City of Madison

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

Proceedings - Approved

COMMON COUNCIL

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

Tuesday, October 6, 2009 | **6:30 PM** | **210 Martin Luther King, Jr. Blvd. Room 201 (City-County Building)**

SPEAKING GUIDELINES

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

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

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

ROLL CALL

Roll Call at 6:38 p.m.

Present: 20 -
David J. Cieslewicz; Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Excused: 1 -
Steve King

NOTIFIED ABSENCES: Alder Steve King

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.

1. 16075 Commending Gary Karsten for his contributions to the City of Madison on the occasion of his retirement.

Sponsors: David J. Cieslewicz and Common Council By Request

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

Enactment No: RES-09-00816

2. 16077 Declaring October 2009 as Contemporary Art Month.

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

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

Enactment No: RES-09-00817

3. 16099 Recognizing September 15, 2009, through October 15, 2009, as Hispanic Heritage Month.

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

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

Enactment No: RES-09-00818

HONORING RESOLUTIONS

PETITIONS

4. **15900** Petition dated September 2, 2009 from Yong and Amanda Chen, re: direct attachment from the Town of Blooming Grove to the City of Madison.

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

EARLY PUBLIC COMMENT

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT:

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

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

5. **02337** Amending Sections 28.08(4)(c)4., 28.08(9)(c)6., and 28.08(11)(c)4. to allow tax-exempt lodging houses as conditional uses in the R3, R4, R4L and R4A Districts.

Sponsors: Judy K. Olson and Marsha A. Rummel

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

6. **03842** Amending Sec. 28.10(4)(c)56.d., of the zoning code of the Madison General Ordinances to provide that the 1,000 foot buffer between adult entertainment establishments and certain other uses shall not be measured to cross state or federal highways with more than four lanes and a posted speed limit of 45 mph or more, except where legal pedestrian access exists.

Sponsors: David J. Cieslewicz and Tim Bruer

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

7. **04197** Amending Sections 9.05(1) and 28.03(2) of the Madison General Ordinances to modify the definitions of "adult book or video store" to include reference to sexual paraphernalia and devices.

Sponsors: Tim Bruer

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

8. **04214** Creating Section 28.06(2)(a)3218 of the Madison General Ordinances rezoning property from R1 Single-Family Residence District to R3 Single-Family and Two-Family Residence District. Proposed Use: Demolish House & Build New Duplex; 13th Aldermanic District: 2016 Sundstrom Street.

Sponsors: Common Council By Petition

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

9. **05378** Creating Section 28.06(2)(a)3237. of the Madison General Ordinances rezoning property from C2 General Commercial and R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3238. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish 5 Buildings Located at 434, 438, 440, 444 West Johnson Street and 333 North Bassett Street & Build 12-Story, 197 Unit Condominium Building with Commercial Space; 4th Aldermanic District 454 West Johnson Street.

Sponsors: Common Council By Petition

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

10. **06728** Creating Section 28.06(2)(a)3275. of the Madison General Ordinances rezoning property from C2 General Commercial District and C3 Highway Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Demolish 1 Building & Build 4-Story Mixed-Use Building; 13th Aldermanic District: 1501 Monroe Street.

Sponsors: Common Council By Petition

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

11. 10868

Creating Section 28.06(2)(a)3374. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2T Single-Family Residence District, and creating Section 28.06(2)(a)3375. of the Madison General Ordinances rezoning property from Temp A Agriculture District to R2Y Single-Family Residence District, and creating Section 28.06(2)(a)3376. of the Madison General Ordinances rezoning property from Temp A Agriculture District to C Conservancy District, and creating Section 28.06(2)(a)3377. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: 102 Residential Lots and 5 Outlots; 3rd Aldermanic District: 6001 Milwaukee Street.

Sponsors: Common Council By Request

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

21. 15519

Creating Section 28.06(2)(a)3445. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3446. 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: Construct a 66-Unit Senior Housing/RCAC facility, instead of 33 market-rate apartments as previously approved; 3rd Aldermanic District: 5801 Gemini Drive.

Sponsors: Common Council By Request

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

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

12. 15189

Public Hearing - New License
Habbet Inc • dba Area 51 Bar & Grill • 50% alcohol, 50% food
2513 Seiferth Rd • Agent: Brian Hahn • Estimated Capacity: 99
Class B Combination Liquor & Beer
Aldermanic District 16 (Alder Compton) • Police Sector 619

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

13. 15726

Public Hearing - New License
Waylon Butler Inc • dba To be determined • 50% alcohol, 50% food
416 S Park St • Agent: Waylon Butler • Estimated Capacity: 89
Class B Combination Liquor & Beer
Aldermanic District 13 (Alder Kerr) • Police Sector 305

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

14. 15858

Public Hearing - New License
New Cardinal LLC • dba The Cardinal • 75% alcohol, 5% food, 20% Other
418 E Wilson • Agent: Ricardo Gonzalez • Estimated Capacity: 196
Class B Combination Liquor & Beer
Aldermanic District 06 (Alder Rummel) • Police Sector 406 • Density Area

