

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Council Agenda

COMMON COUNCIL

Wednesday, July 7, 2010

9:00 AM Amended 7/6/10

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. 070789 SPONSORED BY: THE CHAIR

A substitute ordinance amending the definition of junk, establishing a fingerprinting requirement for junk collector and junk dealer license applicants, and prohibiting the purchase of junk from unlicensed junk collectors and junk dealers.

INTRODUCED ON: 09/25/2007

INTRODUCED ON: 06/15/2010

INTRODUCED ON: 03/24/2010

INTRODUCED ON: 05/04/2010

2. 100208 SPONSORED BY: Ald. Witkowski and

Ald. Bohl

A substitute ordinance requiring secondhand dealers to report transactions on a police-approved Internet website, standardizing identification requirements and lengthening holding periods for certain items.

PLACING ON FILE THE FOLLOWING:

3. 091589 SPONSORED BY: THE CHAIR

Communication from the Office of the City Attorney regarding the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) licenses of Devon Reid, agent for Questions, Inc. (3041 W. North Ave.).

APPROVAL OF THE FOLLOWING:

4. <u>100062</u> SPONSORED BY: THE CHAIR

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.

COMMON COUNCIL Council Agenda Wednesday, July 7, 2010

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

SPONSORED BY: THE CHAIR 1. 100168

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. 100223 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

INTRODUCED ON: 05/25/2010

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

SPONSORED BY: THE CHAIR 3. 100224

INTRODUCED ON: 06/15/2010

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

SPONSORED BY: Ald. Witkowski and 100242 4. Ald. Murphy

INTRODUCED ON: 06/15/2010

A substitute ordinance implementing state law regulating indoor and outdoor smoking of tobacco and tobacco products.

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

ADOPTION OF THE FOLLOWING:

SPONSORED BY: THE CHAIR 5. 091444

INTRODUCED ON: 03/02/2010

Resolution relative to application, acceptance and funding of a Project Safe Neighborhood Reentry Initiative Grant.

SPONSORED BY: THE CHAIR 6. 100209

INTRODUCED ON: 06/15/2010

Resolution approving a contract extension between the Milwaukee Fire Department, Local 215, Milwaukee Professional Fire Fighters Association, and Dr. Robert Adlam for consultation services.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 06/15/2010** 7. 100220

Substitute resolution authorizing the application of an Assistance to Firefighters Grant for the mandatory non-punitive occupational wellness program from the U.S. Department of Homeland Security Federal Emergency Management Agency.

PLACING ON FILE THE FOLLOWING:

8. <u>100221</u> SPONSORED BY: THE CHAIR

Communication from the Fire Department transmitting an annual report on advanced life support billing activities

INTRODUCED ON: 06/15/2010

COMMON COUNCIL Council Agenda Wednesday, July 7, 2010

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 100241 SPONSORED BY: Ald. Murphy INTRODUCED ON: 06/15/2010

A substitute charter ordinance relating to retirement benefits for employes represented by certain bargaining units.

2. 100254 SPONSORED BY: THE CHAIR

INTRODUCED ON: 06/15/2010

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

3. 100276 SPONSORED BY: Ald. Murphy INTRODUCED ON: 06/15/2010

A substitute ordinance relating to procedures for the preparation of fiscal impact statements.

ADOPTION OF THE FOLLOWING:

4. 091649 SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010

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

5. 100201 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Substitute resolution authorizing the Department of Employee Relations (DER) to prepare and execute contracts with dental providers for a two year period with a one year option for pre-paid dental services and for fee-for-service dental services.

6. 100202 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Substitute resolution authorizing the Department of Employee Relations (DER) to prepare and execute a contract with "eflexgroup" for administration of Flexible Spending Plans for Medical, Dependent Care and Parking.

7. 100203 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Substitute resolution authorizing the Department of Employee Relations to enter into a contract for health benefits for 2011.

PLACING ON FILE THE FOLLOWING:

8. 100240 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Communication from the Budget and Management Division relating to an amendment to the 2010 Positions Ordinance.

9. 100244 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

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

10. <u>100249</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Communication from the Department of Employee Relations relating to the recruitment rate for the position of Police Information Systems Director, Salary Grade 14.

INTRODUCED ON: 06/15/2010

11. <u>100253</u> SPONSORED BY: THE CHAIR

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

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 100194 SPONSORED BY: Ald. Bohl, Ald. Coggs INTRODUCED ON: 05/25/2010

and Ald. Witkowski

Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the regulation of precious gem and gold dealers.

2. <u>100250</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Resolution authorizing payment of the claim of Benjamin Smith, in the amount of \$25,000.

3. 100251 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Resolution authorizing payment of the claim of Thomas Johnson, in the amount of \$10,516.

