



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, February 3, 2009

6:30 PM

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

Roll Call at 6:35 p.m., Mayor Cieslewicz in the Chair.

Late: Ald. Solomon (6:40 p.m.)

Present: 20 -

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

Excused: 1 -

Tim Bruer

OPENING REMARKS

SUSPENSION OF RULES

Suspend Rules 2.04 (order of business), 2.05 (introduction of business), 2.24 (ordinances), and 2.25 (resolutions) for items so designated on the agenda.

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

HONORING RESOLUTIONS

1. [12884](#) Awarding the second annual Jeffrey Clay Erlanger Civility in Public Discourse Award to Judy Olson and Warren Onken.

Sponsors: David J. Cieslewicz and COMMON COUNCIL

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

Enactment No: RES-09-00096

2. [13436](#) Thanking Betty MacDonald for her commitment to Madison Parks and her valuable service to the City of Madison.

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

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

Enactment No: RES-09-00097

PETITIONS AND COMMUNICATIONS

COMMUNICATIONS

3. [13382](#) Communication dated January 22, 2009 from S. Holtzman, 105 Glen Highway, Madison re: the cost to the City of Madison for the priority dispatch system for improved responses to requests for emergency medical services.

Due back on or before the 5/5/09 Common Council Meeting.

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to the PUBLIC SAFETY REVIEW BOARD, due back on 5/5/2009. 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 #: 32, 40, 41, 43, 45, 49, and 109 on a motion made by Ald. Clear, seconded by Ald. Verveer.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

- 4. [12113](#) Creating Section 28.06(2)(a)3390. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to Amended PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: Mixed-Use Development with Theatre/Entertainment Complex; 17th Aldermanic District: 4021 Grand Crossing Road.

Sponsors: Common Council By Request

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

A motion was made by Ald. Clear, seconded by Ald. Compton, to Adopt and Close the Public Hearing. The motion passed by the following vote:

Excused: 1 -
Tim Bruer

Ayes: 18 -
Libby Monson; Jed Sanborn; Brenda K. Konkel; Lauren Cnare; Michael E. Verveer; Marsha A. Rummel; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Noes: 1 -
Robbie Webber

Non Voting: 1 -
David J. Cieslewicz

Enactment No: ORD-09-00023

- 5. [12473](#) Creating Section 28.06(2)(a)3394 of the Madison General Ordinances rezoning property from R6 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3395 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: Remodel Existing Apartment Building and Construct New 16-Unit Apartment Building; 2nd Aldermanic District: 201-229 West Lakelawn Place.

Sponsors: Common Council By Request

8 Registrant(s) in support wishing to speak; 8 Registrant(s) in opposition wishing to speak; 1 Registrant(s) neither in support nor opposition wishing to speak; 6 Registrant(s) in support not wishing to speak; 6 Registrant(s) in opposition not wishing to speak.

A motion was made by Ald. Clear, seconded by Ald. Schumacher, to Adopt and Close the Public Hearing subject to the comments and conditions contained in Option A of the 1/9/09 Planning Report and the 1/23 Addendum to the Planning Report. The motion FAILED by the following vote:

Excused: 1 -
Tim Bruer

Ayes: 10 -

Jed Sanborn; Paul E. Skidmore; Tim Gruber; Larry Palm; Judy Compton;
Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy
Pham-Remmele and Libby Monson

Noes: 9 -

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

Non Voting: 1 -

David J. Cieslewicz

Enactment No:

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

RECESS

A motion was made by Ald. Verveer, seconded by Ald. Clear, to Take A Recess at 9:05 p.m. The motion passed by voice vote/other.

RECONVENE

Present: 20 -

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

Excused: 1 -

Tim Bruer

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

6. [12921](#) Public Hearing - New License
Gretisman Investments LLC • dba Plan B • 60% alcohol, 30% food, 10% Other
924 Williamson St • Agent: Corey Gresen • Estimated Capacity: 300-350
Class B Combination Liquor & Beer
Aldermanic District 06 (Alder Rummel) • Police Sector 408
with the following conditions: 1. Licensee must meet with neighborhood association on a regular basis. 2. Must abide by security plan. Parking lot to be patrolled every 30 minutes. Encourage use of back door by patrons. 3. No outdoor music except during the Willy Street Fair. 4. Food service until 1:00 a.m. 5. Capacity on Sunday through Wednesday = 200 persons, Thursday through Saturday = 250 persons.
1 Registrant(s) in support wishing to speak; 10 Registrant(s) in support not wishing to speak.
A motion was made by Ald. Clear, seconded by Ald. Schumacher, to Grant and Close the Public Hearing with the following conditions: 1. Licensee must meet with neighborhood association on a regular basis. 2. Must abide by security plan. Parking lot to be patrolled every 30 minutes. Encourage use of back door by patrons. 3. No outdoor music except during the Willy Street Fair. 4. Food service until 1:00 a.m. 5. Capacity on Sunday through Wednesday = 200 persons, Thursday through Saturday = 250 persons. The motion passed by voice vote/other.
7. [12923](#) Public Hearing - New License
Ounla Thongsavanh • dba Vientiane Palace • 30% alcohol, 70% food
1441 Regent St • Estimated Capacity: 20
Class B Beer, Class C Wine
Aldermanic District 13 (Alder Kerr) • Police Sector 303
A motion was made by Ald. Clear, seconded by Ald. Schumacher, to Grant and Close the Public Hearing. The motion passed by voice vote/other.
8. [13225](#) Public Hearing - New License
Xian Biao Huang • dba Chin's Asia Fresh • 8% alcohol, 91% food, 1% Other
422 State St • Estimated Capacity: 115
Class B Beer, Class C Wine
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area
A motion was made by Ald. Clear, seconded by Ald. Schumacher, to Grant and Close the Public Hearing. The motion passed by voice vote/other.
9. [13226](#) Public Hearing - New License
The Legends LLC • dba Zanders • 40% alcohol, 60% food
118 State St • Agent: Mohamed Barketallah • Estimated Capacity: 250
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 406 • Density Area
A motion was made by Ald. Clear, seconded by Ald. Schumacher, to Grant and Close the Public Hearing with the following condition: maintain status as a restaurant per MGO Section 38.02. The motion passed by voice vote/other.

