

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Council Agenda

COMMON COUNCIL

Tuesday, May 5, 2009 9:00 AM Common Council Chambers

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:

PLACING ON FILE THE FOLLOWING:

1. 081608 SPONSORED BY: THE CHAIR

Motion relating to the revocation of the loading zone permit of Nicholas Buzzell, Agent for Metzger & Buzzell LLC, for the location at 4110 West Martin Drive.

INTRODUCED ON: 03/25/2009

INTRODUCED ON: 02/10/2009

APPROVAL OF THE FOLLOWING:

2. 081413 SPONSORED BY: THE CHAIR

Motion relating to the recommendations of the Licenses Committee relative to various 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 a.m. and 4:30 p.m.

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THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. 081618 SPONSORED BY: THE CHAIR

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

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

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 a.m. and 4:30 p.m.

PASSAGE OF THE FOLLOWING:

2. 081616 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/25/2009

INTRODUCED ON: 03/25/2009

A substitute ordinance relating to parking controls in various Aldermanic Districts.

3. 081617 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/25/2009

INTRODUCED ON: 04/14/2009

A substitute ordinance relating to traffic controls in various Aldermanic Districts.

ADOPTION OF THE FOLLOWING:

4. 081747 SPONSORED BY: Ald. Donovan

Substitute resolution authorizing the Department of Public Works to amend a lease agreement with Miller Compressing Company for a portion of the City Tow Lot for the preparation of vehicles for recycling and to amend a contract with Miller Compressing

Company for the processing, transporting and recycling of all vehicles scheduled for recycling by the City of Milwaukee.

CONFIRMATION OF THE FOLLOWING:

5. <u>081732</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/14/2009

Appointment of Sharon Williams to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (6th Aldermanic District)

PLACING ON FILE THE FOLLOWING:

6. 081660 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009

Communication from the Commissioner of Public Works transmitting a report comparing current revenue generated from oversized and overweight vehicle permit fees, from 2005 through 2008.

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THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

SPONSORED BY: THE CHAIR 1. 081619

INTRODUCED ON: 03/25/2009

A substitute ordinance to further amend the 2009 rates of pay of offices and positions in

the City Service.

2. 081620 SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009

A substitute ordinance to further amend the 2009 offices and positions in the City Service.

ADOPTION OF THE FOLLOWING:

SPONSORED BY: THE CHAIR 081702 3.

INTRODUCED ON: 04/14/2009

Resolution directing the Department of Employee Relations to submit the necessary application documents for self-insurance status (workers' compensation benefits) to the State of Wisconsin.

SPONSORED BY: THE CHAIR 4. **081705**

INTRODUCED ON: 04/14/2009

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

SPONSORED BY: THE CHAIR 5. **081706**

INTRODUCED ON: 04/14/2009

Substitute resolution relative to application, acceptance and funding of the Healthy Homes Demonstration Grant from the U.S. Department of Housing and Urban Development (HUD).

081707 SPONSORED BY: THE CHAIR 6.

INTRODUCED ON: 04/14/2009

Substitute resolution relative to the application, acceptance and funding of the Public Health Legal Action in Communicable Disease Grant from the National Assoc. of City and County Health Officials (NACCHO).

CONFIRMATION OF THE FOLLOWING:

SPONSORED BY: THE CHAIR 7. 081743

INTRODUCED ON: 04/14/2009

Reappointment of Margaret Henningsen to the Public Debt Commission by the Mayor. (4th Aldermanic District)

PLACING ON FILE THE FOLLOWING:

8. 081289 SPONSORED BY: THE CHAIR **INTRODUCED ON: 01/16/2009** Substitute resolution appropriating up to \$134,949.23 from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of three lawsuits against the City of Milwaukee regarding 2006, 2007 and 2008 tax assessments.

9. <u>081291</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 01/16/2009

Communication from the Department of Employee Relations relative to classification studies scheduled for Fire and Police Commission action.

10. <u>081621</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 03/25/2009

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

11. 081748 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/14/2009

Communication from the Milwaukee Public Library relating to an amendment to the Positions Ordinance.

12. 090005 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/14/2009

Communication from the Department of Public Works relating to amendments to the Positions Ordinance.

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THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 081724 SPONSORED BY: THE CHAIR

A substitute ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 03/25/2009

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

ADOPTION OF THE FOLLOWING:

2. 081656 SPONSORED BY: THE CHAIR

Substitute resolution authorizing Settlement and Cancellation of a Claim Against Barbara Busalacchi under the City's Basic Health Plan.

