

## City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

## Council Agenda

## **COMMON COUNCIL**

Tuesday, October 11, 2011

## 9:00 AM Amended 10/10/11

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

Steering and Rules, Ald. Hines, Chair; Ald. Murphy, 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. 110623 SPONSORED BY: Ald. Witkowski INTRODUCED ON: 09/01/2011

A substitute ordinance relating to shooting gallery licenses.

2. 110694 SPONSORED BY: Ald. Bohl INTRODUCED ON: 09/20/2011

An ordinance relating to grounds for denial, non-renewal, revocation or suspension of a home improvement contractor or salesperson license.

#### PLACING ON FILE THE FOLLOWING:

3. 110532 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/01/2011

Motion relating to the revocation of the loading zone permit of Mei Lyn Nelson, Agent for Zak's Cafe, for the location at 231 S. 2nd Street.

The following item may be referred from the Special License Committee meeting held on Tuesday, October 11, at 8:30 A.M.

#### PASSAGE OF THE FOLLOWING:

4. 110675 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/20/2011

A substitute ordinance relating to temporary food dealer's license regulations, and exemption of children-operated lemonade and kool-aid stands from obtaining a food dealer's license.

## APPROVAL OF THE FOLLOWING:

5. <u>081018</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 11/07/2008

Substitute motion to approve the recommendation of the Licenses Committee relative to the revocation of the Dwelling Facility license of Damon Honegger for the premises at 1001 S. 4th St. in the 12th aldermanic district.

---(Note: Committee vote: 3 ayes, 0 Noe and 1 abstention)

6. 110241 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/14/2011

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:

## APPROVAL OF THE FOLLOWING:

## 1. 110457 SPONSORED BY: THE CHAIR

Motion relating to the recommendations of the Public Safety Committee relative to licenses.

INTRODUCED ON: 07/26/2011

Detailed information relating to the contents of this file may be found by searching under this number at http://milwaukee.legistar.com/legislation.

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#### PASSAGE OF THE FOLLOWING:

2. 110714 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/20/2011

A substitute ordinance relating to parking controls.

3. 110715 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/20/2011

A substitute ordinance relating to traffic controls.

#### ADOPTION OF THE FOLLOWING:

4. 110427 SPONSORED BY: Ald. Coggs and Ald. INTRODUCED ON: 07/26/2011

Wade

Substitute resolution relating to biannual reporting on officer-involved shootings and deaths of persons in police custody by the Fire and Police Commission.

5. 110709 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/20/2011

Substitute resolution relative to application, acceptance and funding of the End AIDS Milwaukee Grant from the MAC AIDS Fund through Diverse and Resilient.

## PLACING ON FILE THE FOLLOWING:

6. <u>110708</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 09/20/2011

Resolution relative to application, acceptance and funding of the Breast Cancer Awareness - Milwaukee Foundation Grant.

## THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

**INTRODUCED ON: 11/03/2010** SPONSORED BY: Ald. Dudzik 1. 100876

> A charter ordinance relating to the annual service retirement allowance for elected officials.

2. 110452

SPONSORED BY: THE CHAIR INTRODUCED ON: 07/26/2011

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

SPONSORED BY: THE CHAIR INTRODUCED ON: 09/20/2011 3. 110724

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

**INTRODUCED ON: 09/27/2011 SPONSORED BY: Ald. Murphy** 4. 110779

> A substitute charter ordinance precluding an employes' retirement system enrollment to persons already receiving an employes' retirement system retirement allowance.

#### ADOPTION OF THE FOLLOWING:

SPONSORED BY: THE CHAIR INTRODUCED ON: 09/01/2011 110518 5.

> Substitute resolution to ratify and confirm the final agreement between the City of Milwaukee and Milwaukee Police Supervisors' Organization.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 09/01/2011** <u>110548</u> 6.

> Substitute resolution to ratify and confirm the final agreement between the City of Milwaukee and the Milwaukee Professional Firefighters' Association.