10. [13227](#) Public Hearing - New License
Mongo Management LLC • dba bd's Mongolian Grill • 8% alcohol, 92% food
4718 East Towne Blvd • Agent: Branden Warner • Estimated Capacity: 200
Class B Combination Liquor & Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 517

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

11. [13228](#) Public Hearing - New License
MeiQing Xiao • dba China Buffet • 1% alcohol, 99% food
3579 E Washington Ave • Estimated Capacity: 180
Class B Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 604

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

12. [13230](#) Public Hearing - New License
Movin North LLC • dba Upstairs Downstairs / Lazy Oaf Lounge
50% alcohol, 50% food
1617 N Stoughton Rd • Agent: Rob Burns • Estimated Capacity: 125
Class B Combination Liquor & Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 516

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

13. [13231](#) Public Hearing - New License
Savoir Faire Cards & Gifts, Inc • dba Savoir Faire Cards Gifts & Wine Bar
20% alcohol, 5% food, 75% Other
5 N Pinckney St • Agent: Kathleen M Retelle • Estimated Capacity: 49
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 406 • Density Area

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

14. [13232](#) Public Hearing - New License
Xian B Huang • dba Chin's Asia Fresh • 8% alcohol, 91% food, 1% Other
8414 Old Sauk Rd • Estimated Capacity: 115
Class B Beer, Class C Wine
Aldermanic District 09 (Alder Skidmore) • Police Sector 127

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

REPORT OF BOARD OF PUBLIC WORKS

15. [13166](#) Approving Plans, Specifications, And Schedule Of Assessments For Milwaukee Street Sidewalk Assessment District - 2009. (3rd AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Schumacher, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-09-00156

16. [13167](#) Approving Plans, Specifications, And Schedule Of Assessments For Chamberlain Avenue, Ash Street, Chestnut Street, and Joss Court Reconstruction Assessment District - 2009. (5th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00157

17. [13168](#) Approving Plans, Specifications, And Schedule Of Assessments For Curb and Gutter in Conjunction w/Resurfacing - 2009 Assessment District. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00158

18. [13169](#) Approving Plans, Specifications, And Schedule Of Assessments For N. Few Street Reconstruction Assessment District - 2009. (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00159

REPORT OF PLAN COMMISSION

19. [13096](#) ALTERNATE - Creating Sec. 28.10(4)(c)68. of the Madison General Ordinances to make community gardens a permitted use in the M1 district.

Sponsors: PLAN COMMISSION

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

Enactment No: ORD-09-00024

20. [13104](#) Repealing Section 28.085(d)4. and creating Section 28.085(c)8. of the Madison General Ordinances to change medical, dental and optical clinics from a conditional to a permitted use in the O-4 District.

Sponsors: Joseph R. Clausius

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

Enactment No: ORD-09-00025

21. [13109](#) Creating Section 28.06(2)(a)3401. 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)3402. 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)3403. of the Madison General Ordinances rezoning property from Temp A Agriculture District to C Conservancy District, and creating Section 28.06(2)(a)3404. of the Madison General Ordinances rezoning property from Temp A Agriculture District to PUD(GDP) Planned Unit Development (General Development Plan) District. Proposed Use: 105 Residential Lots and 5 Outlots; 3rd Aldermanic District: 6001 Milwaukee Street.

Sponsors: Common Council By Request

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

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

Enactment No: ORD-09-00026

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

- 22. [13262](#) Report of the Mayor submitting a citizen committee appointment (introduced 1-20-09; action 2-3-2009).

Sponsors: David J. Cieslewicz

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

- 23. [13463](#) Report of the Mayor submitting citizen committee appointments (introduced 2-3-2009; action 2-24-2009).

Sponsors: David J. Cieslewicz

Confirm at the 2/24/09 Common Council Meeting (2/3 vote required for Housing Com. appt.).

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 2/24/2009. The motion passed by voice vote/other.

- 24. [13464](#) Report of the Mayor submitting alder committee appointments.

Sponsors: David J. Cieslewicz

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

- 25. [13420](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Public Health Administrative Services Manager in Compensation Group 18, Range 11, and recreating said classification in Compensation Group 18, Range 12, thereof.

