



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda COMMON COUNCIL

Tuesday, May 4, 2010

9:00 AM

Council Chambers, 3rd Fl., City Hall

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [091665](#) An ordinance relating to special privilege administration, penalties and bonding requirements.
Sponsors: Ald. Dudzik

ADOPTION OF THE FOLLOWING:

2. [090886](#) Substitute resolution to vacate the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue, in the 15th Aldermanic District.
Sponsors: THE CHAIR
3. [090957](#) Substitute resolution granting a special privilege to New Land Enterprises LLP to construct and maintain a covered walk in the public right-of-way for the premises at 1751 North Farwell Avenue, in the 3rd Aldermanic District.
Sponsors: THE CHAIR
4. [090958](#) Substitute resolution granting a special privilege to George Kashou Company Inc to construct and maintain a covered walk in the public right-of-way for the premises at 2169 North Farwell Avenue, in the 3rd Aldermanic District.
Sponsors: THE CHAIR
5. [091018](#) Substitute resolution to vacate the north-south alley in the block bounded by South 15th Street, South Cesar E. Chavez Drive, West Mineral Street and West Walker Street, in the 12th Aldermanic District.
Sponsors: THE CHAIR
6. [091170](#) Substitute resolution to vacate the east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th Street, in the 11th Aldermanic District.
Sponsors: THE CHAIR
7. [091621](#) 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 \$885,000 for a total estimated cost of these

projects being \$10,459,000.

Sponsors: THE CHAIR

8. [091622](#) 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 \$625,800 for a total estimated cost of \$730,000.
- Sponsors:** THE CHAIR
9. [091623](#) 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 \$1,485,000 for a total estimated cost of these projects being \$13,800,000.
- Sponsors:** THE CHAIR
10. [091624](#) 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 \$9,115,000 for a total estimated cost of these projects being \$13,161,617.
- Sponsors:** THE CHAIR
11. [091632](#) Resolution directing the City Engineer to apply for 2011 Urban Nonpoint Source and Stormwater Construction and Planning grants from the State of Wisconsin, Department of Natural Resources.
- Sponsors:** THE CHAIR
12. [091633](#) Resolution authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs totaling \$307,659.81, City share is \$34,992.84 and the Grantor's share is \$272,667.07.
- Sponsors:** THE CHAIR
13. [091635](#) Resolution relative to the cost participation and installation of street lighting and traffic signal improvements as part of the West National Avenue Streetscape Enhancement under the Transportation Enhancement Program at a total estimated cost of \$109,877.18, with an estimated grantor share of \$80,000.00 and an estimated City of Milwaukee share of \$29,877.18.
- Sponsors:** THE CHAIR
14. [091661](#) Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Marquette University for the relocation of a water main in conjunction with reconstructing and streetscaping a street abutting the new Marquette University Law School Building.
- Sponsors:** Ald. Bauman
15. [091663](#) Resolution authorizing the execution of a Parking, Access and Maintenance Agreement and Easement (Palermos Properties Project).
- Sponsors:** Ald. Bauman



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Master With Text

File Number: 091622

File ID: 091622

Type: Resolution

Status: In Council-Adoption

Version: 1

Reference:

Controlling Body: PUBLIC WORKS
COMMITTEE

Requester: DPW-INFRASTRUCTURE SERVICES
DIVISION

Cost:

File Created: 04/13/2010

File Name:

Final Action:

Title: 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 \$625,800 for a total estimated cost of \$730,000.

Notes:

Code Sections:

Agenda Date:

Indexes: PUBLIC IMPROVEMENTS

Agenda Number:

Sponsors: THE CHAIR

Enactment Date:

Attachments: Cover Letter, Official Notice Number 75 committee actions, Statements from residents opposed to 6th Aldermanic Dist. project Alley between E. Fiebranz Ave, N. Hubbard St..., Official Notice Number 75, Fiscal Note, Hearing Notice List

Enactment Number:

Drafter: mld

Effective Date:

Contact:

Extra Date 2:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
0	COMMON COUNCIL	04/13/2010	ASSIGNED TO	PUBLIC WORKS COMMITTEE			
	Action Text:		This Resolution was ASSIGNED TO to the PUBLIC WORKS COMMITTEE				
0	PUBLIC WORKS COMMITTEE	04/15/2010	HEARING NOTICES SENT		04/21/2010		
0	PUBLIC WORKS COMMITTEE	04/15/2010	HEARING NOTICES SENT		04/21/2010		
0	PUBLIC WORKS COMMITTEE	04/21/2010	SUBSTITUTED				Pass
	Action Text:	A motion was made by ALD. DONOVAN that this Resolution be SUBSTITUTED. The motion PREVAILED by the following vote:					
	Notes:	<i>Individual present: Mary Dziewiontkoski, Dept. of Public Works, Infrastructure Services</i>					

Mover: ALD. DONOVAN Aye:5 - Bauman, Dudzik, Wade, Donovan, and Puente 5-0
No:0

1 PUBLIC WORKS 04/21/2010 RECOMMENDED Pass
COMMITTEE FOR ADOPTION

Action Text: A motion was made by ALD. DONOVAN that this Resolution be RECOMMENDED FOR ADOPTION.
The motion PREVAILED by the following vote:

Mover: ALD. DONOVAN Aye:5 - Bauman, Dudzik, Wade, Donovan, and Puente 5-0
No:0

1 CITY CLERK 04/22/2010 DRAFT SUBMITTED

Action Text: This Resolution was DRAFT SUBMITTED

1 COMMON COUNCIL 05/04/2010

Text of Legislative File 091622

..Number

091622

..Version

SUBSTITUTE 1

..Reference

071168

..Sponsor

THE CHAIR

..Title

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 \$625,800 for a total estimated cost of \$730,000.

..Analysis

This resolution confirms the report of the Commissioner of Public Works, as modified by the Common Council Committee, on projects for which Public Hearings have been held. The resolution authorizes the levying of special assessments and directs the installation and construction of said public improvements. The City cost of these projects approved by this resolution is estimated to be \$625,800. The total estimated cost of these projects is \$730,000.

..Body

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions, determining it necessary and in the public interest to construct and levy special assessments for the following improvements:

2nd Aldermanic District

W. Winfield Ave. - N. 76th St. to W. Bender Ave. (ST211090111) File Number 071168: Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$30,300; Nonassessable Reconstruction Paving Fund -- \$215,000). The total estimated cost for this project including the requested amount is \$315,000. This project is anticipated to be completed during the 2010 construction season.

4th Aldermanic District

W. Park Hill Ave. - N. 30th St. to N. 31st St. (ST211100128) File Number 090192: Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (varies 0 - 10-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$1,000; Nonassessable Reconstruction Paving Fund -- \$35,000). The total estimated cost for this project including the requested amount is \$40,000. This project is anticipated to be completed during the 2010 construction season.

10th Aldermanic District

W. Stevenson St. - N. 68th St. to N. 69th St. (ST211100127) File Number 090010: Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$500; Nonassessable Reconstruction Paving Fund -- \$55,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2010 construction season.

14th Aldermanic District

E. Morgan Ave. - (East) S. Iowa Ave. to S. Brust Ave. (ST211090109) File Number 071168: Asphalt pavement resurfacing, replace all curb and gutter, sidewalk and driveway approaches, sodding (6.5-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$29,000; Nonassessable Reconstruction Paving Fund -- \$260,000). The total estimated cost for this project including the requested amount is \$315,000. This project is anticipated to be completed during the 2010 construction season.

; and

Whereas, The report of the Commissioner of Public Works has been filed with the City Clerk; and

Whereas, Notices have been sent to all interested persons and public hearings held; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works' Report, as amended at said Public Hearing, is approved and the properties therein identified are benefited; and, be it

Further Resolved, That said Commissioner of Public Works is authorized and directed to proceed with said work in accordance with said report pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the proper departments take such action as is required of them to assess the abutting or adjacent properties and collect such assessment in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts; and, be it

Further Resolved, That the projects do not involve any parcels of agricultural land which are eligible for deferred special assessments under the provisions of Section 14.30 of the Milwaukee City Charter; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That projects W. Winfield Ave. (ST211090111), W. Park Hill Ave. (ST211100128), W. Stevenson St. (ST211100127), and E. Morgan Ave. (ST211090109) will be billed after January 1, 2012, but not before 12 months after the project contract has been completed; and, be it

Further Resolved, That the following project be deleted from the 2010 Paving Program: Alley E. Fiebrantz Ave. (ST212100102).

..Requestor
Infrastructure Services Division
..Drafter
MLD:dr

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** April 22, 2010

FILE NUMBER: 091622

Original Fiscal Note Substitute

SUBJECT: 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 \$625,800 for a total estimated cost of \$730,000.

B) **SUBMITTED BY (Name/title/dept./ext.):** Mary Dzewiontkoski/Assessment Engineer/Public Works/X2460

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
	Street ST2110		\$625,800		
OTHER:					
TOTALS			\$625,800		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:** The total expenditure includes the cost of engineering, inspection, construction, and city forces.

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

April 1, 2010

File Number

To the Honorable, the Common Council

Dear Council Members:

The Common Council has adopted preliminary resolutions which determined it necessary and in the public interest to make various public improvements and to make special assessments therefore.

The Commissioner of Public Works is filing this report consisting of a list of projects. This report is subject to amendment at the next Public Works Committee Hearing. The plans and specifications of said improvements are on file in the City Engineer's Office.

I am herewith submitting a report regarding the above matter and recommend adoption of the amended resolution approving same.

Respectfully submitted,

Special Deputy Commissioner
of Public Works

MLD:dr
Afr 11
Report Appended

**OFFICIAL NOTICE NUMBER 75
PUBLIC HEARING ON PROPOSED IMPROVEMENTS
AND SPECIAL ASSESSMENTS**

FILE NO. 091622

PUBLIC WORKS COMMITTEE HEARING April 21, 2010

Members Present: Ald. Bauman, Dudzik, Puente, Wade and Donovan

Members Excused:

1st Aldermanic District

W. Lawn Ave. – N. 13th St. to N. Green Bay Ave. (ST211090114):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where needed, sodding (3.5-foot width of tree border area), grading, tree removal where necessary, and install traffic calming speed hump(s).

This project was approved by the Common Council at its April 13, 2010 meeting.

2nd Aldermanic District

W. Winfield Ave. – N. 76th St. to W. Bender Ave. (ST211090111):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-foot width of tree border area), and grading.

---Approve with late billing, by Ald. Donovan. Prevailed. (4-0)

4th Aldermanic District

W. Park Hill Ave. – N. 30th St. to N. 31st St. (ST211100128):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (varies 0 - 10-foot width of tree border area), and grading.

---Approve with late billing, by Ald. Dudzik. Prevailed. (4-0)

6th Aldermanic District

Alley between E. Fiebrantz Ave., N. Hubbard St., N. Richards St., and Lands North (Portions in the City of Glendale) (ST212100102):

Concrete alley pavement construction, place some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

Individual present: Earl Grunewald, 4117 N. Richards St. - Mr. Grunewald

provided committee members with written statements from residents opposed to the project. Ald. Donovan moved to make those statements a part of the record. The motion prevailed.

---Delete by Ald. Donovan. Prevailed. (5-0)

10th Aldermanic District

W. Stevenson St. – N. 68th St. to N. 69th St. (ST211100127):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-foot width of tree border area), and grading.

Individual Present: Sarah Zarate, Ald. Murphy's Legislative Assistant – In favor.

---Approve with late billing, by Ald. Wade. Prevailed. (5-0)

14th Aldermanic District

E. Morgan Ave. – (East) S. Iowa Ave. to S. Brust Ave. (ST211090109):

Asphalt pavement resurfacing, replace all curb and gutter, sidewalk and driveway approaches, sodding (6.5-foot width of tree border area), and grading.

