

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Council Agenda

COMMON COUNCIL

Tuesday, May 4, 2010 9:00 AM

Amended 5/3/10

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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:

PASSAGE OF THE FOLLOWING:

1. 091205 SPONSORED BY: Ald. Hines Jr. and Ald.

INTRODUCED ON: 12/22/2009

Bohl

A substitute ordinance relating to implementation of recommendations of the alcohol beverage licensing task force for providing neighborhood notice, scheduling hearings before the licensing committee, and consideration of police reports.

2. <u>091206</u> SPONSORED BY: Ald. Hines Jr., Ald.

INTRODUCED ON: 12/22/2009

Bohl and Ald. Coggs

A substitute ordinance relating to implementation of recommendations of the alcohol beverage licensing task force for holding hearings to the call of the licensing committee chair, procedures for taking testimony and consideration of concentration maps.

3. 091207 SPONSORED BY: Ald. Hines Jr., Ald.

INTRODUCED ON: 12/22/2009

Bohl and Ald. Coggs

A substitute ordinance relating to implementation of recommendations of the alcohol beverage licensing task force for filing written objections to license applications.

PLACING ON FILE THE FOLLOWING:

4. 091590 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/24/2010

Communication from the Office of the City Attorney regarding the Class "B" Tavern and Tavern Dance licenses of Stojan Coralic for The Brew House (2036 S. 13th St.).

APPROVAL OF THE FOLLOWING:

5. 091488 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/02/2010

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:

APPROVAL OF THE FOLLOWING:

1. 091578 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/24/2010

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. 091619 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

A substitute ordinance relating to parking controls.

3. 091620 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

A substitute ordinance relating to traffic controls.

ADOPTION OF THE FOLLOWING:

4. 091626 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

Substitute resolution relative to acceptance and funding of a Juvenile Accountability Block Grant. (Community Development Grants Administration)

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 091573 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/24/2010

A substitute ordinance to further amend the 2010 rates of pay of offices and positions in the City Service.

2. 091574 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/24/2010

A substitute ordinance to further amend the 2010 offices and positions in the City Service.

3. 091642 SPONSORED BY: Ald. Murphy

INTRODUCED ON: 04/13/2010

A charter ordinance clarifying the intent of common council contingent fund appropriations.

ADOPTION OF THE FOLLOWING:

4. 091576 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/24/2010

Substitute resolution authorizing attendance at conventions, seminars and other travel.

5. 091625 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

Resolution relative to expenditure of funds to be recovered by greater than anticipated revenue (Metro Sewer User Charge Fund 0460).

6. 091628 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

Substitute resolution relative to application, acceptance and funding of the Beach Monitoring Grant from the Wisconsin Department of Natural Resources.

7. 091629 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

Substitute resolution relative to application, acceptance and funding of the Tuberculosis (TB) Clinical Services - Case Management Grant from the State of Wisconsin Department of Health Services.

8. 091668 SPONSORED BY: Ald. Murphy INTRODUCED ON: 04/13/2010

Substitute resolution authorizing the Commissioners of the Public Debt to market up to \$38,000,000 of general obligation corporate purpose bonds of the City for school purposes.

9. 091680 SPONSORED BY: Ald. Donovan INTRODUCED ON: 04/13/2010

Substitute resolution relating to the application, acceptance and expenditure of the 2010 Metropolitan Medical Response System grant.

SPONSORED BY: Ald. Murphy 10. 100001

Substitute resolution appropriating funds from the 2009 Common Council Contingent Fund for the purpose of closing the 2009 financial books due to unanticipated shortfalls in current year operating expenses.

CONFIRMATION OF THE FOLLOWING:

11. 091612 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

INTRODUCED ON: 04/13/2010

Reappointment of Mark Nicolini to the Deferred Compensation Plan Board by the Mayor.

PLACING ON FILE THE FOLLOWING:

SPONSORED BY: THE CHAIR **12.** 081477

INTRODUCED ON: 02/10/2009

Communication from the Police Department transmitting 2009 quarterly reports relative to the status of overtime expenditures.

13. 091631 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Communication from the Health Department relative to technical corrections to the 2010 Positions Ordinance.

14. 091648 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Communication from the Department of Administration - Budget and Management Analysis Division regarding vacancy requests, fund transfers and equipment requests.

SPONSORED BY: THE CHAIR 15. 091655

INTRODUCED ON: 04/13/2010

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

SPONSORED BY: THE CHAIR 16. 091657

INTRODUCED ON: 04/13/2010

Communication from the Department of Employee Relations relating to citywide administrative guidelines for automobile and travel allowance for City of Milwaukee Management Pay Plan employees.

