

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Council Agenda

COMMON COUNCIL

Tuesday, June 15, 2010 9:00 AM

Amended 6/14/10

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**Amen

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.

UNFINISHED BUSINESS:

1. <u>100226</u> SPONSORED BY: THE CHAIR

Motion relating to the recommendations of the Licenses Committee regarding the Class "B" Tavern and Tavern Dance licenses of Stojan Coralic for The Brew House (2036 S. 13th St.).

INTRODUCED ON: 05/25/2010

THE LICENSES COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 100121 SPONSORED BY: Ald. Witkowski, Ald.

INTRODUCED ON: 05/04/2010

Dudzik, Ald. Bohl, Ald. Kovac and Ald.

Donovan

A substitute ordinance relating to a moratorium on the issuance of precious metal and gem dealer licenses.

ADOPTION OF THE FOLLOWING:

2. 091636 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Resolution authorizing issuance of a Manufactured Home Community license to Howard Huang, College MHP, LLC, for the premises at 6160 S. 6th St.

3. 100077 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/04/2010

Resolution authorizing issuance of a Manufactured Home Community license to Dan Daniels, Tower View Properties, Inc., for the premises at 700 W. Layton Ave.

4. 100078 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/04/2010

Resolution authorizing issuance of a Manufactured Home Community license to Eleanore Wildenberg-Klug, Evergreen Hotel & Mobile Court, for the premises at 3774 S. 27th St.

5. 100079 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/04/2010

Resolution authorizing issuance of a Manufactured Home Community license to Dan Daniels, Tower View Properties, Inc., for the premises at 4221 S. 6th St.

PLACING ON FILE THE FOLLOWING:

6. 091637 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Motion relating to the new application for a food dealer license of Tiffany Bennett-Johnikin, Agent for Take N Bake To Go, LLC, for the premises 7405 W. Villard Avenue doing business as "Take N Bake To Go" in the 2nd Aldermanic District.

APPROVAL OF THE FOLLOWING:

7. 091651 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

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.

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. 100063 SPONSORED BY: THE CHAIR

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.

INTRODUCED ON: 05/04/2010

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.

PASSAGE OF THE FOLLOWING:

2. 091644 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

A substitute ordinance relating to ambulance conveyance rates.

3. 100129 SPONSORED BY: Ald. Donovan INTRODUCED ON: 05/25/2010

An ordinance relating to adoption of state law requiring mandatory motor vehicle liability insurance.

4. 100147 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/25/2010

A substitute ordinance relating to parking controls.

5. 100148 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/25/2010

A substitute ordinance relating to traffic controls.

PLACING ON FILE THE FOLLOWING:

6. 100192 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/25/2010

Communication from the Health Department relating to the 3rd and 4th quarter 2009 reports on the Milwaukee Commission on Domestic Violence and Sexual Assault.

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 100057 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/04/2010

A substitute ordinance to further amend the 2010 rates of pay of offices and positions in the City Service.

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

2. 100058 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/04/2010

A substitute ordinance to further amend the 2010 offices and positions in the City Service.

3. 100173 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/25/2010

A substitute charter ordinance relating to retirement benefits for certain city employes.

ADOPTION OF THE FOLLOWING:

4. 070025 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/17/2007

Substitute resolution to ratify and confirm the final agreements between the City of Milwaukee and Local #494, International Brotherhood of Electrical Workers, AFL-CIO (Fire Equipment Dispatchers - FEDs).

5. 100030 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/04/2010

Substitute resolution relative to the application, acceptance and funding of the Sexual Assault Planning Grant from the Office of Justice Assistance.

6. 100031 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/04/2010

Substitute resolution amending Common Council File #091012 relative to the application, acceptance and funding of the 2010 Women, Infants and Children's Grant from the State of Wisconsin Department of Health Services.