3. 081693 SPONSORED BY: THE CHAIR

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

---This file contains legal payments for the following officers: Michael Rohde, Dale Anders, Charles Seelow, Esteban Arreguin, Shaun Lesniewski, Paul Lough, Brad Westergard, James Campbell, Thomas Marcus and Scott Schmitz.

4. 081720 SPONSORED BY: THE CHAIR

Substitute resolution relative to various legislative bills.

- ---SB-145/AB-215 Determining the value of billboards for personal property tax purposes.
- ---AB-145 Legislative review of municipal ward, supervisory district, aldermanic district, and certain school district election district plans.
- ---Primary enforcement of seat belt laws.
- --- Data collection related to primary enforcement of seat belt laws.
- ---Elimination of the Department of Transportation issuance of decals to indicate a vehicle's period of registration.

CONFIRMATION OF THE FOLLOWING:

5. <u>081729</u> SPONSORED BY: THE CHAIR

Appointment of Gina Spang to the Board of Assessment by the Mayor. (4th Aldermanic District)

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

6. Claims against the city:

a.	<u>081670</u>	SPONSORED BY: THE CHAIR	INTRODUCED ON: 04/14/2009
		Resolution relating to the claim of Atty. Steven Gabert on behalf of Thomas Tillman for property damage and personal injuries. (7th Aldermanic District)	
b.	<u>081671</u>	SPONSORED BY: THE CHAIR	INTRODUCED ON: 04/14/2009
		Resolution relating to the claim of Atty. Phillip Ranthum on befor personal injuries. (6th Aldermanic District)	ehalf of Linda McCready
c.	<u>081672</u>	SPONSORED BY: THE CHAIR	INTRODUCED ON: 04/14/2009
		Resolution relating to the claim of Attorney S. A. Schapiro on Shaheed for personal injuries. (6th Aldermanic District)	behalf of Min'Imah
d.	<u>081725</u>	SPONSORED BY: THE CHAIR	INTRODUCED ON: 04/14/2009
		Resolution relating to an appeal from Levante Washington for property damage.	

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. <u>081521</u> SPONSORED BY: Ald. Kovac

Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as Highbridge Condominiums, for comprehensive building envelope rehabilitation, on land located on the South Side of East Kane Place and East of North Water Street, in the 3rd Aldermanic District.

INTRODUCED ON: 03/03/2009

INTRODUCED ON: 03/25/2009

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

ADOPTION OF THE FOLLOWING:

2. <u>081657</u> SPONSORED BY: Ald. Bauman, Ald.

Hines Jr. and Ald. Wade

Substitute resolution authorizing an Option to Purchase for City-owned vacant lots with the Housing Authority of the City of Milwaukee for development of scattered-site, affordable housing, in the 7th and 15th Aldermanic Districts.

3. <u>081712</u> SPONSORED BY: Ald. Murphy

Resolution accepting a proposal for the sale of the surplus, City-owned property at 407 North Hawley Road for development of artist work studio and retail space, in the 10th Aldermanic District.

4. <u>081716</u> SPONSORED BY: Ald. Hines Jr.

Resolution authorizing the sale of the City-owned vacant lots at 2125 and 2133 North 17th Street to Walnut Way Conservation Corp. for urban agriculture, in the 15th Aldermanic District.

5. 081744 SPONSORED BY: Ald. Bohl

Substitute resolution directing the Commissioner of City Development to provide information relating to possible use of tax incremental financing to fund public infrastructure projects outside the boundaries of tax incremental districts.

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. <u>081689</u> SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/14/2009

Resolution authorizing a transfer of funds from the Development Fund for environmental testing, remediation and demolition on brownfield properties located in the City of Milwaukee.

2. 081703 SPONSORED BY: Ald. Davis

INTRODUCED ON: 04/14/2009

Resolution appropriating \$5,000 from the Economic Development Committee Fund for participation by City of Milwaukee staff in the 2009 International Council of Shopping Centers International Spring Convention to facilitate neighborhood retail development in the City of Milwaukee.

CONFIRMATION OF THE FOLLOWING:

- 3. Appointments/Reappointments to Business Improvement District Board #25:

SPONSORED BY: THE CHAIR

Reappointment of Carl Nilssen to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th Aldermanic District)

b. 081739 SPONSORED BY: THE CHAIR

081738

a.

