



City of Madison

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

Proceedings - Approved COMMON COUNCIL

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Tuesday, May 19, 2009

6:30 PM

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

Roll Call at 6:40 p.m., Mayor Cieslewicz in the Chair.
Late: Ald. Maniaci (6:42 p.m.)

Present: 21 -

David J. Cieslewicz; Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; 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

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 6/2/09 Common Council Meeting.

A motion was made by Ald. Bruer, seconded by Ald. Clear, 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.

- 2. [14617](#) Congratulating the Madison Memorial High School's Forensics Team, champions of the 2009 Wisconsin Forensic Coaches Association State Tournament.

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

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

Enactment No: RES-09-00446

- 3. [14575](#) Presentation of an award by Gary Peterson, Chapter President of the Wisconsin Chapter of the American Planning Association, to the Mayor and Madison Common Council for the Stoughton Road Revitalization Project Plan.

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 #: 25, 27, 43, 44, 71, and 91 on a motion made by Ald. Bruer, seconded by Ald. Verveer.

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF PUBLIC WORKS

4. [14581](#)

AMENDED - Approving Plans, Specifications, And Schedule Of Assessments For 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. Schmidt, seconded by Ald. Bruer, to Adopt the following amendment: add 11. That the bike lane on the west side of Midvale Blvd. between Hammersley Dr. and Mineral Point Rd. be changed to 4' and remove 1' of the median. 12. That the bike lane on the east side of Midvale Blvd. between Tokay Blvd. to Cherokee Dr. be changed to 4' and remove 1' of the median." The motion passed by the following vote:A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt as Amended and Close the Public Hearing. The motion passed by the following vote:

Absent: 1 -
Julia S. Kerr

Ayes: 11 -
Bridget R. Maniaci; Lauren Cnare; Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Brian L. Solomon; Chris Schmidt; Tim Bruer; Michael Schumacher; Mark Clear and Jed Sanborn

Noes: 8 -
Steve King; Bryon A. Eagon; Paul E. Skidmore; Satya V. Rhodes-Conway; Larry Palm; Judy Compton; Joseph R. Clausius and Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

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

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

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; Jed Sanborn; Bridget R. Maniaci and Lauren Cnare

Noes: 1 -
Thuy Pham-Remmele

Non Voting: 1 -
David J. Cieslewicz

Enactment No: RES-09-00447

REPORT OF PLAN COMMISSION

5. [13960](#) SUBSTITUTE - 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

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adopt and Close the Public Hearing with the following amendment: replace condition # 5 in the Planning Division Report with the following language: 5. That the developers of the three apartment buildings provide proof of financing, which provides assurances that the proposed project will be completed, in a form acceptable to the Director of the Department of Planning and Community and Economic Development prior to final approval and recording of the Planned Unit Development and issuance of any demolition or building permits. The developer for the renovation of the eight residential buildings shall provide a financing plan and assurances that the proposed project will be completed in a form acceptable to the Director of the Department of Planning and Community & Economic Development prior to final approval and recording of the Planned Unit Development and the issuance of any demolition or building permits. This plan shall include an approximate timeline for the renovation projects and shall be included in the recorded Planned Unit Development. The motion passed by voice vote/other.

Enactment No: ORD-09-00082

6. [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 4 Buildings and Construct Mixed-Use Building with 26 Multi-family units and 11,700 Square-Foot Commercial Space; 12th Aldermanic District: 1900-1916 East Washington Avenue.

