



City of Milwaukee

Council Agenda

COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, April 14, 2009

9:00 AM

Common Council Chambers

Willie L. Hines, Jr., 15th District

President

Ashanti Hamilton, 1st District

Joe Davis, Sr., 2nd District

Nicholas Kovac, 3rd District

Robert Bauman, 4th District

James Bohl, Jr., 5th District

Milele A. Coggs, 6th District

Willie C. Wade, 7th District

Robert G Donovan, 8th District

Robert W. Puente, 9th District

Michael J. Murphy, 10th District

Joseph A. Dudzik, 11th District

James N. Witkowiak, 12th District

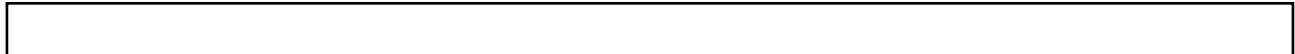
Terry L. Witkowski, 13th District

T. Anthony Zielinski, 14th District

Order of Business

1. Roll Call
2. Pledge of Allegiance
3. Invocation or Silent Meditation
4. Approval of Previous Minutes
5. Presentations
6. Unfinished Business
7. Reports of Standing Committees
 - Licenses, Ald. Bohl, Chair; Ald. Coggs, Vice-Chair
 - Public Safety, Ald. Donovan, Chair; Ald. Puente, Vice-Chair
 - Finance and Personnel, Ald. Murphy, Chair; Ald. Bauman, Vice-Chair
 - Judiciary and Legislation, Ald. Hamilton, Chair; Ald. Witkowski, Vice-Chair
 - Zoning, Neighborhoods and Development, Ald. Witkowiak, Chair;
Ald. Wade, Vice-Chair
 - Community and Economic Development, Ald. Davis, Chair;
Ald. Zielinski, Vice-Chair
 - Public Works, Ald. Bauman, Chair; Ald. Dudzik, Vice-Chair
8. Communications to be Ordered on File
9. Matters for Immediate Adoption
10. Presentation of ordinances, resolutions, motions and communications
11. Announcements

PLEASE NOTE: Detailed information relating to the contents of these files may be found by searching under the appropriate file number at <http://milwaukee.legistar.com/legislation>. Alternatively, complete files including detailed information identifying the specific subject matters to be discussed at the meeting may be inspected at the office of the City Clerk, Room 205, City Hall, 200 E. Wells St., Milwaukee, 53202, Monday through Friday, between the hours of 8 a.m. and 4:45 p.m. Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX) 286-3456, (TDD) 286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.



UNFINISHED BUSINESS:

1. **081040** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 11/25/2008**
 Substitute resolution assigning the honorary street name, "Mother Lucy Payne", to North
 11th Street between West Chambers Street and West Hadley Street, in the 6th and 15th
 Aldermanic Districts.

2. **081319** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/16/2009**
 Substitute resolution assigning the honorary street name, "Pastor Willie F. Brooks, Sr.," to
 West Brown Street from North 22nd to North 24th Streets in the 15th Aldermanic District.

THE LICENSES COMMITTEE RECOMMENDS:**PASSAGE OF THE FOLLOWING:**

1. **081584** **SPONSORED BY: Ald. Bohl** **INTRODUCED ON: 03/25/2009**
An ordinance relating to statements required of individuals seeking to be considered disabled persons when applying for loading zone permits.

APPROVAL OF THE FOLLOWING:

2. **081285** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/16/2009**
Motion relating to the recommendations of the Licenses Committee relative to various licenses.
Detailed information relating to the contents of this file may be found by searching under this number at <http://milwaukee.legistar.com/legislation>.

Alternatively, the complete file including detailed information identifying the specific subject matters to be discussed at the meeting may be inspected at the office of the License Division, Room 105, City Hall, 200 E. Wells St., Milwaukee, 53202, Monday through Friday, between the hours of 8 a.m. and 4:30 p.m.

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:**APPROVAL OF THE FOLLOWING:**

1. **081526** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**

Motion relating to the recommendations of the Public Safety Committee relative to various licenses.

Detailed information relating to the contents of this file may be found by searching under this number at <http://milwaukee.legistar.com/legislation>.

Alternatively, the complete file including detailed information identifying the specific subject matters to be discussed at the meeting may be inspected at the office of the License Division, Room 105, City Hall, 200 E. Wells St., Milwaukee, 53202, Monday through Friday, between the hours of 8 a.m. and 4:30 p.m.

