

# City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

# Council Agenda

#### **COMMON COUNCIL**

Tuesday, February 7, 2012

9:00 AM

Common Council Chambers, 3rd Fl., City Hall

**Amended 2/6/12** 

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 LICENSES COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

# 1. 111128 SPONSORED BY: Ald. Coggs

A substitute ordinance relating to a requirement for an applicant for a new retail alcohol beverage license to meet with a police department representative to review certain application materials submitted by the applicant.

**INTRODUCED ON: 12/20/2011** 

**INTRODUCED ON: 11/30/2011** 

#### APPROVAL OF THE FOLLOWING:

# 2. <u>111005</u> SPONSORED BY: THE CHAIR

Motion relating to the recommendations of the Licenses 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.

Page 2 Printed on 2/6/2012

#### THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

#### APPROVAL OF THE FOLLOWING:

## 1. 111209 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 12/20/2011** 

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. 111288 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

A substitute ordinance relating to parking controls.

3. <u>111289</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

A substitute ordinance relating to traffic controls.

#### ADOPTION OF THE FOLLOWING:

4. 111046 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/30/2011

Substitute resolution authorizing the Milwaukee Police Department to accept and expend a contribution of \$850 from the Target Corporation for costs related to the operation of the Fusion Liaison Officer Program.

5. 111224 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

Substitute resolution approving a contract extension for Regional Hazardous Materials Response Team services between the State of Wisconsin, Department of Military Affairs, Division of Emergency Management and the City of Milwaukee.

6. <u>111336</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

Substitute resolution approving an Agreement between the City of Milwaukee and the Milwaukee Area Technical College for the provision of defensive driving courses.

#### PLACING ON FILE THE FOLLOWING:

7. 111339 SPONSORED BY: Ald. Witkowski INTRODUCED ON: 01/18/2012

Page 3 Printed on 2/6/2012

Communication from the Department of Neighborhood Services relating to its recent reorganization.

#### THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

1. 111265 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

A substitute ordinance to further amend the 2012 rates of pay of offices and positions in the City Service.

2. 111266 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

A substitute ordinance to further amend the 2012 offices and positions in the City Service.

3. 111275 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

A substitute ordinance relating to revisions of chapter 350 for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

4. <u>111325</u> SPONSORED BY: Ald. Murphy INTRODUCED ON: 01/18/2012

A substitute ordinance relating to the composition of the Deferred Compensation Plan Board.

#### ADOPTION OF THE FOLLOWING:

5. 111124 SPONSORED BY: Ald. Bauman INTRODUCED ON: 11/30/2011

Substitute resolution relating to the establishment of a Milwaukee Management Training Program and appropriating funds for this purpose.

---(Note: Committee vote: 3 ayes, 1 no)

#### PLACING ON FILE THE FOLLOWING:

6. <u>111260</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

Communication from the City Comptroller relating to an External Network Security Audit.

7. 111267 SPONSORED BY: THE CHAIR INTRODUCED ON: 12/20/2011

Communication from the Department of Employee Relations relating to classification studies scheduled for City Service Commission action.

8. 111355 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

Communication from the Department of Employee Relations relating to Part II of the 2012 Salary Ordinance.

--- The following item may be referred from the SPECIAL Finance and Personnel Committee meeting held on Tuesday, February 7, 2012 at 8:30 A.M.

Page 5 Printed on 2/6/2012

# THE FINANCE AND PERSONNEL COMMITTEE FURHTER RECOMMENDS:

# PASSAGE OF THE FOLLOWING:

9. <u>110418</u> SPONSORED BY: Ald. Murphy

A charter ordinance relating to retirement benefits for elected officials.

