

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Council Agenda

COMMON COUNCIL

Tuesday, June 11, 2013

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 Jose G. Perez, 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
- Reports of Standing Committees
 Licenses, Ald. Zielinski, Chair; Ald. Coggs, Vice-Chair
 Public Safety, Ald. Witkowski, Chair; Ald. Puente, Vice-Chair
 Finance and Personnel, Ald. Murphy, Chair; Ald. Kovac, Vice-Chair
 Judiciary and Legislation, Ald. Hamilton, Chair; Ald. Witkowski, Vice-Chair
 Zoning, Neighborhoods and Development, Ald. Bohl, Chair;
 Ald. Wade, Vice-Chair
 Public Works, Ald. Bauman, Chair; Ald. Donovan, 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 City Clerk's Office 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.

COMMUNICATIONS TO BE PLACED ON FILE

1. 130251 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/11/2013

Communications from the City Clerk relating to various commendatory/condolatory resolutions to be acknowledged and affirmed by the Common Council.

THE LICENSES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

2. <u>121775</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/09/2013

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:

3. 130062 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: 04/30/2013

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:

4. 130124 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

A substitute ordinance relating to parking controls.

5. 130125 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

A substitute ordinance relating to traffic controls.

ADOPTION OF THE FOLLOWING:

6. 130142 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution directing the Commissioner of Public Works to enter into an agreement with the Wisconsin Department of Transportation for the development, implementation and funding of traffic control and other safety measures necessary to mitigate traffic diversion on City streets due to construction activity on the I-794 Lake Freeway and Hoan Bridge Rehabilitation Project between 2013 and 2015, with the total cost being \$125,000 of which 100% is grantor funded.

7. 130157 SPONSORED BY: Ald. Witkowski INTRODUCED ON: 05/21/2013

Resolution authorizing acceptance and funding of a FY 2012 Assistance to Firefighters Grant.

PLACING ON FILE THE FOLLOWING:

8. 130119 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Communication from the Fire and Police Commission relating to the Police Department's policy on citizen contact.

9. <u>130194</u> SPONSORED BY: Ald. Witkowski

INTRODUCED ON: 05/21/2013

Communication from the Board of Fire and Police Commissioners relating to its analysis of the 2012 use of force incidents in the Milwaukee Police Department.

10. 130195 SPONSORED BY: Ald. Witkowski

INTRODUCED ON: 05/21/2013

Communication from the Milwaukee Police Department relating to its use of cameras in crime situations.

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THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

11. 130131 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

A substitute ordinance to further amend the 2013 rates of pay of offices and positions in the City Service.

12. 130132 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

A substitute ordinance to further amend the 2013 offices and positions in the City Service.

13. 130184 SPONSORED BY: Ald. Murphy INTRODUCED ON: 05/21/2013

A substitute charter ordinance relating to separation benefits from the employes' retirement system.

ADOPTION OF THE FOLLOWING:

14. 130024 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/30/2013

Resolution approving the form of the Preliminary Official Statement used in connection with the sale of City Sewer System Revenue Bonds.

15. 130051 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/30/2013

Substitute resolution relative to the acceptance and funding of the Community Safety Data Repository Grant from the Wisconsin Partnership Program - University of Wisconsin-School of Medicine and Public Health.

16. 130077 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Substitute resolution authorizing the Department of Employee Relations to issue a request for proposal for a provider of long-term disability insurance benefits for City employees.

17. 130113 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Substitute resolution authorizing the Department of Employee Relations to issue a request for proposal for a third-party administrator for an IRS Section 125 Flexible Spending Arrangement with an option for the addition of a Health Reimbursement Arrangement.

18. 130122 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

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 of \$194,892.22 with the City's share being \$85,223.06 and the grantor's share being \$109,669.16.

19. <u>130183</u> SPONSORED BY: Ald. Murphy INTRODUCED ON: 05/21/2013

Substitute resolution approving the Master Agreements for a Plan of Deferred Compensation relating to the City's Deferred Compensation Plan.