PASSAGE OF THE FOLLOWING:

2. **081524** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**

A substitute ordinance relating to parking controls in various Aldermanic Districts.

3. **081525** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**

A substitute ordinance relating to traffic controls in various Aldermanic Districts.

4. **081580** **SPONSORED BY: Ald. Davis and Ald.** **INTRODUCED ON: 03/03/2009**
Witkowski

A substitute ordinance restricting the sale of motor vehicles on public property.

ADOPTION OF THE FOLLOWING:

5. **081095** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 11/25/2008**

Substitute resolution relative to application, acceptance and funding of the Community Collaborative - Disabled Victims of Sexual Assault and Domestic Violence Grant from IndependenceFirst.

6. **081633** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**

Resolution relative to acceptance and subsequent expenditure of contributions received by the Milwaukee Health Department for promoting immunization initiatives.

7. **081634** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**

Substitute resolution relative to acceptance and subsequent expenditure of contributions received by the Milwaukee Health Department for promoting community health education activities.

8. **081653** **SPONSORED BY: Ald. Davis** **INTRODUCED ON: 03/25/2009**
 Resolution authorizing participation in the National League of Cities' Prescription
 Discount Card Program administered and managed by CVS Caremark Corporation.

CONFIRMATION OF THE FOLLOWING:

9. **081597** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
 Appointment of Nicole McDowell to the Commission on Domestic Violence and Sexual
 Assault by the Milwaukee Public Schools Superintendent. (5th Aldermanic District)

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:**PASSAGE OF THE FOLLOWING:**

1. **081527** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**
A substitute ordinance to further amend the 2009 rates of pay of offices and positions in the City Service under control of the Common Council.
2. **081528** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**
A substitute ordinance to further amend the 2009 offices and positions in the City Service under control of the Common Council.

ADOPTION OF THE FOLLOWING:

3. **070014** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/17/2007**
Substitute resolution to ratify and confirm the final agreements between the City of Milwaukee and Milwaukee Police Association (Police Aide Unit).
4. **081098** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 11/25/2008**
Substitute Resolution relative to application, acceptance and funding of the 2009 Milwaukee Intensive Nurse Home Visiting Program from Columbia St. Mary's.
5. **081406** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/10/2009**
Substitute resolution authorizing attendance at conventions, seminars and other travel.
---(Note: Committee vote: 3 ayes, 2 noes)
6. **081532** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**
Substitute resolution amending the carryover of 2008 authorization for general obligation and revenue based borrowing.
7. **081610** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Resolution authorizing the sale and issuance of General Obligation Promissory Notes for contingent borrowing for excess 2008 expenditures.
8. **081625** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Substitute resolution amending the Intergovernmental Cooperation Agreement between the City of Milwaukee and the Employees' Retirement System and the Annuity and Pension Board relating to expenses in connection with the administration and operation of the Employees' Retirement System.
9. **081631** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**

Substitute resolution relative to application, funding and expenditure of the Milwaukee Nurse-Family Partnership Program from the University of Wisconsin-School of Medicine and Public Health.

10. 081632 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009

Substitute resolution relative to application, acceptance and funding of the Wisconsin Well Woman Program Wise Woman Pilot Grant from the State of Wisconsin - Department of Health Services.

11. 081654 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009

Substitute resolution authorizing transfer of \$100,000 from the Receivership Fund Special Purpose Account assigned to the control of the City Attorney to an account assigned to the control of the Department of City Development for a Foreclosure Mediation Program.

---(Note: Committee vote: 4 ayes, 1 no)

PLACING ON FILE THE FOLLOWING:

12. 081529 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/03/2009

Communication from the Department of Administration - Budget and Management Analysis Division regarding various vacancy requests, fund transfers and equipment requests.

13. 081602 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009

Communication from the City Comptroller relating to an Audit of City Treasurer Cash Controls.

14. 081669 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009

Communication from the Department of Employee Relations relative to classification studies scheduled for City Service Commission action.

15. Obsolete files:

a. 081199 SPONSORED BY: THE CHAIR INTRODUCED ON: 12/16/2008

Substitute resolution rescinding reserved commitments from the 2008 Common Council Contingent Fund.

b. 081337 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/16/2009

Resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue.

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:**ADOPTION OF THE FOLLOWING:**

1. **081412** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/10/2009**

Substitute resolution to settle claims of Cermele & Associates for defense of various police officers.

