



City of Milwaukee

Council Agenda

COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Wednesday, May 27, 2009

9:00 AM

Common Council Chambers

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

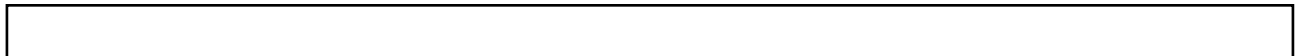
Terry L. Witkowski, 13th District

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.



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

1. **081694** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/14/2009**
A substitute ordinance to further amend the 2009 offices and positions in the City Service.
2. **081700** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/14/2009**
A substitute ordinance to further amend the 2009 rates of pay of offices and positions in the City Service.
3. **090003** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
An ordinance relating to the late renewal application fee for a bed and breakfast establishment permit.
4. **090049** **SPONSORED BY: Ald. Murphy** **INTRODUCED ON: 05/05/2009**
A charter ordinance relating to eligibility to make a selection of a protective survivorship retirement option.

ADOPTION OF THE FOLLOWING:

5. **090064** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
Resolution appropriating \$233,500 from the 2008 Parking Contingent Fund account to the 2008 Fringe Benefits account.

CONFIRMATION OF THE FOLLOWING:

6. **080475** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 07/01/2008**
Appointment of Jennifer A. Miswald to the Public Debt Commission by the Mayor.

PLACING ON FILE THE FOLLOWING:

7. **081289** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/16/2009**
Substitute resolution appropriating up to \$134,949.23 from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of three lawsuits against the City of Milwaukee regarding 2006, 2007 and 2008 tax assessments.
---(Note: Committee vote: 3 ayes, 2 noes)
8. **081696** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/14/2009**
Communication from the Department of Administration - Budget and Management Analysis Division regarding various vacancy requests, fund transfers and equipment requests.

- g. 090036 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009**
Resolution authorizing payment of the claim of Ricky Burems, in the amount of \$8,000.
- h. 090037 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009**
Resolution authorizing payment of the claim of Carolyn Lacy, in the amount of \$12,500.
- i. 090038 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009**
Resolution authorizing payment of the claim of Michael Hamann, in the amount of \$25,000.
- 5. 090056 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009**
Substitute resolution relative to various legislative bills.
---Joint and several liability in tort law.
- 6. 090079 SPONSORED BY: Ald. Hamilton INTRODUCED ON: 05/05/2009**
Resolution relating to application, acceptance and funding of an Election Data Grant from the Wisconsin Government Accountability Board.

PLACING ON FILE THE FOLLOWING:

- 7. 081684 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/14/2009**
Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through December 31, 2008.

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:**8. Claims against the city:**

- a. 090020 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009**
Resolution relating to an appeal from Anthony Boutell for property damage.
- b. 090021 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009**
Resolution relating to an appeal from Estella Stokes for personal injuries. (1st Aldermanic District)
- c. 090022 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009**
Resolution relating to an appeal from Bennett McCoy for property damage. (15th Aldermanic District)
---(Note: Committee vote: 2 ayes, 1 no)
- d. 090025 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009**

Resolution relating to an appeal from Dwayne Westmoreland for property damage. (7th Aldermanic District)

e. **090045** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**

Resolution relating to an appeal from Jane Mandelman for property damage.

f. **090046** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**

Resolution relating to an appeal from Brian Davis for property damage. (2nd Aldermanic District)

**THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
RECOMMENDS:**

PASSAGE OF THE FOLLOWING:

1. **081628** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**

Substitute ordinance relating to a change in zoning from Industrial-Heavy and Two-Family Residential to Industrial-Mixed, to accommodate existing and future land uses, on land located North of West Lisbon Avenue between North 30th Street and North 31st Street, in the 15th Aldermanic District.
2. **081711** **SPONSORED BY: Ald. Hines Jr.** **INTRODUCED ON: 04/14/2009**

Substitute ordinance relating to a change in zoning from Local Business to a General Planned Development by Heartland Housing, for a four-story building with community space and up to 45 apartment units, on land located North of West Tamarack Street and West of West Fond du Lac Avenue, in the 15th Aldermanic District.
3. **081718** **SPONSORED BY: Ald. Donovan** **INTRODUCED ON: 04/14/2009**

Substitute ordinance relating to a change in zoning from Two-Family Residential to Local Business, for a beer garden and horseshoe pit, on land located East of South 37th Street and South of West Burnham Street, in the 8th Aldermanic District.