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

15. 15859

Public Hearing - New License
Vintage II Inc • dba Vintage Brewing Company • 55% alcohol, 44% food, 1% Other
674 S Whitney Way • Agent: Trent Kraemer • Estimated Capacity: 362
Class B Combination Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

16. 15860

Public Hearing - New License
HJ Liquors LLC • dba University Avenue Liquor
525 University Ave • Agent: Herbert Taylor
Class A Beer, Class A Liquor
Aldermanic District 04 (Alder Verveer) • Police Sector 403

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

17. 15861

Public Hearing - New License
McKenzie Investment Group Inc • dba Wingstop • 3% alcohol, 97% food
707 S Gammon Rd • Agent: Kenneth Gelinas • Estimated Capacity: 35
Class B Combination Liquor & Beer
Aldermanic District 01 (Alder Sanborn) • Police Sector 114

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

18. 15862

Public Hearing - New License
Pizza Oven West LLC, The • dba Pizza Oven West • 8% alcohol, 91% food, 1% Other
6654 Mineral Point Rd • Agent: Tyler Dahmen • Estimated Capacity: 300
Class B Beer, Class C Wine
Aldermanic District 19 (Alder Clear) • Police Sector 112

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

19. 15864

Public Hearing - New License
Babe's East LLC • dba Babe's Grill & Bar East • 37% alcohol, 63% food
4325 Lien Rd • Agent: Lynn Haker • Estimated Capacity: 320
Class B Combination Liquor & Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 605

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

20. 15866

Public Hearing - New License
Capitol Hospitality LLC • dba Sprecher's • 25% alcohol, 70% food, 5% Other
1262 John Q Hammons Dr • Agent: Susan Getgem • Estimated Capacity: 318
Class B Combination Liquor & Beer
Aldermanic District 09 (Alder Skidmore) • Police Sector 127

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

REPORT OF PLAN COMMISSION

22. 15522

Creating Section 28.06(2)(a)3447. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3448. 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: Construct 30-Unit Apartment Building Instead of Office Building Previously Approved; 1st Aldermanic District: 1 Hawks Landing Circle.

Sponsors: Common Council By Request

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

Enactment No: ORD-09-00138

REPORT OF URBAN DESIGN COMMISSION

23. 15783 Creating New Section 33.24(15) and renumbering Current Section 33.24(15) to Section 33.24(16) to establish Urban Design District No. 8 and amending Section 33.24(11)(b) of the Madison General Ordinances to move properties from Urban Design District No. 4 to Urban Design District No. 8.

Sponsors: Marsha A. Rummel, Bridget R. Maniaci and Satya V. Rhodes-Conway

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

87. 15788 Authorizing the City of Madison's request to amend the Central Urban Service area to include the Chen property in the Cottage Grove Neighborhood.

Sponsors: Judy Compton

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

Enactment No: RES-09-00820

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

24. 15868 AMENDED - Report of the Mayor submitting citizen committee appointments (introduced 9-15-2009; action 10-6-2009).

Sponsors: David J. Cieslewicz

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

25. 16109 Proclaiming October 2009 as Polish-American Heritage Month in the City of Madison.

Sponsors: David J. Cieslewicz, Michael Schumacher and Common Council By Request

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

Enactment No: RES-09-00821

26. 16135 Report of the Mayor submitting citizen committee appointments (introduced 10-6-2009; action 10-20-2009).

Confirm.

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

27. 16154 Report of the Mayor submitting Alder committee appointments.

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

28. 16037 Adopting and confirming the Labor Agreement between the City of Madison and Local 311, I.A.F.F. for the period January 1, 2010 through December 31, 2011.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-09-00139

REPORTS OF OFFICERS

REPORT OF THE AFFIRMATIVE ACTION COMMISSION

29. 15914 Amending Sec. 39.02(3)(c) of the Madison General Ordinances to revise the terms for members of the Affirmative Action Commission from two to three years.

Sponsors: David J. Cieslewicz and Joseph R. Clausius

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

Enactment No: ORD-09-00140

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

30. 15735

Amending Section 38.05(3)(f), creating new Sections 38.05(3)(g) and renumbering current Sections 38.05(3)(g) through (n) to Sections 38.05(3)(h) through (o), respectively, of the Madison General Ordinances to make mail notification mandatory for new or transferred retail alcohol beverage licenses and sidewalk cafes and providing that all Common Council members and neighborhood associations receive notice of ALRC meetings.

Sponsors: Marsha A. Rummel, Thuy Pham-Remmele, Chris Schmidt, Julia S. Kerr, Michael Schumacher, Satya V. Rhodes-Conway and Michael E. Verveer

Notify property owners and residents

A motion was made by Ald. Rummel, seconded by Ald. Kerr, to . The motion passed by voice vote/other.

Enactment No: ORD-09-00141

31. 15773

Amending Section 38.05(3)(d) of the Madison General Ordinances to require the posting of signs for a change in licensed premises or the establishment of a sidewalk café.

Sponsors: Marsha A. Rummel, Shiva Bidar-Sielaff, Michael E. Verveer, Michael Schumacher and Julia S. Kerr

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

Enactment No: ORD-09-00142

32. 15794

Amending Sections 38.10(4)(a) and (b) of the Madison General Ordinances to clarify the procedure for alcohol license suspension, revocation or nonrenewal.

