

## City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

## Council Agenda

## **COMMON COUNCIL**

Thursday, November 8, 2012 9:00 AM *Amended* 11/6/12

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 Jose G. Perez, 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. Zielinski, Chair; Ald. Coggs, Vice-Chair

Public Safety, Ald. Witkowski, Chair; Ald. Puente, Vice-Chair

Finance and Personnel, Ald. Murphy, Chair; Ald. Kovac, Vice-Chair

Judiciary and Legislation, Ald. Hamilton, Chair; Ald. Witkowski, Vice-Chair

Zoning, Neighborhoods and Development, Ald. Bohl, Chair;

Ald. Wade, Vice-Chair

Community and Economic Development, Ald. Davis, Chair;

Ald. Perez, Vice-Chair

Public Works, Ald. Bauman, Chair; Ald. Donovan, 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 City Clerk's Office 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. 120931 SPONSORED BY: Ald. Bauman, Ald. INTRODUCED ON: 10/23/2012

Bohl, Ald. Hines Jr. and Ald. Perez

Resolution relating to Common Council approval of project design and final plans for any development to be constructed on City- or Redevelopment Authority-owned land conveyed to another owner by means of a land disposition report.

--vetoed by His Honor, Mayor Tom Barrett

2. 101572 SPONSORED BY: Ald. Zielinski, Ald.

INTRODUCED ON: 04/12/2011

Bauman, Ald. Davis, Ald. Perez, Ald. Hines Jr., Ald. Coggs, Ald. Kovac and Ald.

Hamilton

A substitute ordinance relating to the establishment of requirements for the purchase of Milwaukee-made and American-made goods.

3. <u>101573</u> SPONSORED BY: Ald. Zielinski, Ald.

**INTRODUCED ON: 04/12/2011** 

Bauman, Ald. Davis and Ald. Perez

A substitute charter ordinance relating to award of contracts to lowest bidders in conjunction with the city's purchasing of Milwaukee-made and American-made goods.

#### THE LICENSES COMMITTEE RECOMMENDS:

## PASSAGE OF THE FOLLOWING:

## 1. 120842 SPONSORED BY: THE CHAIR

A substitute ordinance relating to the residency requirement for applicants for amusement machine or jukebox distributor licenses.

**INTRODUCED ON: 10/16/2012** 

**INTRODUCED ON: 09/25/2012** 

## APPROVAL OF THE FOLLOWING:

## 2. 120727 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.

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.

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#### THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

## APPROVAL OF THE FOLLOWING:

1. 120728 SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/25/2012

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.

2. 120860 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Subtitute motion to approve recommendations of the Public Safety Committee relative to the revocation of the Public Passenger Vehicle Driver's License of Opinder Singh.

#### PASSAGE OF THE FOLLOWING:

3. 120837 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

A substitute ordinance relating to parking controls.

4. 120838 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

A substitute ordinance relating to traffic controls.

#### ADOPTION OF THE FOLLOWING:

5. 120782 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Substitute resolution certifying ambulance service providers for the citywide emergency medical service system.

6. 120806 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution relative to application, acceptance and funding of an Alcohol Enforcement 2012-13 grant.

7. <u>120807</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution relative to application, acceptance, and funding of a Speed Enforcement 2012-13 grant.

8. 120808 SPONSORED BY: THE CHAIR INTRODUCED ON: 10/16/2012

Resolution relative to application, acceptance, and funding of a Click It or Ticket Enforcement 2012-13 grant.

## 9. 120809 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution amending Resolution File Number 110806, relating to the Alcohol Enforcement grant.

## 10. 120810 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution authorizing application, acceptance and expenditure of a 2012 Edward Byrne Memorial Justice Assistance (JAG) Grant.

## 11. 120819 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution authorizing acceptance and funding of a Drug Enforcement Administration Task Force grant.

## 12. <u>120845</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution authorizing the Milwaukee Police Department to apply for, accept, and fund an I-43/94 Bridge Rehabilitation Project overtime grant agreement with the Wisconsin Department of Transportation.

## 13. 120864 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution relating to the transfer of Juvenile Accountability Block Grant funds from the State of Wisconsin, Office of Justice Assistance to the Running Rebels Inc.

#### THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

## PASSAGE OF THE FOLLOWING:

1. 120876 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

A substitute ordinance to further amend the 2012 rates of pay of offices and positions in the City Service.

2. 120877 SPONSORED BY: THE CHAIR

INTRODUCED ON: 10/16/2012

A substitute ordinance to further amend the 2012 offices and positions in the City Service.

3. 120914 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

A substitute ordinance relating to the transfer of permit issuance, plan examination and associated functions from the department of city development to the department of neighborhood services.

#### ADOPTION OF THE FOLLOWING:

4. <u>120843</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution authorizing the City Comptroller to create the necessary accounts for the installation of a public water main and sanitary sewer to serve the site at 2011 West Potawatomi Circle.

