

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Council Agenda

COMMON COUNCIL

Wednesday, November 30, 2011

9:00 AM

Common Council Chambers, 3rd Fl., City Hall

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:

APPROVAL OF THE FOLLOWING:

1. <u>110711</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/20/2011

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.

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

1. 110858 SPONSORED BY: THE CHAIR

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.

INTRODUCED ON: 10/11/2011

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. 110892 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

A substitute ordinance relating to parking controls.

3. 110893 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

A substitute ordinance relating to traffic controls.

ADOPTION OF THE FOLLOWING:

4. 110885 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Resolution relative to application, acceptance, and funding of a Drug Recognition Expert Field Certification grant.

5. 110949 SPONSORED BY: Ald. Donovan INTRODUCED ON: 11/02/2011

Substitute resolution amending Common Council File #100149 relative to the application, acceptance and funding of the Public Health Impact Initiative Grant from the UW-Milwaukee School of Public Health.

CONFIRMATION OF THE FOLLOWING:

6. 110926 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Appointment of Dawn Helmrich to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 110108 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/03/2011

A substitute ordinance relating to the annual salaries of the mayor and members of the common council.

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

2. 110744 SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/27/2011

A substitute ordinance relating to employee relations, regulations and benefits for city employees.

3. 110798 SPONSORED BY: THE CHAIR

INTRODUCED ON: 10/11/2011

A substitute charter ordinance relating to retirement benefits for certain employes employed by the fire department.

4. 110935 SPONSORED BY: Ald. Coggs

INTRODUCED ON: 11/02/2011

A substitute ordinance to further amend the 2011 rates of pay of offices and positions in the City Service.

ADOPTION OF THE FOLLOWING:

5. <u>110597</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/01/2011

Substitute resolution relating to the expenditure of funds to be reimbursed by greater than anticipated revenue. (Election Commission)

6. 110920 SPONSORED BY: THE CHAIR

INTRODUCED ON: 11/02/2011

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 for replacement of the West Capitol Drive Bridge over Menomonee River with 75 percent Federal and State aid under the State Trunk Highway Program and to fund the revised design estimate with a City of Milwaukee Share of \$25,500 and a grantor share of \$76,500.

7. <u>110937</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 11/02/2011

Substitute resolution authorizing city departments to expend monies appropriated in the 2012 city budget for Special Purpose Accounts, Debt Service Fund, Provisions for Employes' Retirement Fund, Delinquent Tax Fund, Common Council Contingent Fund, Grant and Aid Fund, and Special Capital Projects or Purposes.

8. 110938 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Resolution appropriating \$50,000,001 from the 2012 Special Purpose Account Reimbursable Services Advance Fund.

9. 110959 SPONSORED BY: Ald. Witkowski

Substitute resolution implementing a footnote to the 2012 Budget relating to a study of increasing the efficiency of fire suppression systems and transportation in the Fire Department.

INTRODUCED ON: 11/04/2011

INTRODUCED ON: 11/18/2011

INTRODUCED ON: 11/04/2011

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 11/04/2011

INTRODUCED ON: 11/18/2011

10. 110999 SPONSORED BY: THE CHAIR

Substitute resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue. (Department of Public Works)

CONFIRMATION OF THE FOLLOWING:

11. 110983 SPONSORED BY: THE CHAIR

Appointment of James Klajbor to serve the remainder of the term as City Treasurer by the Mayor.

PLACING ON FILE THE FOLLOWING:

12. 110936 SPONSORED BY: THE CHAIR

An ordinance to further amend the 2011 offices and positions in the City Service.

13. 110942 SPONSORED BY: THE CHAIR

Communication regarding the "Wellness Your Choice Milwaukee" health assessment and improvement efforts through Froedtert Health Workforce Health.

14. 110993 SPONSORED BY: THE CHAIR

Communication from the Department of Employee Relations relating to the salaries of certain elected officials.

THE FINANCE AND PERSONNEL COMMITTEE FURTHER RECOMMENDS:

PASSAGE OF THE FOLLOWING:

---The following item may be referred from the SPECIAL Finance and Personnel Committee meeting held on Wednesday, November 30, 2011 at 8:30 A.M.

15. 110998 SPONSORED BY: Ald. Bohl

A substitute ordinance relating to limitations on professional service contracts with retired city employees.

ADOPTION OF THE FOLLOWING:

1. 110056 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/03/2011

Substitute resolution relating to legislative bills.

