



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, May 5, 2009

6:30 PM

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

Roll Call at 6:39 p.m., Mayor Cieslewicz in the Chair.
Late: Ald. Palm (6:42 p.m.)

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

- 1. [14238](#)** Commending the Madison Memorial Spartan Boys Swimming and Diving Team on winning the 2009 State WIAA Division 1 Title.

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

Adopt at the 5/19/09 Common Council Meeting.

A motion was made by Ald. Clear, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 5/19/2009. The motion passed by voice vote/other.
- 2. [14280](#)** Proclaiming May 9, 2009, as "Broom Street Theater Day" in Madison, Wisconsin.

Sponsors: David J. Cieslewicz, Marsha A. Rummel, Michael E. Verveer, Judy Compton, Satya V. Rhodes-Conway, Brian L. Solomon, Lauren Cnare, Joseph R. Clausius, Steve King, Michael Schumacher and Shiva Bidar-Sielaff

1 Registrant(s) in support wishing to speak.

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

Enactment No: RES-09-00396

3. [14494](#) Recognizing the selfless heroism of Lieutenant Gerald Stull.

Sponsors: David J. Cieslewicz, Marsha A. Rummel, Michael Schumacher, Paul E. Skidmore, Satya V. Rhodes-Conway, Judy Compton, Joseph R. Clausius, Julia S. Kerr, Lauren Cnare, Michael E. Verveer, Bryon A. Eagon, Steve King, Chris Schmidt and Shiva Bidar-Sielaff

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

Enactment No: RES-09-00397

4. [14555](#) Congratulating the Madison Memorial High School Boys Basketball Team on winning the 2009 State WIAA Division 1 Title.

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

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

Enactment No: RES-09-00398

5. [14566](#) Proclaiming May 4-10, 2009 as Public Service Recognition Week in the City of Madison.

Sponsors: David J. Cieslewicz and 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-09-00399

6. [14571](#) Recognizing May 5, 2009 as Cinco de Mayo and thanking our Mexican and Mexican American citizens for their ongoing contributions to the City of Madison.

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

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

Enactment No: RES-09-00400

PETITIONS AND COMMUNICATIONS

PETITIONS

- 7. [14548](#) Petition from Java Cat, 3918 Monona Dr., Monona re: proposed expansion of Monona Drive.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Refer to the BOARD OF PUBLIC WORKS. 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 #: 20, 24, 41, 60, and 102 on a motion made by Ald. Bruer, seconded by Ald. Verveer.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

- 8. [12392](#) ALTERNATE - Amending Secs. 28.03(2) and 28.12(12)(b)2. to add a definition of demolition and to reduce the notice period for proposed demolitions and creating Section 28.12(12)(d)2. of the Madison General Ordinances to add an exemption for demolition permits.

Sponsors: PLAN COMMISSION

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

Excused: 1 -
Lauren Cnare

Ayes: 19 -
Jed Sanborn; Bridget R. Maniaci; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear and Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

Enactment No: ORD-09-00074

9. [13780](#) Creating Section 28.06(2)(a)3420. of the Madison General Ordinances rezoning property from R4 General Residence District, R6 General Residence District and C2 General Commercial District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3421. 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: Meriter Hospital Campus Master Plan GDP/Existing Conditions and Small Project SIP; 13th Aldermanic District: 202 South Park Street.

Sponsors: Common Council By Request

3 Registrant(s) in support wishing to speak; 1 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 and Close the Public Hearing. The motion passed by the following vote:

Excused: 1 -
Lauren Cnare

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

Abstentions: 1 -
Steve King

Non Voting: 1 -
David J. Cieslewicz

Enactment No: ORD-09-00075

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

10. [14128](#) Public Hearing - New License
Madison CS Hospitality LLC • dba Madison Cambria Suites
26% alcohol, 74% food
5045 Eastpark Blvd • Agent: Robert Rehm Jr • Estimated Capacity: 40
Class B Combination Liquor & Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 520

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

11. [14141](#) Public Hearing - New License
Fauerbach Brewing Co LLC • dba Fauerbach Brewing Co LLC • 100% alcohol
2310 Daniels St #148 • Agent: Peter Fauerbach
Wholesale Beer
Aldermanic District 16 (Alder Compton) • Police Sector 617

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

12. [14155](#) Public Hearing - New License
Old Market Bistro LLC • dba Old Market Bistro • 15% alcohol, 85% food
15 N Butler • Agent: Forrest Thomas • Estimated Capacity: 99
Class B Combination Liquor & Beer
Aldermanic District 02 (Alder Konkel) • Police Sector 406 • Density Area

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

13. [14159](#) Public Hearing - New License
Madison East Beverage LLC • dba Staybridge Suites
3301 City View Dr • Agent: Lisa Betow • Estimated Capacity: 90 guest rooms
Class B Beer
Aldermanic District 17 (Alder Clausius) • Police Sector 519

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

REPORT OF BOARD OF PUBLIC WORKS

14. [14348](#) Approving Plans, Specifications, And Schedule Of Assessments For Terry Place Reconstruction Assessment District - 2009. (10th AD)

Sponsors: BOARD OF PUBLIC WORKS

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-09-00401

15. [14349](#) Approving Plans, Specifications, And Schedule Of Assessments For Park Street Sidewalk Assessment District - 2009.

