RES-08-00202

#### REPORT OF WATER UTILITY BOARD

61. [08949](#) A resolution authorizing the Purchasing Agent to issue a Purchase Order/Contract to ATEC Systems Associates, Inc. for Contract No. 101512 , Procurement of Pressure Filtration Equipment for the Madison Water Utility. (17th AD).

**Sponsors:** Lauren Cnare and Michael Schumacher

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

Enactment No: RES-08-00203

#### ITEMS REFERRED TO THIS MEETING

**ORDINANCES**

62. [04162](#) SECOND 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

**A motion was made by Ald. Konkel, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: in Section (2)(a), strike "photo, current address and date of birth" and replace with "name"; in Section (2)(b), "card" and replace with "record"; in Section (2)(c), strike "in" in the first sentence and replace with "on" and strike "register" and replace with "registration record"; in Section (2)(d), strike "on" in the first sentence and replace with "to" and change "register" to "registration record"; add to Section (6)(a) "6. An individual who does not provide the registration information as required by Section (2)(a)."; add to Section (7) "or any transient person without a permanent place of residence" after "permanent place of residence." The motion passed by voice vote/other.**

Enactment No: ORD-08-00028

63. [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

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

Enactment No: ORD-08-00029

**REPORTS**

64. [08865](#) Report dated January 16, 2008 re: Board, Committee, Commission, Ad Hoc Committee & Subcommittee Members who have not filed the Statement of Interests Form.

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

A motion was made by Ald. Konkel, seconded by Ald. Bruer, to Accept the report and revoke the appointment to committees/commission/boards for non-filers except for Art Robinson (Separate his name from the report of people being revoked and refer to the 3/4/08 Common Council Meeting. The motion FAILED by the following vote:

**Ayes:** 8 -

Robbie Webber; Marsha A. Rummel; Tim Gruber; Satya V. Rhodes Conway; Jed Sanborn; Brenda K. Konkel; Lauren Cnare and Michael E. Verveer

**Noes:** 12 -

Zachariah Brandon; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

**Non Voting:** 1 -

David J. Cieslewicz

**INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE**  
**All new business was referred on a motion made by Ald. Verveer, seconded by Ald. Bruer.**

#### ORDINANCES

65. [09158](#) Repealing and recreating Section 3.70 of the Madison General Ordinances to modify portions of the City's policy regarding public records.

**Sponsors:** David J. Cieslewicz and Zachariah Brandon

**This Ordinance was Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

66. [09239](#) Adopting and confirming Revision 261 of the Madison General Ordinances as of December 15, 2007 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.

**Sponsors:** Common Council By Request

Adopt at the 3/4/08 Common Council Meeting.

**This Ordinance was Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 3/4/2008**

67. [09265](#) Amending Section 3.11(6) of the Madison General Ordinances to assign the duties of the Director of Public Works to the City Engineer whenever the Director of Public Works position is vacant.

**Sponsors:** Judy Compton

Additional Referral(s): Board of Estimates, Board of Public Works

**This Ordinance was Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE**

68. [09271](#) Creating Section 12.541(60) entitled "Controlled Intersections" of the Madison General Ordinances.

**Sponsors:** Marsha A. Rummel

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

## RESOLUTIONS

69. [09022](#) Authorizing the City of Madison to issue a Request for Proposals (RFP), and providing that the Mayor and City Clerk may enter into a contract with the selected consultant, for a Northside Market Study.

**Sponsors:** Satya V. Rhodes Conway and Michael Schumacher

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

70. [09119](#) 2008 Public Health Contract with the Department of Natural Resources for Testing Transient Non-Community Public Water Systems

**Sponsors:** Lauren Cnare

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

71. [09155](#) Authorizing the acceptance of an Offer to Sell from Wayne J. and Theresa Murphy for a vacant residential property located at 3727 CTH M in the Town of Middleton for the future Junction Road / Mineral Point Road intersection reconstruction project.

**Sponsors:** Paul E. Skidmore

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

72. [09156](#) Authorizing the Mayor and City Clerk to accept Public Water Main easements located within Lots 1 and 2, The American Center Plat, and to execute the partial release of a the Public Water Main Easement located in Lot 2, the American Center Plat.

**Sponsors:** BOARD OF PUBLIC WORKS and PLAN COMMISSION

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

73. [09234](#) Adopting the *Regent Street - South Campus Neighborhood Plan* and the goals, recommendations, and implementation steps contained therein as a supplement to the City's *Comprehensive Plan*.

**Sponsors:** Julia S. Kerr, Robbie Webber, Eli Judge and Brian L. Solomon

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

74. [09246](#) Issuing a report outlining the alternatives and details involved in the creation of a centralized constituent services system like a Dial 311 or other hotline for municipal services and information.

**Sponsors:** David J. Cieslewicz

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

75. [09264](#) Approving Facade Improvement Grant to: 11 North Allen Street (The Froth House).

**Sponsors:** Robbie Webber

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

76. [09267](#) Authorizing the Mayor and City Clerk to execute a Subterranean Lease with Pinckney Investment Group, LLC, the owner of property located at 1 South Pinckney Street, to accommodate the existing encroachments of a subterranean parking structure and subterranean office, storage and mechanical spaces into the South Pinckney Street, East Washington Avenue, and South Webster Street public rights-of-way; and authorizing the Mayor and City Clerk to execute a Notice of Termination of Leases pertaining to two existing leases for such subterranean encroachments.

