



# City of Madison

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

## Proceedings - Approved COMMON COUNCIL

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Tuesday, March 17, 2009

6:30 PM

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

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**Roll Call at 6:41 p.m., Mayor Cieslewicz in the Chair.**

**Present:** 20 -

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

**Excused:** 1 -

Mark Clear

### OPENING REMARKS

### SUSPENSION OF RULES

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

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

### HONORING RESOLUTIONS

- 13961** Commending the Stoughton Road Revitalization Project Committee, City Planning Staff and the Cuninghame Group for their award-winning corridor plan focused on creating a more inviting gateway into the City of Madison that encourages economic and residential development on Madison's Eastside, and congratulating them on being recognized by the State of Wisconsin Chapter of the American Planning Association for their planning efforts.

**Sponsors:** Judy Compton, David J. Cieslewicz, Lauren Cnare and Larry Palm

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

Enactment No: RES-09-00241

**PETITIONS AND COMMUNICATIONS**

**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 #: 12, 13, 44, 67, 68, and 88 on a motion made by Ald. Bruer, seconded by Ald. Verveer.

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

**REPORT OF PLAN COMMISSION**

- 2. [13107](#)      Creating Section 28.06(2)(a)3399 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)3400 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 medical office and construct mixed-use building with 42 apartments, office/retail space and a health club; 4th Aldermanic District: 425 West Washington Avenue.

**Sponsors:**      Common Council By Request

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

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

Enactment No: ORD-09-00045

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

**REPORT OF BOARD OF PUBLIC WORKS**

3. [13737](#) Approving Plans, Specifications, And Schedule Of Assessments For Sanitary Sewer Replacement with Resurfacing - 2009. (10th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

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

Enactment No: RES-09-00242

#### REPORT OF PLAN COMMISSION

4. [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

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

Enactment No: ORD-09-00046

5. [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

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

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

Enactment No: ORD-09-00047

6. [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

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

Enactment No: ORD-09-00048

#### END OF PUBLIC HEARINGS

#### BUSINESS PRESENTED BY THE MAYOR

7. [13821](#) Report of the Mayor submitting citizen committee appointments (introduced 3-3-2009; action 3-17-2009).

**Sponsors:** David J. Cieslewicz

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

8. [13987](#) Report of the mayor submitting citizen committee appointments (introduced 3-17-2009; action 3-31-2009).

**Sponsors:** David J. Cieslewicz

Confirm at the 3/31/09 Common Council Meeting (2/3 vote required for Sweatfree Purchases Comm appointee).

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to a future Meeting to Confirm to the COMMON COUNCIL, due back on 3/31/2009. The motion passed by voice vote/other.**

#### REPORTS OF OFFICERS

##### REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

9. [14016](#) Alcohol License Review Committee Report of Operator License Applications 03-11-2009. See attached report for list of operators.

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

##### REPORT OF BOARD OF ESTIMATES

10. [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

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

Enactment No: RES-09-00243

11. [13559](#) SUBSTITUTE - Amending the 2009 Operating Budget and accepting a SAFER Grant (Staffing for Adequate Fire and Emergency Response) if awarded from the Federal Emergency Management Agency (FEMA) for 18 firefighter positions and appropriating \$38,000 from the Contingent Reserve.

**Sponsors:** David J. Cieslewicz, Paul E. Skidmore and Tim Bruer

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

**Excused:** 1 -

Mark Clear

**Ayes:** 19 -

Libby Monson; 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; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher and Thuy Pham-Remmele

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: RES-09-00244

12. [13561](#) Accepting the recommendations contained in the Downtown Madison Hotel Feasibility Study prepared by Hunden Strategic Partners and dissolving the Downtown Hotel Feasibility Study Committee.

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

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

Enactment No: RES-09-00245

13. [13673](#) Authorizing the Mayor and City Clerk to enter into an agreement with Common Wealth Development, Inc., to provide \$60,000 in funds for detailed market, site analysis, outreach, and other pre-development services associated with the study of up to three (3) additional potential sites for a Madison Public Market.