Sponsors: David J. Cieslewicz

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

Enactment No: ORD-09-00027

26. [13500](#) Authorizing the City to retain an expert for analysis and testimony of the issue of need for the ATC transmission line and appropriating \$5,000 from the contingent reserve for such services.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00095

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

27. [12911](#) Operator License Application
Cashae N Davis - Establishment where employed: Shells Avenue

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

28. [12912](#) Operator License Application
Amy Loring - Establishment where employed: Kelly-Williamson Mobil

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

29. [12913](#) Operator License Application
Jennifer Miller-Stratton - Establishment where employed: Reverend Jims

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

30. [12915](#) Operator License Application
Colin Jones - Establishment where employed: The Family Business

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

31. [12917](#) Operator License Application
Wanda Reidt - Establishment where employed: Dutch Mill

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

32. [12989](#) Suspension Revocation Hearing
Place For Friends Bar & Grill LLC • dba A Place For Friends
2105 Sherman Ave • Agent: Darius Wilson
Class B Combination Liquor & Beer • 32% alcohol, 65% food, 3% Other
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 501
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Accept the report of the Alcohol License Review Committee and adopt the findings of fact, conclusions of law and recommendation of the Alcohol License Review Committee, and to find as truthful each count that the Alcohol License Review Committee found to be truthful, and to revoke the Class B Liquor License of A Place for Friends, LLC, as recommended by the Alcohol License Review Committee. The motion passed by voice vote/other.**
33. [13234](#) 21+ Entertainment License
and 18+ Center for Visual and Performing Arts License
Gretisman Investments LLC • dba Plan B • Capacity: 225-300
924 Williamson St • Agent: Corey Gresen
Class B Combination Liquor & Beer • 60% alcohol, 30% food, 10% Other
Aldermanic District 06 (Alder Rummel) • Police Sector 408
1 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**
34. [13235](#) 21+ Entertainment License
Blue Bandit Inc • dba Argus Bar & Grille • Capacity:180
123 E Main St • Agent: Richard Brahmer
Class B Combination Liquor & Beer • 70% alcohol, 30% food
Aldermanic District 04 (Alder Verveer) • Police Sector 406
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Grant. The motion passed by voice vote/other.**
35. [13239](#) Operator License Application
Thomas Beckett - Establishment where employed: Wiggies
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Deny. The motion passed by voice vote/other.**
36. [13245](#) Operator License Application
Michael Seidel - Establishment where employed: Willy Pub & Grill
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Deny. The motion passed by voice vote/other.**

37. [13250](#) Change of Agent
Ultra Mart Foods LLC • dba Pick 'n Save #6395 • 6655 McKee Rd
New Agent: Billy M Foddrill
Class A Beer, Class A Liquor
Aldermanic District 07 (Alder Monson) • Police Sector 119

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

38. [13251](#) Change of Agent
Ultra Mart Foods LLC • dba Copps Food Center #8183 • 1312 S Park St
New Agent: Tammy Lee
Class A Beer, Class A Liquor
Aldermanic District 13 (Alder Kerr) • Police Sector 306

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

39. [13441](#) Alcohol License Review Committee Report of Operator License Applications
01/26/09. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

40. [12894](#) Authorizing the Mayor and the City Clerk to enter into a contract, not to exceed \$30,500, with Zillman Advertising, for expenses related to the design and creation of two-dimensional and three-dimensional Public Art Work and Community Identity Imagery for the Allied Redevelopment Project.

Sponsors: Brian L. Solomon and Tim Gruber

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

Enactment No: RES-09-00160

41. [13114](#) SUBSTITUTE - Approving \$250,000 in HOME funds for acquisition and/or rehabilitation of up to ~~of~~ 11 units in the ~~downtown YWCA of Madison building~~ at 101 E. Mifflin Street ~~to the YWCA of Madison, or related affiliate like the~~ YWCA Madison Housing, LLC in a manner that will address City, community and neighborhood development objectives. Approval is contingent on acceptance of a property appraisal that indicates the loan to value ratio is no greater than 115% consistent with the Program Framework.

Sponsors: Tim Bruer and Marsha A. Rummel

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

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

Excused: 1 -

Tim Bruer

Ayes: 18 -

Brenda K. Konkell; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Libby Monson and Jed Sanborn

Noes: 1 -

Thuy Pham-Remmele

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00161

42. [13158](#) Requiring non-represented employees in Compensation Groups 18, 19, 21, and 44 to make a co-payment for health insurance coverage for 2009.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00162

43. [13173](#) Amending the 2009 Police Capital Budget and Awarding Public Works Contract No. 6161, North Police HVAC Retrofit - 2009 to H & H Industries, Inc.

Sponsors: BOARD OF PUBLIC WORKS and Satya V. Rhodes Conway

A motion was made by Ald. Clear, seconded by Ald. Rhodes Conway, to Adopt. The motion FAILED by the following vote (15 votes were required for adoption):

Absent: 1 -

Julia S. Kerr

Excused: 1 -

Tim Bruer

Ayes: 13 -

Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Larry Palm; Joseph R. Clausius; Thuy Pham-Remmele; Libby Monson and Brenda K. Konkel

Noes: 4 -

Paul E. Skidmore; Judy Compton; Michael Schumacher and Jed Sanborn

Abstentions: 1 -

Mark Clear

Non Voting: 1 -

David J. Cieslewicz

44. [13200](#) Authorizing the Mayor and City Clerk to execute a Labor Agreement between the City of Madison and the Association of Madison Fire Supervisors (AMFS) for the period of January 1, 2008 through December 31, 2009.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00163

45. [13249](#) Adopting the 2009 Economic Development Work Plan.

Sponsors: Mark Clear and David J. Cieslewicz

Adopt at the 3/3/09 Common Council Meeting.

A motion was made by Ald. Schumacher, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 3/3/2009. The motion passed by voice vote/other.

46. [13255](#) Adopting and confirming the Labor Agreement between the City of Madison and the Association of Madison Fire Supervisors (AMFS) for the period of January 1, 2008 to December 31, 2009.

Sponsors: Common Council By Request

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

Enactment No: ORD-09-00028

47. [13257](#) Authorizing the Mayor and City Clerk to enter into an agreement with the Capital Area Regional Planning Commission (CARPC) for the Madison Area Transportation Planning Board (TPB) to provide transportation planning work activities to the CARPC in calendar year 2009.