Sponsors: David J. Cieslewicz, Michael Schumacher, Michael E. Verveer and Julia S. Kerr

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

Enactment No: ORD-09-00143

33. 15842

Change of Agent
Outback/Chicago-I Ltd Partnership • Outback Steakhouse • 279 Junction Rd
New Agent: Brad Hammen
Class B Combination Liquor & Beer
Aldermanic District 09 (Alder Skidmore) • Police Sector 128

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

34. 15844

Change of Agent
Outback/Midwest-II Ltd Partnership • Outback Steakhouse • 4520 East Towne Blvd
New Agent: Brad Hammen
Class B Combination Liquor & Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 515

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

35. 15848

Change of Licensed Premise
Mad Towne Ventures LLC • Chasers • capacity of 144
319 W Gorham St • Agent: William Rudy
Class B Combination Liquor & Beer • 50% Alcohol, 50% food
Aldermanic District 04 (Alder Verveer) • Police Sector 403
Request to expand outdoor area. Please see attached plans.

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

36. 15850

Change of Licensed Premise
Kwik Trip Inc • Tobacco Outlet Plus #514
1113 N Sherman Ave #A • Agent: David Doelger
Class A Beer
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 503
Remodelling project including relocating the humidor, installing a beer cave, replacing the checkout counters/cabinets, etc.

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

37. 15926

21+ Entertainment License
New Cardinal LLC • dba The Cardinal • Capacity:196
418 E Wilson St • Agent: Ricardo Gonzalez
Class B Combination Liquor & Beer • 75% alcohol, 5% food, 20% Other
Aldermanic District 06 (Alder Rummel) • Police Sector 406

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

38. 15928

21+ Entertainment License
Vintage II Inc • dba Vintage Brewing Co. • Capacity: 362
674 S Whitney Way • Agent: Trent Kraemer
Class B Combination Liquor & Beer • 55% alcohol, 44% food, 1% Other
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

39. 15929

Change of Licensed Premise
Madison Mallards • dba Madison Mallards • capacity of 7500
2920 N Sherman Ave • Agent: Vern Stenman
Class B Beer • 40% Alcohol, 60% food
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 505
Request to hold "Ducktoberfest" on 10/3/09. Please see attached plans.

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

40. 15935

Change of Agent
Supervalu Holdings Inc • dba Apollo Liquors • Address 7455 Mineral Point Rd
New Agent: Bradley Nauman
Class A Beer, Class A Liquor
Aldermanic District 09 (Alder Skidmore) • Police Sector 124

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

41. 15962

Operator License Application
Jennifer Archibald - Establishment where employed: Zach's Avenue Bar

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

42. 16161

Alcohol License Review Committee Report of Operator License Applications 10-1-09. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

43. 15437 Accepting a 20-foot wide Public Water Main Easement within the Cannonball Path from the City of Fitchburg.

Sponsors: Tim Bruer

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

Enactment No: RES-09-00822

44. 15547 Authorizing the execution of a Declaration of Public Water Main Easement pertaining to the City-owned Cannonball Run Bike Path Corridor.

Sponsors: Tim Bruer

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

Enactment No: RES-09-00823

45. 15708 Approve the authorization of a long-term deferred loan to Madison Association of the Deaf, Inc. (M.A.D.) for up to $32,000 in CDBG funds to make accessibility, safety and energy efficiency improvements at their facility at 1109 Williamson St.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-09-00824

46. 15710 "SUBSTITUTE - "Authorizing the provision of an additional $108,000 in Federal HOME funds to assist Housing Initiatives, Inc. to acquire and rehabilitate rental housing.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-09-00825

47. 15748

Recreating the Engineering Financial Officer position (18-10) in Engineering as an Engineering Financial Manager (18-12), and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00826

48. 15749

Reclassifying the existing position of Personnel Technician 2 (#859) in HR as an HR Analyst 1, and reallocating the incumbent to the new classification and pay range.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00827

49. 15756

Reclassifying the existing position of Program Assistant 2 (#868) in HR as an Administrative Assistant, and reallocating the incumbent to the new classification and pay range.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00828

50. 15757

Recreating an Administrative Clerk 1 position (#2545) in Police as a Program Assistant 1 and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt With Editorial Correction . The motion passed by voice vote/other.

Enactment No: RES-09-00829

51. 15760 Amending the 2009 Fire Department Capital Budget by $45,720.73 for the roof replacement at Station No.7 at 1810 McKenna Blvd. that is covered by the insurance fund.

Sponsors: David J. Cieslewicz, Paul E. Skidmore and Lauren Cnare

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

Excused: 1 -
Steve King

Ayes: 19 -
Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; 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

Enactment No: RES-09-00830

52. 15771 Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of “Engineering Financial Officer” in Compensation Group 18, Range 10 and creating the classification of “Engineering Financial Manager” in Compensation Group 18, Range 12, thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-09-00144

53. 15772 Authorizing a loan of HOME funds to Future Madison Northpointe, Inc. in an amount not to exceed $225,000, and authorizing the Mayor and Clerk to execute any required agreements with Future Madison Northpointe.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-09-00831

54. 15776 Authorizing the creation of a pilot Downtown Residential Exterior Lighting Enhancement Grant Program to provide one-time matching grants to residential property owners in targeted areas to enhance the exterior lighting around their properties.