Sponsors: BOARD OF PUBLIC WORKS

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-09-00402

REPORT OF PLAN COMMISSION

- 16. [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

1 Registrant(s) in support 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 the following vote:

Excused: 1 -
Lauren Cnare

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

Abstentions: 1 -
Paul E. Skidmore

Non Voting: 1 -
David J. Cieslewicz

Enactment No: ORD-09-00076

- 17. [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

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

18. [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

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

19. [13969](#) SUBSTITUTE - Creating Secs. 28.08(2)(c)28., 28.08(9)(c)11. 28.08(11)(c)15., and 28.08(12)(c)8. of the Madison General Ordinances to allow farmers markets in all residential districts as a conditional use in parking lots of non-residential uses.

Sponsors: Marsha A. Rummel

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-09-00077

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

20. [14422](#) Report of the Mayor submitting citizen committee appointments (introduced 4-21-2009; action 5-5-2009).

Sponsors: David J. Cieslewicz

1 Registrant(s) in opposition wishing to speak.

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

Excused: 1 -

Lauren Cnare

Ayes: 16 -

Michael E. Verveer; Shiva Bidar-Sielaff; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Jed Sanborn and Bridget R. Maniaci

Noes: 2 -

Marsha A. Rummel and Satya V. Rhodes-Conway

Abstentions: 1 -

Thuy Pham-Remmele

Non Voting: 1 -

David J. Cieslewicz

21. [14549](#) Report of the Mayor designating emergency interim successors.

Sponsors: David J. Cieslewicz

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

22. [14552](#) Report of the Mayor submitting Alder committee appointments.

Sponsors: David J. Cieslewicz

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

23. [14553](#) Report of the Mayor submitting citizen committee appointments (introduced 5-5-2009; action 5-19-2009).

Sponsors: David J. Cieslewicz

Confirm at the Common Council Meeting 5/19/09 (2/3 vote required for Sister City Com appt.)

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 5/19/2009. The motion passed by voice vote/other.

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

24. [14517](#) To fix the property tax exemption.

Sponsors: Michael Schumacher, David J. Cieslewicz, Tim Bruer, Mark Clear, Paul E. Skidmore, Julia S. Kerr, Joseph R. Clausius, Steve King, Satya V. Rhodes-Conway, Shiva Bidar-Sielaff, Lauren Cnare, Larry Palm, Michael E. Verveer, Judy Compton, Chris Schmidt and Bryon A. Eagon

5 Registrant(s) in support wishing to speak; 11 Registrant(s) in support not wishing to speak.

A motion was made by Ald. Rummel, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: add "1. The Madison Common Council directs the Mayor, His staff and the City's retained lobbyist to strongly urge the Wisconsin Legislature and the Governor to promptly amend the relevant state laws." and renumber the remaining 2 - 5. Add ", along with language substantially similar to that recommended by the City of Madison Property Tax Exemption Committee." at the end of 4. The motion passed by the following vote:

Excused: 1 -

Lauren Cnare

Ayes: 17 -

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

Noes: 2 -

Judy Compton and Thuy Pham-Remmele

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00403

25. [14573](#) Appointments to the Common Council Organizational Committee 2009-2010.

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

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

26. [13466](#) Operator License Application
Scott Vest - Establishment where employed: Tony Franks

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

27. [13955](#) Operator License Application
Erin Nonn - Establishment where employed: Locker Room

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

28. [13956](#) Operator License Application
Evan Shaffer - Establishment where employed: Coliseum Bar

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

29. [13957](#) Operator License Application
Veronica Flores - Establishment where employed: n/a

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

30. [13958](#) Operator License Application
Jeffrey Mast - Establishment where employed: Becks of Dane Co.

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

31. [13959](#) Operator License Application
Nicholas Rick - Establishment where employed: Bucks

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

32. [14129](#) Change of Agent
Logans Madtown LLC • dba Logans • 322 W Johnson St
New Agent: Tom Woodford
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 04 (Alder Verveer) • Police Sector 403

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

33. [14130](#) Change of Corporate Control -- 1 new officer
Orbut of State Street Inc • dba Mondays • 100% alcohol, 0% food
523 State St • Agent: Gary Garten
Class B Combination Liquor & Beer
Aldermanic District 04 (Alder Verveer) • Police Sector 403

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

34. [14131](#) Change of Corporate Control -- 1 new officer
The Noodle Shop Co - Wisconsin Inc • dba Noodles & Company
1% alcohol, 99% food
4280 East Towne Blvd • Agent: OJ Kaiser
Class B Beer, Class C Wine
Aldermanic District 17 (Alder Clausius) • Police Sector 515

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

35. [14132](#) Change of Corporate Control -- 1 new officer
The Noodle Shop Co - Wisconsin Inc • dba Noodles & Company
1% alcohol, 99% food
232 State St • Agent: Danny Wollner
Class B Beer, Class C Wine
Aldermanic District 04 (Alder Verveer) • Police Sector 406

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

36. [14144](#) Change of Corporate Control -- 1 new officer
The Noodle Shop Co - Wisconsin Inc • dba Noodles & Company
1% alcohol, 99% food
7050 Mineral Point Rd • Agent: Rick Hacker
Class B Beer, Class C Wine
Aldermanic District 09 (Alder Skidmore) • Police Sector 125

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

37. [14145](#) Change of Corporate Control -- 1 new officer
Stop-N-Go of Madison Inc • dba Stop-N-Go #253
5445 University Ave • Agent: Andrew Bowman
Class A Beer
Aldermanic District 19 (Alder Clear) • Police Sector 109

