



# City of Milwaukee

## Council Agenda

### COMMON COUNCIL

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

Tuesday, February 9, 2010

9:00 AM

Council Chambers, 3rd Fl., City Hall

*Amended 2/5/10*

**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

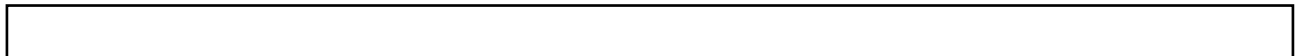
**Terry L. Witkowski**, 13th District

**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.





Motion relating to the recommendations of the Licenses Committee relative to licenses.

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*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.     **091141**             **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 12/22/2009**

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.     **091242**             **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 01/20/2010**

A substitute ordinance relating to parking controls.

3.     **091243**             **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 01/20/2010**

A substitute ordinance relating to traffic controls.

4.     **091321**             **SPONSORED BY: Ald. Witkowski**   **INTRODUCED ON: 01/20/2010**

A substitute ordinance relating to the administration of the written test for public passenger vehicle drivers.

**ADOPTION OF THE FOLLOWING:**

5.     **091188**             **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 01/20/2010**

Resolution approving a Fourth Amendment to the Law Enforcement Special Assignment Grant Agreement for the Bradley Center.

6.     **091193**             **SPONSORED BY: Ald. Donovan**   **INTRODUCED ON: 12/22/2009**

Resolution authorizing the Milwaukee Police Department to accept a donation of a retired armored transport vehicle from Garda.

7.     **091249**             **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 01/20/2010**

Substitute resolution authorizing the application, acceptance and funding of the 2010 Port Security Grant from the U. S. Department of Homeland Security through the Community Development Grants Administration on behalf of the Milwaukee Port Security Collaborative.

**8. Obsolete files:**

- a. **070847**                      **SPONSORED BY: THE CHAIR**                      **INTRODUCED ON: 09/25/2007**  
Communication from the Police Department relating to 2006 traffic reports and a report summarizing matters of the Safety Division.
- b. **071438**                      **SPONSORED BY: THE CHAIR**                      **INTRODUCED ON: 02/05/2008**  
Communication from the Milwaukee Police Department Relative to the Public Safety Plan for the City of Milwaukee and Other Public Safety issues.
- c. **081053**                      **SPONSORED BY: THE CHAIR**                      **INTRODUCED ON: 11/25/2008**  
Communication from the Department of Employee Relations relating to the 2007 report on occupational injuries and illnesses of city employees.
9. **081315**                      **SPONSORED BY: THE CHAIR**                      **INTRODUCED ON: 01/16/2009**  
Communication from the Anti-Graffiti Policy Committee related to its 2009 activities.
10. **091240**                      **SPONSORED BY: THE CHAIR**                      **INTRODUCED ON: 01/20/2010**  
Communication from the Police Department relating to the 2009 crime statistics and other public safety issues.
11. **091281**                      **SPONSORED BY: THE CHAIR**                      **INTRODUCED ON: 01/20/2010**  
Communication relating to the 2009 update from the Department of Public Works relating to for-sale vehicles on public property.

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

1. **091142**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/22/2009**  
A substitute ordinance to further amend the 2010 rates of pay of offices and positions in the City Service.
2. **091143**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/22/2009**  
A substitute ordinance to further amend the 2010 offices and positions in the City Service.
3. **091213**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/22/2009**  
A substitute ordinance relating to employe benefits for certain city employes.

**ADOPTION OF THE FOLLOWING:**

4. **091026**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/01/2009**  
Substitute resolution approving the form of the Preliminary Official Statement used in connection with the sale of City of Milwaukee, Wisconsin, debt. (Comptroller)
5. **091241**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Substitute resolution amending File Number 090786, resolution relating to special taxes or assessments for the year 2009.
6. **091269**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Substitute resolution amending Resolution File #090356, relating to application, acceptance and funding of a grant from the United States Department of Energy for the second round of the Solar America Cities program, to create and fund one position of Project Manager.
7. **091283**      **SPONSORED BY: Ald. Dudzik**      **INTRODUCED ON: 01/20/2010**  
Substitute resolution relating to administrative guidelines for mileage reimbursement and work-related vehicular travel for management city employees.