7. 100032 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/04/2010

Substitute resolution amending Common Council File #090441 relative to application, acceptance and funding of the Medical Assistance (MA) Outreach ForwardHealth Grant from the State of Wisconsin Department of Health Services.

8. 100149 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/25/2010

Substitute resolution relative to the application, acceptance and funding of the Public Health Impact Initiative from the UW-Milwaukee School of Public Health.

9. 100153 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/25/2010

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

INTRODUCED ON: 05/25/2010

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INTRODUCED ON: 04/13/2010

INTRODUCED ON: 05/25/2010

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10. 100154 SPONSORED BY: THE CHAIR

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

11. 100155 SPONSORED BY: THE CHAIR

Substitute resolution relative to application, acceptance and funding of the Congenital Disorders Grant from the State of Wisconsin - Department of Health Services.

12. 100156 SPONSORED BY: THE CHAIR

Substitute resolution relative to application, acceptance and funding of the Childhood Lead Poisoning Prevention Grant from the State of Wisconsin - Department of Health Services.

CONFIRMATION OF THE FOLLOWING:

13. <u>100179</u> SPONSORED BY: THE CHAIR

Appointment of Matthew Howard to serve as Director of the Office of Environmental Sustainability by the Director of the Department of Administration.

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

PLACING ON FILE THE FOLLOWING:

14. <u>091656</u> SPONSORED BY: THE CHAIR

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

15. 100165 SPONSORED BY: THE CHAIR

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

16. 100166 SPONSORED BY: THE CHAIR

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

17. <u>100191</u> SPONSORED BY: THE CHAIR

Motion expressing the sense of the Common Council that the 2011 executive budget should not include any provision for employee furlough days.

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

SPONSORED BY: THE CHAIR 1. 100138

Resolution to authorize settlement of wage, penalties and attorney's fees claims made by Philip Sliwinski in Sliwinski v. City of Milwaukee.

---(Note: Committee vote: 3 ayes, 1 no)

SPONSORED BY: THE CHAIR 2. 100169

INTRODUCED ON: 05/25/2010

INTRODUCED ON: 05/25/2010

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 and 2009 tax rolls, plus interest applicable to date of repayment, if

SPONSORED BY: THE CHAIR 3. <u>100175</u>

appropriate.

INTRODUCED ON: 05/25/2010

Resolution authorizing settlement of the claims of Michelle A. Brown (formerly MacDonald) and Earl M. Cosey, Jr.

SPONSORED BY: THE CHAIR 100181 4.

INTRODUCED ON: 05/25/2010

Substitute resolution to approve the settlement agreement in the matter of Milwaukee Gay Arts Center, Inc. v. City of Milwaukee, et al, United States District Court for the Eastern District of Wisconsin, Case No. 08-C-0958.

PLACING ON FILE THE FOLLOWING:

5. 091542 SPONSORED BY: Ald. Witkowiak, Ald. Donovan, Ald. Bohl and Ald. Witkowski

INTRODUCED ON: 03/24/2010

Communication from the Milwaukee Police Department and the District Attorney's Office relating to allegations of voter fraud.

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

Claims against the city: 6.

SPONSORED BY: THE CHAIR a. <u>100137</u>

INTRODUCED ON: 05/25/2010

Resolution relating to an appeal from James Mlaker for property damage. (13th Aldermanic District)

SPONSORED BY: THE CHAIR b. 100199

INTRODUCED ON: 05/25/2010

Resolution relating to an appeal from Geneva Edwards for property damage. (15th Aldermanic District)

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. <u>091603</u> SPONSORED BY: Ald. Kovac

A substitute ordinance abolishing the East Village Neighborhood Conservation Overlay Zone, in the 3rd Aldermanic District.

INTRODUCED ON: 03/24/2010

INTRODUCED ON: 05/04/2010

INTRODUCED ON: 05/25/2010

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

ADOPTION OF THE FOLLOWING:

2. 100034 SPONSORED BY: THE CHAIR

Resolution approving a final Certified Survey Map for property located at 200 North 25th Street that will create two lots and dedicate land for public purposes, in the 8th Aldermanic District.