Sponsors: Paul E. Skidmore and Joseph R. Clausius

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

Enactment No: RES-09-00164

48. [13355](#) Amending the Police Department 2009 Operating Budget to reallocate funds originally intended to utilize MATC for the 2009 Preservice Academy for remodeling and equipping an alternate location for the Academy.

Sponsors: David J. Cieslewicz

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

Enactment No: RES-09-00165

49. [13363](#) Authorizing the Mayor and Clerk to execute an Option for Advertising Space and Letter of Intent concerning the City's participation in the 2016 Olympics and Paralympic Games Cycling Events.

Sponsors: Mark Clear and David J. Cieslewicz

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

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

Enactment No: RES-09-00166

50. [13367](#) Authorizing hiring of The Hiebing Group Inc./Vandewalle & Associates for consultation services to implement the marketing plan for the BioAg Gateway.

Sponsors: Judy Compton

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

Enactment No: RES-09-00167

REPORT OF BOARD OF PARK COMMISSIONERS

51. [13068](#) To authorize the Mayor and City Clerk to sign and execute a three (3) year Renewal Agreement with Madison Football Club, Inc. for priority field scheduling at four (4) soccer fields at Reindahl Community Park in exchange for Madison Football Club, Inc. maintaining said fields.

Sponsors: Joseph R. Clausius and Michael Schumacher

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

Enactment No: RES-09-00098

52. [13078](#) Authorizing the placement on the April 7, 2009 ballot of a binding referendum question relating to the conveyance of the Garver Feed Mill building and abutting lands to Common Wealth Development, Inc. or its assignees for the purpose of constructing an arts incubator and other associated improvements in Olbrich Park.

Sponsors: Marsha A. Rummel, Brenda K. Konkel, Julia S. Kerr, Paul E. Skidmore, Lauren Cnare, Joseph R. Clausius and Larry Palm

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

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

Enactment No: RES-09-00099

53. [13079](#) To authorize the Mayor and City Clerk to enter into a three (3) year Agreement between the City of Madison and the Madison Metropolitan School District, Madison School & Community Recreation beginning May 1, 2009 and ending on September 30, 2011 for the operation of a Pontoon Boat Program for persons with disabilities. (AD 2)

Sponsors: Brenda K. Konkel, Joseph R. Clausius and Michael Schumacher

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

Enactment No: RES-09-00100

REPORT OF BOARD OF PUBLIC WORKS

54. [12951](#) SUBSTITUTE - Authorizing the property at 4811 Voges Road in the Village of McFarland, to connect to the City of Madison sanitary sewerage system.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00101

55. [12995](#) Approving the City of Madison Standard Specifications for Public Works Construction, 2009 Edition.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00102
56. [13072](#) Awarding Public Works Contract No. 6294, Annual Sawcutting of Concrete Sidewalk and Incidental Work - 2009.
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00103
57. [13128](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Park Paving - 2009, Contract No. 6318. (Various ADs)
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00104
58. [13134](#) Accepting a 15-foot wide Public Sanitary Sewer Easement from Edyie Walther across property located at 5104 Spring Court.
- Sponsors: Mark Clear
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00105
59. [13170](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Tennis Court Construction/Resurfacing - 2009, Contract No. 6317. (Various ADs)
- Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-09-00106

60. [13174](#) Awarding Public Works Contract No. 6263, CCB City Attorney's Office Ceiling Replacement Remodel. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00107

61. [13175](#) Improvements accepted for Mifflin Street & Seventh Street Reconstruction Assessment District - 2006, Contract No. 5929.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00108

62. [13190](#) Declaring the City of Madison's intention to exercise its police powers establishing the Camden Road Street Assessment District - 2009. (16th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00109

63. [13191](#) Approving a Minimum Rate of Wage Scale to be paid by Contractors to the Employees on any Project of Public Works for the City of Madison.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00110

64. [13193](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Secret Places at Siggelkow Preserve - Phase 4 (16th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00111

65. [13194](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Second Addition to Hawks Creek (1st AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00112
66. [13264](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: American Family Printing Facility (17th AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00113
67. [13265](#) Improvements accepted for Water Main and Water Service Laterals to serve: American Family Printing Facility - Phase 2 (17th AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00114
68. [13266](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: American Family Service Drive - W. M. Installation (17th AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00115
69. [13267](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Capitol and Christian Center - Contract #1703 (7th AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00116

70. [13268](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: 4901 Commercial Avenue - C.S.M. (3rd AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00117
71. [13269](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: Cub Foods, Verona Road (20th AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00118
72. [13270](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: East Prairie Commons (17th AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00119
73. [13271](#) Improvements accepted for Water Service Laterals by Private Contract to serve: East Prairie Commons - Phase 2 (17th AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00120
74. [13272](#) Improvements accepted for Water Service Laterals by Private Contract to serve: High Crossing Fourth Addition - Phase 2 (17th AD).
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00121

75. [13274](#) Improvements accepted for Water Main Installation by Private Contract to serve: Holtzman Road - W. M. Relocation (Town of Madison adjacent to 14th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00122

76. [13275](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: Park Meadow Ridge (17th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00123

77. [13276](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Patriot Hill Condominiums (17th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00124

78. [13279](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: Rhone-Poulenc W. M. Installation (16th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00125

79. [13280](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: Target Store - 149 Junction Road (9th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00126

80. [13281](#) Improvements accepted for Water Main by Private Contract to serve: Target Store - W. M. Relocation (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00127

81. [13282](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: Truax Air Park West - Second Addition (17th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00128

82. [13283](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: University Research Park - 2nd Addition (19th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00129

83. [13284](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: University Research Park Second Addition - Phase 2 (19th AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00130

84. [13285](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: Valley Ridge (1st AD).