Page 6 Printed on 2/6/2012

**INTRODUCED ON: 07/26/2011** 

#### THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

#### ADOPTION OF THE FOLLOWING:

SPONSORED BY: THE CHAIR INTRODUCED ON: 09/20/2011 1. 110713

Substitute resolution relative to legislative bills.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 11/30/2011** 2. 110971

> Substitute resolution relating to an appeal from Gerald Jones for property damage. (5th Aldermanic District)

SPONSORED BY: THE CHAIR **INTRODUCED ON: 12/20/2011** 3. 111193

> Substitute resolution authorizing the return of real estate located at 2959-2959 N 22nd Street, in the 7th Aldermanic District to its former owner. (Rodney Manns)

**INTRODUCED ON: 12/20/2011** SPONSORED BY: THE CHAIR 4. <u>111216</u>

> Substitute resolution authorizing the return of real estate located at 3929-3933 W North Ave, in the 15th Aldermanic District to its former owner. (Jeffrey Simms, agent for MAJAS LLC)

SPONSORED BY: Ald. Kovac INTRODUCED ON: 01/18/2012 5. 111323

> Substitute resolution urging the Environmental Protection Agency to enforce the Clean Air Act and reduce greenhouse gas pollution.

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

6. Claims against the city:

SPONSORED BY: THE CHAIR INTRODUCED ON: 11/30/2011 110997 a.

> Resolution relating to an appeal from Gail Coleman for property damage. (1st Aldermanic District)

SPONSORED BY: THE CHAIR <u>111063</u> b.

**INTRODUCED ON: 11/30/2011** 

Resolution relating to an appeal from Sheila Glantz for personal injuries.

111065 SPONSORED BY: THE CHAIR **INTRODUCED ON: 11/30/2011** c.

Resolution relating to an appeal from Atty. Todd McEldowney on behalf of Ryan

McEldowney for property damage.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 12/20/2011** d. 111200

> Printed on 2/6/2012 Page 7

Resolution relating to the claim of Abraham Jones for property damage. (2nd Aldermanic District)

--- The following items may be referred from the SPECIAL Judiciary and Legislation Committee meeting held on Tuesday, February 7, 2012 at 8:30 A.M.

## THE JUDICIARY & LEGISLATION COMMITTEE FURTHER RECOMMENDS:

#### ADOPTION OF THE FOLLOWING:

7. <u>111277</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

Substitute resolution approving the extension of a contract between the City and Personal Property Consultants of WI, LLC, for the provision of specialized valuation services.

8. <u>111278</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/18/2012

Substitute resolution approving the extension of a contract between the City and Valuation Solutions, LLC, for the provision of specialized assessment services.

Page 8 Printed on 2/6/2012

# THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

1. 111276 SPONSORED BY: Ald. Bauman and Ald.

**INTRODUCED ON: 01/18/2012** 

Murphy

An ordinance relating to enforcement of property maintenance and building security requirements for vacant buildings.

#### ADOPTION OF THE FOLLOWING:

2. 111294 SPONSORED BY: Ald. Coggs, Ald.

**INTRODUCED ON: 01/18/2012** 

Wade and Ald. Hines Jr.

Resolution authorizing the sale of City of Milwaukee vacant lots to Milwaukee Habitat for Humanity, Inc. to create building sites for its 2012 housing program, in the 6th, 7th and 15th Aldermanic Districts.

3. 111298 SPONSORED BY: Ald. Hines Jr.

**INTRODUCED ON: 01/18/2012** 

Resolution accepting an unsolicited proposal from Nafiz Efe to purchase the City-owned vacant lots at 1922 through 1938 West Fond du Lac Avenue for assemblage with his adjoining property for development of a mixed-use building, in the 15th Aldermanic District.

Page 9 Printed on 2/6/2012

# THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

1. 111226 SPONSORED BY: Ald. Hamilton and

**INTRODUCED ON: 12/20/2011** 

Ald. Davis

A substitute ordinance relating to the implementation of the small business development program.

#### ADOPTION OF THE FOLLOWING:

2. 111285 SPONSORED BY: Ald. Bohl

**INTRODUCED ON: 01/18/2012** 

Resolution amending Resolution File Number 110125 relating to the donation of property for the implementation of the recommendations of the Milwaukee City Hall Historical Exhibit Work Group.

3. 111293 SPONSORED BY: Ald. Davis

**INTRODUCED ON: 01/18/2012** 

Resolution authorizing environmental testing, remediation and demolition on brownfield properties from the Development Fund and the Brownfield Program.

4. 111302 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 01/18/2012** 

Resolution authorizing attendance at meetings of the National League of Cities' International Council.