Sponsors: Bryon A. Eagon, Michael E. Verveer, Shiva Bidar-Sielaff, Bridget R. Maniaci, Joseph R. Clausius and Marsha A. Rummel

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

Excused: 1 -
Steve King

Ayes: 18 -
Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Mark Clear

Noes: 1 -
Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

Enactment No: RES-09-00833

55. 15778 SUBSTITUTE Authorizing the use of non-standard indemnification language in an Easement for Public Pedestrian and Bicycle Path purposes between the City and University Research Park, Incorporated.

Sponsors: David J. Cieslewicz

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

Excused: 1 -
Steve King

Ayes: 18 -
Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Mark Clear

Noes: 1 -
Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

Enactment No: RES-09-00834

56. 15782 Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and the International Asssociation of Firefighters, Local 311, for the period of January 1, 2010 through December 31, 2011.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00835

57. 15790 Approving the extension of a Section 17 loan to The Young Women's Christian Association of Madison, Wisconsin, Inc. and the assignment and assumption of various loan obligations thereunder to YWCA Madison Housing, LLC; authorizing the City's forgiveness of interest; and authorizing the Mayor and City Clerk to execute all documents as may be necessary to conclude this transaction.

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: 1 -
Steve King

Ayes: 18 -
Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Jed Sanborn

Noes: 1 -
Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

Enactment No: RES-09-00836

58. 15805 Establishing a voluntary rifle purchase program that would allow commissioned employees to voluntarily purchase department-approved rifles for on-duty use, utilize the department's bulk purchasing power to order the rifles, and establish a two (2) year repayment mechanism by which the cost of the rifle would be recovered through fifty-two (52) equal deductions taken from the employee's paycheck.

Sponsors: David J. Cieslewicz, Thuy Pham-Remmele, Michael Schumacher and Judy Compton

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

Enactment No: RES-09-00837

59. 15807 Authorizing the use of Federal HOME funds in an amount not to exceed $250,000 to provide additional down payment assistance to qualified homebuyers as part of the City's American Dream Down payment (ADDI) program, and authorizing the Mayor and Clerk to execute any associated agreements as required.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-09-00838

60. 15843 Amending the 2009 Operating Budgets of the Police Department, Engineering Division, Streets Division and Parks Division by appropriating $48,335 from the Contingent Reserve Fund, utilizing these funds for various expenses related to the Halloween event, and authorizing the receipt of revenues derived from admission fees and donations.

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

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt - 15 Votes Required . The motion passed by the following vote:

Excused: 1 -
Steve King

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

Noes: 3 -
Marsha A. Rummel; Satya V. Rhodes-Conway and Larry Palm

Non Voting: 1 -
David J. Cieslewicz

Enactment No: RES-09-00839

61. 15845 Authorizing the Mayor and City Clerk to execute a contract with Frank Productions, Inc., subject to the conditions included in the Street Use Permit expected to be issued to Frank Productions, Inc. for events associated with Halloween, 2009.

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

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

Enactment No: RES-09-00840

62. 15847 Establishing a Glass-Free Zone for the State Street area from 9:30 p.m. on October 30, 2009 to 6:00 a.m. on October 31, 2009, and from 9:30 p.m. on October 31, 2009 to 6:00 a.m. on November 1, 2009.

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

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

Enactment No: RES-09-00841

63. 15909 Approval to accept a Homeland Security Metropolitan Medical Response System 2008 grant for $321,221.

Sponsors: David J. Cieslewicz, Paul E. Skidmore and Lauren Cnare

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

Enactment No: RES-09-00842

64. 15967 Approve the request from Independent Living, Inc. to provide up to $56,578 in Home Match and CDBG funds to make needed repairs to their rental housing facility at 602 N. Segoe Rd., to improve the building's energy efficiency, safety and accessibility, and protection from water leakage and damage to the building.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

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

Enactment No: RES-09-00843

REPORT OF BOARD OF PUBLIC WORKS

65. 15739 Awarding Public Works Contract No. 6348, South Madison Branch Library Interior Building Improvements.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00844

66. 15975 Awarding Public Works Contract No. 6382, Cannonball Run Pipeline - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00845

67. 15774 Authorizing the execution of an Underground Utility Easement to Madison Gas and Electric Company across a portion of a City-owned Stormwater Utility parcel located at 5307 Lien Road.