---This file includes payment of legal fees for the following police officers: David Novak, Michael Pendergast, Steven Johnson, Justin Tollefson and Robert Lemanczyk.
2. **081574** **SPONSORED BY: Ald. Coggs and Ald.** **INTRODUCED ON: 03/03/2009**
Davis

Substitute resolution supporting Wisconsin Senate Bill 141 requiring electronic seat check reminders on child care vehicles.
3. **081575** **SPONSORED BY: Ald. Coggs and Ald.** **INTRODUCED ON: 03/03/2009**
Davis

Substitute resolution supporting state legislation relating to distance requirements between certain alcohol beverage licensed establishments and child daycare centers.
4. **081592** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**

Resolution authorizing payment of the claim of Nathan Neibauer, in the amount of \$3,000.00.
5. **081614** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**

Substitute resolution authorizing the denial of the Wis. Stat. §74.35 claims filed with the City of Milwaukee.
6. **081615** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**

Resolution canceling City invoices against Hilton M. White and Henry D. Bailey.
7. **081622** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**

Substitute resolution relative to various legislative bills.

---AB-89 Prohibiting the Milwaukee Public Schools from imposing residency requirements on teachers.

---AB-147 Regulating the amount of a forfeiture for failure to remove snow.

---AB-149 The interest rate on delinquent property taxes.

---Proposed state ballast water permit requiring commercial ocean-going ships and those transporting cargo between Great Lakes ports to take steps to reduce

aquatic invasive species in the ballast water they release into Wisconsin waters.

8. **081662** **SPONSORED BY: Ald. Bohl and Ald. Hamilton** **INTRODUCED ON: 03/25/2009**

Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to petition the Wisconsin Department of Transportation to reduce city match requirements for arterial and collector street projects.

CONFIRMATION OF THE FOLLOWING:

9. **081560** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**

Appointment of Jerry Broitzman to the Board of Assessment by the Mayor. (5th Aldermanic District)

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

10. **Claims against the city:**

- a. **081255** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/16/2009**

Resolution relating to an appeal from Mamie Ward-Wilson for property damage. (9th Aldermanic District)

- b. **081259** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/16/2009**

Resolution relating to an appeal from Patty Eggers for property damage. (14th Aldermanic District)

- c. **081497** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**

Resolution relating to an appeal from Nina Darty for property damage. (7th Aldermanic District)

**THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
RECOMMENDS:**

PASSAGE OF THE FOLLOWING:

1. **081414** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/10/2009**
An ordinance relating to certificates of occupancy and zoning.

2. **081416** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/10/2009**
Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as Mercy Housing, to increase the number of residential units from 89 to 91, on land located on the North Side of West Windlake Avenue and East of South 13th Street, in the 12th Aldermanic District.

ADOPTION OF THE FOLLOWING:

3. **081607** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Substitute resolution granting the appeal of the Historic Preservation Commission's denial of a certificate of appropriateness for the property located at 3123-3125 North Sherman Blvd.

---(Note: Committee vote: 4 ayes, 1 no)

PLACING ON FILE THE FOLLOWING:

4. **Obsolete files:**
 - a. **050701** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 09/27/2005**
Ordinance relating to the change in zoning from Downtown-Civic Activity (C9D(a)) to Regional Business (RB2) for Miller Park, located South of the East-West Freeway (I-94) and West of Miller Parkway (U.S. 41), in the 10th Aldermanic District.

 - b. **050992** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 11/15/2005**
An ordinance relating to regulations for downtown zoning districts and overlay zones.

 - c. **051415** **SPONSORED BY: Ald. Davis and Ald. Murphy** **INTRODUCED ON: 02/07/2006**
An ordinance relating to a job training component in tax incremental districts.

 - d. **051513** **SPONSORED BY: Ald. Witkowski** **INTRODUCED ON: 02/28/2006**
A substitute ordinance relating to zoning regulations for escort services and tattooing and body-piercing establishments.

e. **081482** **SPONSORED BY: Ald. Davis and Ald. INTRODUCED ON: 02/10/2009**

Bauman

An ordinance relating to board of zoning appeals consideration of variance and special use permit applications for day care centers.

**THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
RECOMMENDS:****ADOPTION OF THE FOLLOWING:**

1. **081460** **SPONSORED BY: Ald. Davis, Ald. Wade
and Ald. Witkowiak** **INTRODUCED ON: 02/10/2009**
Substitute resolution appropriating \$ 40,000 from the 2009 Economic Development
Committee Fund to various business groups for economic development and job creation
activities.

