

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Council Agenda

COMMON COUNCIL

Tuesday, March 18, 2008 9:00 AM

Amended 3/14/08

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

- 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:

SPONSORED BY: THE CHAIR 1. <u>071283</u>

licenses.

Motion relating to the recommendations of the Licenses Committee relative to various

INTRODUCED ON: 01/15/2008

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.

> Printed on 3/17/2008 Page 2

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

SPONSORED BY: THE CHAIR 1. 071473

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:

SPONSORED BY: THE CHAIR **INTRODUCED ON: 02/05/2008** 2. 071385

A substitute ordinance relating to parking controls in various Aldermanic Districts.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 02/05/2008** 3. 071386

A substitute ordinance relating to traffic controls in various Aldermanic Districts.

SPONSORED BY: Ald. Davis and Ald. **INTRODUCED ON: 02/26/2008** 4. 071508

Witkowski

A substitute ordinance relating to penalties for violations of fireworks provisions.

SPONSORED BY: Ald. Donovan INTRODUCED ON: 02/26/2008 5. 071510

A substitute ordinance relating to ambulance certification requirements.

ADOPTION OF THE FOLLOWING:

SPONSORED BY: THE CHAIR **INTRODUCED ON: 03/22/2007** 6. 061570

> Substitute resolution approving an Emergency Medical Services agreement between the City of Milwaukee and private ambulance providers.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 02/26/2008** 7. 071474

> 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.

> > Printed on 3/17/2008 Page 3

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. <u>071486</u> 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. <u>071513</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 02/26/2008

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

Page 4 Printed on 3/17/2008

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. <u>071498</u> 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

Page 5 Printed on 3/17/2008

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. <u>071493</u> SPONSORED BY: THE CHAIR

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

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 07/11/2007

INTRODUCED ON: 01/15/2008

INTRODUCED ON: 02/05/2008

INTRODUCED ON: 02/05/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

PLACING ON FILE THE FOLLOWING:

10. 070547 SPONSORED BY: THE CHAIR

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

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

12. 071374 SPONSORED BY: THE CHAIR

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

13. 071390 SPONSORED BY: THE CHAIR

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

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

15. <u>071501</u> SPONSORED BY: THE CHAIR

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

Page 6 Printed on 3/17/2008

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. <u>050275</u> SPONSORED BY: Ald. Donovan, Ald.

Hamilton, Ald. Bohl, Ald. Bauman and

Ald. Murphy

Substitute resolution directing the Intergovernmental Relations Division- Department of Administration to seek introduction and passage of state legislation relating to property tax relief.

2. <u>071443</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 06/14/2005

Resolution authorizing payment of the claim of Russell Sommer.

---(\$2,399.87)

3. <u>071444</u> 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.

Page 7

---(\$42,885.73)

6. 071478 SPONSORED BY: THE CHAIR

Printed on 3/17/2008

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

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.

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 01/15/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

- 8. Various claims against the city:
- a. 071259 SPONSORED BY: THE CHAIR

Resolution relating to the claim of Rose Patterson for property damage. (7th Aldermanic

b. 071447 SPONSORED BY: THE CHAIR

District)

Resolution relating to the claim of Daniel Wiken, Tania Cook and American Family Insurance for property damage.

c. 071448 SPONSORED BY: THE CHAIR

Resolution relating to the claim of Denise Berndsen for personal injuries and property damage.

d. <u>071461</u> SPONSORED BY: THE CHAIR

Resolution relating to a claim from Sanford Parsons regarding revocation of an occupancy permit. (3rd Aldermanic District)

e. 071476 SPONSORED BY: THE CHAIR

Resolution relating to the claim of Suzanne Zakry, Agent for Irgens Development Partners, LLC for property damage. (4th Aldermanic District)

Page 8 Printed on 3/17/2008

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 070548 SPONSORED BY: Ald. D'Amato

INTRODUCED ON: 07/11/2007

A substitute ordinance relating to revision of regulations for automatic changeable message signs.

---(Note: Committee vote: 3 ayes, 2 noes)

2. <u>071128</u> SPONSORED BY: Ald. Witkowiak

INTRODUCED ON: 11/21/2007

Substitute ordinance relating to the change in zoning from Two-Family Residential to Local Business on land located East of South 17th Street and South of West Mitchell Street, in the 12th Aldermanic District.