**Sponsors:** David J. Cieslewicz, Marsha A. Rummel and Brenda K. Konkel

**A motion was made by Ald. Palm, seconded by Ald. Cnare, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 3/31/2009. The motion FAILED by the following vote:**

**Excused:** 1 -

Mark Clear

**Ayes:** 9 -

Jed Sanborn; Lauren Cnare; Paul E. Skidmore; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Thuy Pham-Remmele and Libby Monson

**Noes:** 10 -

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

**Non Voting:** 1 -

David J. Cieslewicz

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

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

**Excused:** 1 -

Mark Clear

**Ayes:** 12 -

Brenda K. Konkel; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Joseph R. Clausius and Michael Schumacher

**Noes:** 7 -

Lauren Cnare; Paul E. Skidmore; Larry Palm; Judy Compton; Thuy Pham-Remmele; Libby Monson and Jed Sanborn

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: RES-09-00246

14. [13726](#) Authorizing the City of Madison to issue Requests for Proposals (RFPs), and providing that the Mayor, Director of Planning & Community & Economic Development, and City Clerk may enter into contracts with the selected consultants, for East Washington Avenue Capitol Gateway Corridor Plan Implementation and Redevelopment Management Services and for East Washington Avenue Capitol Gateway Corridor Marketing Services.

**Sponsors:** David J. Cieslewicz, Marsha A. Rummel, Satya V. Rhodes Conway and Brenda K. Konkel

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

Enactment No: RES-09-00247

15. [13736](#) Request for Proposals (RFP) for a Property Assessment System.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-09-00248

16. [13762](#) Creation of the classification of Street Vendor Monitor and creation of a permanent half-time position of Street Vendor Monitor in the Planning Department budget, amending the budget of the Economic Development Division to provide for the position authority and additional funding, and amending the City operating budget to appropriate \$12,318 from the Contingent Reserve.

**Sponsors:** David J. Cieslewicz and Thuy Pham-Remmele

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

**Excused:** 1 -  
Mark Clear

**Ayes:** 19 -  
Brenda K. Konkel; Lauren Cnare; Michael E. Verveer; Robbie Webber; Marsha A. Rummel; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Satya V. Rhodes Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Thuy Pham-Remmele; Libby Monson and Jed Sanborn

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

Enactment No: RES-09-00249

17. [13775](#) Reclassifying the Traffic Operations Supervisor position from a CG 18 Range 9 to Range 8 and reallocating the currently vacant position to the new pay range.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-09-00250

18. [13777](#) Repealing one position in the Police Department budget (#2589, Administrative Clerk 1) and recreating it as an Administrative Clerk 2 position.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-09-00251

19. [13789](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating Range 01 in Compensation Group 18 with the following steps reflecting the 2009 bi-weekly base rate.

**Sponsors:** David J. Cieslewicz

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

Enactment No: ORD-09-00049

20. [13803](#) Repealing one position in the Parking Utility budget (#1055, Clerk Typist 2) and recreating it as an Information Clerk position.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-09-00252

21. [13804](#) Reclassification of a Program Assistant 2 position in the Senior Center budget (#850) upon retirement of the incumbent and recreating it as Senior Center Program Coordinator.

**Sponsors:** David J. Cieslewicz

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

Enactment No: RES-09-00253

22. [13806](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of Senior Center Program Coordinator in Compensation Group 18, Range 04, thereof.

**Sponsors:** Common Council By Request

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

Enactment No: ORD-09-00050

#### REPORT OF BOARD OF PARK COMMISSIONERS

23. [13647](#) Final Report from James Madison Park Property Planning Committee.

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

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

24. [13697](#) To amend the 2009 Capital Budget to allow for the Parks Division's Development Fee project (810437) to fund an 8-acre Prairie Restoration project in 5th Addition adjacent to Sherman Avenue. Funding for the additional expenditures can be funded by a transfer in from the Citywide Parkland Impact Fee fund (SI32). (18 A.D.)

**Sponsors:** Michael Schumacher and Joseph R. Clausius

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

**Excused:** 1 -

Mark Clear

**Ayes:** 19 -

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

**Non Voting:** 1 -

David J. Cieslewicz

Enactment No: RES-09-00254

25. [13710](#) Authorizing the Mayor and City Clerk to execute an amendment to the lease with the University of Wisconsin, Board of Regents allowing for the UW's continued placement and use of a floating dock system along the Lake Mendota shoreline within Marshall Park.

