



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Agenda

### COMMON COUNCIL

Thursday, March 23, 2006

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. Hamilton, 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

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**THE LICENSES COMMITTEE RECOMMENDS:****PASSAGE OF THE FOLLOWING:**

1.     **050891**             **SPONSORED BY: THE CHAIR**                             **INTRODUCED ON: 10/18/2005**

A substitute ordinance relating to the deadline for filing exceptions to the recommendations of the licensing committee regarding certain licenses.

2.     **051511**             **SPONSORED BY: Ald. Witkowiak**                             **INTRODUCED ON: 02/28/2006**

A substitute ordinance relating to tattooing regulations.

**APPROVAL OF THE FOLLOWING:**

3.     **051451**             **SPONSORED BY: THE CHAIR**                             **INTRODUCED ON: 02/28/2006**

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

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

1.     **051298**         **SPONSORED BY: Ald. Witkowski, Ald. Donovan and Ald. Bohl**                                     **INTRODUCED ON: 01/18/2006**  
A substitute ordinance relating to increasing the penalties for littering on public and private premises.
  
2.     **051377**         **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/07/2006**  
A substitute ordinance relating to parking controls in various Aldermanic Districts.
  
3.     **051378**         **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/07/2006**  
A substitute ordinance relating to traffic controls in various Aldermanic Districts.
  
4.     **051410**         **SPONSORED BY: Ald. Hamilton**   **INTRODUCED ON: 02/07/2006**  
A substitute ordinance relating to exceptions to overnight parking regulations.  
---(Note: Committee vote: 4 ayes, 1 noes)

**ADOPTION OF THE FOLLOWING:**

5.     **051480**         **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
Resolution relative to the Milwaukee Fire Department's application for, acceptance and expenditure of the FY2004 Fire Specialty Equipment grant from the Wisconsin Office of Justice Assistance.
  
6.     **051481**         **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
Resolution amending Common Council File 050594 relative to the Milwaukee Fire Department's application for, acceptance and expenditure of the United States Fire Service Assistance in Response to Hurricane Katrina grant from the Federal Emergency Management Agency.
  
7.     **051518**         **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
Resolution approving 2006 monthly solid waste collection charges for multiunit dwellings with 5 or more units.

**APPROVAL OF THE FOLLOWING:**

8.     **051456**         **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
Motion relating to the recommendations of the Public Safety Committee relative to various licenses.

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**CONFIRMATION OF THE FOLLOWING:**

9.     051507         **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
              Appointment of Debra Fifer to the Safety Commission by the Mayor. (1st Aldermanic  
              District)

10.    051516         **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
              Appointment of Daniel Alexander to serve as Emergency Government Coordinator by the  
              Mayor.

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

1. **051374**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/07/2006**  
Substitute ordinance to further amend the 2006 rates of pay of offices and positions in the City Service under control of the Common Council.
  
2. **051375**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/07/2006**  
Substitute ordinance to further amend the 2006 offices and positions in the City Service under control of the Common Council.
  
3. **051472**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
A substitute ordinance relating to employe benefits for nonrepresented, noncivilian fire management employes.

**ADOPTION OF THE FOLLOWING:**

4. **051159**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 12/13/2005**  
Substitute resolution authorizing attendance at conventions, seminars and other travel.
  
5. **051357**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/07/2006**  
Substitute resolution authorizing carryover of certain fund balances from 2005 to 2006 in accordance with Section 65.07(1)(p), Wisconsin Statutes.
  
6. **051467**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Substitute resolution authorizing the Department of Administration to enter into an agreement with Milwaukee County Automated Mapping and Land Information Systems concerning professional and technical information services in the maintenance of cadastral maps and street address database.
  
7. **051482**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue. (Worker's Compensation)
  
8. **051485**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution amending Common Council Resolution File Number 020897, a resolution requesting the City Comptroller to provide semi-annual reports of the audit activities of the Comptroller's Office to the Common Council.
  
9. **051495**      **SPONSORED BY: Ald. Murphy**      **INTRODUCED ON: 02/28/2006**

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Resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue. (Office of the Comptroller)

10. **051509**      **SPONSORED BY: Ald. Murphy**      **INTRODUCED ON: 02/28/2006**
- Resolution appropriating \$700,000 from the 2006 Common Council Contingent Fund (0001-9990-C001-0066300) for expenditure through the SPA Remission of Taxes Fund Account (0001-9990-S163-006300) to provide funding for remitted taxes.