**PLACING ON FILE THE FOLLOWING:**

8. **081214**      **SPONSORED BY: Ald. Bauman**      **INTRODUCED ON: 12/16/2008**  
An ordinance relating to salaries of management employees.
9. **091255**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Communication from the Department of Administration - Budget and Management Analysis Division regarding vacancy requests, fund transfers and equipment requests.



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

1. **091312**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
A substitute ordinance relating to revision of various provisions for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**ADOPTION OF THE FOLLOWING:**

2. **091091**      **SPONSORED BY: Ald. Bauman**      **INTRODUCED ON: 12/01/2009**  
Substitute resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside legal counsel in a matter pending before the Board of Zoning Appeals.
3. **091228**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Substitute resolution authorizing the return of real estate located at 8847D N. Swan Rd., in the 9th Aldermanic District to its former owner. (CitiFinancial, Inc.)
4. **091270**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Resolution authorizing payment of an Arbitration award in the cases of Metropolitan Associates v. City, Granville Holding v. City, Servite Village Apartments v. City, Rainbow Terrace Apartments v. City, Riverwood Apartments Assn. v. City and Northland Apartments v. City for the years 2006, 2007 and 2008 for the total amount of \$58,976.74 plus statutory interest.
5. **091276**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Substitute resolution to settle claims of Gimbel, Reilly Guerin & Brown for defense of various police officers.  
*---This file includes payment of legal fees for Sgt. Kimberlee Foster.*
6. **091316**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Substitute resolution relative to legislative bills.  
*---SB-458 /AB 656    The local regulation of ticket selling and providing a penalty.*  
*---AB-661            County and municipal expenditures for emergency services.*  
*---LRB-3451/7      Regional Transit Authority*  
*---H.R. 2847        Jobs for Main Street Act of 2010 (federal act)*

**CONFIRMATION OF THE FOLLOWING:**

7. **091296**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**



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Reappointment of Joanne Barndt to the Ethics Board by the Mayor. (3rd Aldermanic District)

**PLACING ON FILE THE FOLLOWING:**

8. **090478**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/28/2009**  
Communication related to the 2009 activities of the Ethics Board.
9. **091192**      **SPONSORED BY: Ald. Bauman**      **INTRODUCED ON: 12/22/2009**  
Resolution appropriating funds of not more than \$10,000 from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside legal counsel in a case involving the Board of Zoning Appeals.
10. **091223**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Communication from the Comptroller's Office relating to the Audit of City Assessments for Commercial Property.

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

11. **Claims against the city:**
- a. **090998**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/01/2009**  
Resolution relating to an appeal from Mary Kargol for property damage. (12th Aldermanic District)
- b. **091103**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/22/2009**  
Resolution relating to the claim of John and Gayle Eckland for property damage. (10th Aldermanic District)  
*---(Note: Committee vote: 3 ayes, 1 no)*
- c. **091104**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/22/2009**  
Resolution relating to the claim of Jeff Dybul for property damage. (10th Aldermanic District)  
*---(Note: Committee vote: 3 ayes, 1 no)*
- d. **091122**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/22/2009**  
Resolution relating to the appeal of Joseph Hren for property damage.
- e. **091221**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Resolution relating to an appeal from Albert and Diane Taylor for property damage. (1st Aldermanic District)
- f. **091222**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**

Resolution relating to an appeal from Godfrey Wicks, Sr. for property damage. (7th Aldermanic District)

- g. 091225 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/20/2010**  
Resolution relating to the appeal of Julie Silbaugh, Agent for State Auto Insurance Companies on behalf of Thomas Ballinger for property damage. (3rd Aldermanic District)
- h. 091226 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/20/2010**  
Resolution relating to the claim of Kathryn Haller for personal injuries. (4th Aldermanic District)
- i. 091227 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/20/2010**  
Resolution relating to the claim of Tielisha Hodges for property damage. (1st Aldermanic District)
- j. 091250 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/20/2010**  
Resolution relating to the claim of Cassandra Page-Kemp for property damage. (7th Aldermanic District)
- k. 091267 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/20/2010**  
Resolution relating to the claim of Atty. David Blau on behalf of Kewanee Allen for personal injuries. (7th Aldermanic District)