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

38. [14147](#) Change of Corporate Control -- 1 new officer
Stop-N-Go of Madison Inc • dba Stop-N-Go #255
2002 Winnebago St • Agent: Andrew Bowman
Class A Beer
Aldermanic District 06 (Alder Rummel) • Police Sector 410

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

39. [14149](#) Change of Corporate Control -- 1 new officer
Stop-N-Go of Madison Inc • dba Stop-N-Go #284
6202 Schroeder Rd • Agent: Andrew Bowman
Class A Beer
Aldermanic District 01 (Alder Sanborn) • Police Sector 114

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

40. [14150](#) Change of Corporate Control -- 1 new officer
Stop-N-Go of Madison Inc • dba Stop-N-Go #287
3734 Speedway Rd • Agent: Andrew Bowman
Class A Beer
Aldermanic District 11 (Alder Gruber) • Police Sector 101

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

41. [14171](#) THIRD SUBSTITUTE - Creating 38.07(15) of the Madison General Ordinances to prohibit the sale of beer or malt liquor in amounts less than the amount contained in a six pack of bottles or cans, intoxicating liquor in amounts of two hundred (200) milliliters or less in volume, malt based flavored coolers in less than a four pack, and the sale of fortified wines for consumption off premises.

Sponsors: Michael Schumacher and Michael E. Verveer

6 Registrant(s) in opposition wishing to speak; 4 Registrant(s) in support wishing to speak; 5 Registrant(s) in opposition not wishing to speak.

Adopt at the 6/2/09 Common Council Meeting.

A motion was made by Ald. Bruer, seconded by Ald. Verveer to Adopt the third substitute. No action was taken.

A substitute motion was made by Ald. Schumacher, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 6/2/2009. The motion passed by voice vote/other.

42. [14199](#) Change of Agent
CEC Entertainment Inc • dba Chuck E Cheese's • 438 Grand Canyon Dr
New Agent: Grant Dinehart
Class B Beer, Class C Wine • 1% alcohol, 66% food, 33% Other
Aldermanic District 19 (Alder Clear) • Police Sector 113

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

43. [14234](#) Change of Corporate Control -- 3 new officers
Zor Shriners AAONMS • dba Zor Shriners AAONMS • 35% alcohol, 65% food
575 Zor Shrine Pl • Agent: Kent Englund
Class B Combination Liquor & Beer
Aldermanic District 09 (Alder Skidmore) • Police Sector 124

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

44. [14246](#) Change of Agent
Nakoma Golf Club Inc • dba Nakoma Golf Club • 4145 Country Club Rd
New Agent: Keith Frederick
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 10 (Alder Solomon) • Police Sector 103

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

45. [14247](#) Change of Corporate Control -- 1 new officer
Nakoma Golf Club Inc • dba Nakoma Golf Club • 30% alcohol, 70% food
4145 Country Club Rd • Agent: Keith Frederick
Class B Combination Liquor & Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 103

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

46. [14256](#) Operator License Application
Colin Jones - Establishment where employed: n/a

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

47. [14257](#) Operator License Application
Amanda Krause - Establishment where employed: Paradise Lounge

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

48. [14258](#) Operator License Application
Roy Schmitz - Establishment where employed: Edgewater Hotel
1 Registrant(s) in opposition not wishing to speak.

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Rerefer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.

49. [14414](#) Change of Licensed Premise
Food Fight Inc • dba Fresco • capacity of 70
227 State St • Agent: Caitlin Suemnicht
Class B Combination Liquor & Beer • 30% Alcohol, 70% food
Aldermanic District 04 (Alder Verveer) • Police Sector 405
Service bar remodeled to a bar that seats approximately 9 - 11 people.
Bench for dinner seating removed to accommodate bar.

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

50. [14235](#) Authorizing a payment of legal fees for the defense of police officers and appropriating \$11,202 from the contingent reserve to the miscellaneous litigation account.

Sponsors: David J. Cieslewicz

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

Excused: 1 -

Lauren Cnare

Ayes: 19 -

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

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00404

51. [14276](#) Authorizing the Mayor and the City Clerk to sign a Grant Agreement with the State of Wisconsin DNR for the Midwest Clean Diesel - Waste Hauler Retrofits and amending Fleet Service's 2009 Operating Budget.

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-09-00405

52. [14312](#) Authorizing the Mayor and City Clerk to sign a Distributed Generation Interconnection Agreement with Madison Gas and Electric Company and authorizing indemnification of MG&E, for PVG sites at Waste Transfer Station, Water Utility office and Water Utility Vehicle Storage, and East Police. (Various ADs)

Sponsors: Lauren Cnare and Julia S. Kerr

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

Enactment No: RES-09-00406

53. [14334](#) Stimulus funds for approving the City's Substantial Amendment to the Community and Neighborhood Development Consolidated One Year Action Plan (2008); authorizing the Mayor and City Clerk to sign the amendment as a condition for receiving HUD Homelessness Prevention and Rapid Re-Housing Program funds and amending the adopted CDBG operating budget to recognize \$817,092 in federal revenues and commensurate expenditure authority and authorizing the CDBG Office to issue a request for proposals for services.

Sponsors: Tim Bruer, Shiva Bidar-Sielaff 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-09-00407

54. [14360](#) Resources for Tuberculosis Isolation and Treatment Support.