Sponsors: Common Council By Request

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

REPORT OF STREET USE STAFF TEAM

4. [14581](#) AMENDED - Approving Plans, Specifications, And Schedule Of Assessments For Midvale Boulevard, Tokay Boulevard and Waite Circle Resurfacing Assessment District - 2009. (10th, 11th & 20th ADs)
- Sponsors:** BOARD OF PUBLIC WORKS
- Enactment No: RES-09-00447
7. [14100](#) To SUSPEND the handcrafted goods vending restrictions on May 9, 2009 from 8:00 a.m. to 5:00 p.m. during Cars on State and authorizing the Greater State Street Business Association, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the 100-600 blocks of State St and the 200-300 blocks of N. Henry St.
- Sponsors:** Michael E. Verveer and Thuy Pham-Remmele
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-09-00448
8. [14101](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 6, 2009 during the 30th Anniversary COWS ON THE CONCOURSE and authorizing the Dane County Dairy Promotion Committee, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St. and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.
- Sponsors:** Michael E. Verveer and Thuy Pham-Remmele
- 1 Registrant(s) in support not wishing to speak.
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-09-00449
9. [14102](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 13, 2009 during Safety Saturday and authorizing the Madison Fire Department, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St., the 10 block of N. & S. Pinckney and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.
- Sponsors:** Michael E. Verveer and Thuy Pham-Remmele
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-09-00450

10. [14103](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions on June 24, July 1, 8, 15, 22 and 29, 2009 (rain dates June 25, July 2, 9, 16, 23 and 30, 2009) from 3:00 p.m. to 11:59 p.m. during CONCERTS ON THE SQUARE and authorizing the Wisconsin Chamber Orchestra, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the 10 blocks of E. & W. Main St. and N. & S. Pinckney and the 100 blocks of E. Washington and MLK Jr. Blvd.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

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

Enactment No: RES-09-00451

11. [14104](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses from 6:00 p.m., July 10, 2009 to 9:00 p.m., July 12, 2009 in the areas specified below for the benefit of the Madison Museum of Contemporary Art, so that the 51st Annual ART FAIR ON THE SQUARE may occur.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

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

Enactment No: RES-09-00452

12. [14105](#) Authorizing the Madison Museum of Contemporary Art, as sponsor of the 51st Annual ART FAIR ON THE SQUARE, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, 6:00 p.m. July 10, 2009 to 9:00 p.m., July 12, 2009, within the perimeter of the area, defined in the companion resolution, involved in the event.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

Enactment No: RES-09-00453

13. [14106](#) Authorizing the WI Alliance of Artists and Craftspeople, as sponsor of the ART FAIR OFF THE SQUARE, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the ART FAIR OFF THE SQUARE, from 6:00 p.m., July 10, 2009 to 9:00 p.m., July 12, 2009 on the 200 block of Martin Luther King Jr. Blvd.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

Enactment No: RES-09-00454

14. [14107](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses from 6:00 p.m., July 10, 2009 to 9:00 p.m., July 12, 2009 on the 200 block of Martin Luther King, Jr. Blvd. for the benefit of WI Alliance of Artists & Craftspeople, so that ART FAIR OFF THE SQUARE may occur.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

Enactment No: RES-09-00455

15. [14108](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses on July 17, 18 and 19, 2009 in the areas specified below for the benefit of the Greater State St. Business Association (GSSBA), so that MAXWELL ST. DAYS may occur.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

Enactment No: RES-09-00456

16. [14109](#) Authorizing the Greater State Street Business Association (GSSBA), as sponsor of MAXWELL ST. DAYS, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of MAXWELL ST. DAYS, July 17, 18 and 19, 2009 within the perimeter of the area involved in the event.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

Enactment No: RES-09-00457

17. [14110](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on August 5, 12, 19, 26 and September 2, 2009 during the Jazz @ 5 concert series and authorizing Jazz @ 5 Inc., as sponsor of the special event, to select vendors, vending sites and performers within the 100 block of State St. for the duration of the special event.
- Sponsors:** Michael E. Verveer and Thuy Pham-Remmele
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-09-00458
18. [14111](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses from 1:00 p.m., September 4, 2009 to 11:59 p.m., September 6, 2009 in the areas specified below for the benefit of Madison Festivals Inc., so that TASTE OF MADISON may occur.
- Sponsors:** Michael E. Verveer and Thuy Pham-Remmele
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-09-00459
19. [14112](#) Authorizing Madison Festivals Inc., as sponsor of the TASTE OF MADISON, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the TASTE OF MADISON, from 1:00 p.m., September 4, 2009 to 11:59 p.m. on September 4, 2009, within the perimeter of the area involved in the event.
- Sponsors:** Michael E. Verveer and Thuy Pham-Remmele
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-09-00460
20. [14113](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions September 10 - 13, 2009 during IRONMAN WI Expo and authorizing the Ford Ironman Wisconsin, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 200 block of Martin Luther King, Jr. Blvd.
- Sponsors:** Michael E. Verveer and Thuy Pham-Remmele
- A motion was made by Ald. Bruer, seconded by Ald. Clear, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.**
- Enactment No: RES-09-00461