**Sponsors:** Mark Clear

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

Enactment No: RES-09-00255

26. [13758](#) To authorize the Mayor and City Clerk to enter into a one (1) year Agreement between the City of Madison and Deano Dock and Lift, LLC. beginning with the signing of the Lease Agreement and ending on October 31, 2009 for the use of docking facilities to provide lake access at Marshall, Warner and Olin Parks. (Various ADs)

**Sponsors:** Michael Schumacher and Joseph R. Clausius

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

Enactment No: RES-09-00256

**REPORT OF BOARD OF PUBLIC WORKS**

27. [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

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

Enactment No: ORD-09-00053

28. [13457](#) Awarding Public Works Contract No. 6117, Sanitary Sewer Replacement with Resurfacing Arbor Drive, Knickerbocker Street and Pickford Street - 2008.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00257
29. [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
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00258
30. [13699](#) Accepting sanitary sewer, storm sewer, and street improvements (excluding bituminous surface pavement) constructed by Private Contract In the First Addition to Nelson's Addition to Rustic Acres, Private Contract No. 2042. (3rd AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00259
31. [13700](#) Assessing Benefits - Milwaukee Street Reconstruction Assessment District - 2007. (3rd AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00260

32. [13701](#) Accepting sanitary sewer constructed by Private Contract In Truax Runway 14 Safety Project, Private Contract No. 1997. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00261

33. [13704](#) To establish assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived.) (Various ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00262

34. [13705](#) Accepting sanitary sewer constructed by Private Contract In Covance Lab Building Addition, Private Contract No. 2012. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00263

35. [13706](#) Accepting storm sewer constructed by Private Contract In 1902 Wright Street Storm Sewer, Private Contract No. 2075. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00264

36. [13708](#) Improvements accepted for CCB/MMB Tenant Improvement Remodels - Phase 2, Contract No. 6080. (6th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00265

37. [13711](#) Improvements Accepted for Park Paving - 2008, Contract No. 6160.  
(Various ADs)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00266
38. [13718](#) Accepting sanitary sewer, storm sewer, and street improvements (excluding bituminous surface pavement) constructed by Private Contract In Linden Park - Phase 6, Private Contract No. 2204. (1st AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00267
39. [13719](#) Accepting curb and gutter, sidewalk, and other public infrastructure improvements constructed by private contract for Capitol West / Block 51 - Phase 2, Private Contract No. 2142. (4th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00268
40. [13725](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Fire Station No. 7 Roof Replacement, 1810 McKenna Boulevard, Contract No. 6343. (1st AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00269
41. [13727](#) Assessing Benefits - Milwaukee Street Reconstruction Assessment District - 2007. (3rd AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-09-00270

42. [13731](#) Improvements accepted for Water Main by Private Contract to serve: Eight Addition to Blackhawk, Phase 2. (9th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00271

43. [13732](#) Improvements accepted for Water Main by Private Contract to serve: Eighth Addition to Blackhawk - Phase 4. (9th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00272

44. [13734](#) AMENDED - Approving the Environmental Assessment for the Pleasant View Road Extension and approving the roadway geometry contained in the Environmental Assessment. (9th & 1st ADs)

**Sponsors:** Paul E. Skidmore and Jed Sanborn

**A motion was made by Ald. Compton, to Adopt the following amendment: adopt the entire project and ask affected parties to work out a compromise on the remaining issues. The motion was had no second. No action taken.**

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

**A motion was made by Ald. Bruer, seconded by Ald. Verveer to Take off the Table. The motion passed by voice vote/other.**

**A motion was made by Ald. Kerr, seconded by Ald. Solomon, to Move the Previous Question. The motion passed by the following vote:**

**Excused:** 1 -

Mark Clear

**Ayes:** 15 -

Michael E. Verveer; Robbie Webber; Eli Judge; Paul E. Skidmore; Brian L. Solomon; Tim Gruber; Julia S. Kerr; Tim Bruer; Judy Compton; Joseph R. Clausius; Michael Schumacher; Thuy Pham-Remmele; Libby Monson; Jed Sanborn and Lauren Cnare

**Noes:** 4 -

Marsha A. Rummel; Satya V. Rhodes Conway; Larry Palm and Brenda K. Konkel

**Non Voting:** 1 -

David J. Cieslewicz

3 Registrant(s) in opposition wishing to speak; 1 Registrant(s) in opposition not wishing to speak.

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt with the following amendment(s): Add "Be it further resolved that City staff will negotiate with the property owners regarding alternatives for that of the Pleasant View Road alignment from Mineral Point Road to 1/2 mile south of Mineral Point Road, provided that if the approved geometrics are changed, a revised environmental assessment will be required." The motion passed by voice vote/other.**

Enactment No: RES-09-00273

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Take A Recess at 9:40 p.m. The motion passed by voice vote/other.**

RECONVENE

Roll Call at 9:48 p.m., Mayor Cieslewicz in the Chair.

