



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Wednesday, November 26, 2008

9:30 AM

Common Council Chambers

Special

The meeting was called to order at 9:50 a.m.

The roll was called.

Present: 13 -

Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Donovan,
Puente, Dudzik, Witkowiak, Witkowski, Zielinski, Hines Jr.

Excused: 2 -

Coggs, Murphy

The Pledge of Allegiance was said followed by a moment of silent meditation.

THE LICENSES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. [080874](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

The Common Council of the City of Milwaukee hereby accepts the recommendations of the Licenses Committee as contained in the listings attached to this file.

A motion was made by ALD. BOHL that this Motion be APPROVED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Coggs Murphy

THE FINANCE AND PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081116](#) An ordinance revising various license and permit fees, parking meter rates and nonmoving traffic violation forfeitures concurrently with the 2009 city fiscal year. The Mayor and Common Council of the City of Milwaukee do ordain as follows:
 - Part 1. Section 81-51-2 of the code, as affected by common council file number 080486, passed September 12, 2008, effective January 1, 2009, is amended to read:
 - 81-51. Extended Hours Establishments.
 2. The fee for each >>new<< license shall be \$250.
 - Part 2. Section 81-51-3 of the code is created to read:
 3. The fee for each renewal license shall be \$200.
 - Part 3. Section 81-60-2-a of the code, as affected by common council file number 080486, passed September 12, 2008, effective January 1, 2009, is amended to read:
 - 81-60. Home Improvement Contractor's or Salesperson's License.
 - 2.a. The fee for each new [[or renewal]] home improvement contractor's license shall be \$250.
 - Part 4. Section 81-60-2-b and c of the code is renumbered 81-60-2-c and d.
 - Part 5. Section 81-60-2-b of the code is created to read:
 - 2.
 - b. The fee for each renewal home improvement contractor's license shall be \$225.
 - Part 6. Section 81-119-2 of the code is amended to read:
 - 81-119. Tavern Amusement License.
 2. The annual fee for each tavern amusement license: [[\$ 1,500]] >>\$2,000<<.
 - Part 7. Section 95-14-5-d of the code is created to read:
 - 95-14. Home Improvement Contractor and Salesperson Licenses.
 5. BONDS AND INSURANCE.
 - d. Reinstatement Fee. If a home improvement contractor license is suspended due to the cancellation, expiration or nonrenewal of a performance bond or certificate of insurance required by this section, the contractor shall pay a fee specified in s. 81-1-6 prior to reinstatement of the license.
 - Part 8. Section 100-53-2-c of the code is created to read:
 - 100-53. Financial Responsibility.
 2. NOTICE OF CANCELLATION.

c. If a public passenger vehicle permit is suspended due to the cancellation, expiration or nonrenewal of a surety bond, direct obligations or insurance policy required by this section, the vehicle owner shall pay a fee specified in s. 81-1-6 prior to reinstatement of the permit.

Part 9. Section 101-32-3-c to g of the code is repealed and recreated to read:
101-32. Parking Meter Regulations and Zones.

3. PARKING METER ZONES (LOCATIONS).

c. ONE HOUR, 20, 25, 50 cents, one dollar or \$1.50 per hour, nickels, dimes or quarters only parking meter zones.

c-1. One hour, 20 cents per hour.

c-2. One hour, 25 cents per hour.

c-3. One hour, 50 cents per hour.

c-4. One hour, one dollar per hour.

c-5. One hour, \$1.50 per hour.

d. TWO HOUR, 20, 25, 50 cents, one dollar or \$1.50 per hour, nickels, dimes or quarters only parking meter zones.

d-1. Two hour, 20 cents per hour.

d-2. Two hour, 25 cents per hour.

d-3. Two hour, 50 cents per hour.

d-4. Two hour, one dollar per hour.

d-5. Two hour, \$1.50 per hour.

e. THREE HOUR, 20, 25, 50 cents, one dollar or \$1.50 per hour, nickels, dimes or quarters only parking meter zones.

e-1. Three hour, 20 cents per hour.

e-2. Three hour, 25 cents per hour.

e-3. Three hour, 50 cents per hour.

e-4. Three hour, one dollar per hour.

e-5. Three hour, \$1.50 per hour.

f. FIVE HOUR, 20, 25, 50 cents, one dollar or \$1.50 per hour, nickels, dimes or quarters only parking meter zones.

f-1. Five hour, 20 cents per hour.

f-2. Five hour, 25 cents per hour.

f-3. Five hour, 50 cents per hour.

f-4. Five hour, one dollar per hour.

f-5. Five hour, \$1.50 per hour.

g. TEN HOUR, 20, 25, 50 cents, one dollar or \$1.50 per hour, nickels, dimes or quarters only parking meter zones.

g-1. Ten hour, 20 cents per hour.

g-2. Ten hour, 25 cents per hour.

g-3. Ten hour, 50 cents per hour.

g-4. Ten hour, one dollar per hour.

g-5. Ten hour, \$1.50 per hour.