**PLACING ON FILE THE FOLLOWING:**

11. **041221**      **SPONSORED BY: Ald. Dudzik, Ald. Witkowski, Ald. Zielinski and Ald. Witkowiak**      **INTRODUCED ON: 12/21/2004**
- A substitute ordinance relating to providing differential pay for city employees activated into service in the U.S. armed forces.
12. **050506**      **SPONSORED BY: Ald. Donovan**      **INTRODUCED ON: 07/26/2005**
- Resolution reserving up to \$500,000 in the Common Council Contingent Fund for police department police recruit training expenditures.
13. **051265**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/18/2006**
- Communication from the Comptroller transmitting a report entitled Office of the Comptroller Report of Audit Activities.
14. **051376**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/07/2006**
- Communication from the Department of Administration - Budget and Management Analysis Division transmitting various vacancy requests, fund transfers and equipment requests.
15. **051457**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**
- Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for City Service Commission action.
- (Note: Committee vote: 3 ayes, 1 noes)*
16. **051490**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**
- Communication from the Ethics Board relative to effectuating various changes to the Positions Ordinance.
17. **051498**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**
- Communication from the Department of Employee Relations regarding investigation of options for reducing the cost of health care benefit provision for City of Milwaukee employees while assuring the highest quality in health care coverage.

18. **051510**

**SPONSORED BY: Ald. Zielinski and Ald. Bauman**

**INTRODUCED ON: 02/28/2006**

A substitute resolution creating a task force to study pay equity in city government and reserving the sum of up to \$25,000 within the 2006 Common Council Contingent Fund for the purposes of consultant contractual services.





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

**PASSAGE OF THE FOLLOWING:**

1.     051353             **SPONSORED BY: Ald. Witkowiak**                                 **INTRODUCED ON: 02/07/2006**  
                            Substitute ordinance relating to the change in zoning from Industrial Heavy (IH) to  
                            Industrial Mixed (IM), on land located on the North Side of East National Avenue and East  
                            of South 1st Street, in the 12th Aldermanic District.
  
2.     051471             **SPONSORED BY: THE CHAIR**                                 **INTRODUCED ON: 02/28/2006**  
                            An ordinance relating to various building code provisions.
  
3.     051501             **SPONSORED BY: THE CHAIR**                                 **INTRODUCED ON: 02/28/2006**  
                            An ordinance relating to codifying the skywalk design task force.

**ADOPTION OF THE FOLLOWING:**

4.     051489             **SPONSORED BY: Ald. Bauman**                                 **INTRODUCED ON: 02/28/2006**  
                            Substitute resolution approving the final plat of Galena South Subdivision located on the  
                            South Side of West Galena Street between North 24th Street and North 24th Place, in the  
                            4th Aldermanic District.

**CONFIRMATION OF THE FOLLOWING:**

5.     051508             **SPONSORED BY: THE CHAIR**                                 **INTRODUCED ON: 02/28/2006**  
                            Reappointment of Larri Sue Jacquart to the City Plan Commission by the Mayor. (3rd  
                            Aldermanic District)

**PLACING ON FILE THE FOLLOWING:**

6.     051504             **SPONSORED BY: Ald. Murphy and Ald.**                                 **INTRODUCED ON: 02/28/2006**  
                            **D'Amato**  
                            Communication from Mayor Tom Barrett's Tax Incremental Financing Advisory Panel  
                            presenting its proposed Tax Incremental Financing Guidelines.

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

1.     **051408**           **SPONSORED BY: Ald. Donovan**   **INTRODUCED ON: 02/07/2006**  
Substitute resolution authorizing the City of Milwaukee to enter into an agreement with the Village of West Milwaukee, Main Street Milwaukee Partners Board and Layton Boulevard West Neighbors to extend the western boundary of the Silver City Main District from S. 39th Street to Miller Park Way.
  
2.     **051468**           **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
Resolution relating to acceptance and funding of a Wisconsin Arts Board Regranting Program Grant.
  
3.     **051484**           **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
Resolution extending current Lease Agreement between the City of Milwaukee and the Milwaukee County Federated Library System for office space at the Central Library.

**PLACING ON FILE THE FOLLOWING:**

4.     **041436**           **SPONSORED BY: Ald. Zielinski**   **INTRODUCED ON: 02/01/2005**  
Resolution appropriating \$250,000 from the 2005 Development Fund for the Avalon Theater project.
  
5.     **050246**           **SPONSORED BY: Ald. Bauman**   **INTRODUCED ON: 06/14/2005**  
Substitute resolution authorizing the transfer and expenditure of \$18,262 from the Neighborhood Commercial District Street Improvement Fund for the Historic Third Ward Commercial District Enhancement Project, in the 4th Aldermanic District.
  
6.     **051432**           **SPONSORED BY: THE CHAIR**   **INTRODUCED ON: 02/28/2006**  
Communication from the City Comptroller's office transmitting the Audit of the Department of Public Works Emerging Business Enterprise and Residents Preference Program compliance.