Sponsors: Joseph R. Clausius

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

Enactment No: RES-09-00846

68. 15838 Improvements accepted for Locker Room Remodel @ Streets East - Sycamore, Contract No. 6313.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00847

69. 15907 Improvements Accepted for Water Service Laterals by Private Contract to serve: Heather Glen Replat - Phase 2A and Phase 2B - Contract #2100 (7th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00848

70. 15908 Improvements accepted for Glenway/Forest Hills Greenway Improvement, Contract No. 6177.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00849

71. 15920 Assessing Benefits - Clyde Gallagher Street Reconstruction Assessment District - 2007.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00811

72. 15936 Assessing Benefits - St. Paul Avenue and Dixon Street Reconstruction Assessment District - 2007.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00812

73. 15938 Assessing Benefits - Waubesa Street Reconstruction Assessment District - 2008.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00813

74. 15939 Assessing Benefits - Sachs Street & N. Marquette Street Assessment District - 2008.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00814

75. 15941 Authorizing an amendment to the contract between the City of Madison and Plunkett Raysich Architects, in the amount of $55,017 for additional engineering design services for Fire Station #12.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00850

76. 15942 Assessing Benefits - Forest St. (300 Block) Drainage Assessment District. (5th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00815

77. 15943 Authorizing the Mayor and City Clerk to enter into a new annual agreement with the USGS to monitor storm water flow rates and storm water quality parameters at the Nesbitt Road Retention Basin (discharge point of the Upper Badger Mill Creek to the Town/City of Verona). (7th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00851

78. 15944 Authorizing the Mayor and City Clerk to enter into intermunicipal agreements with the Village of Maple Bluff for construction and maintenance of a stormwater treatment facility located in the Village of Maple Bluff adjacent to the Maple Bluff public tennis courts at the intersection of Fisk Place and Lakewood Blvd. (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00852

79. 15947 Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on Alley Block 101. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00853

80. 15983 Approving plans and specifications for East Washington Avenue Segment Six (Thierer Road to East Springs Drive) and authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation. (17th AD)

Sponsors: Joseph R. Clausius

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

Enactment No: RES-09-00854

81. 15984 Approving plans and specifications for Bartillon Drive (Kinsman Boulevard to Portage Road) and authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation. (17th AD)

Sponsors: Joseph R. Clausius

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

Enactment No: RES-09-00855

82. 15992 Awarding Public Works Contract No. 6398, Northstar Park Drinking Fountain.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00856

REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

83. 14940 THIRD SUBSTITUTE - Amending Section 33.02 of the Madison General Ordinances to modify the composition of the Alcohol License Review Committee.

Sponsors: Tim Bruer, Mark Clear, Judy Compton, Michael Schumacher and Julia S. Kerr

A motion was made by Ald. Eagon, seconded by Ald. Clear, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

REPORT OF DOWNTOWN COORDINATING COMMITTEE

84. 15934 To approve the 2010 Operating Plan for Madison's Central Business Improvement District (#1).

Sponsors: Michael E. Verveer

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

Enactment No: RES-09-00857

REPORT OF HOUSING COMMITTEE

85. 15449 Creating Section 4.22(4)(m) of the Madison General Ordinances to assist participants in the CDA's Housing Choice Voucher (Section 8) program whose percentage of rent burden has increased substantially as a result of HUD's decrease in 2009 funding to the CDA.

Sponsors: Michael Schumacher, Bridget R. Maniaci, Brian L. Solomon, Julia S. Kerr, Shiva Bidar-Sielaff, Larry Palm, Michael E. Verveer, Satya V. Rhodes-Conway, Steve King, Marsha A. Rummel and Joseph R. Clausius

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Refer to a future Meeting to Place on File to the HOUSING COMMITTEE. The motion passed by voice vote/other.

REPORT OF MADISON ARTS COMMISSION

REPORT OF PLAN COMMISSION

86. 15915 Accepting ownership of the artwork/sculpture "community" located in the plaza of the Revival Ridge Apartments at the corner of Allied Drive and Jenewein Road.

Sponsors: Brian L. Solomon and Marsha A. Rummel

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

Enactment No: RES-09-00858

REPORT OF RISK MANAGER

88. 15851 P. Kaske, 1937 Paso Roble Way, 53716 - property damage - $111.05.

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

REPORT OF WATER UTILITY BOARD

89. 15956 Approving an Agreement with the City of Fitchburg for the Interconnection of Municipal Water Systems.

Sponsors: Lauren Cnare and Michael Schumacher

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

Enactment No: RES-09-00859

ITEMS REFERRED TO THIS MEETING

ORDINANCES

90. 15285 SUBSTITUTE - Amending Sections 3.30(2), 3.53(10)(a) and 3.54(16)(a) of the Madison General Ordinances to permit members of Compensation Groups 18 and 44 to reside in places of their choosing.

Sponsors: Michael Schumacher, David J. Cieslewicz and Brian L. Solomon

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

Excused: 1 -
Steve King

Ayes: 9 -
Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Tim Bruer; Joseph R. Clausius; Michael Schumacher; Mark Clear; Jed Sanborn and Lauren Cnare

Noes: 10 -
Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Larry Palm; Judy Compton; Thuy Pham-Remmele and Bridget R. Maniaci

Non Voting: 1 -
David J. Cieslewicz

91. 15791 Creating Section 15.01(571) of the Madison General Ordinances entitled ”City Boundaries" and being part of the chapter entitled ”Aldermanic Districts and Wards" attaching to the 1st Aldermanic District the Sugar Land Attachment and amending Section 15.01(114) of the Madison General Ordinances to assign the attached property to Ward 114.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-09-00145

92. 15933 Creating Section 15.01(572) 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 Chen 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 4.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-09-00146

RESOLUTIONS

93. 15954 Adopting the 2010 Economic Development Division Work Plan.