21. [14114](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions Saturday, September 26, 2009 during the Food for Thought Festival and authorizing the Dane County REAP Food Group, as sponsor of the event, to select vendors, vending sites and performers for the duration of the event on the 100 and 200 blocks of Martin Luther King, Jr. Blvd.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

Enactment No: RES-09-00462

22. [14115](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses from 6:00 p.m., October 31, 2009 to 3:00 a.m., November 1, 2009 in the areas specified in the Street Use Permit Frank Productions, Inc. will obtain for Freakfest 2009.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on 6/2/2009. The motion passed by voice vote/other.

23. [14116](#) Authorizing Frank Productions, Inc., as organizing group for FREAKFEST 2009, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, 6:00 p.m. October 31, 2009 to 3:00 a.m. November 1, 2009, within the perimeter of the area, defined in the Street Use Permit for the event.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

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

A motion was made by Ald. Bruer, seconded by Ald. Clear, to Rerefer for Recessed Public Hearing to the COMMON COUNCIL, due back on 6/2/2009. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

RECESS

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

RECONVENE

Roll Call at 9:20 p.m., Mayor Cieslewicz in the Chair.

Present: 21 -

David J. Cieslewicz; Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; 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

BUSINESS PRESENTED BY THE MAYOR

24. [14553](#) Report of the Mayor submitting citizen committee appointments (introduced 5-5-2009; action 5-19-2009).

Sponsors: David J. Cieslewicz

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Confirm with the following amendment: remove Jim Cobb as the appointee to the ADA Transit Subcommittee. The motion passed by the following vote:

Ayes: 20 -

Jed Sanborn; Bridget R. Maniaci; Lauren Cnare; 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

25. [14767](#) Report of the Mayor submitting citizen committee appointments (introduced 5-19-2009; action 6-2-2009).

Sponsors: David J. Cieslewicz

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

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

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 6/2/2009. The motion passed by voice vote/other.

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

26. [14739](#) Authorizing the Mayor and City Clerk to execute a one-year contract with Capital Newspapers for publication services.

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-09-00463

REPORTS OF OFFICERS

REPORT OF CITY ATTORNEY

27. [12065](#) SUBSTITUTE - Amending Section 25.09 of the Madison General Ordinances to change various provisions of the Chronic Nuisance Premises ordinance recommended by the Equal Opportunities Commission.

Sponsors: Brian L. Solomon

A motion was made by Ald. Sanborn, seconded by Ald. Cnare, to Adopt the following amendment(s): strike 'implements' and replace with 'considers' in Section 25.09(3)(a) & (3)(b); leave 'reviewing an automatically-terminated lease' in Section 25.09(6)(a). The motion FAILED by the following vote:

Ayes: 7 -

Steve King; Paul E. Skidmore; Larry Palm; Judy Compton; Michael Schumacher; Jed Sanborn and Lauren Cnare

Noes: 13 -

Michael E. Verveer; Shiva Bidar-Sielaff; Marsha A. Rummel; Bryon A. Eagon; Brian L. Solomon; Chris Schmidt; Satya V. Rhodes-Conway; Julia S. Kerr; Tim Bruer; Joseph R. Clausius; Mark Clear; Thuy Pham-Remmele and Bridget R. Maniaci

Non Voting: 1 -

David J. Cieslewicz

A motion was made by Ald. Rhodes-Conway, seconded by Ald. Solomon, to Adopt the following amendment(s): Adopt Section 25.09 3(a)(6), 3(b)(3)(b) and 6(a) and strike Section 25.09 (2)(a)(2), (2)(c), (3)(b)(2). The motion FAILED by the following vote:

Ayes: 5 -

Michael E. Verveer; Marsha A. Rummel; Brian L. Solomon; Satya V. Rhodes-Conway and Larry Palm

Noes: 15 -

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

Non Voting: 1 -

David J. Cieslewicz

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

A motion was made by Ald. Sanborn, seconded by Ald. Bruer, to Place On File Without Prejudice. The motion passed by the following vote:

Ayes: 18 -

Bridget R. Maniaci; Lauren Cnare; 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; Thuy Pham-Remmele and Jed Sanborn

Noes: 2 -

Marsha A. Rummel and Satya V. Rhodes-Conway

Non Voting: 1 -

David J. Cieslewicz

28. [13607](#) Petition dated January 10, 2009 from R. Armstrong, 5313 Milward Dr., Madison and residents in the area located just west of Odana Golf Course re: proposed construction of the transmission line along the Beltline by ATC.

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

27. [12065](#) SUBSTITUTE - Amending Section 25.09 of the Madison General Ordinances to change various provisions of the Chronic Nuisance Premises ordinance recommended by the Equal Opportunities Commission.

Sponsors: Brian L. Solomon

REPORT OF BOARD OF ESTIMATES

29. [14136](#) Deletion of the classification of Traffic Count Worker and creating a new position of Traffic Signal Maintenance Worker within Traffic Engineering.

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-09-00464

30. [14143](#) Recreation of the Crossing Guard Supervisor classification in Compensation Group 18-01 and adjustment of the FTE associated to each 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-09-00465

31. [14151](#) Creation of the the hourly classification of Engineer and deletion of the hourly classification of Civil Engineer within Compensation Group 17.

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-09-00466

32. [14153](#) Recreating the Personnel Analyst series as the Human Resouces Analyst series and reallocation of the incumbents to this new series.

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-09-00467

33. [14154](#) Creation of a new position of Human Resources Analyst 2 within Human Resources.

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-09-00468

34. [14166](#) Creation of an additional position of Community Development Project Manager within the Department of Planning & Community & Economic Development.

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-09-00469

35. [14274](#) To authorize a contract between the City and the Madison Metropolitan School District for the provision of programming by Madison School and Community Recreation at Warner Park Community and Recreation Center for 2009. (A.D. 12)

Sponsors: Michael Schumacher, Satya V. Rhodes-Conway 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-09-00470

36. [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

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

Enactment No: RES-09-00471

37. [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

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

Enactment No: RES-09-00472

38. [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

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

Enactment No: RES-09-00473

39. [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

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

Enactment No: RES-09-00474

40. [14524](#) Creation of a new Grants Administrator 1-LTE position in the Police Department 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-09-00475

41. [14540](#) Report of Chief of Police re: Police Overtime for 2008 and 1st Quarter of 2009.

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

42. [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

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

Enactment No: RES-09-00476

43. [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

5 Registrant(s) in support wishing to speak; 3 Registrant(s) in opposition wishing to speak; 2 Registrant(s) in opposition not wishing to speak.

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

Ayes: 17 -

Bridget R. Maniaci; Lauren Cnare; 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; Michael Schumacher and Mark Clear

Noes: 3 -

Joseph R. Clausius; Thuy Pham-Remmele and Jed Sanborn

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00490

44. [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

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

Ayes: 18 -

Lauren Cnare; 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 Bridget R. Maniaci

Noes: 2 -

Thuy Pham-Remmele and Jed Sanborn

Non Voting: 1 -

David J. Cieslewicz

Enactment No: RES-09-00491

45. [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

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

Enactment No: RES-09-00477

46. [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

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

Enactment No: RES-09-00478

47. [14588](#) Amending the 2009 Operating Budget of Landfill and Awarding Public Works Contract No. 6346, Landfill PV Installation 2009.