4. <u>100252</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Resolution to cancel real estate taxes levied against a certain parcel, 2576 N. Farwell Avenue, on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

5. <u>100212</u> SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

Resolution relating to an appeal from Cynthia Michael for costs to retrieve her dog. (6th Aldermanic District)

COMMON COUNCIL Council Agenda Wednesday, July 7, 2010

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. <u>100036</u> SPONSORED BY: THE CHAIR

A substitute ordinance relating to a change in zoning from Local Business to Two-Family Residential to correct mixed zoning on the site, on land located east of North 1st Street

and south of East North Avenue, in the 6th Aldermanic District.

2. 100206 SPONSORED BY: THE CHAIR

INTRODUCED ON: 06/15/2010

INTRODUCED ON: 05/04/2010

An ordinance relating to certain fees collected by the department of city development.

ADOPTION OF THE FOLLOWING:

3. 091601 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/24/2010

Substitute resolution granting historic site designation for the Hummel-Uihlein building at 2673-79 N. Martin Luther King Jr., Dr. in the 6th Aldermanic District.

4. 100236 SPONSORED BY: THE CHAIR

INTRODUCED ON: 06/15/2010

Resolution dissolving Tax Incremental District No. 23, City Hall Square, No. 38, South 5th and West Grange Avenue, and No. 69, New Avenue Commerce Center, and authorizing the distribution of excess incremental revenue to overlying taxing districts.

5. 100267 SPONSORED BY: Ald. Wade

INTRODUCED ON: 06/15/2010

Resolution authorizing the sale of the City-owned property at 2456 West Auer Avenue to Word of Faith Ministries, Inc. for use as a religious assembly and residence and to allow future tax-exempt status, in the 7th Aldermanic District.

6. 100268 SPONSORED BY: Ald. Donovan

INTRODUCED ON: 06/15/2010

Resolution accepting the proposal submitted by Ralph Fleege, doing business as Mitchell Novelty Company, to purchase the City-owned parking lot at 3507 West Pierce Street, in the 8th Aldermanic District.

7. 100270 SPONSORED BY: Ald. Hines Jr. and Ald.

INTRODUCED ON: 06/15/2010

Murphy

Resolution accepting a proposal submitted by Wisconsin Lutheran College, Inc. for the purchase of the former Finney Library at 4243 West North Avenue for development of a youth education and parent resource center, in the 15th Aldermanic District.

THE ZONING, NEIGHBORHOODS AND DEVELOPMENT COMMITTEE FURTHER RECOMMENDS:

---The following item may be referred from the SPECIAL Zoning, Neighborhoods and Development Committee meeting held on Wednesday, July 7, 2010 at 8:30 A.M.

8. 100033 SPONSORED BY: Ald. Bohl and Ald. INTRODUCED ON: 05/04/2010 Wade

A substitute ordinance relating to a change in zoning from General Planned Development to a Detailed Planned Development, known as Park Place Stage 29, for the new headquarters of Junior Achievement of Wisconsin, on lands located south of West Liberty Drive and east of West Park Place, in the 5th Aldermanic District.

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. 100076 SPONSORED BY: Ald. Bauman

INTRODUCED ON: 05/04/2010

Resolution directing the Department of City Development to create a "Neighborhood Improvement District Handbook."

2. 100118 SPONSORED BY: Ald. Zielinski, Ald.

INTRODUCED ON: 05/04/2010

Hamilton, Ald. Davis, Ald. Kovac and Ald.

Bauman

Substitute resolution creating a task force relating to African-American male unemployment.

3. 100146 SPONSORED BY: Ald. Bohl and Ald.

INTRODUCED ON: 05/25/2010

Kovac

Substitute resolution establishing a work group to investigate and plan a Milwaukee City Hall Historical Exhibit.

4. 100228 SPONSORED BY: Ald. Davis

INTRODUCED ON: 06/15/2010

Substitute resolution relative to amending the State of Wisconsin Neighborhood Stabilization Program (NSP) grant.

5. 100277 SPONSORED BY: Ald. Davis

INTRODUCED ON: 06/15/2010

Substitute resolution appropriating \$200,000 from the 2010 Community Development Block Grant contingent fund for Milwaukee Police Department abandoned and foreclosed home stabilization efforts.