3. 100176 SPONSORED BY: Ald. Bohl

Resolution directing the Department of City Development to take actions necessary to create, improve and market residential lots at the Hartung Quarry site.

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. <u>091288</u> SPONSORED BY: Ald. Davis and Ald.

INTRODUCED ON: 01/20/2010

Wade

A substitute ordinance relating to youth council membership.

ADOPTION OF THE FOLLOWING:

2. <u>100151</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/25/2010

Substitute resolution authorizing adjustments of the Neighborhood Stabilization Program 1 funding allocations within the Department of City Development.

3. 100158 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/25/2010

Substitute resolution authorizing environmental testing, remediation and demolition on brownfield properties from the Development Fund.

4. 100159 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/25/2010

Resolution relative to the transfer of Homelessness Prevention and Rapid Re-Housing Program funding from the Housing Authority of the City of Milwaukee to Community Advocates, Inc.

5. 100183 SPONSORED BY: Ald. Wade

INTRODUCED ON: 05/25/2010

Resolution relative to application, acceptance and funding of an Urban Development Economic Development Initiative-Special Projects Grant.

CONFIRMATION OF THE FOLLOWING:

6. 091291 SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/20/2010

Reappointment of Ronald San Felippo to the Business Improvement District Board #2 (Historic Third Ward) by the Mayor. (4th Aldermanic District)

7. <u>091678</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Reappointment of Walt Buckhanan to the board of Business Improvement District #10 (Avenues West) by the Mayor.

8. 100101 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/04/2010

Reappointment of Kathleen Smith to the Milwaukee Symphony Orchestra Board by the Mayor. (4th Aldermanic District)

PLACING ON FILE THE FOLLOWING:

9. <u>091289</u> SPONSORED BY: Ald. Davis INTRODUCED ON: 01/20/2010

Resolution approving an agreement for Youth Council recruitment.

10. <u>091400</u> SPONSORED BY: Ald. Davis and Ald. INTRODUCED ON: 02/09/2010

Wade

Resolution authorizing the agreement for Youth Council recruitment.

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 100053 SPONSORED BY: THE CHAIR

Substitute resolution to vacate a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way, in the 8th Aldermanic District.

INTRODUCED ON: 05/04/2010

INTRODUCED ON: 05/04/2010

INTRODUCED ON: 05/04/2010

INTRODUCED ON: 05/04/2010

INTRODUCED ON: 05/25/2010

INTRODUCED ON: 05/25/2010

INTRODUCED ON: 05/25/2010

2. 100072 SPONSORED BY: Ald. Bauman

Substitute resolution extending a lease agreement with T Mobile/Voicestream Wireless for the placement of personal communications services antennas at the Zeidler Municipal Building.

3. 100073 SPONSORED BY: Ald. Bauman

Substitute resolution extending a lease agreement with T Mobile/Voicestream Wireless for the placement of personal communications services antennas at the City's parking lot at 324 W. Highland Avenue.

4. 100074 SPONSORED BY: THE CHAIR

Substitute resolution extending a lease agreement with T Mobile/Voicestream Wireless for the placement of personal communications services antennas at the Southside Health Center.

5. 100126 SPONSORED BY: Ald. Bohl

Resolution directing the proper City officials to prepare and execute an intergovernmental cooperation agreement between the City of Milwaukee and the City of Wauwatosa relating to maintenance responsibilities with respect to Hartung Park.

6. 100130 SPONSORED BY: THE CHAIR

Resolution relating to application, acceptance and funding of a State of Wisconsin Office of Energy Independence and Wisconsin Clean Cities Southeast Area "Wisconsin Clean Transportation Program" grant funded through the American Recovery and Reinvestment Act of 2009.