Sponsors: Lauren Cnare

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

Excused: 1 -

Lauren Cnare

Ayes: 19 -

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

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00408

55. [14361](#) Amending the 2009 Public Health Operating Budget to allow for the carry-forward and expenditure of 2008 grants and designated donations.
- Sponsors:** Lauren Cnare
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by the following vote:**
- Excused:** 1 -
Lauren Cnare
- Ayes:** 19 -
Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Jed Sanborn and Bridget R. Maniaci
- Non Voting:** 1 -
David J. Cieslewicz
- Enactment No: RES-09-00409
56. [14362](#) Approving an agreement with Madison Area Technical College (MATC) for fire and emergency medical services training and testing services.
- Sponsors:** David J. Cieslewicz, Paul E. Skidmore and Lauren Cnare
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00410
57. [14379](#) Approving the Fire Department to work with SafeKids of Dane County on a fund raising campaign for the Safety Town Program.
- Sponsors:** Paul E. Skidmore and Lauren Cnare
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: RES-09-00411
58. [14386](#) Authorizing the Mayor and City Clerk to sign a contract with Virchow Krause & Company, LLP, for independent external audit services for fiscal years 2009, 2010, and 2011 with an option to extend the contract for two subsequent fiscal years 2012 and 2013.
- 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-09-00412

59. [14423](#) Authorizing the Mayor and Chief of Police to accept an additional \$25,000 for a traffic safety grant for Alcohol Enforcement.

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-09-00413

60. [14434](#) 2009 Resolution on the Spending of Federal Economic Renewal grants to the City of Madison.

Sponsors: David J. Cieslewicz, Satya V. Rhodes-Conway, Brian L. Solomon, Larry Palm and Michael E. Verveer

1 Registrant(s) in support 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-09-00414

61. [14439](#) Seeking Common Council approval of the 2009-2010 Arts Grants awards and the 2009 Summer Concerts Series funding as recommended by the Madison Arts Commission.

Sponsors: Tim Gruber and Michael E. Verveer

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

Enactment No: RES-09-00415

62. [14442](#) Allocating \$400,000 appropriated in the 2009 Operating Budget for prior-year encumbrances and appropriating an additional \$114,378 from Contingent Reserve to fund actual 2008 year-end encumbrances in various departmental accounts.

Sponsors: David J. Cieslewicz

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

Excused: 1 -
Lauren Cnare

Ayes: 19 -
Shiva Bidar-Sielaff; Marsha A. Rummel; Steve King; Bryon A. Eagon; Paul E. Skidmore; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Tim Bruer; Larry Palm; Judy Compton; Joseph R. Clausius; Michael Schumacher; Mark Clear; Thuy Pham-Remmele; Jed Sanborn; Bridget R. Maniaci and Michael E. Verveer

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00416

63. [14449](#) Authorizing City agencies to seek American Reinvestment and Recovery Act Funding.

Sponsors: David J. Cieslewicz, Tim Bruer and 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-09-00417

REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY

64. [14079](#) Amending the Intergovernmental Agreement between the City and Dane County creating the City-County Health Department, with respect to absences and election of officers.

Sponsors: Lauren Cnare

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

Enactment No: RES-09-00418

REPORT OF BOARD OF PUBLIC WORKS

65. [14282](#) Awarding Public Works Contract No. 6276, Chip Sealing 2009 - East.

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-09-00419

66. [14283](#) Awarding Public Works Contract No. 6277, Chip Sealing 2009 - West.

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-09-00420

67. [14284](#) Awarding Public Works Contract No. 6281, Maple Avenue, Center Avenue & Ludington Avenue 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-09-00421

68. [14285](#) Awarding Public Works Contract No. 6293, Sanitary Sewer Replacement with Resurfacing - 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-09-00422

69. [14287](#) Awarding Public Works Contract No. 6350, Fairchild Building Concrete Floor Restoration.

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-09-00423

70. [14316](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Voges Road Sewer Extension, Contract No. 6376. (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-09-00424

71. [14317](#) Declaring the City of Madison's intention to exercise its police powers establishing the Waterways 2008 Assessment District and approving the schedule of assessments.

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-09-00425

72. [14328](#) Improvements Accepted for Water Service Laterals by Private Contract to Serve Heather Glen Replat Phase I. (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-09-00426

73. [14329](#) Improvements Accepted for Water Main by Private Contract to Serve Grandview Commons Phase 14, Private Contract No. 2077. (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-09-00427

74. [14332](#) Improvements Accepted for Water Main by Private Contract to serve: Grandview Commons Phase 15, Private Contract No. 2085. (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-09-00428

75. [14346](#) Declaring the City of Madison's intention to exercise its police powers establishing the Reiner Road Street Assessment District - 2009. (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-09-00429

76. [14347](#) Declaring the City of Madison's intention to exercise its police powers establishing the Midvale Boulevard, Tokay Boulevard and Waite Circle Resurfacing Assessment District - 2009. (10th, 11th & 20th 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-09-00430

77. [14350](#) Improvements accepted for Southeast Industrial TID Interceptor, Contract No. 6085.
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-09-00431
78. [14351](#) Improvements accepted for Edgewood Drive Resurfacing, Contract No. 6005.
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-09-00432
79. [14352](#) Authorizing the Mayor and City Clerk to execute a contract with CGC, Inc. for the purpose of furnishing professional services to test asphalt pavement mixtures, concrete mixes and soil compaction; investigate soils; drilling and well construction on various projects administered by the City of Madison.
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-09-00433
80. [14385](#) Awarding Public Works Contract No. 6334, Warning Sirens.
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-09-00434
81. [14387](#) Improvements Accepted for Water Main by Private Contract to Serve 1507 Burning Wood Way. (18th 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-09-00435

82. [14388](#) Declaring the City of Madison's intention to exercise its police powers establishing the North Sherman Avenue Resurfacing Assessment District - 2009. (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00436

83. [14389](#) Improvements accepted for 2007 Warning Sirens, Contract No. 6061.