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

#### **CONFIRMATION OF THE FOLLOWING:**

5. 111328 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 01/18/2012** 

Reappointment of Richard Burmester to the Business Improvement District Board #37 (30th Street Industrial Corridor) by the Mayor. (15th Aldermanic District)

6. 111330 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 01/18/2012** 

Reappointment of John Sendik to the Business Improvement District Board #41 (Downer Avenue) by the Mayor. (3rd Aldermanic District)

#### PLACING ON FILE THE FOLLOWING:

7. 111256 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 01/18/2012** 

Communication from the Department of City Development relating to achievements of the 2011 Healthy Neighborhoods Initiative.

Page 10 Printed on 2/6/2012

# 8. <u>111329</u> SPONSORED BY: THE CHAIR

Appointment of Jerry Roberts to the Business Improvement District Board #37 (30th Street Industrial Corridor) by the Mayor. (4th Aldermanic District)

**INTRODUCED ON: 01/18/2012** 

Page 11 Printed on 2/6/2012

#### THE PUBLIC WORKS COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

# 1. 111274 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 01/18/2012** 

**INTRODUCED ON: 07/06/2011** 

**INTRODUCED ON: 01/18/2012** 

An ordinance relating to deferred special assessments.

#### ADOPTION OF THE FOLLOWING:

#### 2. <u>110295</u> SPONSORED BY: THE CHAIR

Substitute resolution granting a special privilege to HTWA Market Project LLC to construct and maintain a shelter for bicycle parking in the public right-of-way for the premises at 400 North Water Street, in the 4th Aldermanic District.

## 3. 111225 SPONSORED BY: THE CHAIR

Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of North 20th Street from West Hopkins Street to West Capitol Drive in the 6th Aldermanic District at a total estimated cost of \$119,885.97, with one hundred percent of the total cost funded by the Wisconsin Department of Transportation.

## 4. <u>111280</u> 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 \$288,000 for a total estimated cost of these projects being

\$2,439,000.

#### 5. <u>111281</u> 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 \$1,063,800 for a total estimated cost of \$1,176,000.

## 6. 111282 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 \$380,000 for a total estimated cost of these projects being \$16,709,000.

# 7. 111283 SPONSORED BY: THE CHAIR

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 \$11,544,000 for a total estimated cost of these projects being \$11,691,000.

Page 12 Printed on 2/6/2012

# 8. <u>111291</u> SPONSORED BY: Ald. Bauman

Resolution authorizing the issuance of a street and alley occupancy permit to CD Smith Construction Services for work at the Marriott Milwaukee Hotel at East Wisconsin Avenue and North Milwaukee Street.

**INTRODUCED ON: 01/18/2012** 

**INTRODUCED ON: 01/18/2012** 

**INTRODUCED ON: 01/18/2012** 

**INTRODUCED ON: 01/18/2012** 

# 9. 111292 SPONSORED BY: Ald. Bohl

Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Russ Darrow Automotive Group for the installation of a public roadway and water main.

# 10. 111318 SPONSORED BY: Ald. Hines Jr.

Resolution accepting the donation of a privately owned vacant lot at 2318-20 North 45th Street from Wells Fargo Bank, N.A., for residential development, in the 15th Aldermanic District.

# 11. 111319 SPONSORED BY: Ald. Bauman

Resolution authorizing five easements with Wisconsin Electric Power Company on City-owned property at the Port of Milwaukee, in the 4th Aldermanic District.

Page 13 Printed on 2/6/2012

#### **IMMEDIATE ADOPTIONS:**

1. 111368 SPONSORED BY: Ald. Murphy INTRODUCED ON: 02/07/2012

Resolution relating to the City of Milwaukee's 2012 joint United Performing Arts Fund and Visions campaigns.

2. <u>111378</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 02/07/2012

Resolution approving an Affidavit of Correction relative to errors contained in documents for Certified Survey Map No. 8414, located on the west side of North 6th Street and north of West Reservoir Avenue, in the 6th Aldermanic District.

3. 111380 SPONSORED BY: THE CHAIR INTRODUCED ON: 02/07/2012

Resolution reapproving a final Certified Survey Map.

4. <u>111384</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 02/07/2012

Resolution approving a final certified survey map for the Ephesians Missionary Baptist Church.

Page 14 Printed on 2/6/2012