



Legislation Details (With Text)

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On agenda: **Final action:** 9/2/2008
Effective date:

Title: A substitute ordinance relating to the adjustment of recovery ratios for certain assessable improvements and the establishment of a municipal motor vehicle registration fee.

Sponsors: ALD. BAUMAN, ALD. DONOVAN, ALD. WADE, ALD. HINES JR., ALD. HAMILTON, ALD. KOVAC, James N. Witkowiak, ALD. BOHL, ALD. DAVIS, ALD. PUENTE, ALD. COGGS

Indexes: FEES, MOTOR VEHICLES, PUBLIC IMPROVEMENTS

Attachments: 1. 9-5-08 Letter from City Clerk to the Dept. of Transportation, 2. Mayor's Veto Letter, 3. Table of Content, 4. Journal Sentinel Article, 5. Journal Sentinel Articles letters to the editor etc dealing with potholes infrastructure street conditions, 6. Email from Dept of Public Works regarding, 7. Four Reason to support the Motor Vehicle Registration Fee, 8. 6/26/07 Memo-Street Maintenance Budget Reductions, 1998-1997, 9. 6/25/07- Special Assessment Rate Increases, 10. 8/07 Comparative Revenue & Expenditure Report, 11. File 070571 title and Local Street Funding - 2008-2013 Funding Plan - Draft wrkng papers, 12. 2008 Milwaukee Call Center Data, 13. Chart-Total Calls for Service for Street Maintenance 2006-2008, 14. chart-Total Asphalt Tonnage for Street Maintenance, 15. Public hearing results, 16. 5/10/05 Research Report- Paving Programs in Milwaukee Area communities, 17. 5/5/08 memo- Motor Vehicle Registration Fees/Taxes on other cities/counties, 18. Snow & Ice Budgetand Expenditures 1998-2008, 19. City of Milw-Distributive Impacts of a Local Vehicle Registration Fee, 20. Various articles from America's Newspapers, 21. Various stories about potholes from WISNcom, 22. Articles from CBS 58, 23. Articles from TMJ4, 24. Fiscal note, 25. 5/28/08 LRB Research and Analysis Section Memorandum, 26. 5/29/08 LRB Research and Analysis Section Memorandum, 27. Revised 6/16/08 LRB Research and Analysis Section Memorandum, 28. Vehicle Registration Fee powerpoint presentation, 29. 7-2-08 revised Fiscal Analysis Memo, 30. 7/7/08 Memo from LRB Research and Analysis re Local Street Aids, 31. Media Release by Council President Hines Dated 7/16/08, 32. Hearing notice list, 33. Hearing notice list, 34. Reply from Dept of Adm Budget Division, 35. Motion by Ald Murphy and proposed Sub A, 36. Legislative Reference Bureau Memo 2008 Vehicle Registration Eligible Vehicles, 37. 7/16/08 Ald. Hines news release, 38. 7/29/08 Ald. Witkowiak news release, 39. 7/29/08 Corrected Ald. Witkowiak news release, 40. 7/30/08 Ald. Bauman news release, 41. 8-15-08 E-mail from citizen opposed to \$20 motor registration fee., 42. Notice Published on 9-5-08, 43. Wisconsin Department of Transportation Letter

Date	Ver.	Action By	Action	Result	Tally
4/15/2008	0	COMMON COUNCIL	ASSIGNED TO		
4/30/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2008	0	PUBLIC WORKS COMMITTEE	NOT ACTED ON		
5/22/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/30/2008	0	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:2
5/30/2008	0	CITY CLERK	Sponsor added		
6/2/2008	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
6/10/2008	0	CITY CLERK	Sponsor added		
6/11/2008	0	CITY CLERK	Sponsor added		

6/12/2008	0	CITY CLERK	Sponsor added		
6/30/2008	0	CITY CLERK	Sponsor added		
7/8/2008	0	CITY CLERK	Sponsor added		
7/9/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/15/2008	0	FINANCE & PERSONNEL COMMITTEE	HEARING NOTICES SENT		
7/16/2008	0	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	5:0
7/16/2008	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	4:1
7/22/2008	1	CITY CLERK	Sponsor added		
7/23/2008	1	FINANCE & PERSONNEL COMMITTEE	AMENDED	Pass	5:0
7/23/2008	2	FINANCE & PERSONNEL COMMITTEE	SUBSTITUTED	Fail	1:4
7/23/2008	2	FINANCE & PERSONNEL COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:2
7/24/2008	2	CITY CLERK	DRAFT SUBMITTED		
7/30/2008	3	COMMON COUNCIL	PASSED	Pass	10:4
7/30/2008	2	COMMON COUNCIL	AMENDED	Pass	10:4
7/30/2008	2	COMMON COUNCIL	AMENDED	Pass	11:3
7/31/2008	3	CITY CLERK	DRAFT SUBMITTED		
8/11/2008	3	MAYOR	VETOED		
9/2/2008	3	COMMON COUNCIL	VETO OVERRIDDEN	Pass	11:4
9/5/2008	3	CITY CLERK	PUBLISHED		

080034

SUBSTITUTE 3

060325

ALD. BAUMAN, DONOVAN, WADE, HINES, HAMILTON, KOVAC, WITKOWIAK, BOHL, DAVIS, PUENTE, and COGGS

A substitute ordinance relating to the adjustment of recovery ratios for certain assessable improvements and the establishment of a municipal motor vehicle registration fee.