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-09-00437

84. [14398](#) Declaring the City of Madison's intention to exercise its police powers establishing the Old Sauk Trails Park Sidewalk 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-09-00438

85. [14411](#) Approving plans and specifications for public improvements necessary for the Subdivision known as 3901 Hanson Road CSM and authorizing construction to be undertaken by the Developer, Private Contract No. 2116. (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-09-00439

86. [14412](#) Approving a maintenance agreement for privately maintained improvements within the public right-of-way (within Portage Road and East Park Boulevard as part of the American Center Plat - Hanson Road Addition, Contract No. 2047). (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-09-00440

87. [14415](#) Authorizing the Mayor and City Clerk to enter into an agreement with the City of Monona for the resurfacing of Industrial Drive. (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-09-00441

88. [14417](#) Authorizing the Mayor and City Clerk to execute Amendment #1 to the Contract for Purchase of Services with Ayres Associates Inc. for Wingra Dam Design. (13th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-09-00442

89. [14421](#) Declaring the City of Madison's intention to exercise its police powers establishing the Femrite Drive and Marsh Road Reconstruction Assessment District - 2009. (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-09-00443

90. [14444](#) Declaring the City of Madison's intention to exercise its police powers establishing the Blackhawk Road 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-09-00444

REPORT OF COMMISSION ON THE ENVIRONMENT

91. [13861](#) Approving the dissolution of the Erosion Control Subcommittee to the Commission on the Environment.

Sponsors: Larry Palm

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

Enactment No: RES-09-00445

REPORT OF PLAN COMMISSION

92. [14406](#) Approving the preliminary and final plats of Silicon Prairie Community Plat located at 9414 Silicon Prairie Parkway. 9th Ald. Dist.

Sponsors: Common Council By Request

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

REPORT OF RISK MANAGER

93. [14249](#) J. Tribbey, 804 Rice St., Horicon, 53032 - vehicle damage - \$1,121.74.

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

94. [14261](#) J. Pollitt, American Family Insurance for J. and S. Payne, 1825 Slater Ln., Burnsville, MN 55337 - vehicle damage - \$2,163.99.

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

95. [14263](#) P.W. Klug, 24 S. Mills St., Madison, 53715 - property loss - \$2,500.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
96. [14264](#) D. Lezama, 12 Deer Point Tr., Madison, 53719 - vehicle damage - \$294.11.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
97. [14266](#) C. Darling, 5481 Irish Ln., Fitchburg - personal injury - \$1.00.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
98. [14298](#) K. & A. Tripino, 3608 Valley Ridge Rd., Middleton, 53562 - vehicle damage - \$300.60.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
99. [14300](#) M. Miller, 2075 Tara Dr., Sun Prairie, 53590 - property loss - \$593.00.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**
100. [14416](#) A. Oliveira, 405 Lucille St., Verona, 53593 - vehicle damage - \$434.93.
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Disallow. The motion passed by voice vote/other.**

REPORT OF URBAN DESIGN COMMISSION

101. [14239](#) SUBSTITUTE - Amending Section 33.24(8)(a) of the Madison General Ordinances to add land to Urban Design District No. 1.
- Sponsors:** Judy Compton
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-09-00078

ITEMS REFERRED TO THIS MEETING**ORDINANCES**

102. [12596](#) **AMENDED** SUBSTITUTE - Creating Secs. 23.11(3)(d), (e), and (f) of the Madison General Ordinances to create an exception for returning home from work, organized school activities, and faith-based group or community-based group event.
- Sponsors:** Paul E. Skidmore and Michael Schumacher
- 13 Registrant(s) in opposition wishing to speak; 1 Registrant(s) in support wishing to speak; 15 Registrant(s) in opposition not wishing to speak.
- A motion was made by Ald. Schumacher, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows: Strike “if the juvenile is sixteen (16) years of age, and” in Section 1 (a); strike “(b) From ten o’clock (10:00) p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday until four o’clock (4:00) a.m. of the following day if the juvenile is under the age of sixteen (16), and’ in Section 1; strike “if the juvenile is at least twelve (12) years of age but less than seventeen (17) years of age.” in Section 1 (c); add “(f) The juvenile was attending an official faith-based group or community-based group event.” The motion passed by voice vote/other.**
- Enactment No: ORD-09-00081
103. [14309](#) Adopting and confirming Revision 266 of the Madison General Ordinances as of March 15, 2009 to incorporate the changes pursuant to Sec. 66.0103, Wis. Stats.
- 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-09-00079
104. [14405](#) Amending and restoring Section 8.24(1)(x) of the Madison General Ordinances to remove the sunset provision for the restriction of alcohol consumption in Law Park.
- Sponsors:** Michael E. Verveer
- A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt. The motion passed by voice vote/other.**
- Enactment No: ORD-09-00080