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

2. 110895 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Substitute resolution relating to the claim of Jeff Carl for property damage. (2nd Aldermanic District)

Aldermanic District)

3. 110899 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Substitute resolution authorizing the return of real estate located at 3703 N 22nd St, in the 6th Aldermanic District to its former owner. (Shavanaka Feagin by Ronald Kelly)

4. 110900 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Substitute resolution authorizing the return of real estate located at 3412-3414 N 15th St, in the 6th Aldermanic District to its former owner. (Nannie Triggs represented by Darlene Rose)

5. 110927 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Substitute resolution authorizing the return of real estate located at 1908-1910 N 34th St, in the 15th Aldermanic District to its former owner. (Phua Vang)

6. 110928 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Substitute resolution authorizing the return of real estate located at 3714 N 2nd Lane, in the 6th Aldermanic District to its former owner. (Robert Triplett)

7. 110929 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Substitute resolution authorizing the proper City officers to enter into a contract for the collection of receivables.

8. 110940 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Substitute resolution authorizing the return of real estate located at 2968 N 9th St, in the 6th Aldermanic District to its former owner. (Calves Haynes)

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

9. Claims against the city:

a. <u>110415</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 07/26/2011

INTRODUCED ON: 11/02/2011

d. <u>110905</u> Resolution relating to an appeal from Nikola Stojsavljevic for appeal costs. (12th Aldermanic District)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/15/2008

INTRODUCED ON: 09/01/2011

INTRODUCED ON: 09/20/2011

INTRODUCED ON: 09/20/2011

INTRODUCED ON: 10/11/2011

INTRODUCED ON: 11/14/2006

INTRODUCED ON: 09/22/2009

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

PASSAGE OF THE FOLLOWING:

SPONSORED BY: Ald. Kovac 1. **071364**

A substitute ordinance relating to a change in zoning from General Planned Development to a Detailed Planned Development, Phase II, known as ReadCo, on land located on the north side of East North Avenue and east of North Humboldt Avenue, for residential and commercial development, in the 3rd Aldermanic District.

SPONSORED BY: Ald. Kovac 2. 110586

A substitute ordinance relating to the First Amendment to the General Planned Development known as ReadCo, to facilitate development, on land located on the north side of East North Avenue and east of North Humboldt Avenue, in the 3rd Aldermanic District.

SPONSORED BY: Ald. Kovac 3. <u>110692</u>

A substitute ordinance relating to the establishment of the East Side architectural review board.

SPONSORED BY: Ald. Witkowski 4. 110738

A substitute ordinance relating to fence regulations.

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

SPONSORED BY: Ald. Kovac 5. <u>110862</u>

A substitute ordinance relating to the establishment of a Master Sign Program Overlay Zone known as East Pointe Marketplace, to establish signage standards for a portion of the property located at 605 East Lyon Street, on the north side of East Ogden Street and east of North Jefferson Street, in the 3rd Aldermanic District.

ADOPTION OF THE FOLLOWING:

SPONSORED BY: Ald. Kovac 6. 061018

Substitute resolution relating to the sale of surplus property at 1136-46 East North Avenue to 1150 North, LLC for mixed-use development, in the 3rd Aldermanic District.

SPONSORED BY: Ald. Witkowiak 7. 090688

Substitute resolution approving Amendment No. 1 to the Project Plan and a Term Sheet authorizing expenditures for Tax Incremental District No. 75 (Reed Street Yards), in the 12th Aldermanic District.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 03/01/2011** 8. 101340

Resolution approving a final Certified Survey Map for property located on the west side of South 6th Street and north of West College Avenue, which will create one lot and dedicate land for public purposes, in the 13th Aldermanic District.

INTRODUCED ON: 09/20/2011

9. <u>110693</u> SPONSORED BY: Ald. Kovac

Substitute resolution approving the boundary and design guidelines for the East Side Architectural Review District.

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 110572 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/01/2011

Substitute resolution relative to the acceptance and funding of a United States Department of Labor Green Jobs Innovation Funds Grant.

INTRODUCED ON: 11/02/2011

2. 110908 SPONSORED BY: THE CHAIR

Resolution to review and approve modifications to the contract used by the Community Development Grants Administration for 2012 community development activity and to authorize execution of contracts and subcontracts by City departments.

3. <u>110915</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Resolution authorizing the transfer of the 2012 Community Development Block Grant and 2012 HOME funding for Neighborhood Improvement Project activities from the YMCA-Community Development Corp. to the Community First Inc. organization.