---(Note: Committee vote: 3 ayes, 2 noes)

CONFIRMATION OF THE FOLLOWING:

6. 091292 SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/20/2010

Reappointment of Robert Joseph to the Business Improvement District Board #2 (Historic Third Ward) by the Mayor. (4th Aldermanic District)

7. 091293 SPONSORED BY: THE CHAIR

INTRODUCED ON: 01/20/2010

Reappointment of Marianne Burish to the Business Improvement District Board #2 (Historic Third Ward) by the Mayor. (4th Aldermanic District)

8. 091501 SPONSORED BY: THE CHAIR

INTRODUCED ON: 03/02/2010

Reappointment of Demetra Copoulos to the Business Improvement District Board #4 (Mitchell Street) by the Mayor. (12th Aldermanic District)

SPONSORED BY: THE CHAIR **INTRODUCED ON: 03/02/2010** 9. 091502 Reappointment of Timothy Dertz to the Business Improvement District Board #4 (Mitchell Street) by the Mayor. (12th Aldermanic District) 10. 091677 SPONSORED BY: THE CHAIR **INTRODUCED ON: 04/13/2010** Reappointment of Kevin Kennedy to the Business Improvement District Board #15 (Downtown Riverwalk) by the Mayor. (4th Aldermanic District) 11. 091679 **SPONSORED BY: THE CHAIR INTRODUCED ON: 04/13/2010** Reappointment of Thomas Schmitt to the board of Business Improvement District #10 (Avenues West) by the Mayor. SPONSORED BY: THE CHAIR **INTRODUCED ON: 05/04/2010 12.** 100097 Reappointment of John Brennan, III, to the Business Improvement District Board No. 26 (Menomonee Valley) by the Mayor. (4th Aldermanic District) SPONSORED BY: THE CHAIR 13. 100098 **INTRODUCED ON: 05/04/2010** Reappointment of Jeff Morgan to the Business Improvement District Board No. 26 (Menomonee Valley) by the Mayor. (4th Aldermanic District) SPONSORED BY: THE CHAIR 14. **INTRODUCED ON: 05/25/2010** 100186 Appointment of Pamela Glorioso to the Business Improvement District Board #11 (Brady

SPONSORED BY: THE CHAIR

15.

100187

Street) by the Mayor. (4th Aldermanic District)

Appointment of Art Downey to the Business Improvement District Board #26 (Menomonee Valley) by the Mayor.

INTRODUCED ON: 05/25/2010

COMMON COUNCIL Council Agenda Wednesday, July 7, 2010

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

SPONSORED BY: THE CHAIR 1. 091114

> Substitute resolution amending a special privilege to Pipito Inc for removal of a popcorn wagon and for addition of six moveable planters in the public right-of-way for the premises at 7718-20 West Burleigh Street, in the 5th Aldermanic District.

INTRODUCED ON: 12/22/2009

INTRODUCED ON: 06/15/2010

INTRODUCED ON: 06/15/2010

INTRODUCED ON: 06/15/2010

INTRODUCED ON: 06/15/2010

SPONSORED BY: THE CHAIR 2. <u>100214</u>

> 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 \$128,000 for a total estimated cost of these projects being \$3,799,000.

SPONSORED BY: THE CHAIR 3. 100215

> 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 \$3,029,400 for a total estimated cost of \$3,174,400.

SPONSORED BY: THE CHAIR 4. 100216

> 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 \$132,000 for a total estimated cost of these projects being \$2,458,000.

5. 100217 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 \$3,017,000 for a total estimated cost of these projects being \$22,297,956.

SPONSORED BY: THE CHAIR 6. 100218

INTRODUCED ON: 06/15/2010

Resolution accepting a sewer easement document SE-2817 from Locust Milwaukee LLC.

7. 100237 SPONSORED BY: THE CHAIR INTRODUCED ON: 06/15/2010

> Substitute resolution authorizing temporary easements at 1600 East College Avenue and at 1701 East College Avenue with Milwaukee County for the College Avenue reconstruction project, in the 13th Aldermanic District.

SPONSORED BY: THE CHAIR **INTRODUCED ON: 06/15/2010** 8. 100246

Resolution authorizing the Department of Public Works to install fiber-optic cable and provide network connectivity at or near 2601 West Clybourn Avenue for the use and benefit, and at the sole expense of the Marquette University.

9. 100269 SPONSORED BY: Ald. Murphy

Resolution authorizing acceptance of the gift of four lannon stone benches and one engraved stone neighborhood marker from Alameda Place Neighborhood Association for placement at 6204 West Appleton Avenue, a city-owned vacant lot, in the 10th Aldermanic District.

INTRODUCED ON: 06/15/2010

PLACING ON FILE THE FOLLOWING:

10. <u>100115</u> SPONSORED BY: Ald. Bohl INTRODUCED ON: 05/04/2010

An ordinance permitting neighborhood watch signs on public property.

11. 100196 SPONSORED BY: THE CHAIR INTRODUCED ON: 05/25/2010

Communication from the Department of Public Works relating to the status on selection of the owners representative team for the City Hall Foundation Restoration Project.

MATTERS FOR IMMEDIATE ADOPTION:

1. 100292 SPONSORED BY: THE CHAIR INTRODUCED ON: 07/07/2010

Resolution approving a final certified survey map for State Street, LLC.