---Approve with late billing, by Ald. Puente. Prevailed. (5-0)

You may examine a copy of the report recommending these projects in Room 908, 841 North Broadway, Milwaukee, Wisconsin during the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday.

*Terry J. MacDonald
Staff Assistant*

**OFFICIAL NOTICE NUMBER 75
PUBLIC HEARING ON PROPOSED IMPROVEMENTS
AND SPECIAL ASSESSMENTS**

There will be a public hearing held by the Public Works Committee of the Common Council of the City of Milwaukee concerning the following improvements and special assessments. The Commissioner of Public Works has determined these improvements are necessary and in the public interest.

The hearing will be held at the date and time shown below:

<p>WEDNESDAY</p> <p>APRIL 21, 2010</p> <p>ROOM 301-B – CITY HALL</p> <p>9:00 A.M.</p>

1st Aldermanic District

W. Lawn Ave. – N. 13th St. to N. Green Bay Ave. (ST211090114):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where needed, sodding (3.5-foot width of tree border area), grading, tree removal where necessary, and install traffic calming speed hump(s).

2nd Aldermanic District

W. Winfield Ave. – N. 76th St. to W. Bender Ave. (ST211090111):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-foot width of tree border area), and grading.

4th Aldermanic District

W. Park Hill Ave. – N. 30th St. to N. 31st St. (ST211100128):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (varies 0 - 10-foot width of tree border area), and grading.

6th Aldermanic District

Alley between E. Fiebrantz Ave., N. Hubbard St., N. Richards St., and Lands North (Portions in the City of Glendale) (ST212100102):

Concrete alley pavement construction, place some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

10th Aldermanic District

W. Stevenson St. – N. 68th St. to N. 69th St. (ST211100127):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-foot width of tree border area), and grading.

14th Aldermanic District

E. Morgan Ave. – (East) S. Iowa Ave. to S. Brust Ave. (ST211090109):

Asphalt pavement resurfacing, replace all curb and gutter, sidewalk and driveway approaches, sodding (6.5-foot width of tree border area), and grading.

You may examine a copy of the report recommending these projects in Room 908, 841 North Broadway, Milwaukee, Wisconsin during the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday.

This notice is published by authority of the Common Council of the City of Milwaukee in accordance with Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances.

Office of the City Clerk, Milwaukee

Ronald D. Leonhardt, City Clerk

April 8, 2010

PW FILE NUMBER: 091622

NAME	ADDRESS	DATE SENT		
Mary Dziewiontkoski	Dept. Public Works – Infra.	4/15/10		
Clark Wantoch	DPW-Infra.	4/15/10		
Ald. Davis		4/15/10		
Ald. Bauman		4/15/10		
Ald. Coggs		4/15/10		
Ald. Murphy		4/15/10		
Ald. Zielinski		4/15/10		



Legislation Details (With Text)

File #: 091621 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:

Title: 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 \$885,000 for a total estimated cost of these projects being \$10,459,000.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS

Attachments: Cover Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/16/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number

091621

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

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 \$885,000 for a total estimated cost of these projects being \$10,459,000.

Analysis

This resolution authorizes engineering studies and directs the Commissioner of Public Works to determine any benefits or damages which would result if the projects were to be constructed. After the Commissioner files his report, a Public Hearing will be held on those projects determined assessable. A resolution will be submitted after the Public Hearing authorizing construction. The City cost for engineering these projects is estimated to be \$885,000 with the total cost estimated to be \$10,459,000.

Body

Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

1st Aldermanic District

N. 19th St. - W. Capitol Dr. to W. Olive St. (ST211120121): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$233,000. This project is anticipated to be completed during the 2012 construction season.

2nd Aldermanic District

W. Hope Ave. - N. 60th St. to N. 62nd St. (ST211110144): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$97,000. This project is anticipated to be completed during the 2012 construction season.

W. Marion St. - N. 61st St. to N. 64th St. (ST211120140): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$11,000). The total estimated cost for this project including the requested amount is \$119,000. This project is anticipated to be completed during the 2012 construction season.

W. Marion St. - N. 66th St. to N. 68th St. (ST211120141): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for

this project including the requested amount is \$74,000. This project is anticipated to be completed during the 2012 construction season.

W. Melvina St. - N. 51st St. to N. 54th St. (ST211120142): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$13,000). The total estimated cost for this project including the requested amount is \$139,000. This project is anticipated to be completed during the 2012 construction season.

N. 94th St. - W. Silver Spring Dr. to W. Carmen Ave. (ST211120127): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$185,000. This project is anticipated to be completed during the 2012 construction season.

2nd and 10th Aldermanic Districts

N. 61st St. - W. Keefe Ave. Pkwy. to W. Capitol Dr. (ST211120125): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$378,000. This project is anticipated to be completed during the 2012 construction season.

3rd Aldermanic District

N. Newhall St. - E. Bradford Ave. to E. Bellevue Pl. (ST211120130): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$211,000. This project is anticipated to be completed during the 2012 construction season.

5th Aldermanic District

W. Auer Ave. - N. 86th St. to N. 91st St. (ST211120138): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$228,000. This project is anticipated to be completed during the 2012 construction season.

W. Carmen Ave. - N. Lovers Lane Rd. to N. 124th St. (ST211120139): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$40,000). The total estimated cost for this project including the requested amount is \$533,000. This project is anticipated to be completed during the 2012 construction season.

W. Florist Ave. - N. 119th St. to N. River Trail Dr. (ST211120137): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$14,000). The total estimated cost for this project including the requested amount is \$141,000. This project is anticipated

to be completed during the 2012 construction season.

W. Peck Ct. - N. 86th St. to a point west of N. 86th St. (ST211060113): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$6,000). The total estimated cost for this project including the requested amount is \$54,000. This project is anticipated to be completed during the 2012 construction season.

N. River Trail Dr. - W. Florist Ave. to W. Lynx Ave. (ST211110145): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$22,000). The total estimated cost for this project including the requested amount is \$265,000. This project is anticipated to be completed during the 2011 construction season.

N. 88th St. - W. Tucker Pl. to W. Capitol Dr. (ST211120120): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$306,000. This project is anticipated to be completed during the 2012 construction season.

N. 89th St. - W. Center St. to W. Burleigh St. (ST211120126): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$35,000). The total estimated cost for this project including the requested amount is \$436,000. This project is anticipated to be completed during the 2012 construction season.

N. 98th St. - W. Keefe Ave. to W. Vienna Ave. (ST211120112): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$193,000. This project is anticipated to be completed during the 2012 construction season.

N. 117th St. - W. Carmen Ave. to W. Florist Ave. (ST211120129): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$163,000. This project is anticipated to be completed during the 2012 construction season.

N. 122nd St. - W. Florist Ave. to W. Lynx Ave. (ST211110146): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$203,000. This project is anticipated to be completed during the 2011 construction season.

7th Aldermanic District

W. Ruby Ave. - N. 36th St. to N. Sherman Blvd. (ST211120114): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$30,000). The total

estimated cost for this project including the requested amount is \$470,000. This project is anticipated to be completed during the 2012 construction season.

N. 39th St. - W. Ruby St. to W. Courtland Ave. (ST211050111): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$264,000. This project is anticipated to be completed during the 2012 construction season.

N. 42nd St. - W. Congress St. to W. Courtland Ave. (ST211120123): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$298,000. This project is anticipated to be completed during the 2012 construction season.

8th Aldermanic District

W. Legion St. - S. 24th St. to S. Layton Blvd. (ST211120115): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$17,000). The total estimated cost for this project including the requested amount is \$180,000. This project is anticipated to be completed during the 2012 construction season.

S. 34th St. - W. Grant St. to W. Rogers St. (ST211120122): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$186,000. This project is anticipated to be completed during the 2012 construction season.

8th and 12th Aldermanic Districts

W. Burnham St. - S. 16th St. to S. Muskego Ave. (ST211020109): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$35,000). The total estimated cost for this project including the requested amount is \$381,000. This project is anticipated to be completed during the 2012 construction season.

9th Aldermanic District

N. 96th St. - W. Brown Deer Rd. to W. Allyn St. (ST211120128): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$35,000). The total estimated cost for this project including the requested amount is \$486,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

W. Chester St. - S. 92nd St. to W. Dixon St. (ST211060127): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading

pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$86,000. This project is anticipated to be completed during the 2012 construction season.

W. Michigan Ave. - N. 91st St. to N. 93rd St. (ST211120131): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$210,000. This project is anticipated to be completed during the 2012 construction season.

W. Schlinger Ave. - S. 84th St. to S. 92nd St. (Portions in the City of West Allis) (ST211120135): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$40,000). The total estimated cost for this project including the requested amount is \$497,000. This project is anticipated to be completed during the 2012 construction season.

W. Townsend St. - N. 54th St. to N. 57th St. (ST211120143): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$127,000. This project is anticipated to be completed during the 2012 construction season.

11th Aldermanic District

W. Montana St. - S. 55th St. to S. 57th St. (ST211120133): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$11,000). The total estimated cost for this project including the requested amount is \$110,000. This project is anticipated to be completed during the 2012 construction season.

S. Sunset Dr. - W. Wedgewood Dr. to W. Morgan Ave. (ST211020114): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$78,000. This project is anticipated to be completed during the 2012 construction season.

W. Warnimont Ave. - W. Eden Pl. to S. Massachusetts Ave. (ST211120117): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$9,000). The total estimated cost for this project including the requested amount is \$93,000. This project is anticipated to be completed during the 2012 construction season.

W. Wedgewood Dr. - S. Honey Creek Dr. to S. 76th St. (ST211120136): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$338,000. This project is anticipated to be completed during the 2012 construction season.

W. Wilbur Ct. - S. 71st St. to a point west of S. 71st St. (ST211120132): Paving the roadway with

asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2012 construction season.

W. Wilbur Ave. - S. 92nd St. to S. 97th St. (ST211120113): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. Paving the roadway with asphalt. (Nonassessable Reconstruction Paving Fund -- \$30,000). The total estimated cost for this project including the requested amount is \$294,000. This project is anticipated to be completed during the 2012 construction season.

S. 55th St. - W. Oklahoma Ave. to W. Cleveland Ave. (ST211120124): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$35,000). The total estimated cost for this project including the requested amount is \$360,000. This project is anticipated to be completed during the 2012 construction season.

S. 83rd St. - W. Holt Ave. to W. Euclid Ave. (ST211120116): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$282,000. This project is anticipated to be completed during the 2012 construction season.

12th Aldermanic District

W. Bruce St. - S. 5th St. to S. 9th St. (ST211030114): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$40,000). The total estimated cost for this project including the requested amount is \$545,000. This project is anticipated to be completed during the 2012 construction season.

W. Burnham St. - S. 13th St. to S. 15th St. (ST21110136): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$225,000. This project is anticipated to be completed during the 2012 construction season.

S. Winona Ln. - W. Forest Home Ave. to W. Burnham St. (ST211120119): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$143,000. This project is anticipated to be completed during the 2012 construction season.

13th Aldermanic District

S. 30th St. - W. Parnell Ave. to W. Wanda Ave. (ST211020105): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$98,000. This project is anticipated

to be completed during the 2012 construction season.

14th Aldermanic District

E. Fernwood Ave. - S. Kinnickinnic Ave. to S. Ellen St. (ST211120118): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$234,000. This project is anticipated to be completed during the 2012 construction season.