**Present:** 20 -

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

**Excused:** 1 -

Mark Clear

**45. [13740](#)**

Approving plans and specifications for public improvements necessary for the project known as West Gate Mall - Hy-Vee and authorizing construction to be undertaken by the Developer, Private Contract No. 2224. (11th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00274

**46. [13741](#)**

Accepting sanitary sewer, storm sewer, and bikepath improvements constructed by Private Contract In Cub Foods PUD (SIP) Verona Road, Private Contract No. 1761. (10th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00275

47. [13742](#) Accepting bikepath improvements constructed by private contract in Twin Oaks, Private Contract No. 1930. (16th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00276
48. [13744](#) Accepting bituminous pavement constructed by private contract in Twin Oaks, Private Contract No. 1930. (16th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00277
49. [13746](#) Awarding Public Works Contract No. 6248, Breese Stevens Field Restoration - Phase 2.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00278
50. [13747](#) Awarding Public Works Contract No. 6268, University Avenue & Campus Drive Pavement Rehabilitation Assessment District - 2009.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00279
51. [13748](#) Awarding Public Works Contract No. 6271, Fox Avenue, Keyes Avenue, South Prospect Avenue, Spooner Street Reconstruction Assessment District - 2009.  
**Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00280

52. [13749](#) Awarding Public Works Contract No. 6296, Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Work Ordered by the Common Council. (9th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00281
53. [13750](#) Awarding Public Works Contract No. 6314, Restoration / Landscaping - 2009.  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00282
54. [13755](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on the South Madison Beltline at Fish Hatchery Road. (14th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00283
55. [13759](#) Accepting improvements and assessing benefits for the Tree Lane-Gammon Road Traffic Signal Assessment District. (9th & 19th AD)  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00284
56. [13774](#) Assessing Benefits - Old Sauk Road Street Assessment District - 2009. (9th AD).  
**Sponsors:** BOARD OF PUBLIC WORKS  
  
**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**  
Enactment No: RES-09-00285

57. [13786](#) Awarding Public Works Contract No. 6297, South Few Street & Spaight Street Reconstruction Assessment District - 2009.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00286
58. [13805](#) Declaring the City of Madison's intention to exercise its police powers establishing the Oak Street (500 Block) Assessable Drainage District. (15th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00287
59. [13809](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Fairchild Building Concrete Floor Restoration, 120 South Fairchild Street, Contract No. 6350. (4th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00288
60. [13813](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Brown Business Park and authorizing construction to be undertaken by the Developer, Private Contract No. 6362.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00289
61. [13829](#) Awarding Public Works Contract No. 6337, Fairchild Building Lighting Upgrade - 2009.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**

Enactment No: RES-09-00290

62. [13846](#) Approving future phase contract for public improvements necessary for the Subdivision known as Woodstone and authorizing construction to be undertaken by the Developer, Private Contract No. 2198. (9th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

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

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

Enactment No: RES-09-00291

#### REPORT OF CITY CLERK

63. [13869](#) Secondhand Dealer License  
Wendy Vera dba Cash for Books  
536 University Ave.

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

#### REPORT OF COMMON COUNCIL ORGANIZATIONAL COMMITTEE

64. [13233](#) AMENDED SUBSTITUTE - Amending Section 33.01 of the Madison General Ordinances to make various changes related to Boards, Commissions and Committees to standardize operations and rules.

**Sponsors:** Tim Bruer, Mark Clear, Judy Compton, Brenda K. Konkell, Satya V. Rhodes Conway, Michael Schumacher, Michael E. Verveer and Robbie Webber

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt with the following amendment: change effective date from "June 1, 2009" to "August 1, 2009". The motion passed by voice vote/other.**

Enactment No: ORD-09-00051

65. [13252](#) AMENDED SUBSTITUTE - Amending names of Committees, Codifying Creation of Committees, Deleting Obsolete Committees and Renumbering Sections of Chapters 3 and 33 in accordance with the Report of the CCOC Subcommittee on Committee Creation and Committee Rules.

**Sponsors:** Tim Bruer, Mark Clear, Judy Compton, Brenda K. Konkell, Satya V. Rhodes Conway, Michael Schumacher, Michael E. Verveer, Robbie Webber and Joseph R. Clausius

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt with the following amendment: change effective date from "June 1, 2009" to "August 1, 2009". The motion passed by voice vote/other.**

Enactment No: ORD-09-00052

- 66. [13707](#) Amending Section 33.13(2) of the Madison General Ordinances to provide that the City’s Human Resources Director shall advise and support the Common Council President in the management and direction of the Office of the Common Council.