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

ORDINANCES

105. [14561](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of "Parks Administrative Services Manager" in Compensation Group 18, Range 10 and creating the classification of "Parks Financial and Administrative Manager" in Compensation Group 18, Range 12, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Board of Estimates
- This Ordinance was Referred to the PERSONNEL BOARD**
106. [14562](#) Amending Section 3.54(1)(p) of the Madison General Ordinances by deleting the classification of "Assistant Transit Scheduler" in Compensation Group 44, Range 07 and creating the classification of "Transit Assistant Schedule Planner" in Compensation Group 44, Range 07, thereof.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Board of Estimates
- This Ordinance was Referred to the PERSONNEL BOARD**
107. [14563](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the Community Development Grants Administrator series and recreating said classifications as the Grants Administrator series.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Board of Estimates
- This Ordinance was Referred to the PERSONNEL BOARD**
108. [14564](#) Amending Section 10.18(7)(b)2., creating Sec. 10.18(7)(f), and amending Sec. 1.08(3)(a) to ban the disposal of non-contaminated recyclable plastic bags.
- Sponsors:** Judy Compton, David J. Cieslewicz, Brian L. Solomon, Bridget R. Maniaci and Michael E. Verveer
- Additional Referral(s): Commission on the Environment, Board of Estimates
- This Ordinance was Referred to the SOLID WASTE ADVISORY COMMITTEE**

RESOLUTIONS

109. [14047](#) Accepting the annual report for Dane County Drainage District #27 for the year ending August 31, 2008.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the PLAN COMMISSION

110. [14430](#) To extend the closing hours at Garner Park to 11:30 p.m. on Saturday, July 25, 2009 for the 7th annual Opera in the Park event post-concert reception for donors. (19th A.D.)

Sponsors: Michael Schumacher, Joseph R. Clausius and Mark Clear

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

111. [14475](#) Authorizing the modification and extension of loan repayment terms for a \$228,000 Section 17 loan to Madison Development Corporation.

Sponsors: Satya V. Rhodes-Conway

This Resolution was Referred to the BOARD OF ESTIMATES

112. [14481](#) Authorizing the Mayor and City Clerk to execute an amendment to the lease with Community Action Coalition of South Central Wisconsin, Inc. allowing for the expansion of the community gardens site located within the public greenway at 3501 Hargrove Street.

Sponsors: Larry Palm

This Resolution was Referred to the BOARD OF PUBLIC WORKS

113. [14504](#) Amending the 2009 Monona Terrace Capital Budget to increase authorized funding by \$100,000 for the Rooftop Kiosk Capital Project.

Sponsors: Michael E. Verveer

Additional Referral(s): Monona Terrace Community and Convention Center Board

This Resolution was Referred to the BOARD OF ESTIMATES

114. [14520](#) Retitling the Parks Administrative Services Manager classification to Parks Financial and Administrative Manager, moving the new classification from CG 18, Range 10 to CG 18, Range 12, and reallocating the currently vacant position to the new pay range.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

115. [14522](#) Deletion of the classification Transit Scheduling and Data Assistant and creation of a new position of Transit Assistant Schedule Planner in Madison Metro Transit.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
116. [14523](#) Recreation of the Community Development Grants Administrator series as the Grants Administrator series and reallocation of the incumbents to the new series.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
117. [14524](#) Creation of a new Grants Administrator 1-LTE position in the Police Department budget.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**
118. [14529](#) To authorize the Mayor and City Clerk to sign a lease agreement between the City and Madison Opera Inc., for use of Garner Park on July 25, 2009, for Opera in the Park. (A.D. 19)
- Sponsors:** Mark Clear, Joseph R. Clausius and Paul E. Skidmore
- This Resolution was Referred to the BOARD OF PARK COMMISSIONERS**
119. [14535](#) Regarding the Creation of a Complete Count Committee.
- Sponsors:** David J. Cieslewicz, Larry Palm, Mark Clear, Paul E. Skidmore, Joseph R. Clausius, Lauren Cnare, Chris Schmidt, Shiva Bidar-Sielaff and Satya V. Rhodes-Conway
- Due back at the 5/19/09 Common Council Meeting.
- This Resolution was Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 5/19/2009**
120. [14550](#) Deletion of one Clerk Typist and one confidential Secretary 1 position and creation of two Administrative Clerk 1 positions (one confidential) within the Human Resources Budget.
- Sponsors:** David J. Cieslewicz
- Additional Referral(s): Personnel Board
- This Resolution was Referred to the BOARD OF ESTIMATES**

121. [14554](#) Accepting a 15-foot wide Public Sanitary Sewer Easement from George W. and Sandra J. Kohn across property located at 2002 Waunona Way, Madison, Wisconsin.

Sponsors: Tim Bruer

Additional Referral(s): Plan Commission

This Resolution was Referred to the BOARD OF PUBLIC WORKS

122. [14560](#) Authorizing the Mayor and City Clerk to execute an amendment to the Tax Incremental Financing Development Agreement between the City and 309 W. Washington, LLC, and amending Enactment No. RES-07-00419.

Sponsors: Tim Bruer and Michael E. Verveer

This Resolution was Referred to the BOARD OF ESTIMATES

123. [14565](#) Authorizing 1) an amendment to the 2009 Operating Budget appropriating \$230,000 from the Madison Capital Revolving Fund (MCRF) fund a \$230,000 MCRF loan referenced herein and 2) the Mayor and City Clerk to execute an agreement to fund a \$230,000 Madison Capital Revolving Fund loan to Wingra Broadway, LLC to construct 8,400 SF of commercial space at 1502 West Broadway.