**INTRODUCED ON: 09/20/2011** SPONSORED BY: THE CHAIR 7. 110697

> Substitute resolution relative to application, acceptance and funding of the Refugee Health Screening Grant from the State of Wisconsin - Department of Workforce Development.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 09/20/2011** 8. 110699

> Substitute resolution amending Common Council File #110160 relative to the application, acceptance and funding of the Family Foundations Comprehensive Home Visiting Grant from the State of Wisconsin Department of Children and Families.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 09/20/2011** 9. 110700

> Substitute resolution relative to application, acceptance and funding of the LAUNCH (Linking Actions for Unmet Needs in Children's Health) Grant from the State of Wisconsin - Department of Health Services.

#### 10. 110737 **SPONSORED BY: Ald. Davis**

Substitute resolution relating to the accounting of revenues associated with the National League of Cities' Service Line Warranty Program.

#### PLACING ON FILE THE FOLLOWING:

<u>110455</u> SPONSORED BY: THE CHAIR **INTRODUCED ON: 07/26/2011** 11.

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

SPONSORED BY: THE CHAIR **12.** 110667

INTRODUCED ON: 09/20/2011

INTRODUCED ON: 09/20/2011

Communication from the Office of the Comptroller transmitting the 2010 Inventory Reserve Report for the year ended December 31, 2010.

13. SPONSORED BY: THE CHAIR 110719

**INTRODUCED ON: 09/20/2011** 

Communication from the Office of the Comptroller transmitting the 2010 Accounts Receivable Activity Report for the year ended December 31, 2010.

SPONSORED BY: THE CHAIR 14. 110721

**INTRODUCED ON: 09/20/2011** 

Communication from the Wisconsin Department of Revenue relating to the Estimate 2012 Shared Revenue and Expenditure Restraint.

SPONSORED BY: THE CHAIR 15. 110729

**INTRODUCED ON: 09/20/2011** 

Communication from the Police Department amending the Salary Ordinance.

SPONSORED BY: THE CHAIR 16. <u>110748</u>

**INTRODUCED ON: 09/20/2011** 

Communication from the Department of Employee Relations amending the Salary Ordinance.

SPONSORED BY: THE CHAIR 17. <u>110797</u>

**INTRODUCED ON: 09/27/2011** 

Communication from the Department of Administration relating to amending the Positions Ordinance.

#### THE FINANCE AND PERSONNEL COMMITTEE FURTHER RECOMMENDS:

--- The following item may be referred from the SPECIAL Finance and Personnel Committee meeting held on Tuesday, October 11, 2011 at 8:30 A.M.

#### ADOPTION OF THE FOLLOWING:

18. 110745 SPONSORED BY: Ald. Kovac, Ald. Coggs INTRODUCED ON: 09/20/2011

and Ald. Bauman

Substitute resolution relating to the information to be included with the tax bills provided to City property owners and appropriating funds for this purpose.

#### THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

## 1. 110750 SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/20/2011

A substitute ordinance relating to assignment of tax-key numbers created by certified survey maps.

#### ADOPTION OF THE FOLLOWING:

## 2. 110672 SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/20/2011

Substitute resolution authorizing the return of real estate located at 5602 W Roosevelt Dr, in the 10th Aldermanic District to Gray and Associates on behalf of Wells Fargo Financial. (Phia Thao Thoummavong)

## 3. 110741 SPONSORED BY: Ald. Coggs and Ald.

**INTRODUCED ON: 09/20/2011** 

Hamilton

Resolution supporting Wisconsin 2011 Senate Bill 165, an act relating to birth certificates for Milwaukee County residents.

## PLACING ON FILE THE FOLLOWING:

## 4. <u>110749</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/20/2011

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

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

#### 5. Claims against the city:

## a. <u>110476</u> SPONSORED BY: THE CHAIR

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

Resolution relating to an appeal from Nathan Tusler and Stephanie La Haye for loss of property. (4th Aldermanic District)

## b. 110522 SPONSORED BY: THE CHAIR

**INTRODUCED ON: 09/01/2011** 

Resolution relating to an appeal from Marlon Townsend for property damage. (9th Aldermanic District)

## c. 110665 SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/20/2011

Resolution relating to the claim of Diane Milligan, agent for TransPac Solutions on behalf of Justine Stevens, for property damage.