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

Reappointment of Bill Swanson to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th Aldermanic District)

c. 081741 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/14/2009

Appointment of Sandra Woycke to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th Aldermanic District)

d. 081742 SPONSORED BY: THE CHAIR

INTRODUCED ON: 04/14/2009

Appointment of Thomas Casper to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th Aldermanic District)

PLACING ON FILE THE FOLLOWING:

4. 081674 SPONSORED BY: THE CHAIR

ormance and Evaluation

INTRODUCED ON: 03/25/2009

Communication relating to the 2008 Consolidated Annual Performance and Evaluation Report and the participation of City departments in block-grant-funded activities.

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THE PUBLIC WORKS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 081573 SPONSORED BY: Ald. Witkowski

INTRODUCED ON: 03/03/2009

A substitute ordinance relating to amending planting standards in certain portions of the public right-of-way.

2. 081687 SPONSORED BY: Ald. Bauman

INTRODUCED ON: 04/14/2009

A substitute ordinance relating to special privilege procedures.

ADOPTION OF THE FOLLOWING:

3. 080390 SPONSORED BY: THE CHAIR

INTRODUCED ON: 07/01/2008

Substitute resolution to vacate a portion of the east-west alley in the block bounded by West Meinecke Avenue, West North Avenue, North 53rd Street and North 54th Street, in the 10th Aldermanic District.

4. 081498 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/03/2009

Substitute resolution amending a special privilege to Mark Saigh for addition of a covered walk and for change of ownership for an existing dumpster enclosure, moveable planters and a concrete step for the premises at 1673-77 North Farwell Avenue, in the 3rd Aldermanic District.

5. <u>081578</u> SPONSORED BY: Ald. Bohl

INTRODUCED ON: 03/03/2009

Substitute resolution accepting a \$10,000 cash contribution from the City of Wauwatosa for the purpose of funding the development of Hartung Park.

6. 081582 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/25/2009

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 for the replacement of the West Forest Home Avenue (STH 24) Bridge over the Kinnickinnic River with 100% Federal and/or State aid under the State Trunk Highway Improvement Program with estimated total cost of the project at \$4,472,500, which is an increase of \$2,295,000.

7. 081637 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/25/2009

Substitute resolution approving Lease Agreement between Waters' New Biotech Company and the Port of Milwaukee.

8. 081645 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/14/2009

Resolution authorizing the Commissioner of Public Works to execute a Cost Sharing Agreement with Milwaukee County for the planned improvement of the West Good Hope Road (CTH PP) Bridges over the Little Menomonee River, and authorizing construction costs of \$18,400.00, which represents the City of Milwaukee's 100 percent cost share for replacement of its communications duct package that is affixed to the underside of the bridge deck.

9. 081666 SPONSORED BY: THE CHAIR

Resolution approving and authorizing the proper City officials to execute an easement agreement to allow American Transmission Company LLC to install and maintain overhead cables within the easement area located at 2113 West Van Norman Avenue in the 13th Aldermanic District.

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

INTRODUCED ON: 04/14/2009

10. 081667 SPONSORED BY: THE CHAIR

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 for the improvement of East State Street (USH 18) from North Edison Street to North Prospect Avenue, with 90 percent Federal and/or State aid under the State Trunk Highway Improvement Program with estimated total cost of the project at \$1,978,500, which is an increase of \$1,374,300.

11. <u>081676</u> 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 \$150,000 for a total estimated cost of these projects being \$1,374,000.

12. 081677 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 \$3,338,955 for a total estimated cost of \$3,889,345.

13. 081678 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 \$196,000 for a total estimated cost of these projects being \$10,883,000.

14. 081679 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 \$1,468,665.87 for a total estimated cost of these projects being \$5,628,665.87.

PLACING ON FILE THE FOLLOWING:

15. <u>081745</u> SPONSORED BY: Ald. Dudzik

Communication from the Department of Public Works Operations Division Forestry Section relating to the status of the Sustainable Boulevard Plan.

INTRODUCED ON: 04/14/2009

MATTERS FOR IMMEDIATE ADOPTION:

1. 090040 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/05/2009

Resolution approving a final certified survey map for Milwaukee Habitat for Humanity,

2. 090047 SPONSORED BY: Ald. Bauman

Resolution naming the Commissioner of Public Works as the authorized representative for the City of Milwaukee for the purpose of filing Safe Drinking Water Loan Fund applications with the Department of Natural Resources.

INTRODUCED ON: 05/05/2009