#### PLACING ON FILE THE FOLLOWING:

5. 120776 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 09/25/2012** 

Communication from the Comptroller's office relating to a report entitled, Comprehensive Annual Financial Report of the City of Milwaukee for the year ended December 31, 2011.

6. <u>120879</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

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

#### THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

#### ADOPTION OF THE FOLLOWING:

1. 120777 SPONSORED BY: THE CHAIR INTRODUCED ON: 10/16/2012

Substitute resolution authorizing the return of real estate located at 5037 N 56th Street, in the 7th Aldermanic District to its former owner. (Dwayne Turner)

2. 120778 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Substitute resolution authorizing the return of real estate located at 9009 W Villard Ave.,, in the 2nd Aldermanic District to its former owner. (Dale Verbanac)

3. 120779 SPONSORED BY: THE CHAIR

INTRODUCED ON: 10/16/2012

Substitute resolution authorizing the return of real estate located at 8905 W Villard Ave.,, in the 2nd Aldermanic District to its former owner. (Dale Verbanac)

4. <u>120780</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Substitute resolution authorizing the return of real estate located at 4483-4493 N 84th Street, in the 5th Aldermanic District to its former owner. (Dale Verbanac)

5. 120781 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Substitute resolution authorizing the return of real estate located at 4315-4317 N 16th street, in the 1st Aldermanic District to its former owner. (Harleen Peters)

6. 120832 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Substitute resolution authorizing the return of real estate located at 4976-4978 N 48th Street, in the 1st Aldermanic District to its former owner. (Priscilla Ozongwu)

7. 120844 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution authorizing settlement of cross claims raised by codefendants Jon M. Bartlett, Daniel L. Masarik, Ryan P. Packard, Ryan J. Lemke, Jon V. Clausing and Joseph J. Schabel in the lawsuit entitled Jude, et al. v. City of Milwaukee, et al.

8. <u>120851</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Substitute resolution authorizing the return of real estate located at 3309-3315 N Martin Luther King Jr. Drive, in the 6th Aldermanic District to its former owner. (Isaac Ragsdale, agent for gloria Ragsdale)

9. <u>120853</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Substitute resolution authorizing the return of real estate located at 1817 W National Avenue, in the 12th Aldermanic District to its former owner. (Alice Ledesma)

10. 120854 SPONSORED BY: THE CHAIR INTRODUCED ON: 10/16/2012

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> Substitute resolution authorizing the return of real estate located at 5874 N 64th street, in the 9th Aldermanic District to its former owner. (Timothy Van de Kamp, agent for American Homeowner Fund)

SPONSORED BY: THE CHAIR 11. 120857

**INTRODUCED ON: 10/16/2012** 

Substitute resolution authorizing the return of real estate located at 9060M N 95th Street,

in the 9th Aldermanic District to its former owner. (Dennis Howard)

SPONSORED BY: THE CHAIR 12. 120858

**INTRODUCED ON: 10/16/2012** 

Substitute resolution authorizing the return of real estate located at 9229 W Mill Road, in

the 2nd Aldermanic District to its former owner. (M. Jeannine Jacob)

SPONSORED BY: THE CHAIR **INTRODUCED ON: 10/16/2012** 13. 120907

> Substitute resolution authorizing settlement of lawsuit, Estrella Javier, et al. v. City of Milwaukee, et al., Case No. 07-C-0204.

PLACING ON FILE THE FOLLOWING:

14. 120833 SPONSORED BY: THE CHAIR **INTRODUCED ON: 10/16/2012** 

> Communication from the City Comptroller relating to the Municipal Court's Case Automated Tracking System Application Audit.

**INTRODUCED ON: 10/16/2012** 120933 SPONSORED BY: THE CHAIR 15.

> Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

#### DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

16. Claims against the city:

SPONSORED BY: THE CHAIR INTRODUCED ON: 10/16/2012 120825 a.

Resolution relating to the claim of Nettie James for personal injuries. (7th Aldermanic

District)

SPONSORED BY: THE CHAIR INTRODUCED ON: 10/16/2012 b. 120826

Resolution relating to the claim of James Johnson for property damage.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 10/16/2012** 120847 c.

Resolution relating to an appeal from Mildred Mia Weston for property damage. (6th

Aldermanic District)

---The following item may be referred from the SPECIAL JUDICIARY AND LEGISLATION Committee meeting held on Wednesday, November 7, 2012 at 1:30 pm

## THE JUDICIARY AND LEGISLATION COMMITTEE FURTHER RECOMMENDS:

## ADOPTION OF THE FOLLOWING:

## 17. 120739 SPONSORED BY: Ald. Hamilton

Substitute resolution relating to the City's participation in proceedings upon appeal of the decision and order of the Dane County Circuit Court in the matter of Madison Teachers, Inc., et al. v. Scott Walker, et al. (Case No. 11CV3774).

**INTRODUCED ON: 09/25/2012** 

# THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

1. <u>120656</u> SPONSORED BY: Ald. Hines Jr.