Part 10. Section 101-34-2 of the code is repealed and recreated to read:

101-34. Stipulation Procedure; Nonmoving Traffic Violations.

2. FORFEITURE SCHEDULE. The forfeiture upon stipulation under this section shall be in accordance with the following schedule:

- a. Citations issued for violation of ss. 101-27 except 101-27-1-a and 4, and 101-24.7-2-b: \$17.
- b. Citations issued for violation of ss. 101-23-4-a to f and 6, 101-27-7-d, 101-30 and 101-32-6: \$22.
- c. Citations issued for parking in prohibited zones, whether required to be posted or not, excluding violation of s. 101-27: \$33.
- d. Citations issued for violation of ss. 101-26.5, 101-26.7, 101-27-4, 101-29 and 101-33: \$33.
- e. Citations issued for violation of ss. 101-23-10, 101-26 and 101-27 during a snow emergency declared under s. 101-26: \$39.
- f. Citations issued for violation of ss. 101-24, 101-24.1, 101-24.2, 101-24.5, 101-24.7-2-a and 101-25: \$55.
- g. Citations issued for violation of s. 101-23.5: \$44.
- h. Citations issued for violation of ss. 101-23-9-a-3 and 101-27-1-a: \$33.
- i. Citations issued for violations of s. 346.505, Wis. Stats., adopted by s. 101-3: \$200.
- j. Citations issued for violations of ss. 101-18, 101-23-11 and 101-23.2: \$60.
- k. Citations issued for violation of s. 101-23-4-g and h: \$28.
- L. Citations issued for violations of ss. 101-23, 101-23.5, 101-24, 101-24.1 and 101-24.2 occurring between the hours of 8:00 p.m. and 5:00 a.m. and occurring upon a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved: the forfeiture upon stipulation for violations provided in pars. b, f and g shall be increased by \$11.

Part 11. Section 101-34-3-c of the code is amended to read:

3. PAYMENT AFTER 10 DAYS.

c. If a stipulation is not entered into within 58 days commencing at 6:00 p.m. on the day the citation is issued, the forfeiture shall be increased by ~~[[\$25]]~~ >>\$30<<. Two dollars and fifty cents of the increased forfeiture amount may be used to pay the cost of using the Wisconsin traffic violation and registration program.

Part 12. Section 101-34-7 of the code is repealed and recreated to read:

7. PENALTY. Any person found in violation of the provisions of this section shall upon conviction be subject to a forfeiture in accordance with the following ranges plus all taxable fees and costs for each such violation:

- a. Violations of ss. 101-27 except s. 101-27-1-a and 4, and 101-24.7-2-b: \$17 to \$47.
- b. Violations of ss. 101-23-4-a to f and 6, 101-27-7-d, 101-30 and 101-32-6: \$22

to \$52.

c. Parking in prohibited zones, whether required to be posted or not, excluding s. 101-27 of this code and s. 346.505, Wis. Stats., adopted by s. 101-3: \$33 to \$63.

d. Violations of ss. 101-26.5, 101-26.7, 101-27-4, 101-29 and 101-33: \$33 to \$63.

e. Violations of ss. 101-23-10, 101-26 and 101-27 during a snow emergency declared under s. 101-26: \$39 to \$69.

f. Violations of ss. 101-24, 101-24.1, 101-24.2, 101-24.5, 101-24.7-2-a and 101-25: \$55 to \$85.

g. Violations of s. 346.505, Wis. Stats., adopted by s. 101-3: \$200 to \$300.

h. Violations of s. 101-23.5: \$44 to \$74.

i. Violations of ss. 101-23-9-a-3 and 101-27-1-a: \$33 to \$63.

j. Violations of ss. 101-18, 101-23-11 and 101-23.2: \$60 to \$90.

k. Violations of s. 101-23-4-g and h: \$28 to \$58.