3. <u>071255</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/15/2008

An ordinance relating to the building and zoning code definition of "projecting sign".

4. <u>071409</u> SPONSORED BY: Ald. Bohl

INTRODUCED ON: 02/05/2008

Substitute ordinance relating to the establishment of a Master Sign Program Overlay Zone for property located at 6840 North 107th Street for a monument sign, in the 5th Aldermanic District.

Page 9 Printed on 3/17/2008

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 071038 SPONSORED BY: Ald. Hamilton INTRODUCED ON: 11/09/2007

Resolution appropriating \$50,000 from the Economic Development Committee Fund for a study of disparate practices with respect to businesses which contract with the City.

2. 071449 SPONSORED BY: Ald. Murphy INTRODUCED ON: 02/26/2008

Substitute resolution relating to expenditures from the Healthy Neighborhoods Initiative capital account.

3. <u>071505</u> SPONSORED BY: Ald. Murphy INTRODUCED ON: 02/26/2008

Substitute resolution renewing the sister city relationship between Milwaukee and Galway, Ireland.

PLACING ON FILE THE FOLLOWING:

4. <u>071416</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 02/05/2008

Communication from Dr. Keenan Grenell relating to the Final Report from the Regional Task Force on Science, Technology, Engineering and Mathematics Education.

Page 10 Printed on 3/17/2008

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 071361 SPONSORED BY: THE CHAIR

INTRODUCED ON: 02/05/2008

An ordinance relating to costs and fees for official street renamings and honorary street namings.

2. 071459 SPONSORED BY: THE CHAIR

INTRODUCED ON: 02/26/2008

A substitute ordinance to grant an airspace lease to BOSTCO, LLC for an existing pedestrian bridge over a portion of North 4th Street between West Wisconsin Avenue and West Michigan Street.

ADOPTION OF THE FOLLOWING:

- 3. Various resolutions relating to special privileges:
- a. 070029 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/17/2007

Substitute resolution granting a special privilege to Broadway 301 LLC for one single and one set of double excess door swings in the public right-of-way for the premises at 301 North Broadway, in the 4th Aldermanic District.

b. 071000 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/09/2007

Substitute resolution amending a special privilege for change of ownership to Wheaton Franciscan Healthcare-St. Joseph, Inc. for encroachment into the public right-of-way of items previously granted permission and addition of curb extensions, gate swings and bollards for the premises at 3001 North 51st Street, in the 10th Aldermanic District.

c. 071157 SPONSORED BY: THE CHAIR INTRODUCED ON: 12/11/2007

Substitute resolution amending a special privilege for change of ownership to Roundy's Supermarkets, Inc. for encroachment into the public right-of-way of North Broadway of a commemorative monument adjacent to the premises at 241 North Broadway, in the 4th Aldermanic District.

4. 071450 SPONSORED BY: THE CHAIR INTRODUCED ON: 02/26/2008

Resolution relating to the funding of 2 U.S. Department of Homeland Security FY 2007 IPP Port Security Grants.

5. 071479 SPONSORED BY: THE CHAIR INTRODUCED ON: 02/26/2008

Page 11 Printed on 3/17/2008

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.

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

6. 071480 SPONSORED BY: THE CHAIR

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

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

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

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

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

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

Page 12 Printed on 3/17/2008

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 \$5,413,000 for a total estimated cost of these projects being \$5,994,000.

13. 071490 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 \$15,000 for a total estimated cost of these projects being \$350,000.

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/26/2008

INTRODUCED ON: 02/05/2008

INTRODUCED ON: 02/05/2008

INTRODUCED ON: 02/26/2008

14. 071491 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 \$47,000 for a total estimated cost of these projects being \$810,000.

15. 071512 SPONSORED BY: Ald. Zielinski

Resolution directing a report on the filling of potholes in the streets of the City of Milwaukee.

PLACING ON FILE THE FOLLOWING:

16. 071415 SPONSORED BY: THE CHAIR

Communication from the Department of Public Works, Special Events Office relating to the activities and costs related to the implementation of a pilot special event-parking program.

17. 071422 SPONSORED BY: THE CHAIR

Communication from the Department of Public Works relative to the multi-space parking meters.

18. 071517 SPONSORED BY: THE CHAIR

Communication from the Department of Public Works relating to the status of funding for the Milwaukee Connector public transit project.

Page 13 Printed on 3/17/2008