

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Council Agenda

COMMON COUNCIL

Tuesday, February 8, 2011

9:00 AM Amended 2/7/11

Council Chambers, 3rd Fl., City Hall

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.

THE LICENSES COMMITTEE RECOMMENDS:

1. 100937 SPONSORED BY: THE CHAIR

Motion relating to the recommendations of the Licenses Committee relative to licenses. Detailed information relating to the contents of this file may be found by searching under this number at http://milwaukee.legistar.com/legislation.

INTRODUCED ON: 11/23/2010

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 8:15 a.m. and 4:30 p.m.

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. 101109 SPONSORED BY: THE CHAIR INTRODUCED ON: 12/21/2010

Motion relating to the recommendations of the Public Safety Committee relative to 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 8:15 a.m. and 4:30 p.m.

PASSAGE OF THE FOLLOWING:

2. 101144 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

An ordinance relating to parking controls.

3. 101145 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

An ordinance relating to traffic controls.

4. 101220 SPONSORED BY: Ald. Bohl and Ald. INTRODUCED ON: 01/19/2011

Bauman

A Substitute ordinance creating a public transportation review board.

5. 101222 SPONSORED BY: Ald. Hines Jr., Ald. INTRODUCED ON: 01/19/2011

Coggs and Ald. Kovac

An ordinance relating to the definition of nuisance activity.

ADOPTION OF THE FOLLOWING:

6. 101182 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Substitute resolution relative to the application, acceptance and funding of the Homicide Review Commission Grant from the Greater Milwaukee Foundation.

CONFIRMATION OF THE FOLLOWING:

7. 101232 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Reappointment of Claude Krawczyk to the Bicycle and Pedestrian Task Force by the Mayor. (4th Aldermanic District)

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THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 100894 SPONSORED BY: Ald. Murphy INTRODUCED ON: 11/03/2010

A substitute charter ordinance relating to creditable service during periods of absence for members of the employes' retirement system while performing disaster medical service.

2. 100895 SPONSORED BY: Ald. Murphy INTRODUCED ON: 11/03/2010

A substitute ordinance relating to leaves of absence for disaster medical assistance team members and continuation of city employe benefits during certain disaster medical absence.

3. <u>101167</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

An ordinance relating to tuition benefits for management pay plan employees.

4. 101200 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

A substitute ordinance to further amend the 2011 rates of pay of offices and positions in the City Service.

5. 101201 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

A substitute ordinance to further amend the 2011 offices and positions in the City Service.

ADOPTION OF THE FOLLOWING:

6. 100352 SPONSORED BY: THE CHAIR INTRODUCED ON: 07/07/2010

Substitute resolution authorizing attendance at conventions, seminars and other travel.

7. 101177 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Substitute resolution relative to application, acceptance and funding of the Community Health Improvement in Metcalf Park and Concordia (CHIMC): Save Lives-Immunize Grant from the Medical College of Wisconsin (MCW).

8. <u>101180</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Substitute resolution relative to the application, acceptance and funding of the Immunize Milwaukee Grant from the UW School of Medicine and Public Health-Wisconsin Partnership Program.

9. <u>101189</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Substitute resolution authorizing an appropriation of \$636,626.35 from the Common Council Contingent Fund to the Remission of Taxes Special Purpose Account and directing payment of a judgment in favor of U.S. Venture against the City in the amount of \$540,191.13 plus simple interest at 1% per month from the date of the judgment until date of payment.

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 01/19/2011

10. 101207 SPONSORED BY: THE CHAIR

Substitute resolution amending Common Council File Number 091541 relating to carryover of certain fund balances from 2009 to 2010.

PLACING ON FILE THE FOLLOWING:

11. <u>101202</u> SPONSORED BY: THE CHAIR

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

12. <u>101203</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

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

13. <u>101204</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Communication from the Department of Employee Relations relating to classification studies scheduled for Fire and Police Commission action.

14. <u>101213</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Communication from the Fire Department relative to amending the 2011 Salary and Positions Ordinances.

15. 101215 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Communication from the Comptroller relating to a firewall audit.

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 101117 SPONSORED BY: THE CHAIR INTRODUCED ON: 12/21/2010

Substitute resolution relative to various legislative bills.