L. Violations of ss. 101-23, 101-23.5, 101-24, 101-24.1 and 101-24.2 occurring between the hours of 8:00 p.m. and 5:00 a.m. and occurring upon a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved: the lower extent of the range for violations provided in pars. b, f and h shall be increased by \$17.

Part 13. Section 116-12-2 of the code is renumbered 116-12-2-a.

Part 14. Section 116-12-2-b and c of the code is created to read:

116-12. Snow Plowing Equipment License.

2. INSURANCE REQUIRED.

b. The commissioner of public works may suspend a license in the event of the cancellation, expiration or nonrenewal of the public liability insurance required in par. a.

c. If a license issued under this section is suspended due to the cancellation, expiration or nonrenewal of the public liability insurance policy required in par. a, the licensee shall pay a fee specified in s. 81-1-6 prior to reinstatement of the license.

Part 15. Section 200-33-8.5-c of the code is repealed and recreated to read:

200-33. Fees.

8.5. CERTIFICATES OF OCCUPANCY AND ZONING.

c. Conditional Certificate of Occupancy. The conditional application fee for a conditional certificate of occupancy, if issued by the department of city development, shall be \$150. This fee shall be payable at the time the application is submitted to the department.

Part 16. Section 200-33-8.5-d of the code is renumbered 200-33-8.5-e.

Part 17. Section 200-33-8.5-d of the code is created to read:

d. Temporary Certificate of Occupancy. If issued by the department of neighborhood services, the fee for a temporary certificate of occupancy for buildings with gross area of less than 10,000 square feet shall be \$100 or 20% of the fee for a certificate of occupancy, whichever is greater.

Part 18. Section 200-33-9 of the code is renumbered 200-33-10.

Part 19. Section 200-33-9 of the code is created to read:

200-33. Fees.

9. CONDITIONAL PERMIT. a. The application fee for a conditional permit shall be \$150. This fee shall be payable at the time the application is submitted to the department of city development.

b. There shall be a processing fee of \$3 for each conditional permit.

Part 20. Section 200-33-11-zL, 23-m and 43-p of the code is created to read:

11. ELECTRICAL INSTALLATIONS AND REPAIRS.

zL. Counter Processing Fee.

zL-1. Effective January 1, 2009, there shall be a counter processing fee of \$10 per electrical installation or repair application filed by an applicant who filed more than 100 applications in person or by mail at the development center in calendar year 2008.

zL-2. Effective January 1, 2009, there shall be a counter processing fee of \$10 per electrical installation or repair application filed by an applicant not referenced in subd. 1 who files more than 100 applications in person or by mail at the development center.

23. HEATING AND VENTILATING SYSTEMS.

m. Counter Processing Fee.

m-1. Effective January 1, 2009, there shall be a counter processing fee of \$10 per application filed by an applicant who filed more than 100 applications in person or by mail at the development center in calendar year 2008.

m-2. Effective January 1, 2009, there shall be a fee of \$10 per application filed by an applicant not referenced in subd. 1 who files more than 100 applications in person or by mail at the development center.

43. PLUMBING.

p. Counter Processing Fees.

p-1. Effective January 1, 2009, there shall be a counter processing fee of \$10 per application filed by an applicant who filed more than 100 applications in person or by mail at the development center in calendar year 2008.

p-2. Effective January 1, 2009, there shall be a fee of \$10 per application filed by an applicant not referenced in subd. 1 who files more than 100 applications in person or by mail at the development center.

Part 21. Section 350-100 of the code is amended to read:

350-100. Salaries of Mayor and Members of the Common Council. At the

commencement of the 2008 term of office, salaries for the mayor, common council members and the common council president shall be increased by 2.4% over the rates in effect for the 4th year of the 2004-2008 term. Effective pay period 10, [[2009]]>>2010<<, and each year thereafter in pay period 10, these rates shall be increased by 2.5% for the remainder of the 2008-2012 term.

Part 22. This ordinance takes effect January 1, 2009.