S. Shore Dr. - E. Estes St. to E. Ontario St. (ST211120134): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$30,000). The total estimated cost for this project including the requested amount is \$446,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

Further Resolved, That the abutting and adjacent properties be assessed a portion of the cost, said assessment to be recommended by the Commissioner of Public Works in his report; and, be it

Further Resolved, That all assessments and payments be made in accordance with Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That all City departments are authorized to do engineering, surveying, preparing of plans, and estimates of cost thereof, to be utilized in the preparation of said report of the Commissioner of Public Works; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor
Infrastructure Services Division
Drafter
MLD:dr
Apr 11
04/16/10

April 1, 2010

File Number

To the Honorable, the Common Council

Dear Council Members:

Please find attached a "Title Only" resolution for determining it necessary to make various assessable public improvements to be introduced at the next Common Council Meeting. It is our intent to insert the body of the resolution in this jacket prior to the meeting of the Public Works Committee of April 21, 2010.

Respectfully submitted,

Special Deputy Commissioner
of Public Works

MLD:dr
Title only
Apr 11

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: April 16, 2010

FILE NUMBER: 091621

Original Fiscal Note **Substitute**

SUBJECT: 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 \$885,000 for a total estimated cost of these projects being \$10,459,000.

B) SUBMITTED BY (name/title/dept./ext.): Mary Dziejontkoski/Assessment Engineer/Public Works/X2460

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER Paving	ST211		\$885,000		
Water					
TOTALS:			\$885,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION: *The total expenditure includes the cost of engineering, inspection, construction, and city forces. The total cost of this project is \$885,000.*

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 091623 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:

Title: 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 \$1,485,000 for a total estimated cost of these projects being \$13,800,000.

Sponsors:

Indexes: PUBLIC IMPROVEMENTS

Attachments: Cover Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/16/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number

091623

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

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 \$1,485,000 for a total estimated cost of these projects being \$13,800,000.

Analysis

This resolution authorizes engineering studies on projects which by City Charter are nonassessable. After design plans and estimates of costs have been prepared, a resolution authorizing construction will be submitted to the Common Council. The City cost for engineering these projects is estimated to be \$1,485,000 with the total cost estimated to be \$13,800,000.

Body

Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:

1st Aldermanic District

W. Birch Ave. - N. Milwaukee River Pkwy. to N. 11th St. (WT410110638): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$50,000. This project is anticipated to be completed during the 2011 construction season.

W. Custer Ave. - N. 27th St. to 300 feet west of N. 27th St. (WT410110647): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

N. Milwaukee River Pkwy. - 900 feet south of W. Lawn Ave. to 730 feet south of W. Lawn Ave. (WT410110639): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$30,000. This project is anticipated to be completed during the 2011 construction season.

W. Oriole Dr. - N. 33rd St. to N. 35th St. (WT410110623): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$130,000. This project is anticipated to be completed during the 2011 construction season.

W. Rochelle Ave. - N. 37th St. to N. 38th St. (WT410110640): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

W. Silver Spring Dr. - N. 27th St. to 600 feet west of N. 27th St. (WT410110622): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget

Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$140,000. This project is anticipated to be completed during the 2011 construction season.

N. 28th St. - 400 feet north of W. Villard Ave. to 900 feet north of W. Villard Ave. (WT410110648): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$90,000. This project is anticipated to be completed during the 2011 construction season.

N. 29th St. - 675 feet north of W. Villard Ave. to 900 feet north of W. Villard Ave. (WT410110649): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$40,000. This project is anticipated to be completed during the 2011 construction season.

N. 37th St. - W. Kiley Ave. to N. 38th St. (WT410110641): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$190,000. This project is anticipated to be completed during the 2011 construction season.

2nd Aldermanic District

W. Bender Ave. - N. 80th St. to 660 feet west of N. 80th St. (WT410110655): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2011 construction season.

N. 80th St. - W. Bender Ave. to W. Winfield Ave. (WT410110654): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

3rd Aldermanic District

E. Hartford Ave. - N. Shepard Ave. to N. Marietta Ave. (WT410110642): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$65,000. This project is anticipated to be completed during the 2011 construction season.

N. Shepard Ave. - E. Hartford Ave. to E. Newport Ave. (WT410110643): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$135,000. This project is anticipated to be completed during the 2011 construction season.

5th Aldermanic District

W. Appleton Ave. - W. Glendale Ave. to W. Derby Pl. (WT410110002): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$12,000; Nonassessable Water Fund Budget Line 6410 -- \$13,000). The total estimated cost for this project including the requested amount is

\$310,000. This project is anticipated to be completed during the 2011 construction season.

W. Appleton Ave. - W. Hope Ave. to W. Congress St. (WT410110001): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$15,000; Nonassessable Water Fund Budget Line 6410 -- \$15,000). The total estimated cost for this project including the requested amount is \$460,000. This project is anticipated to be completed during the 2011 construction season.

W. Auer Ave. - N. 84th St. to N. 85th St. (WT410110006): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2011 construction season.

W. Fiebrantz Ave. - N. 79th St. to N. 80th St. (WT410110613): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$180,000. This project is anticipated to be completed during the 2011 construction season.

W. Grantosa Ct. - N. 100th St. to W. Fiebrantz Ave. (WT410110663): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project including the requested amount is \$200,000. This project is anticipated to be completed during the 2011 construction season.

W. Hampton Ave. - W. Beckett Ave. to N. 84th St. (WT410110003): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2011 construction season.

N. 80th St. - W. Fiebrantz Ave. to W. Hope Ave. (WT410110614): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$180,000. This project is anticipated to be completed during the 2011 construction season.

N. 81st St. - W. Fiebrantz Ave. to W. Hope Ave. (WT410110615): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$120,000. This project is anticipated to be completed during the 2011 construction season.

6th Aldermanic District

N. Booth St. - E. Lloyd St. to E. Garfield Ave. (WT410110617): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$100,000. This project is anticipated to be completed during the 2011 construction season.

Easement WE232 - E. Nash St. and N. Palmer St. to N. Hubbard St. north of E. Keefe Ave. (WT410110616): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$20,000. This project is anticipated to be completed during the 2011 construction season.

N. 10th St. at W. Ring St. (WT410110629): Water main alteration. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$20,000. This project is anticipated to be completed during the 2011 construction season.

7th Aldermanic District

W. Chambers St. - N. 24th Pl. to N. 25th St. (WT410110650): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

W. Locust St. - N. 20th St. to N. 24th St. (WT410110651): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project including the requested amount is \$280,000. This project is anticipated to be completed during the 2011 construction season.

W. Locust St. - N. 24th Pl. to N. 25th St. (WT410110652): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2011 construction season.

8th Aldermanic District

S. Pearl St./S. 21st St. - W. Mitchell St. to W. Rogers St. (WT410110628): Water main alteration. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$25,000. This project is anticipated to be completed during the 2011 construction season.

S. 36th St. - W. Burnham St. to W. Rogers St. (WT410110004): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$140,000. This project is anticipated to be completed during the 2011 construction season.

9th Aldermanic District

W. Bobolink Ave. - N. 60th St. to N. 61st St. (WT410110620): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2011 construction season.

W. Brentwood Ave. - N. 80th St. to N. 82nd St. (WT410110627): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$120,000. This project is anticipated to be completed during the 2011 construction season.

W. Carmen Ave. - N. 62nd St. to N. 63rd St. (WT410110618): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000).

The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2011 construction season.

N. 60th St. - W. Silver Spring Dr. to W. Douglas Ave. (WT410110619): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$34,000; Nonassessable Water Fund Budget Line 6410 -- \$36,000). The total estimated cost for this project including the requested amount is \$1,280,000. This project is anticipated to be completed during the 2011 construction season.

10th Aldermanic District

S. 88th St. - 300 feet south of W. Adler St. to W. Adler St. (WT410101048): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2010 construction season.

11th Aldermanic District

W. Beloit Rd. (South side) - S. 92nd St. to S. 96th St. (WT410110661): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$12,000; Nonassessable Water Fund Budget Line 6410 -- \$13,000). The total estimated cost for this project including the requested amount is \$330,000. This project is anticipated to be completed during the 2011 construction season.

W. Beloit Rd. (South side) - S. 98th St. to S. 100th St. (WT410110660): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project including the requested amount is \$260,000. This project is anticipated to be completed during the 2011 construction season.

W. Fernwood Cr. at W. Honey Creek Dr. (WT410110632): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project including the requested amount is \$210,000. This project is anticipated to be completed during the 2011 construction season.

W. Jerelyn Pl. - S. 51st St. to 200 feet west of S. 51st St. (WT410110621): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$50,000. This project is anticipated to be completed during the 2011 construction season.

S. Honey Creek Dr. - W. River Bend Dr. to W. Morgan Ave. (WT410110633): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$12,000; Nonassessable Water Fund Budget Line 6410 -- \$13,000). The total estimated cost for this project including the requested amount is \$340,000. This project is anticipated to be completed during the 2011 construction season.

W. Lakefield Dr. - S. 72nd St. to W. Oklahoma Ave. (WT410110635): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$115,000. This project is anticipated to be completed during the 2011 construction season.

W. Montrose Ave. - W. Sumac Pl. to W. Fillmore Dr. (WT410110624): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line

6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

W. New Jersey Ave. - S. 81st St. to S. 83rd St. (WT410110609): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$100,000. This project is anticipated to be completed during the 2011 construction season.

W. Ohio Ave. - W. River Bend Dr. to S. 76th St. (WT410110634): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$190,000. This project is anticipated to be completed during the 2011 construction season.

W. Tripoli Ave. - S. 77th St. to S. 78th St. (WT410110602): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

W. Tripoli Ave. - S. 85th St. to S. 87th St. (WT410110645): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$140,000. This project is anticipated to be completed during the 2011 construction season.

W. Warnimont Ave. - S. 77th St. to S. 78th St. (WT410110610): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2011 construction season.

W. Wilbur Ave. - S. 76th St. to S. 78th St. (WT410110603): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$120,000. This project is anticipated to be completed during the 2011 construction season.

W. Wilbur Ave. - S. 79th St. to S. 80th St. (WT410110604): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$65,000. This project is anticipated to be completed during the 2011 construction season.

W. Wilbur Ave. - S. 83rd St. to S. 92nd St. (WT410110605): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$20,000; Nonassessable Water Fund Budget Line 6410 -- \$20,000). The total estimated cost for this project including the requested amount is \$600,000. This project is anticipated to be completed during the 2011 construction season.

S. 69th St. - W. Euclid Ave. to W. Ohio Ave. (WT410110637): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$160,000. This project is anticipated to be completed during the 2011 construction season.

S. 71st St. - W. Lakefield Dr. to W. Burdick Ave. (WT410110636): Relaying water main.

(Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$130,000. This project is anticipated to be completed during the 2011 construction season.

S. 77th St. - W. Warnimont Ave. to W. Tripoli Ave. (WT410110601): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$12,000; Nonassessable Water Fund Budget Line 6410 -- \$13,000). The total estimated cost for this project including the requested amount is \$335,000. This project is anticipated to be completed during the 2011 construction season.

S. 78th St. - W. Ohio Ave. to W. Verona Ct. (WT410110005): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project including the requested amount is \$200,000. This project is anticipated to be completed during the 2011 construction season.

S. 81st St. - W. Wilbur Ave. to W. New Jersey Ave. (WT410110606): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2011 construction season.

S. 82nd St. - W. Warnimont Ave. to W. Wilbur Ave. (WT410110607): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$130,000. This project is anticipated to be completed during the 2011 construction season.

S. 83rd St. - W. Warnimont Ave. to W. New Jersey Ave. (WT410110608): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$190,000. This project is anticipated to be completed during the 2011 construction season.

S. 85th St. - W. Crawford Ave. to W. Howard Ave. (WT410110644): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$120,000. This project is anticipated to be completed during the 2011 construction season.

S. 91st St. - W. Eden Pl. to W. Wilbur Ave. (WT410110646): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$190,000. This project is anticipated to be completed during the 2011 construction season.

