



## Legislation Text

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**File #: 980838, Version: 2**

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980838  
SUBSTITUTE 2

ALD. HENNINGSSEN AND GORDON

Substitute resolution appropriating \$50,000 from the 1998 Common Council Contingent Fund for the purpose of hiring a law firm to provide hearing officer services relating to pending licensed dwelling facility license renewal applications.

- Analysis -

This resolution authorizes and directs the transfer of \$50,000 from the 1998 Common Council Contingent Fund to the Common Council-City Clerk's budget for the purpose of funding the hiring of a law firm and court reporting firm to conduct and record evidentiary hearings on licensed dwelling facility license renewal applications in instances where written objections to renewal have been filed.

Whereas, Currently there are as many as 23 pending licensed dwelling facility license renewal applications to which neighborhood residents, the local Common Council member or the Milwaukee Police Department may object; and

Whereas, The Common Council finds that it is impractical for the Utilities and Licenses Committee to hold an evidentiary hearing on each of these license renewal applications; and

Whereas, Section 275-20-9-f of the Milwaukee Code of Ordinances provides that in instances where it is impractical for the Utilities and Licenses Committee to hold an evidentiary hearing relating to nonrenewal, revocation or suspension of a licensed dwelling facility license, the Committee may employ a hearing officer for the purposes of taking testimony and rendering recommended findings of fact and conclusions of law to the Committee; and

Whereas, The Common Council finds that the most efficient way to take testimony regarding renewal of a licensed dwelling facility license is to hire a law firm to conduct evidentiary hearings; and

Whereas, The estimated average cost of hiring a hearing officer (licensed attorney) and a court reporter to conduct and record an evidentiary hearing on a licensed dwelling facility license renewal application is \$2,840; and

Whereas, With an estimated cost of \$2,840 per hearing, the estimated total cost of hiring hearing officers and support staff for the 23 licensed dwelling facility license renewal cases is \$65,320; and

Whereas, Funding for the hiring of hearing officers to conduct evidentiary hearings on licensed dwelling facility renewal applications is not available in the City Clerk's budget; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is authorized and directed to transfer \$50,000 from the 1998 Common Council Contingent Fund (Account Number 09-910-8000) to a special account within the Contingent Fund (Account Number 09-910-8XXX) established for the purpose of procuring hearing officer services related to evidentiary hearings on licensed dwelling facility renewal applications; and, be it

Further Resolved, That the City Clerk is authorized and directed to use said funds to hire, on behalf of the Utilities and Licenses Committee, a law firm and a court reporting firm to receive and record testimony regarding licensed dwelling facility license renewal applications for which written objections have been filed, and to render recommended findings of fact and conclusions of law to the Committee.

LRB98357.3  
JDO  
10/7/98