PLACING ON FILE THE FOLLOWING:

4. <u>110361</u> SPONSORED BY: Ald. Bauman INTRODUCED ON: 07/06/2011

Resolution appropriating \$100,000 from the Development Fund for a Building Restoration Grant to TMB Development Corp. for the Iron Block building, in the 4th Aldermanic District.

5. <u>110921</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Communication from the Office of Environmental Sustainability on the City's Sustainability Accomplishments.

6. 110975 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/04/2011

Communication from the Public Policy Forum relating to the report, "Assembling the Parts".

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 110257 SPONSORED BY: THE CHAIR

Substitute resolution amending a special privilege to Marquette University to construct and maintain additional chiller lines in the public right-of-way for the university campus at and adjacent to 1801 West Wisconsin Avenue, in the 4th Aldermanic District.

2. <u>110890</u> SPONSORED BY: THE CHAIR

Resolution relating to application, acceptance and funding of a Wisconsin Department of Natural Resources 2012 Urban Forestry Grant.

3. <u>110894</u> SPONSORED BY: THE CHAIR

Substitute resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement for a Highway Improvement Project", with the Wisconsin Department of Transportation (WisDOT), for the improvement of North 91st Street/North Swan Road from West Hampton Avenue to West Flagg Avenue, with 80 percent Federal and/or State aid, under the STP Urban Improvement Program; with an estimated total cost of \$5,810,500, which is due to a change in project scope from resurfacing to reconstruction, is an increase of \$2,075,500, and a total estimated increase in preliminary engineering cost of this project is \$215,500 of which the City's share is \$43,100 and grantor's share is \$172,400.

4. 110901 SPONSORED BY: THE CHAIR

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 06/14/2011

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 11/02/2011

Resolution authorizing the proper City officers to execute four Release of Easements.

5. 110914 SPONSORED BY: THE CHAIR

INTRODUCED ON: 11/02/2011

Resolution rescinding various special privileges that are no longer necessary.

6. 110916 SPONSORED BY: THE CHAIR

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 11/02/2011

Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal and State Aid paving of North Port Washington Avenue from North Dr. Martin Luther King Jr. Drive to the North City Limit in the 6th Aldermanic District at a total estimated cost of \$86,718.20, with an estimated grantor share of \$69,374.56, and an estimated City share of \$17,343.64.

7. 110917 SPONSORED BY: THE CHAIR

Resolution authorizing the Commissioner of Public Works to issue a Request for Proposal to select a consultant to provide professional engineering services for the rehabilitation of the St. Paul Avenue Lift Bridge over the Milwaukee River.

8. 110919 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/02/2011

Resolution authorizing the execution of an agreement for the installation, operation, and maintenance of a fiber optic subduct connection through the City Conduit System between the County Courthouse and the Medical Examiner's Complex in the Fourth Aldermanic District.

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 11/02/2011

INTRODUCED ON: 10/23/2007

INTRODUCED ON: 10/11/2011

9. 110922 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 \$207,000 for a total estimated cost of these projects being \$3,028,000.

10. 110923 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 \$11,360,700 for a total estimated cost of \$25,218,185.85.

11. 110924 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 \$710,000 for a total estimated cost of these projects being \$9,788,340.

12. 110925 SPONSORED BY: THE CHAIR

Resolution directing the Commissioner of Public Works to apply for a 2012-2013 Wisconsin Coastal Management Program grant from the State of Wisconsin Department of Administration.

13. 110941 SPONSORED BY: Ald. Murphy

Resolution authorizing the Department of Public Works, to accept and expend a contribution of \$50,000 from the Carton Council of North America, Inc., to support the inclusion of aseptic and gable top cartons in the City's curbside recycling program.

PLACING ON FILE THE FOLLOWING:

14. 070959 SPONSORED BY: THE CHAIR

Resolution to grant a special privilege to Renaissant Lafayette LLC to construct and maintain a storm water discharge metering manhole for the premises at 2036 N. Prospect Ave., in the 3rd Aldermanic District.

15. 110843 SPONSORED BY: THE CHAIR

Communication relating to a MATA Community Media 2012 Plan of Operations to the City of Milwaukee.

IMMEDIATE ADOPTIONS:

1. 111059 SPONSORED BY: Ald. Murphy INTRODUCED ON: 11/30/2011

Resolution amending Common Council Resolution File Number 100416 to extend the reporting deadline for the Pension Task Force.

2. <u>111060</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 11/30/2011

Resolution approving final certified survey maps.