**THE PUBLIC WORKS COMMITTEE RECOMMENDS:****ADOPTION OF THE FOLLOWING:****1. Substitute resolutions granting/amending/rescinding various special privileges:****a. 011416 SPONSORED BY: THE CHAIR INTRODUCED ON: 02/12/2002**

Substitute resolution amending a special privilege to Astor Hotel, LLC for change of ownership for items previously granted permission and for an additional five decorative light poles for the premises at 924 East Juneau Avenue, in the 4th Aldermanic District in the City of Milwaukee.

**b. 041671 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/12/2005**

Substitute resolution amending a special privilege for change of ownership to Eric Paddock for encroachment into the public right-of-way of two entrance stairways with platform and railings for the building at 2900 South 11th Street, in the 12th Aldermanic District in the City of Milwaukee.

**c. 051202 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2006**

Substitute resolution to grant a special privilege to Plinth Group, LLC to construct and maintain a sign in the public right-of-way for the premises at 3401 South Kinnickinnic Avenue in the 14th Aldermanic District in the City of Milwaukee.

**d. 051279 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2006**

Substitute resolution amending a special privilege for change of ownership to Nitragin, Inc. for one excess door swing projection and two bollards and to grant permission for a concrete platform, two concrete window wells, and two bollards to encroach into the public right-of-way adjacent to the building at 3101 West Custer Avenue, in the 1st Aldermanic District in the City of Milwaukee.

**e. 051327 SPONSORED BY: THE CHAIR INTRODUCED ON: 02/07/2006**

Substitute resolution amending a special privilege to Liberty Holdings Company, Ltd for change of ownership for items previously granted permission for the premises at 700 West Michigan Street, in the 4th Aldermanic District in the City of Milwaukee.

**f. 051505 SPONSORED BY: THE CHAIR INTRODUCED ON: 02/28/2006**

Resolution rescinding various special privileges for items that are either no longer located within the public right-of-way or are now permissible encroachments under the Milwaukee Code of Ordinances at various locations within the City of Milwaukee.

**2. 051413 SPONSORED BY: Ald. McGee Jr. INTRODUCED ON: 02/07/2006**

Substitute resolution relating to a policy regarding roadside memorials.

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|---|----------------------|-------------------------------------|----------------------------------|
| <b>3.</b>   | <b><u>051441</u></b> | <b>SPONSORED BY: THE CHAIR</b>      | <b>INTRODUCED ON: 02/28/2006</b> |
| Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations.   |                      |                                     |                                  |
| <b>4.</b>   | <b><u>051442</u></b> | <b>SPONSORED BY: THE CHAIR</b>      | <b>INTRODUCED ON: 02/28/2006</b> |
| Substitute resolution approving construction of nonassessable public improvement projects at various locations.   |                      |                                     |                                  |
| <b>5.</b>   | <b><u>051443</u></b> | <b>SPONSORED BY: THE CHAIR</b>      | <b>INTRODUCED ON: 02/28/2006</b> |
| Substitute resolution determining it necessary to make various nonassessable public improvements at various locations.  |                      |                                     |                                  |
| <b>6.</b>   | <b><u>051444</u></b> | <b>SPONSORED BY: THE CHAIR</b>      | <b>INTRODUCED ON: 02/28/2006</b> |
| Substitute resolution determining it necessary to make various assessable public improvements at various locations.   |                      |                                     |                                  |
| <b>7.</b>   | <b><u>051459</u></b> | <b>SPONSORED BY: THE CHAIR</b>      | <b>INTRODUCED ON: 02/28/2006</b> |
| Resolution directing the Department of City Development to prepare a resolution to vacate an approximately 10-foot portion of excess sidewalk area along West Pittsburgh Avenue located between the West Side of South 1st Street and the railroad right-of-way, in the 12th Aldermanic District.                             |                      |                                     |                                  |
| <b>8.</b>   | <b><u>051462</u></b> | <b>SPONSORED BY: Ald. Hines Jr.</b> | <b>INTRODUCED ON: 02/28/2006</b> |
| Resolution declaring 25 City-owned vacant lots surplus to municipal needs and authorizing their sale to Milwaukee Habitat for Humanity, Inc., for residential construction, in the 15th Aldermanic District.  |                      |                                     |                                  |
| <b>9.</b>   | <b><u>051463</u></b> | <b>SPONSORED BY: THE CHAIR</b>      | <b>INTRODUCED ON: 02/28/2006</b> |
| Resolution accepting a quit claim deed to dedicate public right-of-way for North Cape Street, East Dock Street, East Ship Street and East Vine Street in the area between North Commerce Street and the Milwaukee River and between East Pleasant Street and the North Holton Street Viaduct, in the 6th Aldermanic District. |                      |                                     |                                  |
| <b>10.</b>  | <b><u>051464</u></b> | <b>SPONSORED BY: THE CHAIR</b>      | <b>INTRODUCED ON: 02/28/2006</b> |
| Resolution accepting a quit claim deed to dedicate West Brittany Way east of North Lauer Street to Tara Vista Estates on Certified Survey Map No. 6654 in the 9th Aldermanic District.  |                      |                                     |                                  |
| <b>11.</b>  | <b><u>051470</u></b> | <b>SPONSORED BY: THE CHAIR</b>      | <b>INTRODUCED ON: 02/28/2006</b> |
| Resolution authorizing the Commissioner of Public Works to issue an amendment to the Contract C641050131-Pump Room Window Replacement and HVAC Upgrades at the Linnwood Purification Plant to accommodate a changed site condition associated with the presence of lead and asbestos.   |                      |                                     |                                  |