PLACING ON FILE THE FOLLOWING:

20. <u>130133</u> SPONSORED BY: THE CHAIR

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

INTRODUCED ON: 05/21/2013

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

21. 121764 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/09/2013

Substitute resolution relating to an appeal from Diane Mejta-Mortimer for property

damage.

22. 130164 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution to authorize the City Attorney to extend offers of settlement to certain

defendants in the matter of City of Milwaukee v. Simpson, Gumpertz & Heger, Inc., et al.

23. 130168 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Substitute resolution relating to legislative bills.

24. 130180 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Substitute resolution relating to a settlement in the matter of Hispanic Chamber of Commerce of Wisconsin, et al. v. City of Milwaukee v. D. Wilson Consulting Group LLC, et al.

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

Claims against the city:

25. <u>130112</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution relating to an appeal from Margaret Gauthier, agent for Metropolitan Group Property & Casualty Insurance Company for property damage. (10th Aldermanic District)

26. 130158 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution relating to an appeal from Warren Harrington for property damage. (6th Aldermanic District)

27. 130165 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

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

(Vote: 3 ayes, 1 no, 1 excused)

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

28. 120737 SPONSORED BY: Ald. Coggs, Ald.

INTRODUCED ON: 09/25/2012

INTRODUCED ON: 04/09/2013

Zielinski, Ald. Wade, Ald. Perez, Ald. Bauman, Ald. Kovac and Ald. Bohl

A substitute ordinance relating to the provision of city financial assistance to for-profit institutions of higher education or to developers of projects that include for-profit institutions of higher education.

29. 121772 SPONSORED BY: Ald. Donovan

A substitute ordinance relating to the change in zoning from Industrial-Heavy to Parks, for a park, on land located on the south side of West Canal Street, generally between South Selig Drive and South 27th Street, in the 8th Aldermanic District.

ADOPTION OF THE FOLLOWING:

30. 130056 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/30/2013

Resolution authorizing the transfer of funds from the Capital Improvements Advance Planning Fund to a subaccount for the Menomonee Valley Comprehensive Area Plan Update, in the 4th, 8th and 12th Aldermanic Districts.

31. <u>130160</u> SPONSORED BY: Ald. Perez

INTRODUCED ON: 05/21/2013

Resolution authorizing the sale of Development Property at 1817 West National Avenue to the former owner, Alice J. Ledesma, in the 12th Aldermanic District.

CONFIRMATION OF THE FOLLOWING:

32. 130175 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/21/2013

Appointment of Mr. Jewel Currie to the Board of Zoning Appeals by the Mayor. (6th Aldermanic District)

33. 130178 SPONSORED BY: THE CHAIR

INTRODUCED ON: 05/21/2013

Reappointment of Matt Jarosz to the Historic Preservation Commission by the Mayor. (3rd Aldermanic District)

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

34. 121723 SPONSORED BY: Ald. Zielinski, Ald. INTRODUCED ON: 03/21/2013

Perez, Ald. Davis, Ald. Hamilton and Ald.

Wade

Substitute resolution expressing the City of Milwaukee's support for Local First Milwaukee, and appropriating \$100 from the City Clerk's Special Purpose Account for City Memberships for the City's 2013 annual contribution to the organization.

35. 130126 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution relating to the organization name change for the Lincoln Neighborhood Redevelopment Corporation to the Lincoln Opportunity Fund, LLC.

36. 130127 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution relative to the acceptance and funding of the Milwaukee Continuum of Care grant from Milwaukee County.

37. 130128 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution relative to the acceptance and funding of the Milwaukee Continuum of Care grant from the Greater Milwaukee Foundation Inc.

38. 130140 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Substitute resolution relative to changes in the 2013 HUD funding Emergency Solutions Grant and Housing Opportunities for Persons With AIDS.