S. 92nd St. - W. Beloit Rd. to W. Howard Ave. (WT410110701): Water main extension. (Nonassessable Water Fund Budget Line 5010 -- \$44,000; Nonassessable Water Fund Budget Line 6410 -- \$46,000). The total estimated cost for this project including the requested amount is \$1,700,000. This project is anticipated to be completed during the 2011 construction season.

S. 97th St. - W. Oklahoma Ave. to W. Beloit Rd. (WT410110662): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$12,000; Nonassessable Water Fund Budget Line 6410 -- \$13,000). The total estimated cost for this project including the requested amount is \$360,000. This project is anticipated to be completed during the 2011 construction season.

12th Aldermanic District

W. Lapham Blvd. - S. 12th St. to S. 15th St. (WT410110630): Abandon water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2011 construction season.

S. 14th St. (vacated) - W. Lapham Blvd. to W. Mitchell St. (WT410110631): Abandon water main and install hydrant. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$30,000. This project is anticipated to be completed during the 2011 construction season.

13th Aldermanic District

W. Green Ave. - S. Marilyn St. to W. Ramsey Ave. (WT410110657): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project including the requested amount is \$240,000. This project is anticipated to be completed during the 2011 construction season.

W. Iona Terr. - S. 31st St. to S. Melinda St. (WT410110658): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$180,000. This project is anticipated to be completed during the 2011 construction season.

W. Mangold Ave. - S. 20th St. to S. 27th St. (WT410110611): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$17,000; Nonassessable Water Fund Budget Line 6410 -- \$18,000). The total estimated cost for this project including the requested amount is \$500,000. This project is anticipated to be completed during the 2011 construction season.

S. Marilyn St. - W. Birchwood Ave. to W. Green Ave. (WT410110656): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$55,000. This project is anticipated to be completed during the 2011 construction season.

W. Saveland Ave. - S. 5th St. to S. 6th St. (WT410110625): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

W. Wanda Ave. - S. 34th St. to S. Lorene Ave. (WT410110659): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

S. 5th St. - W. Warnimont Ave. to W. Saveland Ave. (WT410110626): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project including the requested amount is \$200,000. This project is anticipated to be completed during the 2011 construction season.

S. 13th St. - 340 feet south of W. Howard Ave. to W. Waterford Ave. (WT410110653): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$10,000; Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project including the requested amount is \$200,000. This project is anticipated to be completed during the 2011 construction season.

S. 26th St. - W. Mangold Ave. to W. Alvina Ave. (WT410110612): Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$100,000. This project is anticipated to be completed during the 2011 construction season.

Various

Alterations by Milwaukee Water Works Distribution Section prior to paving (WT410110730): Water main alteration. (Nonassessable Water Fund Budget Line 6410 -- \$15,000). The total estimated cost for this project including the requested amount is \$50,000. This project is anticipated to be completed during the 2011 construction season.

Water Main Alteration by Private Contractor prior to paving (WT410110750): Water main alteration. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$250,000. This project is anticipated to be completed during the 2011 construction season.

Water Main Alterations by Private Contractor prior to sewer construction (WT410110770): Water main alteration. (Nonassessable Water Fund Budget Line 5010 -- \$7,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$200,000. This project is anticipated to be completed during the 2011 construction season.

Water Main Material Inspection (WT410110880): Inspection. (Nonassessable Water Fund Budget Line 6410 -- \$30,000). The total estimated cost for this project is \$30,000. This project is anticipated to be completed during the 2011 construction season.

Post Guarantee Inspections on Water Main Projects (WT440110850): Inspection. (Nonassessable Water Fund Budget Line 5010 -- \$5,000). The total estimated cost for this project is \$5,000. This project is anticipated to be completed during the 2011 construction season.

Suburbs

Review of Consultant Prepared Suburban Construction Plans (WT440110800): Plan review. (Nonassessable Water Fund Budget Line 5010 -- \$30,000; Nonassessable Water Fund Budget Line 6410 -- \$30,000). The total estimated cost for this project is \$60,000. This project is anticipated to be completed during the 2011 construction season.

;and, be it

Further Resolved, That all City Departments are authorized to perform engineering, surveys, plan preparation, and determine an estimated cost thereof; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor
Infrastructure Services Division
Drafter
MLD:dr
Npr 11
04/16/10

April 1, 2010

File Number

To the Honorable, the Common Council

Dear Council Members:

Please find attached a "Title Only" resolution for determining it necessary to make various nonassessable public improvements to be introduced at the next Common Council Meeting. It is our intent to insert the body of the resolution in this jacket prior to the meeting of the Public Works Committee of April 21, 2010.

Respectfully submitted,

Special Deputy Commissioner
of Public Works

MLD:dr
Title only
Npr 11

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** April 16, 2010

FILE NUMBER: 091623

Original Fiscal Note Substitute

SUBJECT: 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 \$1,485,000 for a total estimated cost of these projects being \$13,800,000.

B) **SUBMITTED BY (Name/title/dept./ext.):** Mary Dzewiontkoski/Assessment Engineer/Public Works/X2460

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:	Water WT410		\$1,420,000		
	Water WT440		\$65,000		
OTHER:					
TOTALS			\$1,485,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

--

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:** The total expenditure includes the cost of engineering, inspection, construction, and city forces. The total cost of these projects is estimated to be \$1,485,000.

--

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 091624 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: 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 \$9,115,000 for a total estimated cost of these projects being \$13,161,617.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS

Attachments: Cover Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/16/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number

091624

Version

SUBSTITUTE 1

Reference

091361

Sponsor

THE CHAIR

Title

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 \$9,115,000 for a total estimated cost of these projects being \$13,161,617.

Analysis

This resolution directs the installation and construction of certain public improvements which have been determined to be nonassessable by the Commissioner of Public Works. The City cost of the projects approved by this resolution is estimated to be \$9,115,000. The total estimated cost of these projects is \$13,161,617.

Body

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

Whereas, Plans, specifications and cost estimates have been prepared for the following described improvements:

4th Aldermanic District

Clybourn Street Vertical Lift Bridge over the Milwaukee River (BR100100104): Bridge rehabilitation including structural, mechanical, and hydraulic components. (City Share Non-assessable Structure Fund -- \$7,500,000). (BR100100105): Bridge electrical work and material purchases. (City Share Non-assessable Structure Fund -- \$775,000). The total estimated cost for this project including the requested amount is \$8,725,000. This project is anticipated to be completed during the 2010-2011 construction season.

4th and 12th Aldermanic Districts

S. 2nd St. Quiet Zone (ST320021301) (2445-01-50) File Number 091361: Railroad crossing upgrade. (City Share Non-Assessable Paving Fund - \$360,000). These funds are to be transferred to the construction account ST3200213XX.

Previously Authorized for Quiet Zone Construction: \$0

Current Estimated Cost of Total Project Including this Resolution: \$3,726,739.82

Original Estimated Cost of Total Project (File No. 010810): \$1,832,420

8th Aldermanic District

W. National Ave. - S. Layton Blvd. to S. 39th St. (ST320052301/ST04084800) (2410-12-70) (portions in the Village of West Milwaukee). Special treatment including traffic islands, planters and stamped

colored concrete and replace curb and gutter as necessary.

Grantor Reimbursable Paving Fund -- \$ 480,000;
DCD Share Non-assessable Paving Fund --\$ 120,000; NOTE: DCD funding set up in resolution 091477 (ST04084800).

These funds are to be transferred to the construction account (ST320052310) (2410-12-70).

Previously authorized for street construction: \$0

Current estimated cost of the total project including this resolution: \$ 709,877.18

Original estimated cost of the total project (File Number 050572): \$ 700,000

This project is anticipated to be completed during the 2010 construction season.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is authorized and directed to proceed with said work; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor

Infrastructure Services Division

Drafter

MLD:dr

Nfr 11

04/16/10

April 1, 2010

File Number

To the Honorable, the Common Council

Dear Council Members:

Please find attached a "Title Only" resolution for approving construction of nonassessable public improvements to be introduced at the next Common Council Meeting. It is our intent to insert the body of the resolution in this jacket prior to the meeting of the Public Works Committee of April 21, 2010.

Respectfully submitted,

Special Deputy Commissioner
of Public Works

MLD:dr
Title only
Nfr 11

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: April 16, 2010

FILE NUMBER: 091624

Original Fiscal Note **Substitute**

SUBJECT: 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 \$9,115,000 for a total estimated cost of these projects being \$13,161,617.

B) SUBMITTED BY (name/title/dept./ext.): Mary Dzewiontkoski/Assessment Engineer/Public Works/X2460

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:	Grantor Reimbursable Paving Fund (Fund 0306)	SP32100100	\$480,000	\$480,000	
	City Share Non-Assessable Paving Fund (Fund 0333)	ST320100000	\$360,000		
	City Share Non-Assessable Structure Fund (Fund 0303)	BR100100000	\$8,275,000		
EQUIPMENT REPAIR:					
OTHER Structure					
TOTALS:			\$9,115,000	\$480,000	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Expenditure = \$9,115,000
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Revenue = \$480,000
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION: *The total expenditure includes the cost of engineering, inspection, construction, and city forces.*

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

**Capital Grant Resolution Certification from the
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. 091624 for two project (1)S 2ND St Quiet Zone and (2)W National Ave from S Layton Blvd to S 39th St (City Share \$480,000. Grantor Share \$480,000) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: C. Womish

Date: 4/9/10

2445-01-50 S 2nd Street Quiet Zone - City Share \$360,000; Grantor Share \$0

2410-12-70 W National Ave from S Layton Blvd to S 39th St - City Share \$120,000 (From DCD); Grantor Share \$480,000



Legislation Details (With Text)

File #: 091661 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Marquette University for the relocation of a water main in conjunction with reconstructing and streetscaping a street abutting the new Marquette University Law School Building.

Sponsors: ALD. BAUMAN

Indexes: AGREEMENTS, STREET IMPROVEMENTS, WATER MAINS

Attachments: Fiscal Note.pdf, Coverl Letter.pdf, Agreement.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

NUMBER
091661
VERSION
ORIGINAL
REFERENCE

SPONSOR
ALD. BAUMAN
TITLE

Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Marquette University for the relocation of a water main in conjunction with reconstructing and streetscaping a street abutting the new Marquette University Law School Building.

ANALYSIS

This resolution authorizes the Commissioner of Public Works to execute an Out-of-Program Agreement on behalf of the City of Milwaukee between Marquette University and the City of Milwaukee. This agreement pertains to the relocation of a water main project. This project is a result of a streetscaping project.

BODY

Whereas, Marquette University is constructing a new Law School Building located at 1215 West Michigan Street; and

Whereas, In conjunction with the building construction, Marquette University is reconstructing the street abutting the new building, (location is more particularly described by Exhibit "A"); and

Whereas, A City of Milwaukee water main is located within the limits of the above mentioned street; and

Whereas, The proposed elevation of the street is significantly lower than current elevation which requires the water main to be lowered; and

Whereas, The cost of the relocation of the water main will be funded entirely by Marquette University, cost to include construction costs, material costs, and engineering and inspections costs; and

Whereas, The project is on a very aggressive schedule which requires the construction of all proposed City and private utilities to start in January of 2008, and the roadway construction during the 2009 construction season; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Out-of-Program Agreement attached to this file is hereby approved and the proper City officers are hereby authorized to execute said agreement on behalf of the City; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to accept funds from Marquette University as outlined in the Out-of-Program Agreement for the purpose of preparing or reviewing design engineering plans and for the purpose of inspecting construction of the public improvements; and, be it

Further Resolved, That the Commissioner is authorized to make minor, non-substantive changes to the Out-of-Program Agreement prior to its execution.