**Sponsors:** Tim Bruer

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

Enactment No: ORD-09-00054

**REPORT OF EQUAL OPPORTUNITIES COMMISSION**

- 67. [12065](#) Amending Section 25.09 of the Madison General Ordinances to change various provisions of the ordinance recommended by the Equal Opportunities Commission.

**Sponsors:** Brian L. Solomon

**A motion was made by Ald. Sanborn, seconded by Ald. Bruer, to Refer to the Attorney’s Office. The motion passed by voice vote/other.**

**REPORT OF PED BIKE MOTOR VEHICLE COMMISSION**

- 68. [13273](#) Creating Section 12.26 of the Madison General Ordinances to create restrictions on opening vehicle doors into oncoming traffic and leaving vehicle doors open while loading or unloading; and amending Sec. 1.08(3)(a) to create a bail deposit for these violations.

**Sponsors:** Robbie Webber, Michael E. Verveer, Paul E. Skidmore, Eli Judge and Judy Compton

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

**Excused:** 1 -  
Mark Clear

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

**Noes:** 1 -  
Thuy Pham-Remmele

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

Enactment No: ORD-09-00055

69. [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

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

Enactment No: ORD-09-00056

70. [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

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

Enactment No: ORD-09-00057

71. [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

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

Enactment No: ORD-09-00058

72. [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

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

Enactment No: ORD-09-00059

73. [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
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-09-00060
74. [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
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-09-00061
75. [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
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-09-00062
76. [13416](#) Amending Section 12.132(579) of the Madison General Ordinances to amend parking restrictions for a section of Midvale Boulevard.
- Sponsors:** Tim Gruber
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-09-00063
77. [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
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**

Enactment No: ORD-09-00064

78. [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

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

Enactment No: ORD-09-00065

#### REPORT OF PLAN COMMISSION

79. [13840](#) Approving the preliminary and final plats of Woodstone located at 9305-9437 Elderberry Road. 9th Ald. Dist.

**Sponsors:** Common Council By Request

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

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

Enactment No: RES-09-00292

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

80. [13870](#) Approving a Certified Survey Map of property owned by PDQ Food Stores Inc. and Sam J. Jacobsen located at 4402-4414 East Buckeye Road. 16th Ald. Dist.

**Sponsors:** Common Council By Request

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

Enactment No: RES-09-00293

#### REPORT OF PUBLIC SAFETY REVIEW BOARD

81. [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.

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

**REPORT OF RISK MANAGER**

82. [13537](#) Robert A. Kay, Attorney for R. Collins, 1819 Aberg Ave., #D, Madison, 53704 - personal injury - \$18,000.00.

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

83. [13643](#) S. Crockett, 1217 Juniper Ave., Madison, 53714 - personal injury - \$3,000.

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

84. [13798](#) N. Baime, 7225 Hubbard Ave., Middleton - vehicle damage - \$176.61.

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

**REPORT OF TRANSIT/ PARKING COMMISSION**

85. [13666](#) Authorizing the Mayor and the City Clerk to enter into a contract with Trapeze Software Group, Inc., to provide software maintenance and support, and authorizing the Designee of the Comptroller to enter into future contracts through 2011.

**Sponsors:** Jed Sanborn and Robbie Webber

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

Enactment No: RES-09-00294

**REPORT OF VENDING OVERSIGHT COMMITTEE**

86. [13729](#) Amending Sections 9.13(3), 9.13(4)(s), 9.13(4)(t), 9.13(6)(h)3.a., 9.13(6)(i)1.b. 9.13(6)(l)1., and 9.13(6)(n) of the Madison General Ordinances to increase basic street vendor license fees, create a 3-tiered fee structure for sidewalk cafes, and create license fees and site assignment procedures for Late Night food vending.

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

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

Enactment No: ORD-09-00066

87. [13814](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" regarding Late Night food vending cart mobility and placement specifications, to coincide with ordinance amendment ID# 13729.

**Sponsors:** Thuy Pham-Remmele

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

Enactment No: RES-09-00295

## ITEMS REFERRED TO THIS MEETING

### ORDINANCES

88. [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, Marsha A. Rummel and Larry Palm

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

Enactment No: ORD-09-00067

### REPORTS

89. [13531](#) Report from the Mayor submitting the affirmative action status of boards, commissions and committees.