ADOPTION OF THE FOLLOWING:

4. **081688** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/14/2009**

Resolution revoking Certified Survey Map No. 7735 and approving a final Certified Survey Map for property located on the north side of West Walnut Street and west of North 18th Street to create buildable lots for single-family residences, in the 15th Aldermanic District.
5. **081713** **SPONSORED BY: Ald. Hines Jr.** **INTRODUCED ON: 04/14/2009**

Resolution authorizing the sale of the City-owned vacant lots at 2501 and 2513 West Fond du Lac Avenue to Heartland Housing, Inc. for the development of a supportive housing facility, in the 15th Aldermanic District.
6. **081715** **SPONSORED BY: Ald. Witkowiak and
 Ald. Witkowski** **INTRODUCED ON: 04/14/2009**

Resolution approving the Near South Side Area Comprehensive Plan as an element of Milwaukee's Overall Comprehensive Plan, in the 8th, 11th, 12th, 13th and 14th Aldermanic Districts.
7. **081717** **SPONSORED BY: Ald. Kovac** **INTRODUCED ON: 04/14/2009**

Substitute resolution approving the First Amendment to the Milwaukee River Hotel LLC Riverwalk Development Agreement and authorizing expenditures to include the RSMeans Industry Index cost-adjustment and authorizing the Developer the option to invoice for the Riverwalk Improvement once every 30 days, in the 3rd Aldermanic District.

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

8. 090039 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009

Substitute resolution approving a final plat known as Hampton Ridge West, located on the north side of West Hampton Avenue and west of North 36th Street, for single-family residential construction, in the 1st Aldermanic District.

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

1. **081635** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 03/25/2009**
Substitute resolution authorizing the transfer of the 2009 Community Development Block Grant (CDBG) funding from the Harambee Ombudsman Project, Inc. to the Riverworks Development Corp. for the Community Prosecution activity.

2. **081641** **SPONSORED BY: Ald. Davis** **INTRODUCED ON: 03/25/2009**
Resolution authorizing the transfer and expenditure of funds from the Development Fund for the Business Improvement District Commercial and Economic Development Fund.

3. **081642** **SPONSORED BY: Ald. Davis** **INTRODUCED ON: 03/25/2009**
Resolution authorizing the transfer and expenditure of funds from the Development Fund for the City-Wide Facade Loan Program.

4. **081643** **SPONSORED BY: Ald. Davis** **INTRODUCED ON: 03/25/2009**
Resolution authorizing additional funding for the City of Milwaukee's Citywide Facade Grant Program.

5. **081726** **SPONSORED BY: Ald. Witkowski** **INTRODUCED ON: 04/14/2009**
Resolution appropriating \$10,000 from the 2009 Economic Development Committee Fund to the Airport Gateway Business Association for economic development and job creation activities.

6. **090027** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
Resolution relative to acceptance and expenditure of a \$200,000 contribution from We Energies to support the Solar America Cities Grant and additional contributions and rebates from the Focus on Energy program.

7. **090060** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
Substitute resolution relating to the use and allocation of HOME Investment Partnership reprogramming funds and 2009 HUD entitlement funding.

8. **090062** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
Substitute resolution relating to the use and allocation of Community Development Block Grant reprogramming funds and 2009 HUD entitlement funding.

9. **090083** **SPONSORED BY: Ald. Hamilton** **INTRODUCED ON: 05/05/2009**
Substitute resolution approving a revised 2009 Operating Plan for Business Improvement District No. 29 (Atkinson Capitol Teutonia), in the 1st, 6th and 7th Aldermanic Districts.

CONFIRMATION OF THE FOLLOWING:

10. 081348 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 01/16/2009**
Appointment of Nancy Vogel to the Business Improvement District Board #20 (East North Avenue) by the Mayor. (3rd Aldermanic District)
11. 081728 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/14/2009**
Appointment of Mildred Harpole to the Milwaukee Arts Board by the Mayor. (4th Aldermanic District)
12. 081733 **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/14/2009**
Reappointment of Kendall Breunig to the Business Improvement District Board #2 (Historic Third Ward) by the Mayor. (4th Aldermanic District)

THE PUBLIC WORKS COMMITTEE RECOMMENDS:**PASSAGE OF THE FOLLOWING:**

1. **070723** **SPONSORED BY: Ald. Witkowiak** **INTRODUCED ON: 09/05/2007**
A substitute ordinance relating to the dock and wharf lines of the Milwaukee and Menomonee rivers.
2. **081690** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/14/2009**
A substitute ordinance to create Section 113-32.0110 of the Milwaukee Code of Ordinances relating to the amendment of the Official Map of the City of Milwaukee. (Infrastructure Services)
3. **090090** **SPONSORED BY: Ald. Bohl and Ald. Bauman** **INTRODUCED ON: 05/05/2009**
A substitute ordinance relating to the composition and staffing of the capital improvements committee.