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

1.     **090807**             **SPONSORED BY: Ald. Kovac**                                     **INTRODUCED ON: 10/13/2009**  

A substitute ordinance relating to the Second Amendment to a Detailed Planned Development known as Highbridge Condominiums, for 68 residential apartments, known as Metro Place, on land located on the South Side of East Kane Place and East of North Water Street, in the 3rd Aldermanic District.
  
2.     **091154**             **SPONSORED BY: THE CHAIR**                                     **INTRODUCED ON: 12/22/2009**  

A substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as Heartland Housing, for a four-story structure with 38 residential units and first floor community space, on lands located South of West Fond du Lac Avenue and West of North 25th Street, in the 15th Aldermanic District.

**ADOPTION OF THE FOLLOWING:**

3.     **080299**             **SPONSORED BY: Ald. Bauman**                                     **INTRODUCED ON: 06/10/2008**  

Resolution relating to the creation of a tax incremental district for the area bounded by W. Galena Street, W. State Street, N. 20th Street and N. 24th Street.
  
4.     **091217**             **SPONSORED BY: THE CHAIR**                                     **INTRODUCED ON: 01/20/2010**  

Substitute resolution affirming the Historic Preservation Commission's action denying a certificate of appropriateness for the installation of vinyl siding on the dormers of the property located at 1036 N. Van Buren Street.
  
5.     **091247**             **SPONSORED BY: THE CHAIR**                                     **INTRODUCED ON: 01/20/2010**  

Resolution directing a transfer of funds from the Capital Improvements-Advance Planning Fund to two subaccounts for comprehensive and redevelopment planning, land use analysis, GIS mapping and zoning activities.
  
6.     **091251**             **SPONSORED BY: Ald. Coggs and Ald. Hines Jr.**                                     **INTRODUCED ON: 01/20/2010**  

Resolution authorizing conveyance of the Redevelopment Authority property at 3525 North 1st Street to the City of Milwaukee and authorizing sale of this and other City-owned vacant lots to Milwaukee Habitat for Humanity, Inc., for its 2010 housing program, in the 6th and 15th Aldermanic Districts.
  
7.     **091275**             **SPONSORED BY: THE CHAIR**                                     **INTRODUCED ON: 01/20/2010**  

Substitute resolution relating to the permanent historic designation of the Schlitz Tavern/Coventry Inn, 2501 W. Greenfield Ave., in the 8th Aldermanic District.

**CONFIRMATION OF THE FOLLOWING:**

- 8.**     **091278**           **SPONSORED BY: THE CHAIR**                               **INTRODUCED ON: 01/20/2010**  
                                Appointment of Kenneth Munson to the Redevelopment Authority by the Mayor. (3rd  
                                Aldermanic District)

**PLACING ON FILE THE FOLLOWING:**

- 9.**     **090125**           **SPONSORED BY: Ald. Zielinski**                               **INTRODUCED ON: 05/27/2009**  
                                Resolution accepting a proposal for the sale of the surplus, City-owned property at 2372  
                                South Logan Avenue from the Housing Authority of the City of Milwaukee for residential  
                                development, in the 14th Aldermanic District.

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

1. **091196**      **SPONSORED BY: Ald. Witkowski, Ald. Hines Jr., Ald. Hamilton, Ald. Davis, Ald. Bauman and Ald. Witkowiak**      **INTRODUCED ON: 12/22/2009**  
Substitute resolution creating a task force to assess perceptions and image of greater Milwaukee and recommend development of a Milwaukee brand identity.
  