SPONSORED BY: THE CHAIR 17. 100002

INTRODUCED ON: 04/13/2010

Communication from the Budget and Management Analysis Division relating to an update on the 2009 budget adjustment plan.

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 091529 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/02/2010

Substitute resolution to settle claims of Cermele & Associates for defense of various police officers.

---This file includes payment of legal fees for the following police officers: Todd Bohlen, Dennis Justus, Allen Groszczyk, Marc Moore, Jeffrey Sullivan, Derrick Harris, Jose Viera, Rachel Szedziewski, David Gabbard, Gerald Schmidt and Wesam Yagham.

2. 091645 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

3. 091662 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Resolution authorizing payment of the claim of Mary Arterbridge.

4. 091667 SPONSORED BY: Ald. Bauman

INTRODUCED ON: 04/13/2010

Resolution authorizing expenditures for attendance at meetings of the National League of Cities' Transportation Infrastructure Steering Committee.

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

5. Claims against the city:

a. 091608 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Resolution relating to the claim of Atty. Michael Hart on behalf of Claudia Gomez for personal injuries. (12th Aldermanic District)

b. 091614 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Resolution relating to an appeal from Atty. Marc Christopher, Agent for Secura Insurance Companies on behalf of Randy Michalzik for property damage. (14th Aldermanic District)

---(Note: Committee vote: 2 ayes, 1 no)

c. 091638 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/13/2010

Resolution relating to an appeal from Debra Lewandowski for loss of property. (11th Aldermanic District)

--- The following item may be referred from the SPECIAL Judiciary and Legislation Committee meeting held on Tuesday, May 4, 2010 at 8:30 A.M.

6. <u>091610</u> SPONSORED BY: Ald. Bauman

INTRODUCED ON: 03/24/2010

Substitute resolution directing the City Clerk to contract for consulting/lobbying services.

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. <u>091461</u> SPONSORED BY: THE CHAIR

A substitute ordinance relating to the change in zoning from Detailed Planned Development to Two-Family Residential on land located South of East Pleasant Street and East of North Jackson Street, for two-family residential development on two lots, in the 3rd Aldermanic District.

INTRODUCED ON: 03/02/2010

INTRODUCED ON: 12/22/2009

INTRODUCED ON: 04/13/2010

ADOPTION OF THE FOLLOWING:

2. <u>091155</u> SPONSORED BY: THE CHAIR

Resolution approving a final Certified Survey Map for property located at 916 South Cesar E. Chavez Drive and at 1540, 1542, 1546 and 1550 West Mineral Street for expansion of a parking lot for an existing business and dedication of land for public purposes, in the 12th Aldermanic District.

3. 091666 SPONSORED BY: Ald. Hamilton

Substitute resolution facilitating the Villard Square housing and City library development by Villard Square, LLC at 35th and Villard by approving the blight designation of property for financing and acquisition by the Redevelopment Authority, authorizing a cooperation agreement or other agreements with the Redevelopment Authority for library funding and authorizing a lease with the Redevelopment Authority for the library portion of the property, in the 1st Aldermanic District.

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 091627 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

Substitute resolution relating to the transfer of the Neighborhood Stabilization Program 2 administration funding to other City Departments.

INTRODUCED ON: 04/13/2010

2. 091639 SPONSORED BY: THE CHAIR

Resolution extending a contract between the Department of City Development and the Milwaukee County Cooperative Extension for the Housing and Economic Recovery Act of 2008-Neighborhood Stabilization Program funded through the Community Development Block Grant Program from the U.S. Department of Housing and Urban Development through the Community Development Grants Administration.

CONFIRMATION OF THE FOLLOWING:

3. 091505 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/02/2010

Appointment of William Doyle to the Business Improvement District Board #44 (Kinnickinnic Avenue) by the Mayor. (14th Aldermanic District)

4. <u>091506</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 03/02/2010

Appointment of Jake Provan to the Business Improvement District Board #44 (Kinnickinnic Avenue) by the Mayor.

5. 091508 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/02/2010

Appointment of Ronald Romero to the Business Improvement District Board #44 (Kinnickinnic Avenue) by the Mayor. (14th Aldermanic District)

6. 091512 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/02/2010

Appointment of Jason Wedesky to the Business Improvement District Board #44 (Kinnickinnic Avenue) by the Mayor. (14th Aldermanic District)

7. 091513 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/02/2010

Appointment of Michael Krolick to the Business Improvement District Board #44 (Kinnickinnic Avenue) by the Mayor.