ADOPTION OF THE FOLLOWING:

4. **090010** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
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 \$58,000 for a total estimated cost of these projects being \$449,000.
5. **090011** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
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 \$173,000 for a total estimated cost of \$184,000.
6. **090012** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
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 \$220,000 for a total estimated cost of these projects being \$2,879,000.
7. **090013** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
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 \$1,351,000 for a total estimated cost of these projects being \$1,607,000.

8. **090041** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
- Resolution authorizing the proper City Officers to execute Partial Easement Release SER-2133, located in North 9th Street between West Juneau Avenue and West Winnebago Street in the 4th Aldermanic District.
9. **090048** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
- Resolution authorizing and directing the Commissioner of Public Works to execute a revised project agreement with the Wisconsin Department of Transportation for programming and construction of West Brown Deer Road from North 91st Street to North 124th Street with Federal/State aid under the State Trunk Highway Program.
10. **090063** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
- Resolution directing the Commissioner of Public Works to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District allowing the City to conduct necessary Polychlorinated Biphenyls removal in the area of North Humboldt Avenue and East Capitol Drive.
11. **090065** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
- Resolution directing the City Engineer to apply for 2010 Urban Nonpoint Source and Stormwater Construction and Planning grants from the State of Wisconsin, Department of Natural Resources , and to execute a grant agreement between the City of Milwaukee and the State of Wisconsin, Department of Natural Resources.
- (Note: Committee vote: 3 ayes, 1 no)
12. **090081** **SPONSORED BY: Ald. Kovac** **INTRODUCED ON: 05/05/2009**
- Resolution relating to application, acceptance and funding of, a 2009 State of Wisconsin Department of Natural Resources Urban Forestry Grant.
13. **090082** **SPONSORED BY: Ald. Witkowski** **INTRODUCED ON: 05/05/2009**
- Resolution relating to application for, acceptance and funding of a 2009 USDA Forest Service Cooperative Forestry Assistance Grant.
- (Note: Committee vote: 3 ayes, 1 no)

PLACING ON FILE THE FOLLOWING:

14. **090068** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
- Communication from the Commissioner of Public Works relating to the progress of the installation of the LUKE parking meters in the central business district.
15. **090093** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
- Communication from the Commissioner of Public Works relating to improving citizen access to the call center.
16. **Obsolete files:**

- a. **040422** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 07/07/2004**
Communication from the City Engineer relating to the reconstruction of the Marquette Interchange.
- b. **051668** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 04/11/2006**
Resolution authorizing the Commissioner of Public Works to issue a Sole Source Professional Service Contract for professional services to Kelly Daley Video for design and development of a broadcast quality digital production about the Milwaukee Water Works.
- c. **070575** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 07/11/2007**
Communication from the Department of Administration relating to the status of the citywide wireless network.
- d. **071370** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/05/2008**
Resolution directing the proper City officers to execute a sewer agreement document allowing Treul Enterprises LLC to construct within the limits of sewer easement SE-2130-A.
- e. **080440** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 07/01/2008**
Substitute resolution assigning the honorary street name, "Tillie Ann Boyles," to the segment of North 41st Street from West Florist Avenue to the cul-de-sac approximately one block north of West Florist Avenue in the 1st Aldermanic District.
- f. **081050** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 11/25/2008**
Communication from the Department of Public Works relating to preparation for the 2008-2009 snow season.
- g. **081453** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 02/10/2009**
Resolution authorizing and approving conveyance of various parcels of real property held in trust for the benefit of the Milwaukee Public Schools and declared surplus by the Milwaukee Board of School Directors.
- h. **081708** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/05/2009**
Resolution authorizing \$724,869 of Contingent Borrowing to finance energy savings capital projects as contemplated in Council File 080398.

MATTERS FOR IMMEDIATE ADOPTION:

1. **090116** **SPONSORED BY: THE CHAIR** **INTRODUCED ON: 05/27/2009**
 Resolution approving final certified survey maps.