CONFIRMATION OF THE FOLLOWING:

2. **081340** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/16/2009**
Appointment of Mike Coakley to the Business Improvement District Board #8 (Historic
King Drive) by the Mayor. (6th Aldermanic District)
3. **081564** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/03/2009**
Reappointment of David Flores to the Milwaukee Arts Board by the Mayor. (3rd
Aldermanic District)

PLACING ON FILE THE FOLLOWING:

4. **071451** **SPONSORED BY: Ald. Hamilton and Ald.
Davis** **INTRODUCED ON: 02/05/2008**
A substitute ordinance relating to emerging business enterprise requirements and
increasing the percent participation standard.
5. **080462** **SPONSORED BY: Ald. Hamilton** **INTRODUCED ON: 07/01/2008**
Communication from various government agencies relating to payment of prevailing
wages to persons employed by developers receiving government financial assistance on
certain projects.

THE PUBLIC WORKS COMMITTEE RECOMMENDS:**ADOPTION OF THE FOLLOWING:****1. Resolutions relating to special privileges:**

- a. 081044 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/25/2008**
Substitute resolution amending a special privilege to First Place Condominium Owners Association Inc for addition of private light fixtures, electrical outlets and appurtenant electrical conduit for the premises at 106 West Seeboth Street, in the 12th Aldermanic District.
- b. 081181 SPONSORED BY: THE CHAIR INTRODUCED ON: 12/16/2008**
Substitute resolution granting a special privilege to Wheaton Franciscan Healthcare - St Joseph Inc for a barrier free access ramp, moveable planter, fence gate swing, planter holder, and brick planter edging in the public right-of-way for the premises at 5020 West Burleigh Street, in the 10th Aldermanic District.
- c. 081264 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/16/2009**
Substitute resolution granting a special privilege to Peter Sandoni for a storm enclosure in the public right-of-way for the premises at 125 East National Avenue, in the 12th Aldermanic District.
- 2. 081546 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009**
Resolution relative to the cost participation under the 2009 Congestion Mitigation/Air Quality Program for the installation of time of day actuated "No Turn on Red" signs at twelve intersections Citywide in various Aldermanic Districts at a total estimated cost of \$68,363.23 with an estimated grantor share of \$54,690.58, and an estimated City share of \$13,672.65.
- 3. 081586 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009**
Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$75,000 for a total estimated cost of these projects being \$467,700.
- 4. 081587 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009**
Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$705,000 for a total estimated cost of \$804,000.
- 5. 081588 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009**

Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$1,105,000 for a total estimated cost of these projects being \$17,476,000.

6. **081590** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Resolution authorizing the transfer of funds from the Street Improvement-State and/or Federal Aid Program to the Street Reconstruct or Resurface Program - Regular City Program for funding of E. Lincoln Ave. from E. Bay St. to S. Lincoln Memorial Dr. improvements under the Local Roads Improvement Program, with the City Cost of \$426,050.25 and a Grantor Cost of \$353,949.75 for a total estimated cost of \$780,000.
7. **081591** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Resolution authorizing the City Engineer to apply for twelve (12) Congestion Mitigation and Air Quality grants.
---(Note: Committee vote: 4 ayes, 1 no)
8. **081593** **SPONSORED BY: Ald. Donovan** **INTRODUCED ON: 03/25/2009**
Resolution granting the Layton Boulevard West Neighbors Inc permission to place a monument sign within a median of South Layton Boulevard in the 8th Aldermanic District in the City of Milwaukee.
9. **081603** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Resolution authorizing the Commissioner of Public Works to execute Project Agreements with the Wisconsin Department of Transportation for projects funded by The American Recovery and Reinvestment Act of 2009.
---(Note: Committee vote: 4 ayes, 1 no)
10. **081624** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Resolution authorizing the City Engineer to apply for four Highway Safety Improvement Program grants.
11. **081626** **SPONSORED BY: Ald. Zielinski** **INTRODUCED ON: 03/25/2009**
Resolution authorizing an easement with Wisconsin Bell, Inc. on the City-owned property at 2254 South Allis Street, in the 14th Aldermanic District.
12. **081629** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Resolution approving a First Amendment to Grant of Easement Agreement related to Accessibility Improvements to the Riverwalk segment located on property owned by Fred Usinger, Inc., in the 4th Aldermanic District.
13. **081638** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Substitute resolution approving a 2009 Three-Year Harbor Statement of Intentions for the Port of Milwaukee.