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00131

85. [13286](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: West Side Club Development (9th AD).
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00132
86. [13287](#) Improvements accepted for Water Service Laterals by Private Contract to serve: World Dairy Campus - Phase 2 (16th AD).
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00133
87. [13298](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Street Tree Replacement, Contract No. 6332. (City Wide)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00134
88. [13299](#) Approving Plans, Specifications, and Schedule of Assessments for Proudfit Street Improvements Assessment District - 2009. (4th & 13th ADs)
Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.
Enactment No: RES-09-00135
89. [13301](#) Authorizing the Mayor and City Clerk to execute agreements with the State of Wisconsin Department of Transportation for cost sharing for the reconstruction of the Badger Road and Park Street Intersection. (14th AD)
Sponsors: Tim Bruer

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

Enactment No: RES-09-00136

90. [13302](#) Declaring the City of Madison's intention to exercise its police powers establishing the Proudfit Street Improvements Assessment District - 2009. (4th & 13th ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00137

91. [13303](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks, Major Streets - 2009, Contract No. 6288. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00138

92. [13304](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Repairing and Sealing Pavement Cracks, Local Streets - 2009, Contract No. 6287. (Various ADs)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00139

93. [13305](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Fairchild Building Lighting Upgrade - 2009, Contract No. 6337. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00140

94. [13306](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Resurfacing 2009, Contract Nos. 6289, 6291, 6292. (Various ADs)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00141
95. [13307](#) Improvements accepted for Coldspring Ave. Reconstruction Assessment District - 2007, Contract No. 5610.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00142
96. [13308](#) Improvements accepted for 300 Block South Hamilton Street Sanitary Sewer & Water Replacement, Contract No. 5638.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00143
97. [13309](#) Improvements accepted for Addition to the West Towne Regional Pond & Improvements to Stricker's Pond, Contract No. 5796.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00144
98. [13310](#) Improvements accepted for John Nolen Drive Expansion Joint Repair - 2005, Contract No. 5802.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00145

99. [13311](#) Improvements accepted for Lien Road Partial Reconstruction - Sidewalk Fill @ Autumn Woods III, Contract No. 5810.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00146

100. [13312](#) Improvements accepted for 2005 Resurfacing Various Streets; Asphalt Paving, and Asphalt Base Patching and Base Patch, Contract No. 5817.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00147

101. [13313](#) Improvements accepted for Mandan Crescent, Tumalo Trail & Manitou Way Reconstruction Assessment District - 2005, Contract No. 5875.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00148

102. [13314](#) Improvements accepted for Midvale Boulevard Box Culvert, Contract No. 5916.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00149

103. [13315](#) Improvements accepted for Mifflin Street & Seventh Street Reconstruction Assessment District - 2006, Contract No. 5929.

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00150

104. [13316](#) Improvements accepted for Marsh Road Street Assessment District - 2006, Contract No. 5933.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00151
105. [13317](#) Improvements accepted for Union Corners Reconstruction Assessment District - 2006, Contract No. 5953.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00152
106. [13318](#) Improvements accepted for Park Street & Hughes Court Intersection, Contract No. 5998.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00153
107. [13319](#) Improvements accepted for Chip Sealing 2007 - District 7, Contract No. 6010.
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00154
108. [13331](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Restoration/Landscaping 2009, Contract No. 6314. (Various ADs)
Sponsors: BOARD OF PUBLIC WORKS
- A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00155

REPORT OF COMMISSION ON THE ENVIRONMENT

109. [11080](#) SUBSTITUTE - Creating new Section 7.55 to prohibit outdoor wood boilers, amending Sec. 1.08(4) to include citation authority for Director of Public Health and amending, Sec. 1.08(3) of the Madison General Ordinances to establish a bail deposit for a violation.

Sponsors: Larry Palm

2 Registrant(s) in support wishing to speak.

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

Enactment No: ORD-09-00029

REPORT OF MADISON ARTS COMMISSION

110. [12885](#) Deaccessioning Original *Effigy Tree* (1991), Wood Carved Sculpture, by Harry Whitehorse and Accepting Ownership of a Bronze Version of *EffigyTree*.

Sponsors: Marsha A. Rummel and Tim Gruber

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

Enactment No: RES-09-00168

REPORT OF PED BIKE MOTOR VEHICLE COMMISSION

111. [12134](#) Communication dated September 17, 2008 from Sony Pope-Roberts, State Representative, 79th Assembly District re: result of a recent incident in the City of Madison, in which a bicyclist was cited for riding too close to a parked car after being hit by an opened car door.

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

112. [13238](#) Creating Section 12.54(6) of the Madison General Ordinances to require a stop at Olbrich Avenue at its intersection with Clover Lane.

Sponsors: Larry Palm

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

Enactment No: ORD-09-00030

REPORT OF PLAN COMMISSION

113. [11310](#) Approving the preliminary and final plat of Eastlawn located at 6001 Milwaukee Street. 3rd Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-09-00169

114. [13348](#) Approving a Certified Survey Map of property owned by Madison Joint Venture and CBL Madison I, LLC located at 448 South Gammon Road, 7357 West Towne Way, and 66 West Towne Mall. 9th Ald. Dist.

Sponsors: Common Council By Request

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

Enactment No: RES-09-00170

REPORT OF RISK MANAGER

115. [11725](#) T. Kuhle, Allied Insurance, for T. Blawusch - vehicle damage - \$6,980.73.

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

116. [13118](#) L. McAllister, 9 Woodridge Ct., #8, Madison (53704) - property damage - \$1+ - amount not specified.