Sponsors: Tim Bruer

This Resolution was Referred to the BOARD OF ESTIMATES

124. [14568](#) To authorize the Economic Development Division Director to hire an intern for the Division; and, authorizing the amendment of the 2009 Economic Development Division Operating Budget to reallocate \$9,000 in Purchased Services funding for business retention/expansion software to Hourly Employee Pay and Fringe Benefits for the provision of the intern.

Sponsors: David J. Cieslewicz and Mark Clear

Additional Referral(s): Economic Development Commission

This Resolution was Referred to the BOARD OF ESTIMATES

125. [14576](#) Approving the 2009 Neighborhood Grant Program recommendations made by the Staff Review Team and authorizing the Planning Division Director, Comptroller and City Attorney to execute grant agreements on behalf of the City.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

126. [14591](#) Authorizing payment of the judgment entered on April 13, 2009 by the court in Walgreen Company v. City of Madison, Case No. 2004 CV 1564 relating to refund of real property taxes for tax years 2003 and 2004 which provides for the refund of taxes and interest in the amount of \$247,790.55 from City resources and amending the 2009 operating budget to reduce estimated General Fund revenues by \$59,595.02 to recognize the City's share of the tax refund and to appropriate \$76,592.43 from Contingent Reserve to fund related interest costs.

Sponsors: David J. Cieslewicz

This Resolution was Referred to the BOARD OF ESTIMATES

127. [14597](#) Approving the installation of a traffic signal at the intersection of Brooks Street and Johnson Street. (8th AD)

Sponsors: Bryon A. Eagon

Adopt at the 5/19/09 Common Council Meeting.

This Resolution was Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 5/19/2009

REPORTS

128. [14540](#) Report of Chief of Police re: Police Overtime for 2008 and 1st Quarter of 2009.

This Report was Referred to the BOARD OF ESTIMATES

LICENSES

129. [14451](#) Public Hearing - New License
DGN Enterprise Inc • dba Rosati's Pizza • 3% alcohol, 97% food
6644 Mineral Point Rd • Agent: John Horner • Estimated Capacity: 24
Class B Beer, Class C Wine
Aldermanic District 19 (Alder Clear) • Police Sector 112
Due back at the 6/2/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009

130. [14452](#) Public Hearing - New License
R&T Enterprises LLC • dba JT Whitney's Pub & Brewery • 35% alcohol, 65% food, 5% Other
674 S Whitney Way • Agent: Richard Becker • Estimated Capacity: 410
Class B Combination Liquor & Beer & Wholesaler
Aldermanic District 19 (Alder Clear) • Police Sector 113
Due back at the 6/2/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009

131. [14453](#) Public Hearing - New License
CTAWT LLC • dba Ha Long Bay • 20% alcohol, 80% food
1353 Williamson St • Agent: Jean Tran • Estimated Capacity: 65
Class B Beer, Class C Wine
Aldermanic District 06 (Alder Rummel) • Police Sector 410
Due back at the 6/2/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009

132. [14454](#) Public Hearing - New License
Granite City Restaurant Operation Inc • dba Granite City • 16% alcohol, 84% food
454 S Gammon Rd • Agent: Janna Watson • Estimated Capacity: 239
Class B Combination Liquor & Beer
Aldermanic District 09 (Alder Skidmore) • Police Sector 124
Due back at the 6/2/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009

133. [14455](#) Public Hearing - New License
Aebly Enterprises LLC • dba La Zacatecana
4915 Commercial Ave • Agent: Humberto Macias
Class A Beer
Aldermanic District 03 (Alder Cnare) • Police Sector 609
Due back at the 6/2/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009

134. [14456](#) Public Hearing - New License
Legends Unlimited Inc • dba Legends Unlimited • 20% alcohol, 80% food
439 Grand Canyon Dr • Agent: Ajdini Abdula • Estimated Capacity: 180
Class B Combination Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113
Due back at the 6/2/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009

135. [14459](#) Public Hearing - New License
Sendero Inc • dba Pizza Brutta • 11% alcohol, 89% food
1805 Monroe St • Agent: Derek Lee • Estimated Capacity: 60
Class B Combination Liquor & Beer
Aldermanic District 13 (Alder Kerr) • Police Sector 303
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
136. [14462](#) Public Hearing - New License (Changing from LLC to Inc.)
Verona Rd BP Mart Inc. • dba Verona Rd BP Mart
4501 Verona Rd • Agent: Suchinder Singh
Class A Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 105
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
137. [14463](#) Public Hearing - New License (Changing from LLC to Inc.)
SPS Self Service Inc • dba Marathon
4602 Verona Rd • Agent: Suchinder Singh
Class A Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 105
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
138. [14476](#) Public Hearing - New License
El Pastor Inc • dba El Pastor • 20% alcohol, 80% food
2010 S Park St • Agent: Rosalino Antonio-Ruiz • Estimated Capacity: 78
Class B Combination Liquor & Beer
Aldermanic District 13 (Alder Kerr) • Police Sector 309
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
139. [14477](#) Public Hearing - New License
Guanajuato of Madison Inc • dba Guanajuato Groceries
916 S Whitney Way • Agent: Maria Silva
Class A Beer
Aldermanic District 01 (Alder Sanborn) • Police Sector 115
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**