2. 101164 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Substitute resolution authorizing the return of real estate located at 9285 W. Greenview Court, in the 9th Aldermanic District to its former owner. (Noah Fielder, Agent for CoreLogicTax Services)

3. 101174 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Resolution relative to the cancellation of a special improvement bill placed on the 2009-2010 Tax Rolls.

4. 101187 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 361-0649-100-8, 174-184 W. Wisconsin Avenue, on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

PLACING ON FILE THE FOLLOWING:

5. 101191 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

An ordinance relating to approval of the division or combination of land parcels when property taxes owed to the city are unpaid.

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

6. Claims against the city:

a. <u>101018</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 12/21/2010

Resolution relating to the claim of Diane Williams for property damage. (6th Aldermanic District)

b. 101056 SPONSORED BY: THE CHAIR INTRODUCED ON: 12/21/2010

Resolution relating to an appeal from Jerome Huiras for property damage. (12th Aldermanic District)

c. 101163 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Resolution relating to an appeal from Ryan Hayes for property damage. (11th Aldermanic District)

d. <u>101196</u> SPONSORED BY: THE CHAIR

SORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Resolution relating to the claim of Joyce Robinson for property damage.

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. <u>101101</u> SPONSORED BY: Ald. Bohl

A substitute ordinance relating to the change in zoning from Local Business to General Planned Development, for commercial redevelopment, on lands located on the north side of West Silver Spring Drive, south and west of West Appleton Avenue, in the 5th Aldermanic District.

INTRODUCED ON: 12/21/2010

INTRODUCED ON: 11/03/2010

INTRODUCED ON: 11/03/2010

2. 101103 SPONSORED BY: THE CHAIR

A substitute ordinance relating to the change in zoning from Industrial-Light to Industrial-Mixed, to allow for a greater range of land uses, on lands located on the northeast corner of West Vliet Street and North 4th Street, in the 6th Aldermanic District.

3. 101104 SPONSORED BY: THE CHAIR

A substitute ordinance relating to the change in zoning from Industrial-Light to Industrial-Mixed, to allow for a greater range of land uses, on lands located on the north side of West McKinley Avenue and west of North Dr. Martin Luther King Jr. Drive, in the 6th Aldermanic District.

4. 101115 SPONSORED BY: Ald. Hamilton

A substitute ordinance relating to the Second Amendment to the General Planned Development known as Bishop's Creek, for an increase in the number of residential units on the site, on lands located on the south side of West Hampton Avenue and west of North 32nd Street, in the 1st Aldermanic District.

5. <u>101118</u> SPONSORED BY: Ald. Witkowiak

An ordinance extending the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

ADOPTION OF THE FOLLOWING:

6. 100832 SPONSORED BY: THE CHAIR

Resolution approving a final Certified Survey Map for property located on the south side of East North Avenue and west of North Palmer Street, which will create two lots and dedicate land for public purposes, in the 6th Aldermanic District.

7. 100886 SPONSORED BY: Ald. Coggs and Ald.

Kovac

Substitute resolution approving Amendment No. 4 to the Redevelopment Plan for the Park East Redevelopment Project Area, in the 3rd, 4th and 6th Aldermanic Districts.

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

8. 101122 SPONSORED BY: Ald. Bauman

Resolution accepting the proposal submitted by Ogden Homes LLC to purchase the City-owned vacant lot at 924 North 25th Street for assemblage with its adjacent property, in the 4th Aldermanic District.

INTRODUCED ON: 12/21/2010

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 05/25/2010

CONFIRMATION OF THE FOLLOWING:

9. <u>101231</u> SPONSORED BY: THE CHAIR

Reappointment of Michael Van Alstine to the Housing Authority by the Mayor. (5th Aldermanic District)

PLACING ON FILE THE FOLLOWING:

10. <u>100185</u> SPONSORED BY: THE CHAIR

Resolution amending the Term Sheet for The Moderne project in Tax Incremental District No. 48.

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. <u>101127</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 12/21/2010

Resolution amending Resolution File Number 100118 to extend the period of authority, responsibilities and activities of the African-American Male Unemployment Task Force.