8. 091591 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/24/2010

Appointment of Jeffrey Steren to the Business Improvement District Board #43 (South 27th Street) by the Mayor. (13th Aldermanic District)

9. 091676 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

Appointment of J. Alejandro Fuentes to the Business Improvement District Board #4 (Historic Mitchell Street) by the Mayor. (12th Aldermanic District)

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 091665 SPONSORED BY: Ald. Dudzik

An ordinance relating to special privilege administration, penalties and bonding

INTRODUCED ON: 04/13/2010

INTRODUCED ON: 11/03/2009

INTRODUCED ON: 12/01/2009

INTRODUCED ON: 12/01/2009

INTRODUCED ON: 12/01/2009

INTRODUCED ON: 12/22/2009

INTRODUCED ON: 04/13/2010

INTRODUCED ON: 04/13/2010

ADOPTION OF THE FOLLOWING:

requirements.

2. 090886 SPONSORED BY: THE CHAIR

Substitute resolution to vacate the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue, in the 15th Aldermanic District.

3. 090957 SPONSORED BY: THE CHAIR

Substitute resolution granting a special privilege to New Land Enterprises LLP to construct and maintain a covered walk in the public right-of-way for the premises at 1751 North Farwell Avenue, in the 3rd Aldermanic District.

4. 090958 SPONSORED BY: THE CHAIR

Substitute resolution granting a special privilege to George Kashou Company, Inc. to construct and maintain a covered walk in the public right-of-way for the premises at 2169 North Farwell Avenue, in the 3rd Aldermanic District.

5. 091018 SPONSORED BY: THE CHAIR

Substitute resolution to vacate the north-south alley in the block bounded by South 15th Street, South Cesar E. Chavez Drive, West Mineral Street and West Walker Street, in the 12th Aldermanic District.

6. 091170 SPONSORED BY: THE CHAIR

Substitute resolution to vacate the east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th Street, in the 11th Aldermanic District.

7. 091621 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 \$885,000 for a total estimated cost of these projects being \$10,459,000.

8. <u>091622</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 \$625,800 for a total estimated cost of \$730,000.

INTRODUCED ON: 04/13/2010

INTRODUCED ON: 04/13/2010

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INTRODUCED ON: 04/13/2010

INTRODUCED ON: 04/13/2010

INTRODUCED ON: 04/13/2010

INTRODUCED ON: 04/13/2010

9. 091623 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 \$1,485,000 for a total estimated cost of these projects being \$13,800,000.

10. 091624 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 \$9,115,000 for a total estimated cost of these projects being \$13,161,617.

11. 091632 SPONSORED BY: THE CHAIR

Resolution directing the City Engineer to apply for 2011 Urban Nonpoint Source and Stormwater Construction and Planning grants from the State of Wisconsin, Department of Natural Resources.

12. 091633 SPONSORED BY: THE CHAIR

Resolution authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs totaling \$307,659.81, City share is \$34,992.84 and the Grantor's share is \$272,667.07.

13. 091635 SPONSORED BY: THE CHAIR

Resolution relative to the cost participation and installation of street lighting and traffic signal improvements as part of the West National Avenue Streetscape Enhancement under the Transportation Enhancement Program at a total estimated cost of \$109,877.18, with an estimated grantor share of \$80,000.00 and an estimated City of Milwaukee share of \$29,877.18.

14. 091661 SPONSORED BY: Ald. Bauman

Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Marquette University for the relocation of a water main in conjunction with reconstructing and streetscaping a street abutting the new Marquette University Law School Building.

15. 091663 SPONSORED BY: Ald. Bauman

Resolution authorizing the execution of a Parking, Access and Maintenance Agreement and Easement (Palermos Properties Project).

MATTERS FOR IMMEDIATE ADOPTION:

1. 100043 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/04/2010

Resolution approving final certified survey maps.

2. <u>100056</u> SPONSORED BY: Ald. Bauman INTRODUCED ON: 05/04/2010

Resolution directing the Milwaukee Water Works Superintendent to provide rebuttal testimony to the Public Service Commission of Wisconsin relative to the Proposed Economic Development Water Rate for Milwaukee Water Works.

3. 100068 SPONSORED BY: Ald. Witkowiak INTRODUCED ON: 05/04/2010

Resolution opposing local policies that encourage discrimination on the basis of race or ethnicity and calling on the federal government to enact and enforce uniform and effective immigration policies.