Drafter
DPW-ADM
GK:mra
April 12, 2010
Marquette Law School Res

CITY OF MILWAUKEE FISCAL NOTE

A) DATE April 12, 2010

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with Marquette University for the relocation of a water main in conjunction with reconstructing and streetscaping a street abutting the new Marquette University Law School Building.

B) SUBMITTED BY (Name/title/dept./ext.): Ghassan Korban/Coordination Manager/3304

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

--	--

April 12, 2010

To the Honorable, the Common Council

Dear Honorable Members:

We are submitting for your consideration the attached resolution authorizing the Commissioner of Public Works to execute an Out-of-Program Agreement between the City of Milwaukee and Marquette University.

Please have this file introduced at the April 13th Common Council meeting. If you have any questions or would like additional information, please contact Ghassan Korban at extension 3304.

Very truly yours,

Jeffrey J. Mantes
Commissioner of Public Works

JJM:GK:mra
Attachments
c: Ald. Bauman
G. Korban
File

THIS AGREEMENT, By and between Marquette University, hereinafter known as MU and the City of Milwaukee, a municipal corporation, hereinafter known as "City";

WITNESSETH:

IN CONSIDERATION of the sum of One Dollar (\$1.00) to each party in hand paid by the other, receipt whereof is hereby acknowledged, and in further consideration of the covenants and agreements hereinafter contained.

WHEREAS, MU is constructing a new Marquette University Law School Building, and

WHEREAS, In conjunction with the building construction, MU is reconstructing the street abutting the new building, (location is more particularly described by Exhibit "A"; and

WHEREAS, A City of Milwaukee water main is located within the limits of the above mentioned street; and

WHEREAS, The proposed elevation of the street is significantly lower than current elevation which requires the water main to be lowered; and

WHEREAS, The cost of the relocation of the water main will be funded entirely by MU, cost to include construction costs, material costs, and engineering and inspections costs; and

NOW, THEREFORE, In consideration of these premises and the mutual benefits herein accruing and for other good and valuable considerations,

IT IS AGREED, By and between the parties hereto that:

1. Funding Obligation

MU agrees to provide all funds necessary for design, construction, and inspection of the new water main.

2. Design Review

City shall review the water main alterations necessitated by the streetscape project. The proposed alterations to the water main have been design by the MU civil engineering consultant, R.A. Smith National. R.A. Smith National is also the designer of the streetscape project; therefore, the design of the water main is accommodated within the streetscape design.

3. Construction Option

MU and the Commissioner of Public Works have agreed that MU will let and administer the construction contract for the water main relocation covered by this Agreement. This agreement formalizes MU intent to manage the construction activities as it relates to the relay of the water main. The City shall perform its normal inspections during the course of construction. In addition, MU agrees to make a good faith effort to comply with and administer on behalf of the City, all applicable City rules and requirements pertaining to Emerging Business Enterprise and local resident involvement in the construction contract. MU agrees to comply with the Wisconsin Prevailing Wages. MU will furnish the City with an affidavit confirming compliance with the Wisconsin Prevailing Wages.

MU shall not authorize any changes in improvement plans without the prior approval of the Commissioner of Public Works. All payments to contractors must be pre-approved by the Commissioner.

4. Water Main Improvements

The estimated cost for plan review for the new water main is \$2,900. The estimated costs to construct and inspect the sewer improvements are as follows:

Construction (includes all materials and fittings)	\$65,125
Inspection (including as-built drawings)	\$14,600

Attached is the bid proposal accepted by MU which shall be used as the basis for determining the cost of the work.

5. Design Review and Inspection Fees

MU shall provide the \$17,500 fee for the review of the water main design and all inspections required by the City in the form of a check made out to the City of Milwaukee prior to the commencement of any work on the water main.

6. Easements

If needed, MU agrees to provide, where necessary and at no cost to the City, all easements and other property rights required to construct, operate and maintain the public improvements described herein.

7. Funding Guarantee for Construction

MU shall submit an irrevocable Letter of Credit or other funding guarantee, satisfactory in format to the City Attorney, in an amount equal to the estimated construction contract cost and all materials

and fittings (i.e. \$65,125) for the public infrastructure improvements that will be constructed by third party contractors prior to the award of any contracts, whether privately or publicly let. At the request of MU, the actual contract amount for the various improvements may be substituted for the estimated costs. In addition, the amount of the Letter of Credit may be reduced periodically to reflect payments made to contractors. Any such reductions shall be approved by the Commissioner of Public Works.

Any and all irrevocable Letters of Credit shall guarantee that MU's bank or savings and loan will provide the required funds to cover the contract cost of installing the applicable infrastructure improvements and will, upon simple request by the Commissioner of Public Works and the City Treasurer, release same to City as required, all such funds to be furnished interest free. The Letter of Credit or other funding guarantee shall be submitted to the City prior to the City or MU entering into any contracts for installation of public improvements.

8. Payments

In the event the City lets the public improvement construction contract, the contract costs for the public improvements will be billed to MU upon determination that such costs have been incurred by City. MU shall provide the City with funds to make contract payments. If such funds are not provided within 30 days of being requested, City may draw against the funding guarantee referenced in paragraph 10. It shall be further understood and agreed that where MU funded work covered under the terms of this Agreement does not proceed to the bid or contract stage, the City shall still retain a sufficient amount of the MU's design review and

inspection fee fund to cover expenses incurred by the City for plan review work commenced by the City at the MU's request.

9. Refunds

Upon completion of the public improvements and all associated City work, City shall return any unspent portions of MU cash deposits (i.e. the Engineering Design Deposit and the Construction Engineering Deposit).

10. Inspections

Both parties agree that all materials furnished and all work performed hereunder shall conform to all regulations and specifications of the City of Milwaukee and its Commissioner of Public Works and shall be subject to inspection by the Department of Public Works. All engineering and inspection costs incidental to the installation of the public improvements covered by this Agreement shall be subject to the terms of this Agreement, the cost of such service when furnished by City being established as the wages of the person or persons engaged in such work plus all costs of overhead.

11. Ownership of Public Improvements

It is understood and agreed by both parties hereto that upon satisfactory completion to the water main improvements installed under the terms of this Agreement, title to such improvements shall vest in the City of Milwaukee and that the City will accept the obligation of operation and maintenance in accordance with its standard practice.

12. Termination of Existing Water Main Easement

In connection with the water main improvements described in paragraph 4 above, an existing, recorded water main easement, a copy of which is attached hereto as Exhibit "B", will be vacated by the City and the section of water main located therein will be abandoned. The City shall record such termination of the easement upon execution of this agreement and upon provision by MU of the deposits and funding guarantees listed in paragraphs 9, 10, and 11.

13. City Ordinances and Regulations

City warrants that all work shall be undertaken in accord with City standard and customary public works contracting procedures unless such work is to be undertaken by City Forces or by MU per paragraph 3. It is further understood and agreed that this Agreement is subject to all City ordinances and regulations and nothing herein shall be deemed to waive or supersede such requirements.

THIS AGREEMENT, drafted by the City of Milwaukee, shall be binding upon MU and its successors and assigns, and upon the City, its successors and assigns.

IN WITNESS WHEREOF, the proper City Officers have caused this document to be signed and the City's seal to be affixed this _____ day of _____, 2010.

CITY OF MILWAUKEE

In Presence Of:

Tom Barrett, Mayor

City Clerk

COUNTERSIGNED

Comptroller

STATE OF WISCONSIN)
) SS
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2010, Tom Barrett, Mayor of the City of Milwaukee, a municipal corporation, to me known to be the person who executed the foregoing instrument and to me known to be such Mayor of said municipal corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said municipal corporation, its authority, and pursuant to Resolution File No. _____ adopted _____, 2010.

Notary Public, State of Wisconsin

My Commission expires: _____

STATE OF WISCONSIN)
) SS
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2010,
Ronald Leonhardt, City Clerk of the above-named municipal corporation, to me known
to be the person who executed the foregoing instrument and to me known to be such
City Clerk of said municipal corporation, and acknowledged that he executed the
foregoing instrument as such officer as the deed of said municipal corporation, its
authority, and pursuant to Resolution File No. _____, adopted
_____, 2010.

Notary Public, State of Wisconsin

My Commission expires: _____

STATE OF WISCONSIN)
) SS
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2010,
W. Martin Morics, City Comptroller of the City of Milwaukee, a municipal corporation, to
me known to be the person who executed the foregoing instrument and to me known to
be such City Comptroller of said municipal corporation, and acknowledged that he
executed the foregoing instrument as such officer as the deed of said municipal
corporation, its authority, and pursuant to Resolution File No. _____, adopted
_____, 2010.

Notary Public, State of Wisconsin

My Commission expires: _____



Legislation Details (With Text)

File #: 091663 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing the execution of a Parking, Access and Maintenance Agreement and Easement (Palermos Properties Project).

Sponsors: ALD. BAUMAN

Indexes: AGREEMENTS, EASEMENTS, PARKING

Attachments: Fiscal Note, Cover Letter, Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091663

Version

ORIGINAL

Reference

Sponsor

ALD. BAUMAN

Title

Resolution authorizing the execution of a Parking, Access and Maintenance Agreement and Easement (Palermos Properties Project).

Analysis

This resolution authorizes execution of a Parking, Access and Maintenance Agreement and Easement (Palermos Properties Project) required in conjunction with the conveyance of additional lands in the Menomonee Valley from the Redevelopment Authority to Palermos Properties LLC.

Resolution

Body

Whereas, The Redevelopment Authority previously conveyed lands located in the Menomonee Valley at 3301 West Canal Street to Palermos Properties LLC for construction of a manufacturing facility; and

Whereas, Palermos Properties LLC has exercised its option to acquire additional contiguous lands for expansion of its manufacturing facilities; and

Whereas, Palermos requires certain non-exclusive rights and easements for the expansion, use and maintenance of surface parking facilities located beneath the 35th Street viaduct immediately to the West of the Palermos manufacturing facilities; and

Whereas, Palermos also requires certain non-exclusive rights and easements over the area immediately to the South of the option parcel for the construction, operation, use and maintenance of a stormwater detention basin; and

Whereas, The City and the Redevelopment Authority require certain non-exclusive rights and easements over the Palermos Parcel to permit construction, operation and maintenance of regional stormwater management facilities, the 35th Street viaduct and the South 33rd Court right-of-way; and

Whereas, A draft Parking, Access and Maintenance and Easement (Palermos Properties Project) is on file with the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Parking, Access and Maintenance Easement and Agreement (Palermos Properties Project) is hereby approved and the proper City officers are hereby authorized and directed to execute and deliver a Parking, Access and Maintenance Agreement and Easement in substantially the form on file with the Common Council, with such minor non-substantive revisions as may be approved by the Commissioner of City Development and the Office of the City Attorney.

Requestor

City Attorney

Drafter

TOG:mll/156842

April 9, 2010

1089-2008-2874

CITY OF MILWAUKEE FISCAL NOTE

A) DATE: April 9, 2010

FILE NUMBER: _____

ORIGINAL FISCAL NOTE SUBSTITUTE

SUBJECT: Resolution authorizing the execution of a Parking, Access and Maintenance Agreement and Easement (Palermos Properties Project).

B) SUBMITTED BY name/title/dept./ext.): Thomas O. Gartner, Assistant City Attorney, ext. 2601

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY) Damages and Claims Fund

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



Milwaukee's Future: IT'S IN OUR HANDS
www.milwaukee.gov/2010census

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

April 9, 2010

VIA E-MAIL

Ronald D. Leonhardt, City Clerk
Attn: Ms. Terry MacDonald
City Hall, Room 205

Attn: Ms. Linda Elmer
Common Council, City Clerk
City Hall, Room 205

Re: Resolution Authorizing the Execution of a Parking, Access and Maintenance Agreement and Easement (Palermos Properties Project)

Dear Mr. Leonhardt:

Attached for introduction at the next meeting of the Common Council is a Resolution Authorizing the Execution of a Parking, Access and Maintenance Agreement and Easement (Palermos Properties Project). I have spoken with Alderman Bauman and he has approved the introduction of this file and agreed to act as sponsor.