d.	<u>110680</u>	SPONSORED BY: THE CHAIR	INTRODUCED ON: 09/20/2011
		Resolution relating to an appeal from Sandra Wagner for prop Aldermanic District)	erty damage. (13th
e.	<u>110681</u>	SPONSORED BY: THE CHAIR	INTRODUCED ON: 09/20/2011
		Resolution relating to an appeal from Jerry Garrett for the loss Aldermanic District)	of his dog. (15th

# THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

## 1. 110587 SPONSORED BY: Ald. Wade, Ald.

**INTRODUCED ON: 09/01/2011** 

INTRODUCED ON: 09/01/2011

**INTRODUCED ON: 09/01/2011** 

**INTRODUCED ON: 09/20/2011** 

INTRODUCED ON: 09/01/2011

INTRODUCED ON: 09/01/2011

#### Zielinski and Ald. Bauman

A substitute ordinance relating to the Second Amendment to the Detailed Planned Development known as Central Greens (f/k/a Story Hill Place), for construction of greenhouses, on land located on the south side of West Bluemound Road and east of North 51st Street, in the 10th Aldermanic District.

#### 2. 110627 SPONSORED BY: Ald. Hamilton

A substitute ordinance relating to the First Amendment to a Detailed Planned Development known as Bishop's Creek, to allow for Phase III development, on land located west of North 32nd Street and south of West Hampton Avenue, in the 1st Aldermanic District.

#### ADOPTION OF THE FOLLOWING:

## 3. <u>110602</u> SPONSORED BY: Ald. Donovan

Resolution approving Amendment No. 1 to the Project Plan for Tax Incremental District No. 63, Rexnord Industries LLC/Falk Gear Group Project, and authorizing expenditures, in the 8th Aldermanic District.

## 4. 110703 SPONSORED BY: Ald. Donovan

Resolution approving the Land Disposition Report for property in the Menomonee Valley Industrial Park for sale to J.F. Ahern Co. for development of its regional office and fabricating facility, in the 8th Aldermanic District.

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

## 5. <u>110644</u> SPONSORED BY: THE CHAIR

Appointment of Jonathan Hackbarth to the Standards and Appeals Commission by the Mayor. (4th Aldermanic District)

## 6. 110645 SPONSORED BY: THE CHAIR

Reappointment of Mark Knapp to the Standards and Appeals Commission by the Mayor. (10th Aldermanic District)

# THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

#### PASSAGE OF THE FOLLOWING:

1. 110086 SPONSORED BY: Ald. Hamilton, Ald. INTRODUCED ON: 05/03/2011

Davis, Ald. Wade, Ald. Coggs, Ald. Kovac,

Ald. Witkowiak and Ald. Bauman

A substitute ordinance relating to the implementation of the recommendations of the city disparity study.

2. 110087 SPONSORED BY: Ald. Hamilton, Ald. INTRODUCED ON: 05/03/2011

Davis, Ald. Wade, Ald. Witkowiak and

Ald. Zielinski

A substitute charter ordinance relating to the implementation of the recommendations of the city disparity study.

#### ADOPTION OF THE FOLLOWING:

3. <u>110568</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 09/01/2011

Substitute resolution relating to the use and allocation of Community Development Block Grant funds awarded to the City of Milwaukee Youth Council.

4. 110706 SPONSORED BY: Ald. Davis INTRODUCED ON: 09/20/2011

Substitute resolution authorizing an additional expenditure of \$30,000 from the 2011 Healthy Neighborhoods Initiative capital account for the Healthy Neighborhoods Foreclosure Outreach Counselor.

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

5. 110639 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/01/2011

Appointment of Kelly Felder to the Business Improvement District Board #28 (North Avenue Gateway) by the Mayor. (15th Aldermanic District)

6. 110648 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/01/2011

Reappointment of Diane Kosarzycki to the Arts Board by the Mayor. (13th Aldermanic District)

7. 110652 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/01/2011

Reappointment of William Robison to the Arts Board by the Mayor. (4th Aldermanic District)

8. 110653 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/01/2011

Reappointment of Ald. Nik Kovac to the Arts Board by the Mayor.

## 9. <u>110654</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 09/01/2011

Reappointment of Ald. Michael Murphy to the Arts Board by the Mayor.