Sponsors: David J. Cieslewicz 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-09-00479

48. [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

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

Ayes: 20 -

Bridget R. Maniaci; Lauren Cnare; 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-09-00480

49. [14602](#) Amending the 2009 Adopted Capital Budget of Engineering-Major Streets and Authorizing the Mayor and City Clerk to enter into an agreement with Foth Infrastructure and Environment for design engineering services for University Avenue from Segoe Road to Shorewood Boulevard. The City has applied for Economic Stimulus Funds for construction. (11th AD)

Sponsors: Chris Schmidt

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

Ayes: 20 -

Lauren Cnare; 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-09-00481

REPORT OF BOARD OF PUBLIC WORKS

50. [14413](#) Authorizing the execution of a Permanent Limited Easement for highway and drainage purposes and Temporary Limited Easement for sloping and grading purposes to the State of Wisconsin Department of Transportation across City-owned land, located at 7074 Reston Heights Drive.

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-09-00482

51. [14445](#) Determining a Public Purpose and Necessity and adopting an Amended Relocation Order for the acquisition of Plat of land interests required for the relocation and construction of Pleasant View Road from Valley View Road to Mineral Point Road, located in that part of the Northwest $\frac{1}{4}$, of Section 27, Town 7 North, Range 8 East, City of Madison, Dane County, Wisconsin and rescinding previously approved and adopted Relocation Order Resolution No. RES-06-00716 and all associated maps and legal descriptions. (9th AD)

Sponsors: Paul E. Skidmore

4 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-09-00483

52. [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

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

Enactment No: RES-09-00484

53. [14507](#) Improvements Accepted for Water Service Laterals by Private Contract to Serve: Grandview Commons - Phase 15. (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-09-00485

54. [14508](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Grandview Commons - Phase 14. (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-09-00486

55. [14572](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Eighth Addition to Blackhawk Subdivision - Phase II. (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-09-00487

56. [14574](#) Improvements accepted for Water Service Laterals by Private Contract to serve: Eighth Addition to Blackhawk Subdivision - Phase I. (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-09-00488

57. [14589](#) Awarding Public Works Contract No. 6372, Upper Badger Mill Creek Greenway Repair.
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-09-00489
58. [14590](#) Improvements accepted for Annual Sawcutting of Concrete Sidewalk & Incidental Work, Contract No. 6077.
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-09-00492
59. [14594](#) Authorizing the Mayor and City Clerk to apply for and accept a DNR Lake Protection Grant to create a web-based platform that will provide real-time gauge and modeling information for the Yahara Lakes. (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-09-00493
60. [14595](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Warner Park Roof Replacement 2009, Contract No. 6345. (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-09-00494

61. [14596](#) Declaring the City of Madison's intention to exercise its police powers establishing, and approving plans specifications and schedule of assessments for the Chamberlain Avenue, Ash Street, Chestnut Street and Joss Court Reconstruction Assessment District - 2009 Rain Gardens. (5th 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-09-00508

62. [14598](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for East Streets Lighting Retrofit 2009, Contract No. 6354. (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-09-00496

63. [14600](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Fleet Services Concrete Floor Repairs, 200 North First Street, Contract No. 6349. (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-09-00497

64. [14601](#) Assessing Benefits - Eastmorland Park Drainage Way Assessment District (Woodman's Food Market). (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-09-00498

65. [14603](#) Authorizing the Mayor and City Clerk to enter into an agreement with Short Elliott Hendrickson Inc. for design engineering services for Cannonball Path Phase 1. The City has applied for Economic Stimulus Funds for construction. (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-09-00499

66. [14604](#) Authorizing the Mayor and City Clerk to enter into an agreement with Short Elliott Hendrickson Inc. for design engineering services for Cannonball Path Phase 3. The City has applied for Economic Stimulus Funds for construction. (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-09-00500

67. [14605](#) Approving Plans, Specifications, And Schedule Of Assessments For Littlemore Drive 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-09-00501

REPORT OF CITY CLERK

68. [14803](#) Secondhand Jewelry Dealer License
The Diamond Center Inc
509 S Gammon Rd

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

69. [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

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

Enactment No: RES-09-00502

REPORT OF LANDMARKS COMMISSION

70. [13717](#) 1450 Monroe Street - University of Wisconsin Field House
Proposed landmark nomination.
Owners: University of Wisconsin Board of Regents
Contact: Gary Brown Director, Campus Planning & Landscape Architecture, Facilities Planning & Management
Applicant: Christina Endres, Madison Trust for Historic Preservation

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

REPORT OF PERSONNEL BOARD

71. [13992](#) Amending Secs. 3.32(6)(b)1., 3.32(6)(e)1., 3.32(6)(e)2., and 3.38(1)(b)3.a. of the Madison General Ordinances to modify existing sick leave eligibility, earning and accumulation provisions to make sick leave benefits available to more employees.