Thank you for your cooperation with respect to this matter.

Very truly yours,

THOMAS O. GARTNER
Assistant City Attorney

TOG/ml:156845
Enclosure

c: Alderman Robert Bauman (via email)
David P. Misky (via email)
Dean R. Richards (via email)
Angelo Falluca (via email)
Ghassan Korban (via email)
Elaine Miller (via email)

1089-2008-2874

PARKING, ACCESS, AND MAINTENANCE
AGREEMENT AND EASEMENT

Document Number

Document Title

**PARKING, ACCESS, AND MAINTENANCE
AGREEMENT AND EASEMENT**

(PALERMOS PROPERTIES PROJECT)

Recording Area

Name and Return Address

Dean B. Richards, Esq.
Reinhart, Boerner & Van Deuren, S.C.
P.O. Box 2265
Waukesha, WI 53187

Part of 424-999-113-9

Parcel Identification Number (PIN)

**PARKING, ACCESS AND MAINTENANCE
AGREEMENT AND EASEMENT

(PALERMOS PROPERTIES PROJECT)**

This NON-EXCLUSIVE PARKING, ACCESS AND MAINTENANCE AGREEMENT AND ESEMENT (this "Agreement") is entered into as of the ____ day of April, 2010 by and among the REDEVELOPMENT AUTHORITY OF THE CITY OF MILWAUKEE, a public body corporate and politic organized and existing under the laws of the State of Wisconsin ("RACM") the CITY OF MILWAUKEE, a Wisconsin municipal corporation ("CITY") and PALERMOS PROPERTIES, a Wisconsin limited liability company ("PALERMOS").

WITNESSETH

WHEREAS, PALERMOS is the owner of certain real property depicted in EXHIBIT A as Lot 1 (the "Palermos Parcel"); and

WHEREAS, PALERMOS is developing a manufacturing facility on the Palermos Parcel; and

WHEREAS, the west boundary of the Palermos Parcel abuts real property which is owned by RACM and a portion of which located immediately beneath the 35th Street viaduct over the Menomonee River Valley; and

WHEREAS, PALERMOS and RACM previously entered into a Non-Exclusive Parking and Maintenance Agreement and Easement (Palermos Parcel 1) dated as of the 30th Day of September, 2005, recorded with the Milwaukee County Register of Deeds on _____, 2005 as Document No. _____, (the "First Parking Easement"); and

WHEREAS, This Agreement encompasses the area subject to the First Parking Easement and additional areas necessary to allow PALERMOS to expand its existing parking

facilities in conjunction with the expansion of the existing manufacturing facilities on the Palermos Parcel; and

WHEREAS, This Agreement replaces and supersedes the First Parking Easement which is to be terminated and released by the execution and delivery of a Release of Easements in substantially the form attached as EXHIBIT B; and

WHEREAS, PALERMOS requires non-exclusive certain rights and easements for the expansion, use and maintenance of surface parking facilities on the area immediately to the west of the Palermos Parcel as depicted on Certified Survey Map No. 2770 and legally described on EXHIBIT C (the "Parking Easement Area"); and

WHEREAS, RACM is the owner of certain real property depicted in EXHIBIT A as Lot 2 ("Lot 2") which is to be improved to create stormwater detention facilities to serve the Palermos Parcel and also incorporated into the overall stormwater facilities developed by RACM to serve the Menomonee Valley Industrial Center (the "Regional Stormwater Management Facilities"); and

WHEREAS, RACM requires certain non-exclusive rights and easements over the Palermos Parcel to provide ingress and egress to Lot 2 to allow for the improvement, use and maintenance of Lot 2 and the outfall depicted on EXHIBIT A as part of the Regional Stormwater Management Facilities; and

WHEREAS, PALERMOS requires certain non-exclusive rights and easements over Lot 2 to allow construction of a stormwater detention basin and to permit the operation, use and maintenance of such stormwater detention basin; and

WHEREAS, RACM and CITY require certain non-exclusive rights and easements over the Palermos Parcel to provide ingress and egress to the Parking Easement Area to allow the

improvement, use, maintenance and reconstruction of the 35th Street viaduct located above the Parking Easement Area; and

WHEREAS, The parties acknowledge and agree that the “31’ wide access easement for Parcel 2” depicted on CSM #7707 and the “45’ wide stormwater drainage easement” depicted on CSM #7701 will be replaced and superseded by this Agreement and are to be terminated and released by the execution and delivery of a Release of Easements in substantially the form attached as EXHIBIT B; and

WHEREAS, In conjunction with the expansion of the existing manufacturing facilities on the Palermos Parcel the driveway access to the Palermos Parcel from South 33rd Court is to be reconfigured and three new public parking spaces will be created and are to be located, in part, on the Palermos Parcel; and

WHEREAS, CITY requires an easement over the Palermos Parcel for the area depicted on EXHIBIT ____ and legally described on EXHIBIT ____ to allow construction of the three new public parking spaces and to permit the improvement operation, use and maintenance of such parking spaces as part of the South 33rd Court right-of-way; and

NOW, THEREFORE, in consideration of terms, conditions and mutual covenants herein and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

I.

Grant of Parking Easement

RACM hereby grants to PALERMOS a perpetual, non-exclusive easement (the “Parking Easement”) upon, in, over and under the Parking Easement Area. The Parking Easement is granted for vehicular parking and pedestrian and vehicular access to and from the Palermos

Parcel; for pedestrian and vehicular circulation within and between portions of the Palermos Parcel; for vehicular and pedestrian ingress and egress over, upon and across the Parking Easement Area to obtain access for the construction, operation, use, maintenance and repair (including reconstruction and restoration) of sidewalks, paving, landscaping and other facilities related to the operation of surface parking facilities serving the Palermos Parcel; and for the benefit of the Palermos Parcel. The Parking Easement is limited in height underneath the 35th Street viaduct and only extends to, but does not include, the bottom surface of the viaduct structure. In addition, the location of all improvements in the Parking Easement Area shall be subject to the prior approval of the City of Milwaukee's Commissioner of Public Works (the "Commissioner"), which approval shall not be reasonably conditioned, delayed or withheld.

II.

Conditions of Grant of the Parking Easement

The Parking Easement is granted to PALERMOS upon, and the parties shall be bound by, the following conditions:

A. CITY's Department of Public Works will continue to have access to the Parking Easement Area for the improvement, maintenance, repair and reconstruction of the 35th Street viaduct, and PALERMOS' use of the land beneath the viaduct shall not unreasonably hinder access by the CITY's agents and employees for such purposes.

B. PALERMOS shall not place any permanent structures in the Parking Easement Area other than pavement, landscaping, lighting and other facilities reasonably related to the maintenance and construction of surface parking facilities, and all as approved by the Commissioner.

C. All construction performed and all improvements located in the Parking Easement Area shall conform with all applicable CITY standards, ordinances, building and zoning codes and all other applicable CITY regulations.

D. In no event shall the construction or installation by PALERMOS of any improvement in the Parking Easement Area interfere with the public's or the CITY's use of the 35th Street viaduct or interfere with any CITY utilities, facilities or other items belonging to the CITY which are located within the Parking Easement Area.

E. All landscaping, pavement, lighting, signs, or other items placed in the Parking Easement Area by PALERMOS shall be installed, maintained, and repaired by PALERMOS at its sole expense.

F. No flammable or hazardous materials shall be stored by PALERMOS within the Parking Easement Area.

G. Parking on the Parking Easement Area shall be available to PALERMOS at all times during which PALERMOS is operating its facility for business, and PALERMOS shall use its best efforts to ensure that parking is only made available to its employees, occupants, contractors, subcontractors, guests, invitees, or agents. CITY and RACM acknowledge that PALERMOS has the right to construct a fence within the Parking Easement to limit parking access as provided in the preceding sentence.

H. CITY shall have the right to require removal of any materials, equipment, supplies, or improvements placed under the viaduct by PALERMOS if and when viaduct maintenance, repair or reconstruction activities so require. CITY shall save harmless PALERMOS from any loss, damage, injury or liability resulting from negligence on the part of CITY in connection with said work; provided that if such loss, damage, injury or liability results

from the joint negligence of CITY and PALERMOS, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses which under law CITY and PALERMOS are entitled to raise.

I. PALERMOS will save and keep CITY and RACM clear and harmless from any claims for personal injuries or property damage asserted against it and caused by any negligence of PALERMOS or persons other than PALERMOS for whom PALERMOS has responsibility or legal liability, arising out the construction, installation or maintenance by PALERMOS of any item in the Parking Easement Area, and shall reimburse CITY for the full amount of such loss or damage.

J. PALERMOS shall throughout the term of this Agreement carry, at its expense, insurance in the forms and with at least the coverages set forth on EXHIBIT “____” hereto. RACM retains the right, at its sole discretion to adjust the foregoing coverage limits annually, effective on each January 1 of the term of this Agreement, to such insurance coverages and limits which are customarily provided at that time, by similar enterprises, and are commercially reasonable at that time. Said insurance shall be written by a reputable company licensed in the State of Wisconsin. PALERMOS shall furnish a Certificate of Insurance naming RACM and the CITY as additional named insureds. The Certificate shall provide that the insurance company will furnish RACM and the CITY with a sixty (60) day written notice of cancellation, nonrenewal or material change.

K. After the location and installation of improvements in the Parking Easement Area have been approved by the Commissioner, CITY shall not unreasonably interfere with the use or operation of such improvements; provided, however, that CITY shall have the right to repair,

maintain, replace and/or reconstruct any CITY utility or improvement belonging to CITY. In the course of any such work, the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings or improvements other than ordinary lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed in the course of doing such work. However, CITY shall save harmless PALERMOS from any loss, damage, injury or liability resulting from negligence on the part of CTIY in connection with said work; provided that if above loss, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses which under law CITY and PALERMOS are entitled to raise.

L. This Agreement, and the easement rights granted herein, may not be assigned or otherwise conveyed or sold to any person or entity that does not also own the Palermos Parcel without the written consent of RACM.

III.

Working Scheduling and Access

All construction or repair work by either PALERMOS or CITY in the Parking Easement Area shall be scheduled in advance by CITY and PALERMOS and coordinated with the Commissioner and PALERMOS or its agent responsible for scheduling such work, except in case of emergency when such notice and approval is not practical. PALERMOS and CITY will cooperate in good faith to ensure that CITY's access to the Parking Easement Area is reasonable and at such times and in such a manner that will avoid or minimize any disruption of or adverse impact on PALERMOS' property and operations (located on either on the Palermos Parcel or the Parking Easement Area). Without limiting the generality of the foregoing, CITY shall advise

PALERMOS from time to time of its expected needs for access to the Parking Easement Area for maintenance, repair or reconstruction of the 35th Street viaduct and PALERMOS and CITY shall endeavor to develop mutually agreeable schedules for such access. In all events, CITY shall give not less than ten (10) days' prior notice to PALERMOS each time that CITY will access the Parking Easement Area for construction or repair (except only in the case of emergency, provided that CITY shall in each such case give PALERMOS as much prior notice as is reasonably possible under the circumstances). Each such notice by CITY shall include the dates and times that such access will commence, the dates and times that such access will conclude, and the nature of the access and work (including without limitation the amount and type of equipment and the number of personnel to be included in such access).

IV.

Safety.

