



City of Milwaukee

Council Agenda

COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, March 18, 2008

9:00 AM

Common Council Chambers

Amended 3/14/08

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
8. Communications to be Ordered on File
9. Resolutions 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://legistar.milwaukee.gov/mattersearch>. 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:**APPROVAL OF THE FOLLOWING:**

- 1. 071283 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/15/2008**
Motion relating to the recommendations of the Licenses Committee relative to various licenses.

Detailed information relating to the contents of this file may be found by searching under this number at <http://legistar.milwaukee.gov/mattersearch>.

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

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:**APPROVAL OF THE FOLLOWING:**

1. 071473 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
Motion relating to the recommendations of the Public Safety Committee relative to various licenses.

Detailed information relating to the contents of this file may be found by searching under this number at <http://legistar.milwaukee.gov/mattersearch>.

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

PASSAGE OF THE FOLLOWING:

2. 071385 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/05/2008**
A substitute ordinance relating to parking controls in various Aldermanic Districts.
3. 071386 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/05/2008**
A substitute ordinance relating to traffic controls in various Aldermanic Districts.
4. 071508 **SPONSORED BY: Ald. Davis and Ald. Witkowski** **INTRODUCED ON: 02/26/2008**
A substitute ordinance relating to penalties for violations of fireworks provisions.
5. 071510 **SPONSORED BY: Ald. Donovan** **INTRODUCED ON: 02/26/2008**
A substitute ordinance relating to ambulance certification requirements.

ADOPTION OF THE FOLLOWING:

6. 061570 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/22/2007**
Substitute resolution approving an Emergency Medical Services agreement between the City of Milwaukee and private ambulance providers.
7. 071474 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
Resolution authorizing the Milwaukee Police Department to apply for, accept and expend contributions of not more than \$50,000 from the Greater Milwaukee Foundation for costs related to the operation of the canine unit.

8. **071475** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution amending Milwaukee Police Department authority to accept contributions from the Greater Milwaukee Foundation for traffic safety equipment, further authorizing acceptance and expenditure of not more than \$40,500 additional contributions.

9. **071487** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution relative to the application, acceptance and funding of an Advanced Training Grant- Police Ethics and Integrity Training.

PLACING ON FILE THE FOLLOWING:

10. **071486** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution relative to the application, acceptance and funding of an Advanced Training Grant- Understanding High Risk Police Activities.

11. **071513** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Communication from the Milwaukee Homicide Review Commission related to its activities.

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

1. **071388** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/05/2008**
A substitute ordinance to further amend the 2008 rates of pay of offices and positions in the City Service under control of the Common Council.

2. **071389** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/05/2008**
A substitute ordinance to further amend the 2008 offices and positions in the City Service under control of the Common Council.

3. **071498** **SPONSORED BY: Ald. Murphy** **INTRODUCED ON: 02/26/2008**
An ordinance relating to the distribution of city code and charter to various governmental agencies.

ADOPTION OF THE FOLLOWING:

4. **070015** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/17/2007**
Substitute resolution approving, ratifying and confirming the memorandum of understanding covering wages, hours and conditions of employment agreement between the city negotiating team and the Milwaukee Professional Fire Fighters' Association, Local #215, IAFF, AFL-CIO for the period of January 1, 2007, through December 31, 2009.

5. **071260** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/15/2008**
Substitute resolution authorizing carryover of certain fund balances from 2007 to 2008 in accordance with Section 65.07(1)(p), Wisconsin Statutes.

6. **071278** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/15/2008**
Substitute resolution rescinding reserved commitments and appropriating funds from the 2007 Common Council Contingent Funds for the purpose of closing the 2007 financial books due to unanticipated shortfalls in current year operating expenses.

7. **071363** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/05/2008**
Resolution approving the form of the Preliminary Official Statement used in connection with the sale of City of Milwaukee debt.

8. **071452** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution authorizing an appropriation of \$460,000 from the Common Council Contingent Fund to the Remission of Taxes Special Purpose Account and directing payment of a civil judgment in favor of U.S. Bank against the City in the amount of \$440,430.03, plus simple interest at 0.8% from January 1-31, 2008, and simple interest at 1.0% thereafter until date of payment.

9. **071493** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Substitute resolution authorizing the sale and issuance of General Obligation Promissory Notes for contingent borrowing for excess 2007 expenditures.

PLACING ON FILE THE FOLLOWING:

10. **070547** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 07/11/2007**

Communication from the Comptroller's Office transmitting a report titled Audit of the Milwaukee Police Department Crime Data System.

11. **071274** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/15/2008**

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

12. **071374** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/05/2008**

Communication from the Comptroller transmitting a report entitled Office of the Comptroller Report of Audit Activities.

13. **071390** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/05/2008**

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

14. **071494** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Communication from the Chief of Police relative to the administrative & structural changes to the police department.