**Sponsors:** Michael E. Verveer

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

77. [09277](#) Authorizing the provision of CDBG funds to assist the Boys and Girls' Club replace a roof on its Taft Street neighborhood center in ways that address City Community and Neighborhood Development Objectives.

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

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

78. [09278](#) Approving the transfer of 2007 Emerging Neighborhood Funds from the Financial Education Center to the Community Action Coalition of Southern Wisconsin and authorizing the Mayor and the City Clerk to enter into an agreement with that agency to implement the project.

**Sponsors:** David J. Cieslewicz

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

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

### CLAIMS - REFER TO RISK MANAGER

79. [09038](#) J. Broome, W4533 Oakknoll, Poynette - vehicle damage - \$459.99.
80. [09089](#) CLAIM: H. Schnurbusch, Horace Mann Insurance Companies for J. Washbon, 3698 Plymouth Cir., Madison - vehicle damage - \$596.92.
81. [09090](#) N. Kroencke, 831 Prospect Pl., Madison - vehicle damage - \$4,349.34.
82. [09091](#) D. Ryan, American Family Insurance for D. Carpenter, 3737 E. Karstens Dr., Madison - vehicle damage - \$659.39.
83. [09092](#) A. Harrison, 702 Cherrywood Ct., # 14, Madison - vehicle damage - \$1,549.10.
84. [09093](#) R. Zimmerman, 4611 Crescent, # 4, Fitchburg - vehicle damage - \$1,628.92.
85. [09135](#) K. Coleman, 1404 Jenifer St., Madison - property damage - \$150.00.
86. [09137](#) S. Campbell, American Family Insurance Group, for T. Lynch, 3406 Dawes St., # 2, Madison - vehicle damage - \$2,088.46.
87. [09140](#) D. Griffith, 4204 Hillcrest Dr., Madison - property damage - \$190.00.
88. [09141](#) NOTICE OF CLAIM: M. Austin, State Farm Insurance Companies, for S. Tyska - vehicle damage - amount to be determined.

89. [09163](#) M. Penner, 505 Russell St., Madison - property damage - \$10,000.00.
90. [09164](#) K. Schultz, 7060 Elder Ln., Sun Prairie - vehicle damage - \$641.44.
91. [09212](#) M. Xiong, 5829 Balsam Rd., # 1, Madison - vehicle damage - \$8,945.33.
92. [09240](#) NOTICE OF CLAIM: D. Hill, 1717 Droster Rd., Madison - property damage - amount to be determined.
93. [09241](#) M. Yuwi, 3021 Darbo Dr., #4, Madison - vehicle damage - \$570.60.
94. [09242](#) A. Meyer, 511 W. Main St., #12, Madison - vehicle damage - \$861.83.
95. [09243](#) M. Domann, 225 W. North St., #7, DeForest - vehicle damage - \$600.00.
96. [09244](#) J. Vosberg, 209 Dixon St., Madison - vehicle damage - \$4,842.21.
97. [09245](#) C. Gray, 1629 Kings Mill Way, #205, Madison - vehicle damage - \$323.06.
98. [09290](#) H. Guenther, 526 West Shore Dr., Madison - vehicle damage - \$657.06.
99. [09291](#) M. & C. Besch, 1807 Paso Roble Way, Madison - vehicle damage - \$1,695.35.
100. [09292](#) M. David, Sentry Insurance for G. Haven, 1937 Northwestern Ave., Madison - vehicle damage - \$5,352.25.
101. [09293](#) M. Morand, 4209 Diloreto Ave., Madison - personal injury - \$30.00.
102. [09294](#) S. Vandegrift, State Farm Insurance for V. Chappell, 3720 Brigham Ave., Madison - \$1,349.78.

**CLAIMS - REFER TO CITY ATTORNEY**

103. [09063](#) Future Madison Eastpointe, Inc., 3037 Webb Ave., Madison - unlawful taxation - \$2,059.95.

**INTRODUCTION OF ITEMS FROM THE FLOOR**

104. [09362](#) Authorizing the City of Madison to participate in the "Lights Out America" event on March 29, 2008 from 8:00 p.m. to 9:00 p.m. and encouraging residents, businesses, and other units of government to participate in this event.

**Sponsors:** Tim Gruber, Brian L. Solomon, Brenda K. Konkel, Lauren Cnare, Michael E. Verveer, Robbie Webber, Marsha A. Rummel, Eli Judge, Paul E. Skidmore, Judy Compton, Joseph R. Clausius, Mark Clear, Larry Palm, Tim Bruer and Satya V. Rhodes Conway

Adopt at the 3/4/08 Common Council Meeting.

**A motion was made by Ald. Gruber, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 3/4/2008. The motion passed by voice vote/other.**

#### ADJOURNMENT

**A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adjourn at 8:40 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 February 29, 2008.

Ordinances published March 15, 2008.

MARIBETH WITZEL-BEHL, CITY CLERK