



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Council Agenda

### COMMON COUNCIL

Tuesday, September 22, 2009

9:00 AM

Common Council Chambers

*Amended 9/21/09*

**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

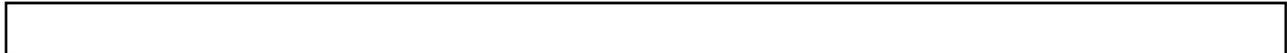
**Terry L. Witkowski**, 13th District

**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.









Communication relating to the H1N1 flu occurrence in the City of Milwaukee.

18. **090482**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**

Communication from the Police Department and Cramer-Krasselt/Milwaukee related to the "Be a Force" branding campaign.

19. **Obsolete files:**

- a. **050644**      **SPONSORED BY: Ald. Zielinski and Ald. Witkowiak**      **INTRODUCED ON: 09/07/2005**

A substitute ordinance relating to community notification of sex offenders.

- b. **051053**      **SPONSORED BY: Ald. Zielinski, Ald. McGee Jr. and Ald. Bauman**      **INTRODUCED ON: 11/15/2005**

A substitute ordinance relating to presence of minors on the premises of certain businesses.

- c. **060182**      **SPONSORED BY: Ald. Hines Jr.**      **INTRODUCED ON: 05/31/2006**

Resolution implementing the recommendations as specified in the Fire and Police Commission Best Practices Review.

- d. **070730**      **SPONSORED BY: Ald. Murphy**      **INTRODUCED ON: 09/05/2007**

Resolution reserving up to \$540,000 from the 2007 Common Council Contingent Fund for expenditures by the Milwaukee Police Department for its Neighborhood Safety Initiative.

- e. **080454**      **SPONSORED BY: Ald. Witkowski**      **INTRODUCED ON: 07/01/2008**

An ordinance relating to regulation of open burning.

- f. **080562**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/30/2008**

Motion relating to the revocation of the public passenger vehicle license of Cameron Radcliff, permit #20300.

- g. **081655**      **SPONSORED BY: Ald. Bauman**      **INTRODUCED ON: 03/25/2009**

A substitute ordinance relating to circus parade regulations.









**8. Authorizing the return of real estate:**

- a. **090486**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 3116-3118 N. 27th St., in the 7th Aldermanic District to its former owner. (Antione Woodland)
- b. **090490**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 3278 N. 12th St., in the 6th Aldermanic District to its former owner. (Jerry Smith)
- c. **090491**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 3710 N. Port Washington Ave., in the 6th Aldermanic District to its former owner. (Turnaround, LLC)
- d. **090492**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 1836 W. Fond du Lac Ave., in the 15th Aldermanic District to its former owner. (Leonard Brady, Agent for Jolen & Company)
- e. **090493**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 6973 N. 79th Court, in the 9th Aldermanic District to its former owner. (Bass & Moglowsky, S.C. on behalf of Nationstar Mortgage, LLC)
- f. **090494**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 1810-1812 S. 23rd St., in the 8th Aldermanic District to its former owner. (Gaspar Guerrero)
- g. **090498**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 3015-3017 N. 6th St., in the 6th Aldermanic District to its former owner. (Homecomings Financial)
- h. **090500**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 3457 N. 58th St., in the 10th Aldermanic District to its former owner. (Alotta Properties, LLC)
- i. **090501**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 5406 N. 20th St., in the 1st Aldermanic District to its former owner. (Jacqueline Holmon)
- j. **090502**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 421 N. 30th St., in the 4th Aldermanic District to its former owner. (Prestyne Wallace)

- k.      090504      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 1616-1618 S. Cesar E. Chavez Dr., in the 12th Aldermanic District to its former owner. (Maria de La Luz Hernandez)
- L.      090507      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 3015 N. 12th St., in the 6th Aldermanic District to its former owner. (Wacheyne Evans)
- m.      090529      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 2180 S. Robinson Ave., in the 14th Aldermanic District to its former owner. (Robert Heffernana, Agent for Berland/Heffernan, Inc.)
- n.      090530      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 4656 N. 49th St., in the 7th Aldermanic District to its former owner. (Kelley Whiteley, Agent for Wilshire Credit Corporation)
- o.      090572      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 1420 W. Arthur Ave., in the 12th Aldermanic District to its former owner. (CitiFinancial Services Company)
- p.      090581      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 2931-2933 N. 2nd St., in the 6th Aldermanic District to its former owner. (Dennis Miskowski)
- q.      090582      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 3117 W. Vine St., in the 15th Aldermanic District to its former owner. (Xa Yang)
- r.      090620      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 3332-3332A N. 22nd St., in the 6th Aldermanic District to its former owner. (Pinnacle Trust Services)

**CONFIRMATION OF THE FOLLOWING:**

- 9.      090467      SPONSORED BY: THE CHAIR      INTRODUCED ON: 07/28/2009**  
Reappointment of Robert Spindell, Jr., to the Election Commission by the Mayor. (3rd Aldermanic District)
- 10.     090599      SPONSORED BY: THE CHAIR      INTRODUCED ON: 09/01/2009**  
Appointment of Barbara Ulichny to the Board of Review by the Mayor. (3rd Aldermanic District)

11. **090600**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Reappointment of Lillian Carter-Pounds to the Deferred Assessment Board by the Mayor.  
(9th Aldermanic District)

**PLACING ON FILE THE FOLLOWING:**

12. **090621**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Substitute resolution authorizing the return of real estate located at 5205D S. 13th St., in  
the 13th Aldermanic District to its former owner. (Todd Brunner)

13. **Obsolete files:**

- a. **060331**      **SPONSORED BY: Ald. Witkowski**      **INTRODUCED ON: 06/20/2006**  
Substitute resolution directing the Election Commission to place an advisory referendum  
on the consolidation of certain City of Milwaukee and Milwaukee County government  
functions on the November 7, 2006, ballot.