7. 100131 SPONSORED BY: THE CHAIR

Resolution authorizing the City Comptroller to transfer funds to various State and Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs totaling \$741,681.00, with a City share is \$741,681.00.

8. 100132 SPONSORED BY: Ald. Donovan INTRODUCED ON: 05/25/2010

Substitute resolution granting the Friends of the Hank Aaron State Trail permission to construct and maintain a car stop shelter within a permanent limited easement for public enhancement at 2500 West Canal Street in the 8th Aldermanic District.

9. <u>100135</u> SPONSORED BY: THE CHAIR

Resolution authorizing the Commissioner of Public Works and Comptroller to execute two State/Municipal Agreements with the Wisconsin Department of Transportation for traffic signal improvements and to fund preliminary engineering for these two projects in the 4th, 10th, and 15th Aldermanic Districts with a total estimated cost of \$8,000, with an estimated grantor share of \$7,200, and an estimated City share of \$800.

INTRODUCED ON: 05/25/2010

INTRODUCED ON: 05/25/2010

10. 100141 SPONSORED BY: Ald. Hines Jr.

Resolution to inform the Common Council of the City's Compliance Maintenance Annual Report for the year 2009.

11. <u>100142</u> 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 \$98,000 for a total estimated cost of these projects being \$1,932,000.

12. 100143 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 \$13,200 for a total estimated cost of \$13,200.

13. 100144 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 \$202,000 for a total estimated cost of these projects being \$2,316,000.

14. 100145 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 \$5,230,000 for a total estimated cost of these projects being \$6,633,500.

15. <u>100152</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 05/25/2010

Resolution directing the Commissioner of Public Works to execute project agreements titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming, design and construction of West Morgan Avenue from South 68th Street to South 84th Street and North 91st Street/North Swan Road from West Hampton Avenue to West Flagg Avenue with 80 percent Federal and State aid under the Surface Transportation Program, and to set up funds for design engineering at total estimated cost of \$1,096,000 and an estimated City of Milwaukee share of \$219,200 and a grantor share of \$876,800.

16. 100157 SPONSORED BY: THE CHAIR

Substitute resolution authorizing the Commissioner of Public Works to execute a project agreement titled "Cost Sharing Agreement Between the City of Milwaukee and the City of Mequon" for the cost sharing of the preliminary engineering and construction for the rehabilitation of West County Line Road between North 68th Street and North 124th Street with a total estimated cost of \$3,500,000, of which the City's share is \$1,750,000 and Mequon's share is \$1,750,000.

INTRODUCED ON: 05/25/2010

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INTRODUCED ON: 05/25/2010

17. 100161 SPONSORED BY: Ald. Bauman

Substitute resolution approving an Intergovernmental Cooperation Agreement between the City of Milwaukee and Milwaukee County relating to cable television coverage of County Board meetings.

18. 100180 SPONSORED BY: Ald. Hines Jr.

Resolution authorizing dedication of the City-owned vacant lot at 2041-43 West Fond du Lac Avenue as public right-of-way for a pedestrian plaza as part of the Fond du Lac Avenue Streetscape Project, in the 15th Aldermanic District.

19. <u>100182</u> SPONSORED BY: Ald. Zielinski

Resolution authorizing conveyance of a portion of the City property at 2401 South Lincoln Memorial Drive to the Wisconsin Department of Transportation for dedication as public right-of-way and reconstruction of the I-794 on-ramp and authorizing relocation of the utility easement from the right-of-way, in the 14th Aldermanic District.

MATTERS FOR IMMEDIATE ADOPTION:

1. 100233 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Resolution approving final certified survey maps.

2. <u>100264</u> SPONSORED BY: Ald. Witkowski INTRODUCED ON: 06/15/2010

Resolution authorizing issuance of a Manufactured Home Community license to Zellmer Fromm, Collegiate Mobile Home Park, LLP, for the premises at 6160 S. 6th St.