Sponsors: Julia S. Kerr, Lauren Cnare, Michael E. Verveer and Larry Palm

A motion was made by Ald. Clear, seconded by Ald. Palm, to Adopt with the following recommendation: that the Comptroller, in consultation with the Human Resources Director, shall provide to the Common Council Organizational Committee a report with a detailed fiscal analysis including the number of seasonal employees, hours worked, and hourly rates. The motion passed by voice vote/other.

Enactment No: ORD-09-00083

72. [14157](#) Amending Section 3.54(2)(a) of the Madison General Ordinances by creating the hourly classification of Engineer and deleting the hourly classification of Civil Engineer within Compensation Group 17.

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-09-00084

73. [14160](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Labor Relations Analyst 1 in Compensation Group 18, Range 06.

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-09-00085

74. [14161](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by deleting the Personnel Analyst series and recreating said classifications as the Human Resources Analyst series.

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-09-00086

75. [14162](#) Amending Sections 3.54(1)(f) and 3.54(1)(b) of the Madison General Ordinances by deleting the classification of Crossing Guard Supervisor in Compensation Group 17, Range 13, and recreating said classification in Compensation Group 18, Range 01, thereof.

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-09-00087

76. [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

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

Enactment No: ORD-09-00088

77. [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

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

Enactment No: ORD-09-00089

78. [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

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

Enactment No: ORD-09-00090

REPORT OF PLAN COMMISSION

79. [14545](#) Approving a Certified Survey Map of property owned by Converse H. Blanchard located at 2017-2021 Van Hise Avenue, University Heights Historic District. 5th 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-09-00503

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

80. [14737](#) Approving a Certified Survey Map of property owned by Madison East Store, LLC located at 2101-2115 East Springs Drive. 17th Ald. Dist.

Sponsors: Common Council By Request

3 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-09-00504

81. [14738](#) Approving a Certified Survey Map of property owned by Park and Regent Development, LLC located at 904-906 Regent Street and 909-913 College Court and approving the sale of City of Madison surplus property located at College Court and N. Park Street. 8th 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-09-00505

REPORT OF RISK MANAGER

82. [13801](#) S. Williams, 1910 N. Sherman Ave., Madison, 53704 - vehicle damage - \$5,798.97.

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

83. [14440](#) J. Pellett, 14 N. Rock Rd., Madison, 53705 - property damage - \$140.10.

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

84. [14441](#) K. Karr, State Farm Insurance for J. Davis, N24 W24330 Saddlebrook Dr., # 14, Pewaukee, 53072 - vehicle damage - \$2,090.85.

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

85. [14465](#) P. Revis, Alpha Property & Casualty Insurance Co. for D. Bridges, 58 Sunfish Ct., # A, Madison, 53713 - vehicle damage - \$94.67.

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

86. [14525](#) P. Michaelis, 1039 Prairie St., Shakopee, MN, 55379 - personal injury - \$556.89.

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

87. [14527](#) G. Hillyer, 14 Shefford Cir., Madison, 53719 - property damage - \$500.00.

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

88. [14531](#) D. Bolling, 10 E. Gorham St., #4, Madison 53703 - vehicle damage - \$1,102.05.

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

89. [14260](#) Authorizing the Mayor and City clerk to enter into an agreement with Capitol Express Transportation for the purpose of providing Complementary Paratransit Services to Metro Transit for a term of two years ending December 31, 2010.

Sponsors: Brian L. Solomon and Jed Sanborn

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

Enactment No: RES-09-00506

90. [14295](#) SECOND SUBSTITUTE - Creating a Low-Income Bus Pass Program Committee.