2. 101175 SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/19/2011

Substitute resolution authorizing the submittal, acceptance and funding of the Neighborhood Stabilization Program 3 under the Dodd-Frank Act from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

3. 101176 SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/19/2011

Substitute resolution authorizing the transfer of the 2011 Community Development Block Grant funding, Emergency Shelter Grant funding, and Homelessness Prevention and Rapid Re-Housing Program funding for Shelter activities from the Social Development Commission to Community Advocates, Inc.

4. 101178 SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/19/2011

Resolution authorizing the transfer and expenditure of funds from the Development Fund for environmental testing, remediation and demolition on brownfield properties in the City of Milwaukee.

5. 101198 SPONSORED BY: Ald. Wade and Ald.

INTRODUCED ON: 01/19/2011

Witkowski

Substitute resolution relative to application, acceptance and funding of a Community Development Block Grant Supplemental Disaster Allocation Emergency Assistance Program for Business Mitigation grant from the U.S. Department of Housing and Urban Development through the Wisconsin Department of Commerce for projects in the 1st, 7th and 13th Aldermanic Districts.

6. <u>101221</u> SPONSORED BY: Ald. Donovan and Ald.

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 05/04/2010

Witkowiak

Resolution appropriating \$40,000 from the Development Fund for a retaining wall replacement project at the Council for the Spanish Speaking's Hillview Building.

CONFIRMATION OF THE FOLLOWING:

7. <u>100092</u> SPONSORED BY: THE CHAIR

ment District Board No. 5

Reappointment of Debra Usinger to the Business Improvement District Board No. 5 (Westown) by the Mayor. (4th Aldermanic District)

8. 100880 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/03/2010

Reappointment of Karl Tatum to the Business Improvement District Board #32 (Fond du Lac-North Avenue Market Place) by the Mayor. (15th Aldermanic District)

9. 101224 SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/19/2011

Appointment of Byran Simon to the Business Improvement District Board #40 (Airport Gateway) by the Mayor. (13th Aldermanic District)

10. <u>101225</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/19/2011

Reappointment of Gordon Steimle to the Business Improvement District Board #16 (West North Avenue) by the Mayor. (10th Aldermanic District)

11. <u>101229</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/19/2011

Appointment of Michael Honkamp to the Business Improvement District Board #20 (East North Avenue) by the Mayor. (3rd Aldermanic District)

12. 101230 SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 12/21/2010

Appointment of Dean Maytag to the Business Improvement District Board #10 (Avenues West) by the Mayor. (4th Aldermanic District)

PLACING ON FILE THE FOLLOWING:

13. 101114 SPONSORED BY: THE CHAIR

Communication from the Department of Public Works regarding the 2009 Residents Preference and the Emerging Business Enterprise Programs.

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THE PUBLIC WORKS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 100457 SPONSORED BY: THE CHAIR

Substitute resolution granting a special privilege to Bartels Limited Partnership for a covered walk and two decorative buoys in the public right-of-way for the premises at 108 West Wells Street, in the 4th Aldermanic District.

INTRODUCED ON: 09/01/2010

INTRODUCED ON: 10/12/2010

INTRODUCED ON: 10/12/2010

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 01/19/2011

2. <u>100703</u> SPONSORED BY: THE CHAIR

Substitute resolution granting a special privilege to Ken Elliot's Inc d/b/a Dukes on Water and Scooters Pub for storm enclosures and cigarette butt disposal bins in the public right-of-way for the premises at 1207 North Water Street, also known as 158 East Juneau Avenue, in the 3rd Aldermanic District.

3. 100704 SPONSORED BY: THE CHAIR

Substitute resolution amending a special privilege for change of ownership to BL Restaurant Operations LLC for a covered walk for the premises at 1114 North Water Street, in the 4th Aldermanic District.

4. <u>101129</u> SPONSORED BY: THE CHAIR

Resolution authorizing the Commissioner of Public Works to install fiber and provide network connectivity at the expense of, and for the use and benefit of, Marquette University.

5. 101130 SPONSORED BY: THE CHAIR

Resolution authorizing the Commissioner of Public Works to install fiber and provide network connectivity at the expense of, and for the use and benefit of, the University of Wisconsin - Milwaukee.