15. **071501** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Communication from the Department of Employee Relations requesting an amendment to the salary ordinance and positions ordinance regarding the DC 48 Contract Administrator.

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

1. **050275** **SPONSORED BY: Ald. Donovan, Ald. Hamilton, Ald. Bohl, Ald. Bauman and Ald. Murphy** **INTRODUCED ON: 06/14/2005**
Substitute resolution directing the Intergovernmental Relations Division- Department of Administration to seek introduction and passage of state legislation relating to property tax relief.

2. **071443** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
Resolution authorizing payment of the claim of Russell Sommer.
---(\$2,399.87)

3. **071444** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
Resolution authorizing payment of the claim of Brian Maletzke.
---(\$6,403.53)

4. **071445** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
Resolution authorizing payment of the claim of Randy Paszkiewicz.
---(\$11,015.14)

5. **071469** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
Substitute Resolution to settle claim of Cermele & Associates for defense of various police officers.
*---This file includes payment of legal fees for the following police officers:
Lewis Brown, Adam Freund, Matthew Drought, David Bublitz, Brent Miscichoski,
James Hutchinson, Shannon Lewandowski, Laura Litwin, Christopher Kaine,
Kevin Matte, Matthew Seitz, Carrie Radtke, Randolph Bruso, Adrian Harris,
Pernell Reynolds, Jovan Petkovich, Edward Ciano, James Peterson, Paula
Tatman, Maurice Woulfe, Gary Post, Richard Hoffman, Daniel Robinson, Joel
Moeller, Donald Sanford, Darrell Flemming, Daniel Vidmar, Scott Voeks, Greg
Colker, Chris Chu, Malcolm McNeil, Steve Dettman, Marc Moore, Robert Lacy,
Mike Anderson, Mike Lopez, Chris Schlachter, Librado Bracero, Steven Jaeck,
Michael Valuch, Jeffrey Buckson, Ray Harris, Dontae Harmon, Dexter Love, Brian
Brosseau, Christopher Elser, Heather Coss and Timothy Martin.*

---(\$42,885.73)

6. **071478** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution authorizing City entry into a settlement agreement with Kilbourn Tower, LLC regarding amounts owed under an Agreement for Sale and a Note concerning the parcel at 923 E. Kilbourn Street and a vacated right-turn bypass that the City sold to Kilbourn Tower, LLC in 2003.

---(Note: Committee vote: 3 ayes, 1 noes)

PLACING ON FILE THE FOLLOWING:

7. **071495** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
 Communication from the City Attorney transmitting a semiannual report as to the determination and disposition of all claims pending and closed through December 31, 2007.

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

8. **Various claims against the city:**

- a. **071259** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/15/2008**
 Resolution relating to the claim of Rose Patterson for property damage. (7th Aldermanic District)
- b. **071447** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
 Resolution relating to the claim of Daniel Wiken, Tania Cook and American Family Insurance for property damage.
- c. **071448** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
 Resolution relating to the claim of Denise Berndsen for personal injuries and property damage.
- d. **071461** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
 Resolution relating to a claim from Sanford Parsons regarding revocation of an occupancy permit. (3rd Aldermanic District)
- e. **071476** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**
 Resolution relating to the claim of Suzanne Zakry, Agent for Irgens Development Partners, LLC for property damage. (4th Aldermanic District)

Resolution authorizing the Commissioner of Public Works to execute a Revised Project Agreement titled "State/Municipal Agreement for a Highway Improvement Project" between the City of Milwaukee and Wisconsin Department of Transportation associated with the bridge rehabilitation of the North Teutonia Avenue Bridge over West Silver Spring Drive with 80 percent Federal and/or State aid under the Local Bridge Replacement Program.

6. 071480 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution authorizing the Commissioner of Public Works to execute a Revised Project Agreement between the City of Milwaukee and Wisconsin Department of Transportation associated with the West Vliet Street intersection with North 40th Street project in the City of Milwaukee under the Hazard Elimination Safety Program, and to transfer funds for the additional preliminary engineering costs associated with the revised agreement of \$45,310.00, with a City share of \$4,531.00 and a grantor's share of \$40,779.00.

7. 071481 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

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 preliminary engineering and construction costs totaling \$48,000.00, City share is \$9,600.00 and the Grantor's share is \$38,400.00.

8. 071482 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution authorizing the Commissioner of Public Works to execute a Cost Sharing Agreement with Milwaukee County for the planned improvement of West Mill Road from USH 45 to North 91st Street and authorizing costs for plan review of \$8,000, which will be funded 100 percent by the City of Milwaukee.

9. 071483 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution relating to application for, and acceptance and funding of, a CERES Foundation, Inc. Grant as part of the Greater Milwaukee Foundation.

10. 071484 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

Resolution relating to application for, and acceptance and funding of, a US Environmental Protection Agency Resource Conservation Challenge Grant.

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

11. 071488 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

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 \$986,100 for a total estimated cost of \$1,176,100.

12. 071489 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/26/2008**