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

117. [13220](#) P. Plekan, 853 North 10th St., Manitowoc, 54220 - personal injury - \$1,268.54.

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

ITEMS REFERRED TO THIS MEETING

ORDINANCES

- 118. [13297](#) Adopting and confirming Revision 265 of the Madison General Ordinances as of December 15, 2008 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.

Sponsors: Common Council By Request

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

Enactment No: ORD-09-00031

RESOLUTIONS

- 119. [13224](#) Approving the Amended 2009 Operating Plan for Madison's Central Business Improvement District (#1).

Sponsors: Michael E. Verveer

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

Enactment No: RES-09-00171

REPORTS

- 120. [13338](#) Report: Central Park Design & Implementation Task Force - January 16, 2009. Request to Extend Work.

Sponsors: Marsha A. Rummel and Joseph R. Clausius

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

RECONSIDERATION(S)

121. [12578](#) SECOND SUBSTITUTE - Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit D pursuant to Sec. 66.0103, Wis. Stats. to create Chapter 40 - Elevator Code and to amend Sec. 29.18 renaming the Board of Building Code, Fire Code, and Licensing Appeals.

Sponsors: Michael Schumacher, Paul E. Skidmore and Michael E. Verveer

Adopt at the 2/24/09 Common Council Meeting.

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

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 2/24/2009. The motion passed by voice vote/other.

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

CHARTER ORDINANCES

122. [13465](#) CHARTER ORDINANCE - Creating Section 16.01(4)(c) of the Madison General Ordinances to add a non-voting member to the Plan Commission.

Sponsors: David J. Cieslewicz, Tim Bruer, Mark Clear, Lauren Cnare, Tim Gruber, Julia S. Kerr and Satya V. Rhodes Conway

This Charter Ordinance was Referred to the PLAN COMMISSION

ORDINANCES

123. [13356](#) Amending Sections 39.02(3)(d)8. and 39.02(9)(g)6. of the Madison General Ordinances to make the ordinances consistent with recently adopted rules of appeal for Affirmative Action matters.

Sponsors: Joseph R. Clausius

This Ordinance was Referred to the AFFIRMATIVE ACTION COMMISSION

124. [13358](#) Amending Section 33.02(2) of the Madison General Ordinances to modify the composition of the Alcohol License Review Committee by designating previous nonvoting members as technical advisors and staff to the ALRC.

Sponsors: Michael Schumacher

Additional Referral(s): Common Council Organizational Committee

This Ordinance was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

125. [13398](#) Amending Section 12.1385(10) of the Madison General Ordinances to amend the section of Drake Street designated for residential daytime parking permits.

Sponsors: Julia S. Kerr

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

126. [13399](#) Amending Section 12.1385(17) of the Madison General Ordinances to amend the section of Jefferson Street designated for residential daytime parking permits.

Sponsors: Julia S. Kerr

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

127. [13400](#) Creating Section 12.541(61) of the Madison General Ordinances to designate Blackhawk Avenue at its intersection with Bluff Street as a controlled intersection.

Sponsors: Tim Gruber

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

128. [13401](#) Repealing Section 12.53(10) of the Madison General Ordinances to remove a section of Blackhawk Avenue from its designation as a through street.

Sponsors: Tim Gruber

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

129. [13402](#) Creating Section 12.541(62) of the Madison General Ordinances to designate Dean Avenue at its intersection with Lakeview Avenue and Allis Avenue as a controlled intersection.

Sponsors: Larry Palm

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

- 130. [13404](#) Repealing Section 12.137(65) of the Madison General Ordinances to remove a section of Heather Crest from two-hour parking restrictions.

Sponsors: Tim Gruber

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

- 131. [13406](#) Amending Section 12.137(117) to change the section on the west side of Park Street that is subject to two-hour parking restrictions from 8:00 a.m. to 6:00 p.m.

Sponsors: Julia S. Kerr

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

- 132. [13416](#) Amending Section 12.132(579) of the Madison General Ordinances to amend parking restrictions for a section of Midvale Boulevard.

Sponsors: Tim Gruber

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

- 133. [13418](#) Amending Section 12.1385(111) of the Madison General Ordinances to amend the section of Midvale Boulevard designated for residential daytime parking permits.

Sponsors: Tim Gruber

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

- 134. [13419](#) Repealing Section 12.137(116) of the Madison General Ordinances to remove a section of Orchard Street from two-hour parking restrictions.

Sponsors: Julia S. Kerr

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

135. [13421](#) Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit E pursuant to Sec. 66.0103, Wis. Stats. to revise portions of the City's Erosion and Stormwater Runoff Control Ordinance.
- Sponsors:** Larry Palm
- Additional Referral(s): Commission on the Environment
- This Ordinance was Referred to the BOARD OF PUBLIC WORKS**
136. [13432](#) Creating Section 28.06(2)(a)3415. 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)3416. 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: Convert 20 Approved Townhouse Condominiums to 20 Garden Apartments; 1st Aldermanic District: 9202 Silverstone Lane.
- Sponsors:** Common Council By Request
- Due back at the 3/17/09 Common Council Meeting.
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 3/17/2009**
137. [13433](#) Creating Section 28.06(2)(a)3417. of the Madison General Ordinances rezoning property from R2T Single-Family Residence District and PUD(GDP) Planned Unit Development (General Development Plan) District to R2T Single-Family Residence District, and creating Section 28.06(2)(a)3418. of the Madison General Ordinances rezoning property from R2T Single-Family Residence District and PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(GDP) Planned Unit Development (General Development Plan). Proposed Use: 88 Single-Family Lots, 11 Two-Family Lots, 5 Multi-Family Lots and 2 Outlots; 9th Aldermanic District: 9305-9437 Elderberry Road.
- Sponsors:** Common Council By Request
- Due back at the 3/17/09 Common Council Meeting.
- This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 3/17/2009**
138. [13468](#) Amending Secs. 10.23(2) and 1.08(3)(a) of the Madison General Ordinances to strengthen the City's snow or ice depositing ordinance.
- Sponsors:** Brenda K. Konkel, Satya V. Rhodes Conway and Marsha A. Rummel
- This Ordinance was Referred to the BOARD OF PUBLIC WORKS**