- b. **070678**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/05/2007**  
Resolution authorizing the remission of the real estate taxes, for the tax year 2005 and  
2006 in the amount of \$25,184.62, for the properties conveyed from K&L Trust and Kohl  
et al. to the Milwaukee County.

- c. **080396**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/01/2008**  
Resolution authorizing settlement of US Oil v. City, tax assessment case.

- d. **080605**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/02/2008**  
Resolution approving and authorizing the settlement of judgment for delinquent taxes  
entered on behalf of the City of Milwaukee by the Kohn Law Firm against Golden Marina  
Causeway LLC.

- e. **081216**      **SPONSORED BY: Ald. Bohl**      **INTRODUCED ON: 12/16/2008**  
Resolution relating to introduction of state legislation to permit use of Tax Incremental  
District funds to finance infrastructure improvements citywide.

- f. **081217**      **SPONSORED BY: Ald. Bohl**      **INTRODUCED ON: 12/16/2008**  
Resolution urging the State of Wisconsin to allocate a portion of the state gasoline tax on  
gasoline sold in the City of Milwaukee to fund infrastructure improvements citywide.

- g. **081685**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 04/14/2009**  
Resolution appropriating funds from the 2009 Common Council Contingent Fund to the  
Remission of Taxes Fund for settlement of three lawsuits (Servite, Rainbow, &  
Riverwood) against the City of Milwaukee regarding their 2006, 2007, and 2008 tax  
assessments.

**DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:****14. Claims against the city:**

- a. **080890**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 10/29/2008**  
Resolution relating to the claim of Bobbie J. Lathan for property damage. (1st Aldermanic District)
- b. **090386**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/28/2009**  
Resolution relating to the claim of Southeastern Pediatric & Adolescent Medicine for property damage. (5th Aldermanic District)
- c. **090388**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/28/2009**  
Resolution relating to the claim of Timothy Lock, Agent for Farmers Insurance on behalf of Robert Williams for property damage. (7th Aldermanic District)
- d. **090397**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/28/2009**  
Resolution relating to the appeal of Jennifer and Thomas Grieve for property damage.
- e. **090434**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/28/2009**  
Appeal of Hall Chevrolet Co., Inc. for loss of property.
- f. **090472**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Resolution relating to the claim of Atty. Daniel Stevens on behalf of James & Nora Luster for property damage. (2nd Aldermanic District)
- g. **090473**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Resolution relating to the claim of Atty. Daniel Stevens on behalf of Danielle Shakoor for property damage. (2nd Aldermanic District)
- h. **090474**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Resolution relating to the claim of Atty. Daniel Stevens on behalf of Gloria Coleman for property damage. (2nd Aldermanic District)
- i. **090475**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Resolution relating to the claim of Atty. Daniel Stevens on behalf of Deslie Lawrence for property damage. (2nd Aldermanic District)
- j. **090476**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
Resolution relating to the claim of Atty. Daniel Stevens on behalf of Jeslia Barajas for property damage. (12th Aldermanic District)









**THE PUBLIC WORKS COMMITTEE RECOMMENDS:****PASSAGE OF THE FOLLOWING:**

1. **090427**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/28/2009**  
A substitute charter ordinance amending and opting out of provisions relating to the appropriation of surplus earnings from the water works to the city general fund.
2. **090470**      **SPONSORED BY: Ald. Wade, Ald. Witkowski, Ald. Hamilton and Ald. Puente**      **INTRODUCED ON: 07/28/2009**  
A substitute ordinance relating to the forfeiture for depositing various categories of solid waste in non-portable, city-provided trash containers.
3. **090527**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 09/01/2009**  
An ordinance relating to single-space parking meters, multi-space parking meters and space markers.

**ADOPTION OF THE FOLLOWING:****4. Resolutions relating to special privileges:**

- a. **070902**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 10/23/2007**  
Substitute resolution granting a special privilege to Breakwater Condominium Association Inc for a concrete step, stationary planters, excess door swings, a roof overhang, an excess canopy projection, a concrete platform and elevated sidewalk in the public right-of-way for the premises at 1313 North Franklin Place, in the 3rd Aldermanic District.
- b. **071266**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 01/15/2008**  
Substitute resolution granting a special privilege to Lamar Outdoor Advertising for two concrete pads, a fence and electrical equipment in the public right-of-way at 302 West Rosedale Avenue, in the 14th Aldermanic District.
- c. **080508**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 07/30/2008**  
Substitute resolution amending a special privilege to Pfister LLC for change of ownership for items previously granted permission; for deletion of items; and for addition of items in the public right-of-way for the premises at 424 East Wisconsin Avenue, in the 4th Aldermanic District.
- d. **081604**      **SPONSORED BY: THE CHAIR**      **INTRODUCED ON: 03/25/2009**  
Substitute resolution granting a special privilege to United Community Center Inc to construct and maintain an underground conduit between the premises at 604 West Scott Street and at 611 West Washington Street, in the 12th Aldermanic District.