2. **091271**      **SPONSORED BY: Ald. Murphy**      **INTRODUCED ON: 01/20/2010**  
Resolution authorizing expenditures and amending the conditions for expenditures and funding availability from the Healthy Neighborhoods Initiative capital account.
  
3. **091287**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Substitute resolution authorizing attendance at meetings of the National League of Cities' Board of Directors and International Council.  
*---(Note: Committee vote: 4 ayes, 1 abstain)*
  
4. **091325**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/27/2010**  
Resolution relative to the transfer of 2010 Drivers License Recovery/Employment Project funding from the Justice 2000, Inc. to another Service Provider.

**CONFIRMATION OF THE FOLLOWING:****5. Appointments/Reappointments to Boards:**

- a. **090934**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 11/03/2009**  
Appointment of Abigail Navti Abongwa to the Business Improvement District Board #27 (West Burleigh Street by the Mayor).
  
- b. **091277**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Reappointment of Michael DeMichele to the Architectural Review Board by the Mayor. (4th Aldermanic District)
  
- c. **091280**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Reappointment of Mark Lawson to the Architectural Review Board by the Mayor. (4th Aldermanic District)
  
- d. **091294**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Appointment of Ann Pieper Eisenbrown, to the Business Improvement District Board #2 (Historic Third Ward) by the Mayor. (12th Aldermanic District)

- e. **091295**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Reappointment of Nancy O'Keefe to the Architectural Review Board by the Mayor. (4th Aldermanic District)
- f. **091297**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Reappointment of Joseph Ullrich to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- g. **091298**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Reappointment of Jeffrey Sprau to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- h. **091299**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Reappointment of Marie Myszkowski to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- i. **091300**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Reappointment of Scott Welsh to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- j. **091302**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Reappointment of Timothy Smith to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- k. **091309**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Appointment of Ihsan Atta to the Business Improvement District Board No. 36 (Riverworks II) by the Mayor.
- L. **091310**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Appointment of Gail Groenwoldt to the Business Improvement District Board No. 36 (Riverworks II) by the Mayor. (8th Aldermanic District)
- m. **091320**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/20/2010**  
Appointment of Kevin Behl to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

**PLACING ON FILE THE FOLLOWING:**

6. **091195**      **SPONSORED BY: Ald. Murphy**      **INTRODUCED ON: 12/22/2009**  
Communication from the Department of City Development relating to mortgage foreclosures in the City of Milwaukee.



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**9.      091234                  SPONSORED BY: THE CHAIR                                  INTRODUCED ON: 01/20/2010**

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 \$117,000 for a total estimated cost of these projects being \$5,622,000.

**10.     091235                  SPONSORED BY: THE CHAIR                                  INTRODUCED ON: 01/20/2010**

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 \$3,272,000 for a total estimated cost of these projects being \$3,422,000.

**11.     091263                  SPONSORED BY: THE CHAIR                                  INTRODUCED ON: 01/20/2010**

Resolution authorizing the Commissioner of Public Works to execute a Project Agreement with the Wisconsin Department of Transportation for a project to reconstruct the northbound on-ramp to I-794 at South Carferry Drive, with preliminary engineering costs of \$169,000 with a grantor share of \$15,000 for state review and a City share of \$154,000 for plan development, and with a total project cost of \$845,000 with a grantor share of \$265,000 and a City share of \$580,000.

**12.     091266                  SPONSORED BY: THE CHAIR                                  INTRODUCED ON: 01/20/2010**

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 \$87,115.15, City share is \$8,000 and the Grantor's share is \$79.115.15.

**PLACING ON FILE THE FOLLOWING:****13.     090655                  SPONSORED BY: THE CHAIR                                  INTRODUCED ON: 09/22/2009**

Communication related to the 2009 activities of the Capital Improvements Committee.



**MATTERS FOR IMMEDIATE ADOPTION:**

- 1.     091360         SPONSORED BY: THE CHAIR                                     INTRODUCED ON: 02/09/2010**  
Resolution approving final certified survey maps.
  
- 2.     091372         SPONSORED BY: Ald. Bauman                                     INTRODUCED ON: 02/09/2010**  
Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.