CITY and PALERMOS shall take all precautionary measures to protect the public from hazards related to their respective work on the Parking Easement Area and shall take all necessary steps to minimize impacts to PALERMOS' property and operations (including but not limited to PALERMOS' land, real property improvements, and all personal property). Without limiting the foregoing, in the event of emergency repair or access, CITY and PALERMOS shall work together to minimize disruption and impacts to PALERMOS' property and operations (including but not limited to PALERMOS land, real property, improvements, and all personal property).

V.

Insurance

Any and all private contractors engaged by CITY for work in the Parking Easement Area shall, prior to commencement of any construction work, furnish to PALERMOS a certificate of insurance evidencing the existence of public liability insurance naming PALERMOS as insured in amounts customary for CITY contracts. Any and all private contractors engaged by PALERMOS for work in the Parking Easement Area shall, prior to commencement of any construction work, furnish to CITY a certificate of insurance evidencing the existence of public liability insurance naming CITY as insured in such amount or amounts as CITY may reasonably require.

VI.

Remedies

In the event of any failure on the part of PALERMOS or CITY in the performance of any obligation hereunder relative to the Parking Easement Area, the party to whom such obligation is owed shall have the right to perform such obligation after first giving the failing party or parties not less than fifteen (15) days' notice of intention to do so, unless the failing party or parties shall within such fifteen (15) day period commence to perform such obligation and continue diligently therewith until such obligation be fully performed. Each party shall have a license to enter the Parking Easement Area to such extent as is necessary for the taking of such measures, and the failing party or parties shall pay to the performing party all costs incurred by the latter in accomplishing such performance. Any sum of money not paid when due shall bear interest until paid at the annual rate equal to the prime rate of interest in effect as the base rate on corporate loans at large U.S. money center commercial banks as published by the Wall Street Journal on the date of the described notice, adjusted with each change in such published rate, plus three percent (3%) or such other measure agreed to by the parties. All the rights granted to the parties

hereto by the provisions of this paragraph shall be in addition to all other rights which shall at such time be available by law. Enforcement of this Agreement may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any covenant herein, either to restrain or prevent such violation or to obtain any other relief. In the event a suit should be brought to enforce this Agreement, the prevailing party shall be entitled to recover its costs, including reasonable attorney's fees from the non-prevailing party.

VII.

Grant of Detention Basin Easement

RACM hereby grants to PALERMOS a perpetual, non-exclusive drainage easement upon, in, over and under Lot 2 (the "Detention Basin Easement"). The Detention Basin Easement is granted for the purpose of draining stormwater from the Palermos Parcel into a detention basin, to be constructed by PALERMOS on Lot 2, on a permanent basis. The location and design of all improvements on Lot 2 shall be subject to the prior approval of the Commissioner, which approval shall not be unreasonably conditioned, delayed or withheld.

VIII.

Conditions of Grant

A. RACM shall retain ownership of Lot 2 and designate and include it as part of the Menomonee Valley Industrial Center Stormwater Management Facility. Lot 2 shall be made subject to that certain Menomonee Valley Industrial Center Drainage Easement and Stormwater Management Facility Maintenance Agreement dated as of _____, 2010 (the "Stormwater Facility Easement").

B. Lot 2 shall be maintained and kept in good order by RACM or the party responsible for maintenance of the Regional Stormwater Management Facilities under the terms

of the Stormwater Facility Easement. Notwithstanding the foregoing, PALERMOS shall also have access to Lot 2 at all times for the improvement, operation, use and maintenance of Lot 2 for a stormwater detention basin to serve the Palermos Parcel.

C. PALERMOS expressly agrees to indemnify and hold RACM harmless from and against any and all claims or demands for damages, costs, loss of use expenses, consequential damage, or any other thing whatsoever arising out of the construction of the detention basin, and the actions of PALERMOS in the operation, maintenance or use of Lot 2 for storm water detention.

D. No above grade structures other than fencing are permitted within Lot 2.

IX.

Grant of Public Maintenance Easement

PALERMOS hereby grants to RACM and CITY a perpetual, non-exclusive easement (the "Public Maintenance Easement") over the variable width access area depicted along the South line of the Palermos Parcel and the "15' wide storm sewer easement for the benefit of the City of Milwaukee" as each are depicted on Certified Survey Map No. 2770, (collectively the "Public maintenance Easement Area"). The Public Maintenance Easement is granted for ingress and egress to the Parking Easement Area and Lot 2 to allow RACM and CITY to improve, maintain, repair and reconstruct the Regional Stormwater Management Facilities, including the outfall depicted on EXHIBIT A and located within the 15' wide storm sewer easement for the benefit of the City of Milwaukee, and the 35th Street Viaduct.

X.

Conditions of Grant of the Public Maintenance Easement

The Public Maintenance Easement is granted to RACM and CITY upon, and the parties shall be bound by, the following conditions:

A. all

XI.

Grant of Public Parking Space Easement

PALERMOS hereby grants to CITY a perpetual easement (the "Public Parking Easement") over the area depicted on EXHIBIT ___ and legally described on EXHIBIT ____ (the "Public Parking Easement Area") to permit the improvement, operation and maintenance of three public parking spaces in conjunction with the southerly terminus of the South 33rd Court right-of-way.

XII.

Conditions of Grant of Public Parking Space Easement

[Public Access, Maintenance as part of ROW, Liability?]

XIII.

Miscellaneous

A. Binding Effect. All the terms, conditions, covenants and other provisions contained in this Agreement, including the benefits and burdens, shall run with the land and shall inure to the benefit of, and be binding upon, the parties hereto and their respective successors and assigns, including, but without limitation, all subsequent owners of the Palermos Parcel, the Parking Easement Area, Lot 2 and the Public Parking Space Easement Area or any part thereof and all persons claiming under them. The rights and obligations granted hereunder shall be appurtenant to and encumber any sale of the Palermos Parcel.

B. Non-Use. Non-use or limited use of the easement rights granted herein shall not prevent the benefiting party from later use of the same to the fullest extent authorized herein.

C. Severability. If a term, covenant, or condition of this Agreement or the application thereof to any person or circumstance shall be deemed invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby, and each term, covenant and condition shall be valid and enforceable to the fullest extent permitted by law.

D. Non-Waiver. No delay or omission by any party in exercising any right or power accruing upon any default, non-compliance or failure of performance of any of the provisions of this Agreement shall be construed to be a waiver thereof. A waiver by a party of any of the obligations of another party shall not be construed to be a waiver of any subsequent obligation or breach of any other term, covenant or condition of this Agreement.

E. Non Dedication. Nothing contained herein shall be deemed to be a gift or

dedication of any portion of the easements granted hereunder to the general public or for any public purpose whatsoever.

F. Notices. All notices, demands, certificates, or other communications under this Agreement shall be in writing. They shall be deemed given (a) when hand delivered to the address below; (b) when transmitted by facsimile to the number below with electronic confirmation of receipt; or (c) two business days after being mailed by first-class mail, postage pre-paid, to the address below. Any party may, by written notice to the other parties, designate a change of address for these purposes.

If to CITY: City of Milwaukee
 Department of Public Works
 Attention: Commissioner
 841 North Broadway
 Milwaukee, WI 53202
 Fax: (414) 286-0395

If to RACM: Redevelopment Authority of the City of Milwaukee
 809 North Broadway
 Milwaukee, WI 53202
 Attn: Commissioner
 Fax: (414) 286-5900

If to PALERMOS: PALERMOS PROPERTIES LLC
 3301 West Canal Street
 Milwaukee, WI 53208
 Attn: Angelo Fallucca

With a copy to: Dean B. Richards
 Reinhart Boerner Van Deuren, S.C.
 P.O. Box 2265
 Waukesha, WI 53187
 Fax:

PALERMOS PROPERTIES LLC

**REDEVELOPMENT AUTHORITY
OF THE CITY OF MILWAUKEE**

By: _____

By: _____
Lois A. Smith, Chair

By: _____
David P. Misky
Assistant Executive Director/Secretary

CITY OF MILWAUKEE

By: _____
Tom Barrett, Mayor

By: _____
Ronald D. Leonhardt, City Clerk

Countersigned:

By: _____
W. Martin Morics, City Comptroller

STATE OF WISCONSIN)
)ss.
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2010, Lois A. Smith, Chair, to me known to be the person who executed the foregoing instrument and to me known to be such, and acknowledged that he executed the foregoing instrument as such officer as the deed of the Redevelopment Authority of the City of Milwaukee, by its authority.

Notary Public, State of Wisconsin
My Commission: _____

STATE OF WISCONSIN)
)ss.
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2010, the Redevelopment Authority of the City of Milwaukee, David P. Misky, Assistant Executive Director, to me known to be the person who executed the foregoing instrument and to me known to be such of said and acknowledged that he executed the foregoing instrument as such officer as the deed of the Redevelopment Authority of the City of Milwaukee, by its authority.

Notary Public, State of Wisconsin
My Commission: _____

STATE OF WISCONSIN)
)ss.
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____, 2010, Palermos Properties LLC, to me known to be the person who executed the foregoing instrument and to me known to be such of said and acknowledged that he executed the foregoing instrument as such officer as the deed of Palermo Properties, LLC, by its authority.

Notary Public, State of Wisconsin
My Commission: _____

1089-2008-2874:156199

Notes:

1. Reference release of easement on CSM.
2. Access to construct detention basin.
3. RACM right to assign access to entity maintaining Regional Stormwater Facility.



Legislation Details (With Text)

File #: 091632 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the City Engineer to apply for 2011 Urban Nonpoint Source and Stormwater Construction and Planning grants from the State of Wisconsin, Department of Natural Resources.

Sponsors: THE CHAIR

Indexes: CITY ENGINEER, STATE GRANTS, STORM SEWERS, WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Attachments: Fiscal Note, Cover Letter.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091632

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution directing the City Engineer to apply for 2011 Urban Nonpoint Source and Stormwater Construction and Planning grants from the State of Wisconsin, Department of Natural Resources.
Analysis

This resolution directs the City Engineer to apply for a 2011 UNPS &SW construction grant from the Department of Natural Resources (DNR) in the amount of \$650,000 with a City share of \$500,000 and a grantor share of \$150,000. This resolution also designates the City Engineer as the authorized agent for the City of Milwaukee for the purpose of entering into the 2011 Urban Nonpoint Source and Stormwater construction and planning grant agreements between the City of Milwaukee and the DNR.

Body

Whereas, Stormwater pollution control is an important component of the City of Milwaukee's (City) storm water management regulation and the City's permit with the DNR; and

Whereas, The Department of Natural Resources (DNR), per NR 151.13 (2) of the Wis. Adm. Code, requires all municipalities subject to its storm water discharge permit to implement, to the maximum extent practicable, a 40% reduction in Total Suspended Solids (TSS); and

Whereas, Wet detention ponds are one of the established and cost effective methods that can be implemented to remove sediments from large tributary areas and will aid the City in reaching the required TSS reduction goal; and

Whereas, The City is proposing to construct a wet detention pond at North 91st Street and West Calumet Avenue located within the municipal separate storm sewer system (MS4) portion of the city; and

Whereas, The wet detention pond will be sufficiently designed to treat storm water discharge from the entire 329 acre tributary area of storm sewer system number 2057; and

Whereas, The City Engineer will submit a signed Environmental Hazard Assessment form; and

Whereas, The operation of these grants begins on January 1, 2011 and ends on December 31, 2012; and

Whereas, The WDNR would provide a maximum cost share of 50% of eligible costs, with a total grantor share not exceed \$150,000 for the construction grant; and

Whereas, The City Engineer will submit quarterly and final reports to the DNR and make periodic requests for grant reimbursement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Engineer is directed to apply for a 2011 Urban Nonpoint Source and Stormwater construction grant from the DNR; and, be it

Further Resolved, That the City Engineer is the authorized agent for the City of Milwaukee for the purpose of entering into a 2011 Urban Nonpoint Source and Stormwater construction grant agreement between the City of Milwaukee and the DNR.