CONFIRMATION OF THE FOLLOWING:

39. <u>130082</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 04/30/2013

Reappointment of Samih Omari to the Business Improvement District #25 (Riverworks) by the Mayor. (6th Aldermanic District)

40. 130173 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Reappointment of Mr. J. Alejandro Fuentes to the Business Improvement District #4 (Mitchell Street Business Strip) by the Mayor. (12th Aldermanic District)

41. 130174 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Appointment of Eli Rivera to the Business Improvement District #44 (KK Avenue) by the Mayor. (14th Aldermanic District)

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THE PUBLIC WORKS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

42. 101161 SPONSORED BY: THE CHAIR INTRODUCED ON: 01/19/2011

Substitute resolution granting a special privilege to Engel Tool and Forge Company Inc to construct and maintain a backup driveway, bollards, and metal bins in the public right-of-way for the premises at 123 West Orchard Street, in the 12th Aldermanic District.

43. 120944 SPONSORED BY: THE CHAIR INTRODUCED ON: 11/08/2012

Substitute resolution amending a special privilege granted to La Causa Inc for removal of a section of overhead cable from the public right-of-way for the premises at 809 West Greenfield Avenue, in the 12th Aldermanic District.

44. 121457 SPONSORED BY: Ald. Zielinski INTRODUCED ON: 02/05/2013

Resolution directing the Department of City Development to prepare a resolution to vacate a portion of the alley in the block bounded by South Kinnickinnic Avenue, East Montana Street, South Clement Avenue and South Herman Street.

45. 121812 SPONSORED BY: Ald. Bauman INTRODUCED ON: 04/09/2013

Substitute resolution approving a Third Amendment to the Kinder Morgan Bulk Terminals Lease of City-owned property at 401 East Greenfield Ave.

46. <u>121814</u> SPONSORED BY: Ald. Bauman INTRODUCED ON: 04/09/2013

Substitute resolution granting the Wisconsin Department of Transportation two temporary limited easements on City of Milwaukee-owned property at the Port of Milwaukee.

47. <u>121815</u> SPONSORED BY: Ald. Bauman INTRODUCED ON: 04/09/2013

Substitute resolution authorizing the Port of Milwaukee to apply for, accept, and expend a grant from the Wisconsin Economic Development Corporation relating to the Port of Milwaukee Foreign Trade Zone.

48. 130109 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution authorizing the Commissioner of Public Works to install fiber and provide network connectivity at the expense of and for the use and benefit of the Wisconsin Economic Development Corporation.

49. 130141 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

Resolution authorizing the Commissioner of Public Works to award a contract for emergency work at the Milwaukee Water Works' Linnwood Water Treatment Plant.

50. 130144 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/21/2013

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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 \$43,400 for a total estimated cost of these projects being \$665,000.

51. 130145 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 \$4,372,500 for a total estimated cost of \$4,560,000.

INTRODUCED ON: 05/21/2013

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52. 130146 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 \$87,500 for a total estimated cost of these projects being \$939,000.

53. 130147 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 \$3,602,000 for a total estimated cost of these projects being \$4,142,000.

54. 130148 SPONSORED BY: THE CHAIR

Resolution authorizing sidewalk replacement in the Second (2nd) and Thirteenth (13th) Aldermanic Districts and at various locations downtown and the east side.

55. 130154 SPONSORED BY: Ald. Hines Jr.

Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with St. Ann's Center for the installation of a public sewer and roadway improvements.

56. 130159 SPONSORED BY: Ald. Wade

Resolution to authorize tunnel abandonment concerning the tunnel under the Canadian Pacific Rail right-of-way between the Century City site and the DPW Field Headquarters, in the 7th Aldermanic District.

57. <u>130166</u> SPONSORED BY: THE CHAIR

Resolution to inform the Common Council of the City of Milwaukee of the City's Compliance Maintenance Annual Report for the year 2012.

58. 130188 SPONSORED BY: Ald. Zielinski

Resolution approving an intergovernmental cooperation agreement between the City of Milwaukee and the Milwaukee County Department of Parks, Recreation and Culture relating to the creation and operation of an off-leash dog exercise area on City-owned land located at E. Lincoln Avenue and S. Bay Street.

MATTERS TO BE CONSIDERED FOR IMMEDIATE APPROVAL OR ADOPTION

59. <u>130236</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 06/11/2013

Resolution approving final certified survey maps.

60. <u>130238</u> SPONSORED BY: Ald. Hines Jr. INTRODUCED ON: 06/11/2013

Motion amending the schedule of regular meetings of the Common Council and its standing committees for the year 2013.