Sponsors: David J. Cieslewicz, Brian L. Solomon and Jed Sanborn

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

Enactment No: RES-09-00507

REPORT OF URBAN DESIGN COMMISSION

91. [04167](#)

AMENDED SUBSTITUTE - To adopt and confirm amendments to the Madison General Ordinances as set forth in attached Exhibit X pursuant to Sec. 66.0103, Wis. Stats. Repealing and recreating Chapter 31 and amending portions of Sec. 33.24, Chapter 28 and Chapter 1.

Sponsors: Michael E. Verveer and Marsha A. Rummel

1 Registrant(s) in opposition wishing to speak.

A motion was made by Ald. Verveer, seconded by Ald. Bruer, to Adopt With Amendment(s) as follows:

1. Amend sec. 31.046(1)(b) to replace the phrase "one (1) hour" with "five (5) minutes".

2. Amend sec. 31.046(1)(c) to replace the phrase "one (1) hour" with "five (5) minutes".

3. Authorizing the City Attorney to draft Amendments to the Substitute Ordinance and other City ordinances for the purpose of retaining the one-hour rule in all Urban Design Districts.

4. Authorizing the City Attorney to draft amendments to the Substitute Ordinance and other City ordinances for the purpose of applying the one-hour rule for noncommercial uses in Districts of Special Control.

5. Amending sec. 31.05(1)(a)1. in the Substitute Ordinance by adding the following 2 sentences to 31.05(1)(a)1: Existing signs with features fitting the description of any sign prohibited by 31.045(3)(f), (g), (h), or (i) shall be required to conform to the requirements of those subsections. Existing signs with features fitting the description of Electronic Changeable Copy Signs shall be required to conform to all requirements of 31.046(1) including but not limited to the applicable time limitations for changing copy or images.

6. Authorizing the City Attorney to make any other editorial changes to city ordinances necessary to effectuate the amendments to the Substitute ordinance that I have just described.

7. Amend the Substitute Ordinance to add item 53. Effective Date of August 1, 2009 for the entire ordinance: 53. Effective Date: This Ordinance shall become effective on August 1, 2009."

The motion passed by voice vote/other.

Enactment No: ORD-09-00091 & A

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

92. [14597](#) Approving the installation of a traffic signal at the intersection of Brooks Street and Johnson Street. (8th AD)

Sponsors: Bryon A. Eagon

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

Enactment No: RES-09-00495

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

ORDINANCES

93. [14735](#) Creating Section 28.06(2)(a)3432. of the Madison General Ordinances rezoning property from M1 Limited Manufacturing District to PUD(GDP) Planned Unit Development (General Development Plan) District and creating Section 28.06(2)(a)3433. 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 Bus Terminal to Construct Mixed-Use Building with 11,500 Square Feet of Retail Space and 82 Apartments; 2 South Bedford Street: 4th Aldermanic District.

Sponsors: Common Council By Request

Due back at the 7/7/09 Common Council Meeting.

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION, due back on 7/7/2009

94. [14736](#) Amending Sections 39.02(9)(g)6. and 39.02(9)(g)8. of the Madison General Ordinances to expand the deadlines for action by the Affirmative Action Appeals subcommittee and clarify that the days are counted as calendar rather than business days.

Sponsors: Joseph R. Clausius

This Ordinance was Referred to the AFFIRMATIVE ACTION COMMISSION

95. [14743](#) Amending Sections 40.08(1), 40.08(3) and 40.08(4) of the Madison General Ordinances to make changes regarding the issuance, term and renewal of permits to operate a conveyance.

Sponsors: Paul E. Skidmore and Michael E. Verveer

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

This Ordinance was Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 6/2/2009

RESOLUTIONS

96. [14516](#) Approve Porchlight's request for \$239,255 in Home Match funds for 7 units in the form of a deferred loan secured by a mortgage, promissory note and Land Use Restriction Agreement (LURA) with a 15-year affordability requirement; authorize the Mayor and City Clerk to sign any agreements to effect such a change; agree to waive the CDBG Office 2009-2010 Program Funding Framework per unit limit and the loan-to-value ratio; and approve a 15-year forgivable loan with Porchlight for the outstanding CDBG Office investment \$200,200. The combined CDBG Office investment in the property will be \$439,455.