A motion was made by ALD. BAUMAN that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 11 - Hamilton, Kovac, Bauman, Bohl, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 2 - Davis Wade

Excused: 2 - Coggs Murphy

MATTERS FOR IMMEDIATE ADOPTION

[081119](#)

Resolution urging Wisconsin's U.S. Congressional delegation to petition the Treasury Department to allocate a portion of the \$700 billion Troubled Asset Relief Program to cities for infrastructure investment and further advocate for the inclusion of federal funding of municipal public works projects in any future economic stimulus package. Whereas, Cities play a vital role in this nation's economy, serving as centers of housing, employment, education, health care, transportation and culture; and

Whereas, America will not experience a first-class economy without a first-class infrastructure, and the critical role that cities play in the national economy suggests that local infrastructure needs should be an issue of national priority; and

Whereas, Federal investment in this nation's infrastructure has declined from 10% of non-defense spending 50 years ago to just 3.5% of non-defense spending today, placing onerous responsibility on local governments to finance the upkeep of their facilities; and

Whereas, Faced with balanced budget requirements and limited or declining sources of revenue, America's cities find themselves unable to finance critically important infrastructure projects that are otherwise ready-to-go; and

Whereas, The nation is currently faced with an economic crisis that includes a fragile banking system, frozen credit markets, a deflated stock market, the biggest one month drop in consumer prices on record and bleak Federal Reserve economic forecasts for the coming year; and

Whereas, This national economic contraction and associated conditions have severely eroded consumer confidence, resulting in reduced spending and decreased production, and deepening employment losses in cities across the country; and

Whereas, An infusion of federal infrastructure funding would serve as a straightforward demand-side approach to job creation, as the U.S. Department of Transportation estimates that for every \$1 million invested in infrastructure, approximately 47.5 jobs are directly and indirectly created; and

Whereas, Public infrastructure investment not only creates jobs but generates a healthy multiplier effect throughout the economy, creating demand for materials and services; and

Whereas, Cities across the country have more than 3,000 ready-to-go infrastructure projects that can be under contract within 90 days, refuting the belief that infrastructure investments have an extended roll-out period and delayed positive

economic benefits; and

Whereas, As the largest city in the state of Wisconsin and the 23rd largest municipality in the nation, the infrastructure funding and gainful employment challenges faced by the City of Milwaukee are also experienced to varying degrees by other major cities across America; and

Whereas, Infrastructure funding decisions in Milwaukee have been driven more by budget considerations than by need for nearly two decades, resulting in a “worst-first” approach to street, alley and bridge reconstruction or major rehabilitation; and

Whereas, Underfunding Milwaukee’s public infrastructure has resulted in average replacement cycles of nearly 160 years for local streets, 232 years for city alleys, and 92 years for city bridges, all far exceeding the expected useful life of these public assets; and

Whereas, For the 13th consecutive month, Milwaukee has lost employment compared to the same month a year earlier, losing almost 2,500 jobs between August 2007 and August 2008; and

Whereas, Milwaukee, with an overall unemployment rate higher than the national average and limited employment opportunities for low-to-moderate skilled workers, could benefit immensely from an infusion of infrastructure investment, which plays a critical role in boosting local demand for this type of labor; and

Whereas, The City of Milwaukee has approximately \$15 million of ready-to-go paving and street maintenance projects which can be out to contract within 60 to 90 days, along with an additional \$27 million in sanitary sewer-related projects; and

Whereas, It is time for the nation to once again commit to improving cities’ infrastructure, thereby building lasting, productive assets that will provide economic dividends for generations to come; and

Whereas, Federal public infrastructure investment is truly a “big bang” stimulus, meeting the pressing needs of an aging infrastructure while also playing a critical role in boosting demand for workers; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council urges all members of Wisconsin’s U.S. Congressional delegation to petition the Treasury Department to allocate a portion of the \$700 billion Troubled Asset Relief Program to cities for infrastructure investment and further advocate for the inclusion of federal funding of municipal public works projects in any future economic stimulus package; and, be it

Further Resolved, That every effort is made to route infrastructure stimulus funds to local units of government in the most direct way possible, thereby ensuring that ready-to-go infrastructure projects are not held up by needless hurdles; and, be it

Further Resolved, That the City Clerk send a copy of this resolution to each member of Wisconsin's U.S. Congressional delegation.

Ald. Bohl sought unanimous consent to add all members of the Common Council as sponsors of this matter.

Granted without objection, Aids. Coggs and Murphy EXCUSED.

A motion was made by ALD. BOHL that this Resolution-Immediate Adoption be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Coggs Murphy

Various announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 9:59 a.m.

-- Jim Owczarski, Deputy City Clerk