**Sponsors:** David J. Cieslewicz

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to the AFFIRMATIVE ACTION COMMISSION. The motion passed by voice vote/other.**

### RESOLUTIONS

90. [13442](#) Declaring the City of Madison's intention to exercise its police powers establishing the Edgewood Avenue Reconstruction Assessment District - 2009. (10th & 13th ADs)

**Sponsors:** BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00296

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

**ORDINANCES**

91. [13854](#) Amending Sec. 3.32(6)(e)3. of the Madison General Ordinances to move the sick leave payout to the pay period immediately preceding December 25th.

**Sponsors:** David J. Cieslewicz

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

92. [13863](#) Amending Sec. 10.34(3) of the Madison General Ordinances to clarify language pertaining to the requirement to post a newly assigned street number.

**Sponsors:** Larry Palm

**This Ordinance was Referred to the PUBLIC SAFETY REVIEW BOARD**

93. [13960](#) Creating Section 28.06(2)(a)3422. of the Madison General Ordinances rezoning property from R5 General Residence District to PUD(GDP) Planned Unit Development (General Development Plan) District, and creating Section 28.06(2)(a)3423. of the Madison General Ordinances rezoning property from PUD(GDP) Planned Unit Development (General Development Plan) District to PUD(SIP) Planned Unit Development Plan (Specific Implementation Plan) District. Proposed Use: Demolish 11 Houses, Build 3 Apartment Buildings and Restore 8 Houses; 2nd Aldermanic District: 609-625 East Gorham Street, 604-630 East Johnson Street and 303-323 North Blair Street.

**Sponsors:** Common Council By Request

Additional Referral(s): Landmarks Commission  
Due back at the 5/5/09 Common Council Meeting.

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 5/5/2009**

94. [13962](#) Creating Section 28.06(2)(a)3424. of the Madison General Ordinances rezoning property from PUD(SIP) Planned Unit Development (Specific Implementation Plan) District to Amended PUD(SIP) Planned Unit Development (Specific Implementation Plan) District. Proposed Use: Construct 4,500 Square-Foot Office Building; 9th Aldermanic District: 8002 Watts Road.

**Sponsors:** Common Council By Request

Due back at the 5/5/09 Common Council Meeting.

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 5/5/2009**

95. [13963](#) Creating Section 28.06(2)(a)3425. of the Madison General Ordinances rezoning property from R5 General Residence District and C2 General Commercial to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3426. 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 and Construct Mixed-Use Building with 26 Condos and 11,700 Square-Foot Commercial Space; 12th Aldermanic District: 1900-1916 East Washington Avenue and 17 North First Street.

**Sponsors:** Common Council By Request

**This Ordinance has been withdrawn and will be reintroduced on 3/31/09.**

96. [13964](#) Creating Section 28.06(2)(a)3427. of the Madison General Ordinances rezoning property from Temp A Agriculture to RDC Research and Development Center District. Proposed Use: 8 Retail/Office Lots & 1 Outlot, Building Demolition & Site Master Plan; 9th Aldermanic District: 9414 Silicon Prairie Parkway.

**Sponsors:** Common Council By Request

Due back at the 5/5/09 Common Council Meeting.

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 5/5/2009**

97. [13966](#) Creating Section 28.06(2)(a)3428. of the Madison General Ordinances rezoning property from RPSM Research Park - Specialized Manufacturing District to RDC Research and Development Center District. Proposed Use: Master Plan for Future Development; 9th Aldermanic District: 9502-9602 Silicon Prairie Parkway and 101, 102 and 202 St. Philomena Way.

**Sponsors:** Common Council By Request

Due back at the 5/5/09 Common Council Meeting.

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 5/5/2009**

98. [13969](#) Amending Secs. 28.08(7)(b)5. and 28.08(12)(b)2.; and creating Secs. 28.08(2)(b)8.l., 28.08(9)(b)7.e., and 28.08(11)(b)7.e. of the Madison General Ordinances to allow farmers markets in all residential districts as a permitted accessory use in parking lots of non-residential uses.

**Sponsors:** Marsha A. Rummel

Due back at the 5/5/09 Common Council Meeting.