Sponsors: Mark Clear

A motion was made by Ald. Clear, seconded by Ald. Rummel, to Adopt With Amendment(s) . The motion passed by voice vote/other.

Enactment No: RES-09-00860

94. 16007 A resolution approving the creation of two subcommittees:

1) Sustainable City Ad-Hoc Subcommittee for the Public Sector (Government/Infrastructure)
2) Sustainable City Ad-Hoc Subcommittee for the Private Sector (Business/Residents)

Sponsors: Satya V. Rhodes-Conway

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

Enactment No: RES-09-00861

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

The following items were referred on a motion made by Ald. Bruer, seconded by Ald. Clear

ORDINANCES

95. **16006** Creating Section 28.06(2)(a)3455. of the Madison General Ordinances rezoning property from R4 General Residence District and C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3456. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Demolish Gas Station and Single-Family House to Allow 31-Unit Apartment Building with 2,400 Square Feet Retail; 4th Aldermanic District: 1246-1252 Williamson Street and 308-310 South Baldwin Street.

Sponsors: Common Council By Request

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION due back on 11/17/2009

96. **16008** Amending Sections 15.02(16), (17) and (118) of the Madison General Ordinances to change the polling location for Wards 16, 17 and 118.

Sponsors: Joseph R. Clausius

Adopt.

This Ordinance was Refer to a future Meeting to Adopt to the COMMON COUNCIL due back on 10/20/2009

97. **16030** Amending Sec. 3.54(11)(a)6. to allow the Human Resources Director to extend the deadline for usage of compensatory hours if special circumstances due to workload are shown.

Sponsors: David J. Cieslewicz

This Ordinance was Referred to the BOARD OF ESTIMATES

98. **16073** Creating Section 20.08(10) of the Madison General Ordinances to establish the Lower Badger Mill Creek Sewer and Drainage Improvement Impact Fee and District.

Sponsors: Paul E. Skidmore

This Ordinance was Referred to the BOARD OF PUBLIC WORKS

99. **16076** Amending Secs. 2.01(4) and 33.01(10)(b) of the Madison General Ordinances to prohibit Common Council, Board, Commission and Committee meetings on any local, state or national election day.

Sponsors: Tim Bruer and Mark Clear

This Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

100. 16105 Creating Section 28.06(3)(c) and amending Sec. 28.105(4) of the Madison General Ordinances to make Flood Storage provisions consistent with State code.

Sponsors: Lauren Cnare

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION due back on 11/17/2009

101. 16112 Adopting and confirming Revision 268 of the Madison General Ordinances as of September 15, 2009 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: Common Council By Request

This Ordinance was Referred to the Attorney's Office

102. 16125 Creating Section 28.09(3)(d)36. of the Madison General Ordinances to add fish farming and growing food crops and/or raising food crops as conditional uses in the C2 district.

Sponsors: Satya V. Rhodes-Conway and Marsha A. Rummel

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION due back on 11/17/2009

RESOLUTIONS

103. 15979 Determining a Public Purpose and Necessity and approving a Relocation Order for the acquisition of utility company interests required for the relocation and construction of Pleasant View Road from Valley View Road to 1000 feet North of Mineral Point Road, located in that part of the Northeast ¼ of the Northwest ¼, of Section 34, Town 7 North, Range 8 East, Town of Middleton, and part of the Northwest ¼ of the Northeast ¼ of Section 34, and part of the Northwest ¼ and the Southwest ¼ of Section 27, all in Town 7 North, Range 8 East, City of Madison, Dane County, Wisconsin. Including necessary utility company release of rights of interests contained within proposed right of way dedications by the conditionally approved University Research Park - Pioneer proposed Subdivision Plat by the UW Regents (9th AD) and;

Sponsors: Paul E. Skidmore

This Resolution was Referred to the BOARD OF PUBLIC WORKS

104. 16012

Approve Goodwill Industries of South Central Wisconsin, Inc's request for up to $200,000 in HOME funds for a vacant parcel at 4829 Anniversary Lane for the purpose of constructing seven 1-bedroom units for persons with mental illness and one 2-bedroom unit for a resident manager; HOME funds shall be provided in the form of a 15 year forgivable loan secured by a mortgage, promissory note and Land Use Restriction Agreement.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

This Resolution was Referred to the BOARD OF ESTIMATES

105. 16015

Authorizing the Mayor and City Clerk to sign a license agreement with BMI for performance and playing of musical compositions at various departments in the City of Madison.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

106. 16033

Approving Facade Improvement Grant to: 2 South Mills Street (Hong Kong Café), 2201 Regent Street (LaMop Hair Studio) and 2215 Atwood Avenue (Guitar Shop of Wisconsin).