139. [13474](#) Creating Section 27.085 entitled "Vacant and Damaged Buildings" and renumbering and amending Section 27.08(7) of the Madison General Ordinances to expand the ability of the Building Inspection Division to secure vacant buildings.

Sponsors: Tim Bruer

This Ordinance was Referred to the BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD

140. [13475](#) Amending Secs. 10.056(3)(a) and 10.056(7) of the Madison General Ordinances to remove the City Clerk from the Street Use Staff Team roster and raise the fee for a street use permit for a multiple-day event.

Sponsors: Michael E. Verveer, Michael Schumacher and Joseph R. Clausius

Adopt at the 2/24/09 Common Council Meeting.

This Ordinance was Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 2/24/2009

141. [13476](#) Creating Sections 10.18(9)(f) and 10.18(13)(d) of the Madison General Ordinances to provide a violation and forfeiture range for the removal of recyclable items from private property; and amending Sec. 1.08(3)(a) to create a bail deposit for these violations.

Sponsors: Paul E. Skidmore

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

This Ordinance was Referred to the PUBLIC SAFETY REVIEW BOARD

142. [13481](#) Creating Section 28.07(6)(e)2.d. to allow accessory structures with up to two dwelling units in required rear yards in the Transition Zone abutting Downtown Design Zone 2 on West Dayton Street.

Sponsors: Michael E. Verveer

Due back at the 3/17/09 Common Council Meeting.

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 3/17/2009

143. [13504](#) Amending Section 3.53(16)(b) of the Madison General Ordinances by clarifying various deadlines for actions concerning appeals of personnel actions for non-represented employees.

Sponsors: David J. Cieslewicz

This Ordinance was Referred to the PERSONNEL BOARD

RESOLUTIONS

144. [13337](#) Amending the 2009 budget of the Affordable Housing Trust Funds (AHTF) to provide for additional expenditures of \$82,250 to support projects that have been previously authorized but for which no disbursements have yet been made.

Sponsors: Tim Bruer and Thuy Pham-Remmele

This Resolution was Referred to the BOARD OF ESTIMATES

145. [13361](#) Authorizing the Mayor and City Clerk to sign an agreement with Porchlight, Inc. for outreach services.

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

Additional Referral(s): Community Development Block Grant Commission

This Resolution was Referred to the BOARD OF ESTIMATES

146. [13383](#) Amending the Monona Terrace Operating Budget to add a Monona Terrace Audio/Visual Technician position and transfer \$52,000 from Hourly Employee Pay to Permanent Salaries and Fringe Benefits.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

147. [13388](#) Reclassification of a Program Assistant 1 position at Water Utility to a Secretary 1 upon retirement of the incumbent.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

148. [13389](#) Reclassifying the position of Secretary 1 in the Planning Unit Budget (#634) as a Program Assistant 1 and reallocating the incumbent to the new class.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

149. [13390](#) Reclassifying two positions in Planning Unit Budget (#4032, Planner 1, and #635, Planner 2), to Planner 2 and Planner 3 positions and reallocating incumbents to the new classes.

Sponsors: David J. Cieslewicz

Additional Referral(s): Personnel Board

This Resolution was Referred to the BOARD OF ESTIMATES

150. [13482](#) Adopting the Shady Wood Neighborhood Development Plan as a supplement to the City of Madison Comprehensive Plan, and authorizing the City's application to amend the Central Urban Service Area to include the Phase 1 development staging area identified in the plan.

Sponsors: Jed Sanborn

NOTE: ID# 13482 (# 150) is being referred to the 2/24/09 Common Council Meeting for introduction and referral. No action taken.

151. [13485](#) Authorizing an amendment to the lease between the City and the Madison-Kipp Corporation (MKC) within the East Rail Transportation Corridor that will reduce the area of the leased premises with a corresponding decrease in the annual rent and also provide for an offset of costs to construct a sound reducing fence against the annual rent.

Sponsors: Marsha A. Rummel

Additional Referral(s): Board of Park Commissioners, Long Range Transportation Planning Commission

This Resolution was Referred to the BOARD OF ESTIMATES

152. [13486](#) Authorizing the Office of Real Estate Services to proceed with the acquisition of required land interests from the leasehold interest from The Bridges Golf Course, LLC for the property owned by Dane County Airport, as shown on the previously approved Transportation Project Plat No. 5992-08-04-4.02 and authorizing the Mayor and City Clerk to sign all required documents necessary to accomplish the acquisition of said land interests. (15th AD)

Sponsors: Larry Palm

Additional Referral(s): Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

153. [13488](#) Authorizing the conversion of the current CTR revenue equipment software (PARCS) to ZEAG (ZMS) software and associated hardware changes. This would also authorize a sole source purchase from ZEAG (USA), Inc. to make these changes. ZEAG will also maintain the software/hardware through assuming the CTR maintenance contract, which is currently \$52,452 per year.