COMMON COUNCIL Council Agenda Tuesday, October 11, 2011

#### THE PUBLIC WORKS COMMITTEE RECOMMENDS:

#### ADOPTION OF THE FOLLOWING:

## 1. 091537 SPONSORED BY: Ald. Hines Jr., Ald.

Wade and Ald. Bauman

Substitute resolution assigning the honorary street name "Mattiebelle Woods" to West Center Street between North 27th Street and West Fond du Lac Avenue in the 15th Aldermanic District.

**INTRODUCED ON: 03/24/2010** 

**INTRODUCED ON: 04/12/2011** 

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

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

INTRODUCED ON: 09/20/2011

INTRODUCED ON: 09/20/2011

INTRODUCED ON: 09/20/2011

---(Note: Committee vote: 4 ayes, 1 No)

## 2. 101516 SPONSORED BY: THE CHAIR

Substitute resolution amending a special privilege to Downer Delaware LLC for addition of a bicycle corral, dumpsters, recycling carts and grease trap in the public right-of-way for the premises at 2608-50 North Downer Avenue, in the 3rd Aldermanic District

## 3. 110416 SPONSORED BY: THE CHAIR

Resolution regarding the Milwaukee Water Works tunnel between the Linnwood Water Treatment Plant and the Riverside Pumping Station.

## 4. 110438 SPONSORED BY: Ald. Hines Jr.

Resolution directing the Milwaukee Water Works, the Legislative Reference Bureau and the Department of City Development to prepare analyses relating to a proposed water service agreement and requesting submission of a report by the City of Waukesha.

## 5. 110688 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 \$141,000 for a total estimated cost of these projects being \$1,194,000.

## 6. 110689 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 \$128,000 for a total estimated cost of \$135,200.

### 7. 110690 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 \$68,000 for a total estimated cost of these projects being \$674,000.

#### 8. 110691 SPONSORED BY: THE CHAIR INTRODUCED ON: 09/20/2011

City of Milwaukee Page 13 Printed on 10/10/2011

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 \$1,691,000 for a total estimated cost of these projects being \$1,808,000; and, rescinding authority for construction of nonassessable public improvements at various locations with appropriated funds remaining for these purposes estimated to be \$45,000.

## 9. <u>110716</u> SPONSORED BY: Ald. Wade

cent a donation of materials

Resolution authorizing the Department of Public Works to accept a donation of materials for improving the 29th and Melvina play area located at 2835 W. Melvina St.

## 10. 110734 SPONSORED BY: Ald. Witkowski

**INTRODUCED ON: 09/20/2011** 

**INTRODUCED ON: 09/20/2011** 

INTRODUCED ON: 05/25/2010

**INTRODUCED ON: 09/20/2011** 

Resolution relative to application, acceptance and funding of a 2011 and 2012 Vehicle Miles of Travel Monitoring Grant.

## CONFIRMATION OF THE FOLLOWING:

## 11. 110733 SPONSORED BY: THE CHAIR

Reappointment of Stanley Gwiazdowski to the Citizens' Advisory Committee on the Naming of Public Buildings, Facilities and Streets by the Mayor. (13th Aldermanic District)

## PLACING ON FILE THE FOLLOWING:

## 12. 100140 SPONSORED BY: THE CHAIR

Resolution to grant a special privilege to Sohi Corner, Inc. to construct and maintain a covered walks and door swings for the premises at 2639 W. Wells Street, in the 4th Aldermanic District.

## THE STEERING & RULES COMMITTEE RECOMMENDS:

## CONFIRMATION OF THE FOLLOWING:

1. <u>110482</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 07/26/2011

Appointment of Sandra Robinson to the Charter School Review Committee by the Common Council President. (7th Aldermanic District)

## PLACING ON FILE THE FOLLOWING:

2. 101027 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/23/2010

Appointment of the call center director by the Mayor.

## MATTERS FOR IMMEDIATE ADOPTION:

1. 110765 SPONSORED BY: Ald. Hines Jr.

Resolution supporting the State of Wisconsin's proclamation of September 2011 as Call to Character Month in Wisconsin.

**INTRODUCED ON: 10/11/2011**