140. [14478](#) Public Hearing - New License
Guanajuato of Madison Inc • dba Guanajuato Supermercado
1326 S Midvale Blvd • Agent: Maria Silva
Class A Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 106
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
141. [14479](#) Public Hearing - New License
Guanajuato of Madison Inc • dba Taqueria Guanajuato • 20% alcohol, 80% food
1318 S Midvale Blvd • Agent: Maria Silva • Estimated Capacity: 60
Class B Combination Liquor & Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 106
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
142. [14480](#) Public Hearing - New License
Sam and Ben Enterprises LLC • dba China One • 1% alcohol, 99% food
518 Grand Canyon Dr • Agent: Qiufang Chen • Estimated Capacity: 360
Class B Beer, Class C Wine
Aldermanic District 19 (Alder Clear) • Police Sector 113
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
143. [14482](#) Public Hearing - New License
Prosit-To-You • dba Up North • 80% alcohol, 20% food
524 E Wilson • Agent: Robert Worm • Estimated Capacity: 185
Class B Combination Liquor & Beer
Aldermanic District 06 (Alder Rummel) • Police Sector 406 • Density Area
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
144. [14483](#) Public Hearing - New License
Prosit-To-You Inc • dba Come Back In • 60% alcohol, 40% food
508 E Wilson • Agent: Robert Worm • Estimated Capacity: 260
Class B Combination Liquor & Beer
Aldermanic District 06 (Alder Rummel) • Police Sector 406 • Density Area
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**

145. [14484](#) Public Hearing - New License
TK JMPK LLC • dba Tilted Kilt - West • 40% alcohol, 58% food, 2% Other
420 Gammon Pl • Agent: Robert Rynes • Estimated Capacity: 199
Class B Combination Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
146. [14567](#) Public Hearing - New License
HML, LLC • dba Electric Earth Cafe • 20% alcohol, 80% food
546 W. Washington Ave. • Agent: Sean Lee • Estimated Capacity: 78
Class B Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 404
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
147. [14569](#) Public Hearing - New License
Asian Persuasion, LLC • Lao Laan Xang • 20% alcohol, 80% food
2098 Atwood Ave. • Agent: Anousone Inthachinth • Estimated Capacity: 86
Class B Combination Liquor & Beer
Aldermanic District 6 (Alder Rummel) • Police Sector 410
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
148. [14577](#) Public Hearing - New License
Lin, Guo Zhi • dba QQ Asian Buffet • 5% alcohol, 95% food
1291 N. Sherman Ave. • Estimated Capacity: 168
Class B Beer, Class C Wine
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 503
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**
149. [14578](#) Public Hearing - New License
Antojitos El Toril, LLC • dba Antojitos El Toril • 20% alcohol, 80% food
515 Cottage Grove Rd. • Agent: Jose Gonzalez • Estimated Capacity: 60
Class B Combination Liquor & Beer
Aldermanic District 15 (Alder Palm) • Police Sector 613
Due back at the 6/2/09 Common Council Meeting.
- This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009**

150. [14580](#) Public Hearing - New License
LSI Group, LLC • dba Europa • 89% alcohol, 10% food, 1% other
6676 Odana Rd. • Agent: Kami Eshraghi • Estimated Capacity: 420 (main floor), 300 (banquet)
Class B Combination Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113
Due back at the 6/2/09 Common Council Meeting.

This License was Referred for Public Hearing to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 6/2/2009

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

151. [14465](#) P. Revis, Alpha Property & Casualty Insurance Co. for D. Bridges, 58 Sunfish Ct., # A, Madison, 53713 - vehicle damage - \$94.67.
152. [14466](#) N.D. Abrams, Jr., 504 E. Mifflin St., # 5, Madison, 53703 - property loss - \$195.00.
153. [14485](#) G. Olson, 5222 Harbor Ct., Madison, 53705 - property damage - \$380.00.
154. [14511](#) L. Hassell, 24 N. Webster St., Madison, 53703 - vehicle damage - \$1,085.46.
155. [14525](#) P. Michaelis, 1039 Prairie St., Shakopee, MN, 55379 - personal injury - \$556.89.
156. [14526](#) R. Comfort, 40 N. Roby Rd., Madison, 53726 - vehicle damage - \$4,197.83.
157. [14527](#) G. Hillyer, 14 Shefford Cir., Madison, 53719 - property damage - \$500.00.
158. [14531](#) D. Bolling, 10 E. Gorham St., #4, Madison 53703 - vehicle damage - \$1,102.05.
159. [14532](#) M. Maier, 93 Strangeway Ave., Lodi 53555 - vehicle damage - \$1,215.47.
160. [14559](#) T. Olson, 54 Walter St., Madison, 53714 - vehicle damage - \$2595.61.
161. [14582](#) E. Sanchez for EBSCO Publishing, PO Box 602, Ipswich, MA 01938 - vehicle damage - \$6,823.93.
162. [14584](#) R. Van Landingham, 3718 Busse St., Madison (53714) - property loss - \$570.78.

RECONSIDERATIONS

163. [14443](#) SUBSTITUTE - Report of the Mayor submitting Alder committee appointments.

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Withdraw the motion for Reconsideration. The motion passed by voice vote/other.

ADDENDUM

164. [14626](#) Briefing by Dr. Tom Schlenker Regarding the H1N1 Virus

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adjourn at 12:05 a.m. The motion passed by voice vote/other.

I certify that the foregoing action of the Common Council was approved by the Mayor on May 6, 2009.

Ordinances published May 21, 2009.

MARIBETH WITZEL-BEHL, CITY CLERK