**This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 5/5/2009**

## RESOLUTIONS

99. [13366](#) Approving Plans, Specifications, And Schedule Of Assessments For Camden Road Street Assessment District - 2009. (16th AD)
- Sponsors:** BOARD OF PUBLIC WORKS
- 12 Registrant(s) in opposition not wishing to speak.
- Additional Referral(s): Pedestrian/Bicycle/Motor Vehicle Commission
- This Resolution was Referred to the BOARD OF PUBLIC WORKS**
100. [13811](#) Authorizing the provision of HOME, HOME MATCH, or Affordable Housing Trust funds to assist Housing Initiatives with a rental housing project in ways that address City, Community and Neighborhood Development Objectives.
- Sponsors:** Tim Bruer, Thuy Pham-Remmele and Marsha A. Rummel
- This Resolution was Referred to the BOARD OF ESTIMATES**
101. [13816](#) Authorizing the subordination of previously approved loans to Operation Fresh Start to a first mortgage holder and authorizing the Mayor and City Clerk to sign agreements to effect such a change.
- Sponsors:** Tim Bruer, Thuy Pham-Remmele and Marsha A. Rummel
- This Resolution was Referred to the BOARD OF ESTIMATES**
102. [13830](#) Authorizing the provision of CDBG and HOME MATCH funds to assist Habitat for Humanity of Dane County to develop affordable owner-occupied housing in the Southwest Neighborhood.
- Sponsors:** Tim Bruer, Thuy Pham-Remmele and Marsha A. Rummel
- This Resolution was Referred to the BOARD OF ESTIMATES**
103. [13856](#) To extend the closing hours at Olbrich Botanical Gardens to 11:30 p.m. on Saturday, June 20, 2009 for the 22nd annual Rhapsody in Bloom benefit dinner and dance. (AD 6 & 15)
- Sponsors:** Michael Schumacher, Joseph R. Clausius, Larry Palm and Marsha A. Rummel
- This Resolution was Referred to the BOARD OF PARK COMMISSIONERS**

104. [13861](#) Approving the dissolution of the Erosion Control Subcommittee to the Commission on the Environment.

**Sponsors:** Larry Palm

**This Resolution was Referred to the COMMISSION ON THE ENVIRONMENT**

105. [13886](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a Project Safe Neighborhoods award from the State of Wisconsin, Office of Justice Assistance in the amount of \$40,000 and to utilize these funds toward anti-gang prevention and enforcement efforts.

**Sponsors:** David J. Cieslewicz

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

106. [13897](#) Approving the acceptance of up to 150 First Alert smoke alarms for distribution to low income families, at risk seniors and persons with disabilities.

**Sponsors:** Michael E. Verveer

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

107. [13903](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 3 to the Professional Services Agreement with Black and Veatch Corporation for the preparation of the Utilities Water Master Plan and the Infrastructure Management Plan to include ongoing specialized work required by the Water Utility. (City Wide ADs)

**Sponsors:** Lauren Cnare and Michael Schumacher

**This Resolution was Referred to the WATER UTILITY BOARD**

108. [13915](#) Temporary extension of time limits for no stopping, standing, and parking on Regent Street from South Park Street to Monroe Street for the duration of the reconstruction project of University Avenue.

**Sponsors:** Julia S. Kerr

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

109. [13917](#) Authorizing the Transit General Manager to file an application for Urbanized area Capital Assistance formula, public transit Stimulus ARRA (American Recovery & Reinvestment Act) capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

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

Additional Referral(s): Board of Estimates

**This Resolution was Referred to the TRANSIT AND PARKING COMMISSION**

110. [13918](#) Authorizing the Transit General Manager to file an application for a Fixed Guideway Infrastructure Investment formula public transit Stimulus ARRA (American Recovery and Reinvestment Act) capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

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

Additional Referral(s): Board of Estimates

**This Resolution was Referred to the TRANSIT AND PARKING COMMISSION**

111. [13953](#) Amending the Master List of Street Names and Designations and amending the City Engineer's Street Numbering Map, referred to in Sections 10.34(1) and 10.35, Madison General Ordinances changing the name of Grim Street to Grimm Street. (17th AD)

**Sponsors:** Joseph R. Clausius

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

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

112. [13965](#) Authorizing the execution of an amendment to the lease with MLG Capital/Meadowood, LLC allowing for the City's continued use of space at 5740 Raymond Road for the operation of the Meadowridge Branch Library.

**Sponsors:** Thuy Pham-Remmele

Additional Referral(s): Madison Public Library Board

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

113. [13972](#) Accepting a Permanent Construction and Maintenance Easement from the Board of Regents of the University of Wisconsin System across property located in the UW Arboretum to allow for the reconstruction and maintenance of the Lake Wingra dam.