Sponsors: Marsha A. Rummel, Julia S. Kerr and Shiva Bidar-Sielaff

This Resolution was Referred to the Community and Economic Development Unit

107. 16034

Accepting a Public Water Main Easement from Sherman Terrace Association, Inc., across property located at 1 Sherman Terrace.

Sponsors: Bridget R. Maniaci

This Resolution was Referred to the Community and Economic Development Unit

108. 16060

Terminating Fire Fighters Local 311 Post-Retirement Benefits Trust, authorizing the transfer of assets to a new Trust to be operated by the Precision Retirement Group, Inc., and authorizing the Mayor and City Clerk to enter into agreements as may be necessary for such termination and transfer, including any necessary changes to the collective bargaining agreement between the City and Local 311.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

109. 16062 Amending the 2009-2010 Community and Neighborhood Development Program Funding Framework to delete the shared appreciation requirement for non-profit agencies.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

This Resolution was Referred to the BOARD OF ESTIMATES

110. 16066 Approving the Community Development Division's HUD 2010 - 2014 Consolidated Plan and 2010 Action Plan.

Sponsors: Shiva Bidar-Sielaff, Tim Bruer and Marsha A. Rummel

This Resolution was Referred to the BOARD OF ESTIMATES

111. 16078 Authorizing the Mayor and the City Clerk to enter into an agreement with Dane County for the purpose of providing the Transit Utility with State 85.21 funding given to Dane County for the provision of accessible transportation for persons within Metro Transit's service area in the calendar year 2009.

Sponsors: Brian L. Solomon and Chris Schmidt

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

112. 16089 Authorizing the Mayor and City Clerk to enter into an agreement with Madison Area Technical College (MATC) for provision of access by MATC students to Metro Transit fixed route and ADA paratransit services, with reimbursement for student trips during the contract period.

Sponsors: Chris Schmidt

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

113. 16106 Authorizing the Traffic Engineering Division to accept a grant for $120,000 from the Wisconsin Department of Transportation to maintain and expand a safety education program and authorizing the Mayor and City Clerk to enter into the grant contract.

Sponsors: Chris Schmidt and Brian L. Solomon

This Resolution was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION

114. 16110 Authorizing the Mayor and City Clerk to execute an amendment to the lease with Community Action Coalition of South Central Wisconsin, Inc. allowing for the expansion of the community gardens site located within Reindahl Park at 1818 Portage Road.

Sponsors: Joseph R. Clausius

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

115. 16116 Authorizing the Mayor, City Clerk and Chief of Police to accept the FY 2009 Edward Byrne Memorial Justice Assistance Grant award in the amount of $204,905 and to utilize these funds to support several law enforcement initiatives.

Sponsors: David J. Cieslewicz and Paul E. Skidmore

This Resolution was Referred to the BOARD OF ESTIMATES

116. 16121 Approving a Transportation Access Master Plan by the University of Wisconsin-Madison to guide the future development of the 700 & 800-blocks of University Avenue and 400-blocks of North Lake Street and East Campus Mall. 8th Ald. Dist.

Sponsors: Bryon A. Eagon

This Resolution was Referred to the PLAN COMMISSION

117. 16128 Recreation of an Engineering Aide 1 position to an Engineering Aide 2 in the Traffic Engineering Division and reallocating the incumbent to the new position.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

118. 16129 Reallocating employee P. Nehmer (Position #1235) to the existing position of Engineering Aide 2 in Traffic Engineering.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

119. 16133 Authorizing the Water Utility General Manager to certify water and sewer bills, assessments and charges to the 2009 tax rolls of other governmental units for delinquent accounts in those jurisdictions.

Sponsors: Lauren Cnare

This Resolution was Referred to the WATER UTILITY BOARD

120. 16159 Honoring Harry Whitehorse for deepening our understanding of Madison's rich cultural heritage and for his contributions to the City's public art collection.

Sponsors: Marsha A. Rummel

This Resolution was Referred to the Department of Planning and Community and Economic Development

LICENSES

121. 16080 Public Hearing - New License
MBC Group LLC • dba El Pollo Inka • 10% alcohol, 90% food
745 N High Point Rd • Agent: Sivily Maritza Paz • Estimated Capacity: 50
Class B Beer, Class C Wine
Aldermanic District 09 (Alder Skidmore) • Police Sector 126

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

122. 16081 Public Hearing - New License
Maurer's Foods LLC • dba Fresh Madison Market
703 University Ave • Agent: Jeffrey Maurer
Class A Beer, Class A Liquor
Aldermanic District 08 (Alder Eagon) • Police Sector 402

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

123. 16082 Public Hearing - New License
Veg Table LLC • dba The Green Owl • 20% alcohol, 80% food
1970 Atwood Ave • Agent: Jennie Capellaro • Estimated Capacity: 50
Class B Combination Liquor & Beer
Aldermanic District 06 (Alder Rummel) • Police Sector 410

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

124. 16088

Public Hearing - New License
Daisy Cafe & Cupcakery LLC • dba Daisy Cafe & Cupcakery • 5% alcohol, 94% food, 1% Other
2827 Atwood Ave • Agent: Daryl Sisson • Estimated Capacity: 80
Class B Beer, Class C Wine
Aldermanic District 06 (Alder Rummel) • Police Sector 602

