



City of Milwaukee

Council Agenda

COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, December 11, 2007

9:00 AM

Common Council Chambers

Willie L. Hines, Jr., 15th District

President

Ashanti Hamilton, 1st District

Joe Davis, Sr., 2nd District

Michael S. D'Amato, 3rd District

Robert Bauman, 4th District

James Bohl, Jr., 5th District

Michael McGee, Jr., 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. Witkowiak, Chair; Ald. Bohl, Vice-Chair
 - Public Safety, Ald. Donovan, Chair; Ald. Puente, Vice-Chair
 - Finance and Personnel, Ald. Murphy, Chair; Ald. D'Amato, Vice-Chair
 - Judiciary and Legislation, Ald. D'Amato, Chair; Ald. Hamilton, Vice-Chair
 - Zoning, Neighborhoods and Development, Ald. D'Amato, 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
 - Steering and Rules, Ald. Hines, Chair; Ald. Murphy, Vice-Chair
8. Communications to be Ordered on File
9. Resolutions for Immediate Adoption
10. Presentation of ordinances, resolutions, motions and communications
11. Announcements

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Resolution authorizing the Office of the City Attorney to resolve various Municipal Court cases through permanent stay of the forfeiture or dismissal.

---(Note: Committee vote: 4 ayes, 1 noes)

4. **070924** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 10/23/2007**

Substitute resolution relative to various legislative bills.

* *AB-580/SB-329 - Objecting to property tax assessments.*

* *AB-581- Prohibiting exercise of emergency powers to restrict activities related to firearms or ammunition.*

* *SB-309/AB-569 - Prohibiting local ordinances, resolutions, and policies that prohibit immigration status inquiries and reports to the federal government about the presence of illegal aliens and authorizing a private right of action.*

* *SJR-27 - Calling for changes to the state's public school funding formula to be enacted by July 1, 2009.*

5. **070977** **SPONSORED BY: Ald. Hamilton And** **INTRODUCED ON: 10/23/2007**
Ald. Davis

Substitute resolution authorizing and directing the City Attorney, on behalf of the City, to sign onto an amicus brief being coordinated by the Legal Community Against Violence in connection with the U.S. Supreme Court's anticipated review of District of Columbia v. Heller, relating to the District's laws banning most handgun possession by residents, provided that upon review of the amicus brief, the City Attorney determines that it is consistent with the intent of the Common Council expressed in this resolution.

---(Note: Committee vote: 4 ayes, 1 noes)

6. **071017** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 11/09/2007**

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

(\$16,862.49)

This file includes payment of legal fees for the following police officers:

Ron Villagomez, Rochell Gawin, Eric Neitman, Andrew Tischer, Derek Vernon, David Martinez, William Singleton, Trinidad Rodriguez, Michael Dederich, Jeff Grambow, Rafael Rivera, Thomas Hines, Jose Lopez III, Tom Harter, Tabatha Guajardo, Scott Beaver, Nicole Vele, Sean Lesnjak, Toby Golembiewski, James Morsovillo, Robert Wilkinson, Robert Glowinski, William Schroeder, William Michel, Malcolm McNeil, James Henry, Jaimie Arce, Richard Lopez, Talmer Wilson, Erwin Estacio, Jeffrey Waldorf, Donald Jackson, Lee Vedbratten, James Hernandez, Kenneth Lipinski, Phil Simmert, David Bublitz, Mark Sikora and Johnny Norred.

**THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
RECOMMENDS:****PASSAGE OF THE FOLLOWING:**

1. **071002** **SPONSORED BY: Ald. Bauman, Ald.
Wade And Ald. Hamilton** **INTRODUCED ON: 11/09/2007**

A substitute ordinance relating to rent withholding and the fee to maintain the account.

2. **071045** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 11/21/2007**

Ordinance relating to the change in zoning from Local Business to Detailed Planned Development 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. **070722** **SPONSORED BY: Ald. Hines Jr.** **INTRODUCED ON: 09/05/2007**

Substitute resolution authorizing the sale of the City-owned vacant lots at 1430 West Fond du Lac Avenue and 1914 North 15th Street to Michael D. Neal and Doycellour Neal, for development of a daycare center, in the 15th Aldermanic District.

4. **071064** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 11/21/2007**

Resolution authorizing the sale of City-owned vacant lots to the Inner City Redevelopment Corporation, Inc., in the 6th Aldermanic District.

5. **071118** **SPONSORED BY: Ald. Hamilton** **INTRODUCED ON: 11/21/2007**

Resolution authorizing a transfer of funds from the Capital Improvements Advance Planning Fund to a subaccount for the Near North Side Comprehensive Area Plan, in the 1st, 6th, 7th and 15th Aldermanic Districts.

6. **071119** **SPONSORED BY: Ald. Davis, Ald. Bohl
And Ald. Puente** **INTRODUCED ON: 11/21/2007**

Resolution authorizing a transfer of funds from the Capital Improvements Advance Planning Fund to a subaccount for the West Side Comprehensive Area Plan, in the 2nd, 5th, 7th, 9th, 10th and 15th Aldermanic Districts.