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

This Resolution was Referred to the BOARD OF ESTIMATES

97. [14518](#) Approve Porchlight's request for \$234,255 in Home Match funds for 6 units in the form of a deferred loan secured by a mortgage, promissory note and Land Use Restriction Agreement (LURA) with a 15-year affordability requirement; authorize the Mayor and City Clerk to sign any agreements to effect such a change; agree to waive the CDBG Office 2009-2010 Program Funding Framework per unit limit and the loan-to-value ratio; and approve a 15-year forgivable loan with Porchlight for the outstanding CDBG Office investment \$214,590. The total CDBG Office investment in this property will be \$448,845.

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

This Resolution was Referred to the BOARD OF ESTIMATES

98. [14632](#) To amend the 2009 Capital Budget to accept the donation of funds and in kind donations for the design and construction of a plaza and installation of a pergola in Veterans Memorial Park.

Sponsors: Joseph R. Clausius, Judy Compton and Paul E. Skidmore

Additional Referral(s): Board of Park Commissioners

This Resolution was Referred to the BOARD OF ESTIMATES

99. [14747](#) 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 Community Development Block Grant - Recovery Program funds, and amend the Adopted CDBG Operating budget to recognize \$534,096 in federal revenues and commensurate expenditure authority and authorizing the CDBG Office to issue Requests for Proposals (RFP) for provision of services.

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

This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

100. [14751](#) Approving the Environmental Assessment for the CTH M / Junction Road & Mineral Point Road project and approving the roadway geometry contained in the Environmental Assessment. (9th AD).

Sponsors: Paul E. Skidmore

Additional Referral(s): Pedestrian/Bicycle/Motor Vehicle Commission, Long Range Transportation Planning Commission. Due back at the 6/16/09 Common Council Meeting.

This Resolution was Referred to the BOARD OF PUBLIC WORKS, due back on 6/16/2009

LICENSES

101. [14805](#) To grant Class A Liquor, Class A Beer, Class B Beer, Class B Combination Liquor & Beer, Class C Wine, Wholesale Beer 2009-2010 License Renewals with restrictions as previously approved and to include any change of corporate structure and amended conditions as set forth in the report.
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

102. [14623](#) NOTICE OF INJURY: T. Rymer, Gendlin, Liverman & Rymer, attorney for T. Boyer, 409 W. Doty St., #4, Madison (53703) - personal injury - amount to be determined.
103. [14625](#) W. Hauda, 4182 Percussion Rock Rd., PO Box 10, Dodgeville (53533) - vehicle damage - \$318.62.
104. [14630](#) J. Mack, 1153 Emerald Ter, Sun Prairie (53590) - vehicle damage - \$811.29.

105. [14681](#) J. Davis, 1132 Morraine View Dr., #104, Madison (53719) - vehicle damage - \$1,460.49.
106. [14750](#) J. Hazen, 918 Nobel Ln., Madison, 53704 - vehicle damage - \$311.07.
107. [14752](#) M. DeVos, DeVos & Zerbst, S.C. for M. Doyle, 344 Island Dr., #12, Madison, 53705 - personal injury - \$270,331.20.

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

108. [14830](#) Authorizing the Chief of Police to sign a "Use Agreement" with Future Madison Wexford, Inc. (managed by Meridian Group, Inc.), Dane County Joining Forces for Families and PHMDC for the shared use of office space for the West District Neighborhood Police Officer.

Sponsors: Paul E. Skidmore

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

A motion was made by Ald. Skidmore, seconded by Ald. Clear, 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.

ADJOURNMENT

A motion was made by Ald. Bruer, seconded by Ald. Verveer, to Adjourn at 12:25 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 21, 2009.

Ordinances published June 5, 2009.

MARIBETH WITZEL-BEHL, CITY CLERK