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

125. 16141

Public Hearing - New License
Flat Out Crazy LLC • dba Flat Top Grill • 10% alcohol, 90% food
538 N Midvale Blvd • Agent: Julie Prather • Estimated Capacity: 105
Class B Combination Liquor & Beer
Aldermanic District 11 (Alder Schmidt) • Police Sector 108

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

126. 16144

Public Hearing - New License
Okinawa Sushi LLC • dba Sushi Hut • 10% alcohol, 90% food
404 State St • Agent: Mang Mun Pau • Estimated Capacity: 35
Class B Beer, Class C Wine
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

127. 16146

Public Hearing - New License
Fiesta Cancun Authentic Mexican Restaurant of Madison Inc
dba Fiesta Cancun Authentic Mexican Restaurant • 15% alcohol, 85% food
7854 Mineral Point Rd • Agent: Jose Pacheco • Estimated Capacity: 120
Class B Combination Liquor & Beer
Aldermanic District 09 (Alder Skidmore) • Police Sector 125

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

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

129. 16153

Public Hearing - New License
Thao Real Estate LLC • dba Brothers Wok • 3% alcohol, 90% food, 7% Other
2817 E Washington Ave • Agent: Nao Nhia Thao • Estimated Capacity: 99
Class B Beer
Aldermanic District 15 (Alder Palm) • Police Sector 603

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

130. 16157 Public Hearing - New License
Wisconsin Ventures Inc • dba Segredo Madison
62% alcohol, 25% food, 13% Other
624 University Ave • Agent: Jon Okonek • Estimated Capacity: 605
Class B Combination Liquor & Beer
Aldermanic District 08 (Alder Eagon) • Police Sector 403 • Density Area

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

OPERATING BUDGET

131. 16115 2010 Executive Operating Budget.

This Operating Budget was Referred to the BOARD OF ESTIMATES

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

132. 16014 K. Konicek, 1013 Ocean Rd., Madison, 53713 - property damage - $299.00.

This Claim was Referred to the Risk Manager

133. 16016 D. Doren, 2610 Green Ridge Dr., Madison, 53704-2880 - property damage - $125.24.

This Claim was Referred to the Risk Manager

134. 16039 J. Krzemienski, 106 S. Hancock St., # 103, Madison, 53704 - vehicle damage - $327.05.

This Claim was Referred to the Risk Manager

135. 16085 B. Magar, Progressive, for New Metro Trucking Corp., 2370 English St., St. Paul, MN 55109 - vehicle damage - $6,523.21.

This Claim was Referred to the Risk Manager

136. 16086 J. Eich, 6610 Regis Rd., Madison, 53711 - vehicle damage - $1,481.49.

This Claim was Referred to the Risk Manager

137. 16087 D. Collman, 4809 South Hill Dr., Madison, 53705 - property damage - $7,851.20.

This Claim was Referred to the Risk Manager

138. 16134 T. Jenkins, 5304 Manitowoc Pky., Madison, 53705 - vehicle damage - $248.88.

This Claim was Referred to the Risk Manager

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADDENDUM

139. 15957 Honoring the life of Irwin A. Goodman

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00862

140. 16110 Authorizing the Mayor and City Clerk to execute an amendment to the lease with Community Action Coalition of South Central Wisconsin, Inc. allowing for the expansion of the community gardens site located within Reindahl Park at 1818 Portage Road.

Sponsors: Joseph R. Clausius

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

141. 16166 Public Hearing - License Transfer
Leziz LLC • dba Oliva • 15% alcohol, 85% food
Transfer from 745 N High Point Rd to 751 N High Point Rd • Agent: Mehmet Dai
Estimated Capacity: 90
Class B Beer, Class C Wine
Aldermanic District 09 (Ald. Skidmore) • Police Sector 126

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

142. 16193 A Resolution authorizing Public Health-Madison and Dane County to accept a $179,476 grant and sign a grant agreement with the State of Wis. Department of Health Services , for Phases 1 and 2 of a Public Health Emergency Response grant related to H1N1 vaccinations, and amending the budget accordingly."

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00748

143. 16194 A Resolution authorizing Public Health-Madison and Dane County to accept a grant up to $765,000 and sign a grant agreement with the State of Wis. Department of Health Services, for Phase 3 of a Public Health Emergency Response grant related to H1N1 vaccinations, and amending the budget accordingly.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

ITEMS INTRODUCED FROM THE FLOOR

16197 Accepting a Proposed Settlement with the Stonewall Insurance Company for Landfill Remediation Claims, Authorizing the Mayor and City Clerk to Sign Settlement Agreements and any Other Documents Necessary to Complete the Settlement, including Releases and Indemnifications, and Directing that Settlement Funds Be Used to Reduce Future Remediation Fees.

Sponsors: David J. Cieslewicz, Joseph R. Clausius and Larry Palm

This Resolution was Referred to the BOARD OF PUBLIC WORKS

ADJOURNMENT

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adjourn at 9:30 p.m. The motion passed by voice vote/other.