Sponsors: Brian L. Solomon and Robbie Webber

Additional Referral(s): Board of Estimates

This Resolution was Referred to the TRANSIT AND PARKING COMMISSION

154. [13491](#) Approving plans and specifications for public improvements necessary for the project known as Union South Redevelopment and authorizing construction to be undertaken by the Developer, Private Contract No. 2220. (8th AD)

Sponsors: Eli Judge

Additional Referral(s): Pedestrian/Bicycle/Motor Vehicle Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

LICENSES

155. [13450](#) Public Hearing - New License
Five Corners Inc • dba Pinkus McBride Market & Deli
301 N Hamilton • Agent: John Wallace
Class A Beer
Aldermanic District 02 (Alder Konkel) • Police Sector 406 • Density Area
Due back at the 3/3/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 3/3/2009**
156. [13451](#) Public Hearing - New License
Mad Town Ventures LLC • dba Chasers • 45% alcohol, 55% food
319 W Gorham • Agent: William Rudy • Estimated Capacity: 144
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area
Due back at the 3/3/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 3/3/2009**
157. [13453](#) Public Hearing - Request to Transfer License
Bunky's LLC • dba Bunky's • 25% alcohol, 50% food, 25% Other
Current Address: 2827 Atwood Ave
Proposed Address: 2425 Atwood Ave
Agent: Teresa Pullara-Ouabel • Estimated Capacity: 80
Class B Beer, Class C Wine
Aldermanic District 06 (Alder Rummel) • Police Sector 602
Due back at the 3/3/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 3/3/2009**

158. [13479](#) Public Hearing - New License
Bangkok Cuisine Inc • dba Bangkok Cuisine • 10% alcohol, 90% food
600 Williamson St Suite G • Agent: Thao Chuekao • Estimated Capacity:
30-35
Class B Beer, Class C Wine
Aldermanic District 06 (Alder Rummel) • Police Sector 408
Due back at the 3/3/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE
REVIEW COMMITTEE, due back on 3/3/2009**

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

159. [13350](#) M. Jawson, 6014 Fairfax Ln., Madison, 53718 - vehicle damage - \$1,513.88.
160. [13351](#) A. Watters, 1718 Onsgard Rd., # 14, Madison, 53704 - vehicle damage -
\$8,169.51.
161. [13352](#) L. Auter, 20 N. Third St., Madison, 53704 - vehicle damage - \$1,321.07.
162. [13353](#) A. Hollinsed, 545 2nd Ave., Baraboo, 53913 - vehicle damage - \$179.63.
163. [13359](#) K. Finn, 407 Wisconsin Ave., Rm. 1C2, Madison - vehicle damage - \$35.71
plus damages
164. [13360](#) S. Misra, 6705 Explorer Dr., Racine - property damage - \$1124.58
165. [13362](#) J. Boehm, 6401 Offshore Dr., #312, Madison - vehicle damage - \$1269.45
166. [13379](#) Mike Spragia Agency, Inc., American Family Insurance, for K. Brellenthin,
N6799 Gilbert St., Elkhorn - vehicle damage - \$946.37.
167. [13380](#) NOTICE OF CLAIM: Bryan Stein, American Family Insurance, for B. Moen,
2831 Harvey St., Madison - vehicle damage - amount to be determined.
168. [13381](#) C. Bundy, 408 W. Lakeview Ave., Madison - vehicle damage - \$315.00.
169. [13427](#) J. Zeier, 2209 N. Stoughton Rd., Madison, 53704 - vehicle damage - \$498.56.
170. [13428](#) B. Schonasky, W6206 Hwy. 33, Pardeeville, 53954 - vehicle damage -
\$516.66

171. [13429](#) B. Schlak, 2975 Holborn Cir., Madison, 53718 - vehicle damage - \$270.74.
172. [13430](#) L. Stricker, 1659 Capital Ave., #3, Madison, 53705 - vehicle damage - \$1231.63.
173. [13431](#) D. Campbell, 727 Aspen Ave., Verona, 53593 - vehicle damage - \$3281.99.
174. [13462](#) M. Martin, 4529 Jade Ln., Madison - vehicle damage - \$1806.17.
175. [13497](#) R. Plumer, 1706 Savannah Way, Waunakee, 53597 - vehicle damage - \$321.78.

CLAIMS - REFER TO CITY ATTORNEY

176. [13509](#) Foley & Lardner, LLP attorney for Greentree Glen, LLC, c/o Midwest Affordable Housing Corp., 1560 East Blackthorne Pl., Whitefish Bay, WI - unlawful taxation - \$71,922.54 plus interest.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

177. [13455](#) Authorizing the execution of a lease with the State of Wisconsin, Department of Transportation for approximately 743 square feet of land located at 5601 Eastpark Boulevard for the installation of an early warning siren.

Sponsors: Joseph R. Clausius

Additional Referral(s): Plan Commission

This Resolution was Refer to the BOARD OF PUBLIC WORKS

178. [13449](#) Public Hearing - New License
LSI Group LLC • dba Dirty Dog Neighborhood Saloon
70% alcohol, 28% food, 2% Other
6654 Mineral Point Rd • Agent: Kami Eshraghi
Estimated Capacity: 400 inside, 60 outside
Class B Combination Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 112
Due back at the 3/3/09 Common Council Meeting.

A motion was made by Ald. Verveer, seconded by Ald. Webber, to Refer For Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 3/3/2009. The motion passed by voice vote/other.

ADJOURNMENT

A motion was made by Ald. Clear, seconded by Ald. Verveer, to Adjourn at 11:49 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 4, 2009.

Ordinances published February 19, 2009.

MARIBETH WITZEL-BEHL, CITY CLERK