**Sponsors:** Julia S. Kerr

Additional Referral(s): Plan Commission

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

114. [13981](#) Adopting the Truax Park Apartments Master Plan and Site Development Study and recommendations contained therein as a supplement to the City's adopted Comprehensive Plan. 17th Aldermanic District.

**Sponsors:** Joseph R. Clausius, Julia S. Kerr and Tim Bruer

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

115. [13982](#) Amending the 2009 Adopted Capital Budget of Engineering-Other and approving plans and specifications for public improvements necessary for the project known as Starkweather West Branch Path and authorizing the Mayor and the City Clerk to execute a cost sharing and construction agreement with the State of Wisconsin Department of Transportation. (14th, 15th, & 17th ADs)

**Sponsors:** Larry Palm, Tim Bruer and Joseph R. Clausius

Additional Referral(s): Board of Public Works

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

116. [13985](#) Amending the 2009 Adopted Operating budget of the Mayor's Office in the amount of \$11,326 to provide for the reauthorization of expenditures (and associated grant revenues) relating to a Joyce Foundation grant for a Blue Ribbon Committee on Clean Elections.

**Sponsors:** David J. Cieslewicz

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

117. [13988](#) Amending the designated seats of the Allied Area Task Force.

**Sponsors:** Brian L. Solomon

Adopt at the 3/31/09 Common Council Meeting.

**This Resolution was Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 3/31/2009**

118. 14002 To commit to providing the local community match to MDC, or its assigns, through an investment of \$X,XXX,XXX through TID # 39, and a contribution of a 2.63 acre property within the BioAg Gateway (World Dairy Campus - Lot # 10) valued at approximately \$573,000 that may also be funded through TID # 39; and, to amend the Department of Planning & Community & Economic Development Capital Budget, Project # 15, "TID # 39 - Stoughton Road" by up to \$X,XXX,XXX with debt to be supported by TID # 39 proceeds; and, to authorize the execution of a development agreement with MDC, or its assigns, for the construction and management of BioLink, including any and all required TIF loan and property conveyance (World Dairy Campus - Lot # 10) documents; and, to authorize the execution of any and all agreements with the EDA regarding this grant.

**Sponsors:** Judy Compton and David J. Cieslewicz

Due back at the 3/31/09 Common Council Meeting.

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

## PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

### CLAIMS - REFER TO RISK MANAGER

119. [13838](#) J. McCaw, 1 Joshua Cir., Madison, 53714 - property damage - \$3,170.28.
120. [13851](#) S. Atkinson for Hooper Corporation, P.O. Box 7455, Madison 53707-7455 - vehicle damage - \$177.31.
121. [13967](#) NOTICE OF INJURY - Timothy Rymer, Gendlin, Liverman & Rymer, S.C., attorney for B. Walton, 7 Waunona Woods Ct., #3, Madison, 53713 - personal injury - amount to be determined.
122. [13973](#) D. King, State Farm Mutual Automobile Insurance Co. for T. Bruer, 3310 Leyton Ln., Madison, 53713 - vehicle damage - \$2,427.17.
123. [13983](#) M. Faucher, 1115 E. Wilson St. #100, Madison, 53703 - vehicle damage - \$750.00.
124. [13984](#) M. Kass, 4013 Meyer Ave., Madison, 53711 - vehicle damage - \$960.00.

125. [13989](#) J. Brandon, 4134 Cherokee Dr., Madison (53711) - property damage - \$131.88.
126. [13993](#) J. Schmitt, 816 S. Second St., Mt. Horeb (53572) - vehicle damage - \$172.23.
127. [13994](#) C. Gosenheimer, 3341 Gregory St., Madison (53711) - personal injury - \$2,432.00.

#### ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

128. [14026](#) Amending Enactment No. RES-07-00419 and authorizing the execution of a second amendment to the Tax Incremental Financing Development Agreement between the City and 309 W. Washington, LLC
- Sponsors:** Michael E. Verveer

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

**A motion was made by Ald. Bruer, seconded by Ald. Schumacher to introduce an Alternate version of ID# 14026 (attached to legislative file), to Refer to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

#### ADJOURNMENT

**A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adjourn at 9:53 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 March 18, 2009.

Ordinances published April 2, 2009.

MARIBETH WITZEL-BEHL, CITY CLERK