**INTRODUCED ON: 09/05/2012** 

A substitute ordinance relating to installation and replacement requirements for smoke alarms in residential buildings.

2. 120871 SPONSORED BY: Ald. Murphy

**INTRODUCED ON: 10/16/2012** 

A substitute ordinance relating to disposal of abandoned personal property on city-owned real estate managed by the department of city development.

## ADOPTION OF THE FOLLOWING:

3. 120708 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 09/25/2012** 

Resolution approving the Riverworks Strategic Action Plan and amending the Northeast Side Area Comprehensive Plan, as an element of Milwaukee's Overall Comprehensive Plan, in the 3rd, 4th and 6th Aldermanic Districts.

4. <u>120865</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 10/16/2012** 

Resolution relating to the allocation of funds from the Housing Trust Fund.

# THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

#### ADOPTION OF THE FOLLOWING:

## 1. <u>120861</u> SPONSORED BY: THE CHAIR

Resolution to review and approve modifications to the contract used by the Community Development Grants Administration for 2013 community development activity and to authorize execution of contracts and subcontracts by City departments.

**INTRODUCED ON: 10/16/2012** 

**INTRODUCED ON: 10/16/2012** 

**INTRODUCED ON: 10/16/2012** 

## 2. 120862 SPONSORED BY: THE CHAIR

Resolution authorizing the transfer of funds from Milwaukee Metropolitan Sewerage District to the Autumn West Affordable Rental Housing project funding from Community Development Block Grant Supplemental Disaster Allocation Emergency Assistance Program from the U. S. Department of Housing and Urban Development through the State of Wisconsin.

## 3. <u>120863</u> SPONSORED BY: THE CHAIR

Resolution authorizing the application, acceptance and funding of the 2012 Environmental Workforce Development and Job Training Grant from the Environmental Protection Agency through the Community Development Grants Administration.

#### THE PUBLIC WORKS COMMITTEE RECOMMENDS:

#### ADOPTION OF THE FOLLOWING:

## 1. 111655 SPONSORED BY: THE CHAIR

Substitute resolution amending a special privilege to Vitucci's Inc. for addition of various items in the public right-of-way for the premises at 1832 East North Avenue, in the 3rd Aldermanic District.

**INTRODUCED ON: 04/11/2012** 

**INTRODUCED ON: 10/16/2012** 

## 2. <u>120834</u> SPONSORED BY: THE CHAIR

Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal and State Aid paving of West Capitol Drive from North Mayfair Road to North 84th Street in the 5th Aldermanic District at a total estimated cost of \$188,851.45, with one hundred percent of the total cost funded by the Wisconsin Department of Transportation.

## 3. <u>120850</u> SPONSORED BY: THE CHAIR

Resolution relative to the cost participation and installation of temporary and permanent street lighting facilities in conjunction with Phase 2 Federal and State Aid mitigation construction of the Zoo Interchange Project in the 10th Aldermanic District at a total estimated cost of \$97,689.96 with one hundred percent of the total cost funded by the Wisconsin Department of Transportation.

## 4. 120852 SPONSORED BY: THE CHAIR

Resolution authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering, construction engineering, plan review and development costs of \$240,000 with the City's share being \$305,000 and the grantor's share being \$-65,000.

## 5. 120855 SPONSORED BY: THE CHAIR

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 \$304,000 for a total estimated cost of these projects being \$8,488,677.44; and, directs the City Comptroller to transfer funds and set up appropriate accounts for preliminary engineering for the projects (listed below) with Federal/State Aid.

## 6. 120856 SPONSORED BY: THE CHAIR

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 \$144,100 for a total estimated cost of these projects being \$2,229,100.

## 7. 120873 SPONSORED BY: THE CHAIR INTRODUCED ON: 10/16/2012

Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of the north-south alley in the block south of West Stevenson Street, between North 73rd Street and North 74th Street, in the 10th Aldermanic District.

## 8. 120886 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.

## 9. <u>120891</u> SPONSORED BY: Ald. Wade

Resolution accepting donation of the vacant lot at 2958 North 22nd Street from Wells Fargo Bank, N.A., as agent for HSBC Bank USA, N.A., in the 7th Aldermanic District.

## PLACING ON FILE THE FOLLOWING:

10. <u>111668</u> SPONSORED BY: THE CHAIR

**INTRODUCED ON: 04/11/2012** 

**INTRODUCED ON: 10/16/2012** 

**INTRODUCED ON: 10/16/2012** 

Communication relating to an audit of MATA Community Media for 2011 and 2010.

11. <u>120577</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/05/2012

Communication from the Department of Public Works, Infrastructure Services Division transmitting the 2013 Assessment Rates Report.

## MATTERS FOR IMMEDIATE ADOPTION:

1. 121000 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/08/2012

Resolution approving final certified survey maps.

2. <u>121001</u> SPONSORED BY: Ald. Perez INTRODUCED ON: 11/08/2012

Resolution approving final certified survey map and release of deed restriction on 922-928 S. Third Street.