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12. **051474**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution authorizing the proper City officials to execute a renewal water service agreement with the City of West Allis.
13. **051475**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution granting permission to the Village of Brown Deer to provide water service to 8453 N. 68th Street in Milwaukee.
14. **051476**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution relative to the 2006 Capitol Improvement Program to provide funds for underground conduit work at various locations.
15. **051478**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution relative to the acceptance and funding of a Wisconsin Department of Natural Resources grant to support the Public Works Yard (Tower) Pond project related to storm water management.
16. **051479**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution authorizing the proper city officials to execute utility agreement with the State of Wisconsin Department of Transportation for work on City of Milwaukee facilities in conjunction with the IH-43 Rock Freeway contract work from Sunny Slope Road to the Hale Interchange.
17. **051483**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution authorizing the Commissioner of Public Works to enter into a sole source contract with EarthTech to perform pump and instrumentation testing and calibration for the Water Works' hydraulic model.
18. **051488**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 02/28/2006**  
Resolution authorizing and directing the proper City officers to execute Release of Railroad Agreement, W.E. 923R. (Water Works)
19. **051502**      **SPONSORED BY: Ald. Puente**      **INTRODUCED ON: 02/28/2006**  
Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of West Silver Spring Drive from North 68th Street to North 43rd Street in the 2nd and 9th Aldermanic Districts.
20. **051503**      **SPONSORED BY: Ald. Bauman**      **INTRODUCED ON: 02/28/2006**  
Substitute resolution authorizing and directing the Commissioner of Public Works to execute a Revised Project Agreement with the Wisconsin Department of Transportation (WISDOT) for the reconstruction of West Lisbon Avenue between Soo Line Railroad Bridge and North Sherman Boulevard with 80 percent Federal and/or State aid under the Surface Transportation Program (STP).
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**PLACING ON FILE THE FOLLOWING:****21. Various Obsolete files:**

- a. 980773                      SPONSORED BY: THE CHAIR                      INTRODUCED ON: 09/23/1998**  
Resolution to amend a special privilege for 1099 LLC, Limited Liability Corporation, to allow the installation of a ramp in the public way across the sidewalk adjacent to the building located at 131 West Seeboth Street, in the 4th Aldermanic District in the City of Milwaukee.
- b. 021715                      SPONSORED BY: THE CHAIR                      INTRODUCED ON: 03/25/2003**  
Resolution to grant a special privilege to BP Products North America Inc. to construct and maintain a two monitoring wells in the public right-of-way for the premises at 5912 West Oklahoma Street, in the 11th Aldermanic District in the City of Milwaukee.
- c. 050770                      SPONSORED BY: Ald. McGee Jr.                      INTRODUCED ON: 09/27/2005**  
A substitute ordinance relating to roadside memorials.

**THE STEERING & RULES COMMITTEE RECOMMENDS:****PASSAGE OF THE FOLLOWING:**

1.     **051129**             **SPONSORED BY: THE CHAIR**                             **INTRODUCED ON: 12/13/2005**  
          An ordinance relating to notices of meetings of city governmental bodies.

**PLACING ON FILE THE FOLLOWING:**

2.     **020442**             **SPONSORED BY: THE CHAIR**                             **INTRODUCED ON: 06/25/2002**  
          Communication from the Department of Public Works relative to an update report on the Exterior Repairs and Restoration Project for City Hall.
3.     **050106**             **SPONSORED BY: Ald. Donovan and Ald.**                             **INTRODUCED ON: 05/03/2005**  
          **Murphy**  
          Substitute resolution relating to Project Restore, fundraising and public awareness activities for the City Hall restoration project.