6. <u>101135</u> SPONSORED BY: THE CHAIR

Resolution rescinding various special privileges that are no longer necessary.

7. 101146 SPONSORED BY: THE CHAIR

Resolution granting the Wisconsin Department of Transportation permission to construct and maintain cameras and appurtenant facilities on city-owned property located at 841 North James Lovell Street, in the 4th Aldermanic District.

8. 101150 SPONSORED BY: Ald. Bauman

Resolution approving an Amendment to and Extension of Lease Agreement with Milwaukee Intermodal Terminal, LLC located at 1225 S. Carferry Drive on the South Harbor Tract.

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9. 101151 SPONSORED BY: Ald. Bauman INTRODUCED ON: 01/19/2011

Resolution approving an Amendment to and Extension of Lease Agreement with Edward E. Gillen Co. land located on the Port's northeast corner of the Grand Trunk Property.

10. 101152 SPONSORED BY: Ald. Bauman INTRODUCED ON: 01/19/2011

Resolution approving an Amendment to and Extension of Lease Agreement with Edward E. Gillen Co. land located off-waterfront bare ground on the Port's South Harbor Tract.

11. 101153 SPONSORED BY: Ald. Bauman

Resolution approving an Amendment to and Extension of Lease Agreement with Edward E. Gillen Co. property located at 1801 South Carferry Drive.

INTRODUCED ON: 01/19/2011

12. 101168 SPONSORED BY: Ald. Hines Jr. and Ald.

Coggs

Resolution authorizing the Department of Public Works-Operations Division to expend monies appropriated in the 2011 city budget for the Illegal Dumping Tip Hotline.

13. 101170 SPONSORED BY: THE CHAIR

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 \$28,000 for a total estimated cost of these projects being \$516,000.

14. 101171 SPONSORED BY: THE CHAIR

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 \$1,038,200 for a total estimated cost of \$1,160,000.

15. 101172 SPONSORED BY: THE CHAIR

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 \$1,140,000 for a total estimated cost of these projects being \$4,034,000.

16. 101173 SPONSORED BY: THE CHAIR

Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$10,392,000 for a total estimated cost of these projects being \$11,176,000.

17. 101183 SPONSORED BY: THE CHAIR

Resolution relative to the 2011 Capital Improvements Program to provide funds for the maintenance of the underground conduit manholes at various locations.

18. <u>101192</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Resolution authorizing the City Comptroller to transfer funds to various State and/or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee utility relocation and construction costs totaling \$110,725.81, City share is \$50,743.97 and the Grantor's share is \$59,981.84.

19. 101197 SPONSORED BY: THE CHAIR

Substitute resolution relating to acceptance and expenditure of funds from the Federal Emergency Management Agency and the State of Wisconsin Division of Emergency Management to reimburse the City for expenses incurred as a result of damage to City infrastructure, facilities and equipment during the flooding of July 2010.

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 01/19/2011

INTRODUCED ON: 09/26/2006

INTRODUCED ON: 01/19/2011

20. 101211 SPONSORED BY: Ald. Puente

Resolution authorizing the installation of a new traffic control signal at the intersection of West Bradley Road and North Granville Road in the 9th Aldermanic District.

PLACING ON FILE THE FOLLOWING:

21. 060746 SPONSORED BY: THE CHAIR

Communication from the Historic Preservation Commission relating to the city hall restoration.

THE PUBLIC WORKS COMMITTEE FURTHER RECOMMENDS:

--- The following item may be referred from the SPECIAL Public Works Committee meeting held on Tuesday, February 8, 2011 at 8:30 A.M.

22. 101236 SPONSORED BY: Ald. Witkowski

Substitute resolution authorizing the City Engineer to apply for a State of Wisconsin Division of Emergency Management (WEM) grant available through the Hazard Mitigation Grant Program (HMGP) allowing the City of Milwaukee to acquire and raze up to twenty properties and maintain the sites as grass areas to prevent or reduce future flood related damages.

MATTERS FOR IMMEDIATE ADOPTION:

1. 101263 SPONSORED BY: THE CHAIR INTRODUCED ON: 02/08/2011

Resolution approving final certified survey maps.