7. **071120** **SPONSORED BY: Ald. Hines Jr.** **INTRODUCED ON: 11/21/2007**

Resolution approving the blight designation and acquisition by the Redevelopment Authority of the privately owned property at 3916 West Lisbon Avenue and the City-owned property at 3910 West Lisbon Avenue and authorizing conveyance to United Methodist Children's Services of Wisconsin, Inc., for housing development, in the 15th Aldermanic District.

8. **071121** **SPONSORED BY: Ald. Wade** **INTRODUCED ON: 11/21/2007**

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

- a. **061359** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/27/2007**
Substitute resolution amending a special privilege for change of ownership to Galina Patterson for a concrete step and excess door swing encroaching into the public right-of-way for the premises at 2220-44 North Martin L. King Jr. Drive, in the 6th Aldermanic District.
- b. **061477** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/22/2007**
Substitute resolution amending a special privilege for change of ownership to Warehouse 170, LLC for encroachment into the public right-of-way of a wooden dock, a concrete ledge and metal pilasters for the premises at 170 South 2nd Street, in the 12th Aldermanic District.
- c. **070589** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 07/31/2007**
Substitute resolution granting a special privilege to Pragmatic Construction LLC to construct and maintain two building overhangs; stationary planters; roof eaves with gutters; and sunscreens encroaching in the public right-of-way for the premises at 2800 North Pierce Street, in the 3rd Aldermanic District.
- d. **070679** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 09/05/2007**
Substitute resolution amending a special privilege to 2306 United, LLC for addition of a second handicap ramp with platform and two moveable planters for the premises at 2306 South Kinnickinnic Avenue, in the 14th Aldermanic District.
- e. **070680** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 09/05/2007**
Substitute resolution amending a special privilege to Noble I Milwaukee, LLC for change of ownership and for addition of private trashcans, moveable planters, and benches encroaching in the public right-of-way for the premises at 333 West Kilbourn Avenue, in the 4th Aldermanic District.
- f. **070941** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 10/23/2007**
Substitute resolution amending a special privilege for change of ownership to U.S. Bank National Association for encroachment into the public right-of-way of tree grates with guards and addition of a concrete ramp with railing and a stationary planter for the premises at 2525 West Wisconsin Avenue, in the 4th Aldermanic District.
- g. **070942** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 10/23/2007**

Substitute resolution amending a special privilege for change of ownership to U.S. Bank National Association for encroachment into the public right-of-way of tree grates and guards for the premises at 2303 North Farwell Avenue, in the 3rd aldermanic district.

- h. 070960 SPONSORED BY: THE CHAIR INTRODUCED ON: 10/23/2007**
- Substitute resolution amending a special privilege for change of ownership to Washington Square Associates III Limited Partnership and for addition of a platform with steps and barrier free access ramp and an excess door swing for the premises at 770 North Jefferson Street, in the 4th Aldermanic District.
- i. 070965 SPONSORED BY: THE CHAIR INTRODUCED ON: 10/23/2007**
- Substitute resolution amending a special privilege for change of ownership to LaCage Enterprises, LLC for a concrete platform with steps and handrails encroaching in the public right-of-way for the premises at 801-809 South 2nd Street, in the 12th Aldermanic District.
- 2. 070503 SPONSORED BY: THE CHAIR INTRODUCED ON: 07/11/2007**
- Substitute resolution to vacate the Southerly West leg of alley in the block bounded by West Lapham Boulevard, South 9th Street, West Historic Mitchell Street and South 10th Street, in the 12th Aldermanic District.
- 3. 070792 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/25/2007**
- Substitute resolution to vacate a portion of the North-South alley in the block bounded by West Wells Street, West Wisconsin Avenue, North 19th Street and North 21st Street, in the 4th Aldermanic District.
- 4. 071026 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/09/2007**
- Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of West Greenfield Avenue from South 1st Street to South Cesar Chavez Drive in the 12th Aldermanic District at a total estimated cost of \$146,919.61, with an estimated grantor share of \$117,535.69, and an estimated City share of \$29,383.92.
- 5. 071027 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/09/2007**
- Resolution directing the Commissioner of Public Works to apply for a 2008-2009 Wisconsin Coastal Management Program grant from the State of Wisconsin, Department of Administration.
- 6. 071028 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/09/2007**
- Resolution authorizing the acceptance and funding of a \$630,580 U. S. Department of Homeland Security FY 2007 IPP Port Security Grant.
- 7. 071039 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/09/2007**
- Resolution granting an easement to the City of Greenfield on City of Milwaukee owned property at 5353 South 43rd Street, and authorizing the proper City officers to execute the easement document.

RESOLUTIONS FOR IMMEDIATE ADOPTION:

071145

SPONSORED BY: THE CHAIR

INTRODUCED ON: 12/11/2007

Resolution approving various final certified survey maps.