115-43-2-b-1 am

115-43-2-b-3 rp

115-43-2 -b-4 ra

304-25 cr

This ordinance imposes a \$20 annual municipal motor vehicle registration fee ("MVR fee") on every motor vehicle registered in Wisconsin and customarily kept in Milwaukee. The MVR fee applies to automobiles, station wagons and trucks whose gross weight is not more than 8,000 pounds. The local MVR fee is in addition to state registration fees. Vehicles which are exempt from state registration fees or which pay a special state fee of \$5 are exempt from the MVR fee. Also, no local MVR fee shall be imposed on a vehicle which replaces a vehicle for which a current Milwaukee MVR fee has been paid. The ordinance provides that MVR fee revenues shall be deposited in the transportation vehicle fee fund. Revenues in the fund shall be used only to defray city costs for

transportation related purposes including, but not limited to costs related to the design, construction, operation and maintenance of streets, alleys, bridges, public way lighting, traffic signs and signals, traffic calming installations, and which may also include special assessments imposed upon property owners under the Milwaukee code. At least 10 percent of the annual revenues deposited in the transportation vehicle fund shall be allocated to street maintenance activities. The city clerk is directed to notify the state department of transportation that the city of Milwaukee has enacted a municipal vehicle registration fee.

This ordinance also adjusts the recovery ratios for certain assessable reconstruction improvements by eliminating the recovery ratio of 60% for paving improvements, reducing the recovery ratio for alley improvements from 90% to 60%, and reducing the recovery ratio walk improvements from 70% to 50%.

The portion of the ordinance relating to the vehicle registration fee (Part 4) shall take effect 61 days after the city's clerk notification of the state department of transportation of this ordinance. The portions of the ordinance relating to the recovery rates (Parts 1 to 3) shall take effect for all public improvement projects approved by the common council pursuant to s. 66.073, Wis. Stats., and s. 115-42, code, on and after April 15, 2008.

It is the intent of the common council that the motor vehicle registration fee established in s. 304-25-2 shall remain unchanged through the end of the 2008-12 common council term.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 115-43-2-b-1 of the code is amended to read:

115-43. Recovery Rates for Assessable Improvements.

2. RECOVERY RATES AND RATIOS.

b. Reconstruction.

b-1. Alley - [~~90%~~] >> 60%<<.

Part 2. Section 115-43-2-b-3 of the code is repealed. (Note: The provision being repealed reads as follows:

b-3. Paving - 60%.)

Part 3. Section 115-43-2 -b-4 of the code is renumbered 115-43-2-b-3 and amended to read:

b-3. Walks - [~~70%~~] >> 50%<<.

Part 4. Section 304-25 of the code is created to read:

304-25. Municipal Vehicle Registration Fee. 1. DEFINITION. In this section, "motor vehicle" means an automobile or station wagon or motor truck registered under s. 341.25(1)(c), Wis. Stats., at a gross weight of not more than 8,000 pounds.

2. VEHICLE REGISTRATION FEE. A municipal vehicle registration fee is imposed on every motor vehicle registered in Wisconsin and customarily kept in the city of Milwaukee. The amount of the fee is \$20 annually. The municipal vehicle registration fee is in addition to state registration fees.

3. EXEMPTIONS. The following vehicles are exempt from the municipal vehicle registration fee:

- a. All vehicles exempted under ch. 341, Wis. Stats., from payment of a state vehicle registration fee.
- b. All vehicles registered by the state under s. 341.26, Wis. Stats., for a fee of \$5.

4. REPLACEMENT VEHICLES. No vehicle registration fee shall be imposed on a motor vehicle which is a replacement for a motor vehicle for which a current Milwaukee municipal vehicle registration fee has been paid.

5. REVENUES; TRANSPORTATION VEHICLE FEE FUND. Revenues collected under this section shall be deposited in a transportation vehicle fee fund. Revenues in the fund shall be used only to defray city costs for transportation related purposes including but not limited to costs related to the design, construction, operation and maintenance of streets, alleys, bridges, public way lighting, traffic signs and signals, traffic calming installations, and which may also include special assessments imposed under s. 115-43. At least 10 percent of the annual revenues deposited in the transportation vehicle fund shall be allocated to street maintenance activities.

Part 5. The city clerk is directed to notify within 10 days of passage and publication of this ordinance, the state department of transportation that the city of Milwaukee has enacted a municipal vehicle registration fee ordinance and the amount of the fee.

Part 6. Part 4 of this ordinance shall take effect 61 days after the city's clerk notification of the state department of transportation pursuant to part 5.

Part 7. Parts 1 to 3 of this ordinance -relating to the recovery rates - shall take effect for all public improvement projects approved by the common council pursuant to s. 66.073, Wis. Stats., and s. 115-42, code, on and after April 15, 2008.

Part 8. It is the intent of the common council that the motor vehicle registration fee established in s. 304-25-2 shall remain unchanged through the end of the 2008-12 common council term.

APPROVED AS TO FORM

Legislative Reference Bureau
Date:_____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date:_____

LRB08160-5
JWC
7/30/08