Requestor

Department of Public Works

Infrastructure Services Division

Drafter
Environmental Engineering Section
TJT/SB
March 30, 2010

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)
Ref: GEN\FISCALNT.MST

A) DATE: March 30, 2010

FILE NUMBER: _____
Original Fiscal Note Substitute

SUBJECT: Original Resolution directing the City Engineer to apply for a 2011 Urban Non Point Source & Storm Water Management Program Grant for a regional wet detention pond at North 91st Street and West Calumet Avenue and designating the City Engineer as the authorized agent for the City of Milwaukee for the purpose of entering into a grant agreement between the City and the DNR.

B) SUBMITTED BY (NAME/TITLE/DEPT./EXT.): Jeffrey S. Polenske, P.E./City Engineer/Public Works/2400

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS:					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX

N/A

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

N/A

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

N/A

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Department of Public Works
Infrastructure Services Division

Jeffrey J. Mantes
Commissioner of Public Works

Preston D. Cole
Director of Operations

Jeffrey S. Polenske
City Engineer



Milwaukee's Future: IT'S IN OUR HANDS

www.milwaukee.gov/2010census

March 31, 2010

To the Honorable, the Common Council


Dear Honorable Members:

The attached resolution authorizes the Department of Public Works, Infrastructure Services Division to apply for a 2011 Urban Nonpoint Source and Stormwater (UNPS&SW) grant from the State of Wisconsin, Department of Natural Resources (DNR). The construction grant is for the construction of a regional wet detention pond and is in the amount of \$150,000.

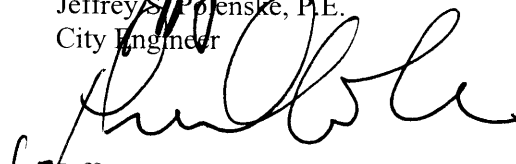
The resolution authorizes the City Engineer to execute and submit an application for the grant to the DNR. It also designates the City Engineer as the authorized agent for the City of Milwaukee for the purpose of entering into a grant agreement between the City and the DNR.

We recommend adoption of the resolution.

Very truly yours,



Jeffrey S. Polenske, P.E.
City Engineer



Jeffrey J. Mantes, P.E.
Commissioner of Public Works

TTT
TJT: sb
Attachment
SB: 3-5



Legislation Details (With Text)

File #: 091665 **Version:** 0
Type: Ordinance **Status:** In Committee
File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: An ordinance relating to special privilege administration, penalties and bonding requirements.
Sponsors: ALD. DUDZIK
Indexes: SPECIAL PRIVILEGE PERMITS
Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091665

Version

Reference

081687

Sponsor

ALD. DUDZIK

Title

An ordinance relating to special privilege administration, penalties and bonding requirements.

Sections

115-35 rp

200-33-51.7 cr

245-12-2 am

245-12-3-b am

245-12-5 am

245-12-7 rc

Analysis

Current code places administrative responsibility for special privileges under the purview of the city clerk. These duties include the filing of applications and certificates of insurance, the issuance of permits, and the filing of amendment petitions. This ordinance transfers these responsibilities to the commissioner of public works.

Current code also requires the city clerk to monitor and enforce all provisions relating to special privileges, including written notification of non-compliance and penalty issuance. This ordinance transfers special privilege compliance and enforcement to the commissioner of public works, consistent with the enforcement powers granted to public works in s. 115-32-3.

In addition, this ordinance repeals code provisions relating to special privilege permits for the use of public ways by persons regularly engaged in the business of wholesale food distribution.

Body

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

Part 1. Section 115-35 of the code is repealed.

Part 2. Section 200-33-51.7 of the code is created to read:

200-33. Fees.

51.7. SPECIAL PRIVILEGE ENFORCEMENT FEE.

A monthly fee of \$25 may be charged for failure to comply with an order issued under s. 245-12.

Part 3. Section 245-12-2, 3-b and 5 of the code are amended to read:

245-12. Special Privileges.

2. FIXED COSTS. Any person, firm, association or corporation desiring such special privileges shall file with the ~~[[city-clerk]]~~>>commissioner of public works<< a petition in writing on a form furnished for such purpose by the city engineer or the commissioner of city development, and shall pay to the city treasurer the fee as specified in s. 81-115, special privileges, for the purpose of defraying the cost of printing and other expenses which the city may incur in the consideration of such resolution for a special privilege, as regulated in s. 301-7.

3. PROVISIONS.

b. The applicant shall file with the ~~[[city-clerk]]~~>>commissioner of public works<< a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person, and \$50,000 covering bodily injury to more than one person in any one accident, and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege, and naming the city of Milwaukee as an insured. The insurance policy shall provide that it shall not be cancelled until after at least 30 days' notice in writing to the ~~[[city-clerk]]~~>>commissioner of public works<<. In lieu of the insurance policy coverage, a public service corporation, or a cooperative association organized under ch. 185, Wis. Stats., to render or furnish telephone, gas light, heat or power, or colleges and universities may file with the ~~[[city-clerk]]~~>>commissioner of public works<< proof of financial responsibility containing the conditions and giving the protection required in the public liability policy. Acceptance of the proof of financial responsibility shall be subject to approval by the city attorney upon consultation with the city comptroller.

5. AMENDMENTS.

a. A grantee desiring to add items to or remove items from a special privilege shall file with the ~~[[city-clerk]]~~>>commissioner of public works<< a special privilege amendment petition in writing on a form furnished for this purpose by the city engineer or the commissioner of city development.
b. Any sale, transfer or conveyance of ownership of a property with a special privilege requires the new ownership to file with the ~~[[city-clerk]]~~>>commissioner of public works<< a special privilege amendment petition in writing on a form furnished for this purpose by the city engineer or the commissioner of city development.

Part 4. Section 245-12-7 of the code is repealed and recreated to read:

7. ENFORCEMENT; SANCTIONS. If the commissioner of public works determines that a person has failed to comply with the provisions of this section, the commissioner shall notify the person of the violation. If the person fails to comply with any order issued by the commissioner within 60 days of receipt of the order, the commissioner may assess the person a monthly enforcement fee under 200-33 until compliance is obtained. The fee may be assessed and collected as a special tax on the property or otherwise be collected as allowed by law.

Part 5. This ordinance takes effect 60 days after passage and publication.

LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____

Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____

Requestor

Drafter

LRB10085-4
TWM:MST:sd
4/12/10



Legislation Details (With Text)

File #: 090957 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 12/1/2009 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Substitute resolution granting a special privilege to New Land Enterprises LLP to construct and maintain a covered walk in the public right-of-way for the premises at 1751 North Farwell Avenue, in the 3rd Aldermanic District.
Sponsors: THE CHAIR
Indexes: SPECIAL PRIVILEGE PERMITS
Attachments: Special Privilege Petition, Letter, Fiscal Note, Pictures, Map, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/1/2009	0	COMMON COUNCIL	ASSIGNED TO		
4/1/2010	1	CITY CLERK	DRAFT SUBMITTED		
4/15/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/15/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
090957
Version
SUBSTITUTE 1

Reference

Sponsor
THE CHAIR

Title
Substitute resolution granting a special privilege to New Land Enterprises LLP to construct and maintain a covered walk in the public right-of-way for the premises at 1751 North Farwell Avenue, in the 3rd Aldermanic District.

Analysis
This resolution grants a special privilege to New Land Enterprises LLP to construct and maintain a covered walk in the public right-of-way for the premises at 1751 North Farwell Avenue.

Body
Whereas, El Bashaa LLC has filed a petition for special privilege to allow a covered walk to occupy the public right-of-way; and

Whereas, New Land Enterprises LLP owns the property and has agreed to be responsible for the covered walk and the requirements for the special privilege; and

Whereas, Said covered walk may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that New Land Enterprises LLP, PO Box 511448, Milwaukee, WI 53203 is hereby granted the following special privilege:

To construct and maintain a covered walk projecting 9 feet into the west, 11-foot wide fully paved sidewalk area of North Farwell Avenue. The 10-foot wide covered walk is centered approximately 39 feet southerly of the southline of East Royall Place. The minimal vertical clearance between the skirt of the covered walk and the sidewalk below is 8 feet.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot applied in any direction. No guy wire brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The coverings shall be of approved material. All fixtures and materials for illumination of the covered walks shall be indicated on the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walks. The name, street number, or character of the business may be indicated only on the vertical portion of the covering and shall not exceed 8 inches in height.

The grantee is required to keep a "Loading Zone" or "No Parking" status adjacent to the covered walk as long as the covered walk occupies the public right-of-way.

Said above-mentioned covered walk shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said covered walk shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, New Land Enterprises LLP, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.

2. File with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$75.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

MDL:ns

March 22, 2010

090957



PETITION FOR A SPECIAL PRIVILEGE

ccl-246 (6/09)

SP 2491

- New application \$250.00 Fee
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)
- Amendment to remove items from Special Privilege # _____ (No fee)
- Amendment for change of ownership for Special Privilege # _____ (No fee)

→ File petition with the City Clerk License Division, City Hall, 200 E. Wells Street, Room 105, Milwaukee, WI 53202, telephone (414) 286-2238. www.milwaukee.gov/license

- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee EL Bashaa LLC
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 1751 N Farwell
(Street Address and Zip Code)

in the _____ Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: Installing Canopy in top of the entrance to the store.

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Medhat Ismail.
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: [Handwritten Signature]
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: EL Bashaa LLC
(If applicable, as shown above)
(OVER)

Mailing Address (If different than property address above): 923 S Cesar Chavez Dr

City: Milwaukee State: WI Zip: 53204

Telephone: 414-384-7700 E-Mail: tonycell@sbcglobal.net

Architect/Engineer/Contractor (If Applicable)

Name: Printumutic

Address: 7031 W. Greenfield Ave.

City: West Allis State: WI Zip: 53214

Telephone: 414-453-7786 E-Mail: Printumutic@ameritech.net

CITY OF MILWAUKEE
2009 NOV 11 PM 3:38
RONALD D. LEONHARDT
CITY CLERK



March 22, 2010

To the Public Works Committee

Subject: Common Council Resolution File Number 090957

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 090957, being a resolution to grant a special privilege to New Land Enterprises LLP to construct and maintain a covered walk in the public right-of-way for the premises at 1751 North Farwell Avenue.

The 10-foot wide covered walk, which is centered approximately 39 feet southerly of the southline of East Royall Place, projects 9 feet into the west, 11-foot wide sidewalk area of North Farwell Avenue. It should be noted that a tenant of the subject premises, El Bashaa LLC, had filed the initial petition for special privilege. The property owner, New Land Enterprises LLP, has, however, agreed to be responsible for the covered walk and the requirements for the special privilege.

We are not aware that the presence of said covered walk will have an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow said covered walk to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Art Dahlberg, Commissioner
Department of Neighborhood Services

MDL: ns

Attachments
c: Alderman Nik Kovac

CITY OF MILWAUKEE FISCAL NOTE

A) DATE March 22, 2010

FILE NUMBER: 090957

Original Fiscal Note Substitute

SUBJECT: Substitute resolution granting a special privilege to New Land Enterprises LLP to construct and maintain a covered walk in the public right-of-way for the premises at 1751 North Farwell Avenue.

B) SUBMITTED BY (Name/title/dept./ext.): **JEFFREY S. POLENSKE, P.E./CITY ENGINEER/INFRASTRUCTURE SERVICES DIVISION/2400**

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Annual billing/initial Inspection		\$2.77/4.04		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:			\$2.77/4.04	\$75.00	
TOTALS				\$75.00	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Fee (Income) \$75.00
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Cost Billing - \$2.77/4.04
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

Annual billing/initial Inspection

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

Special Privilege Committee Fee Schedule

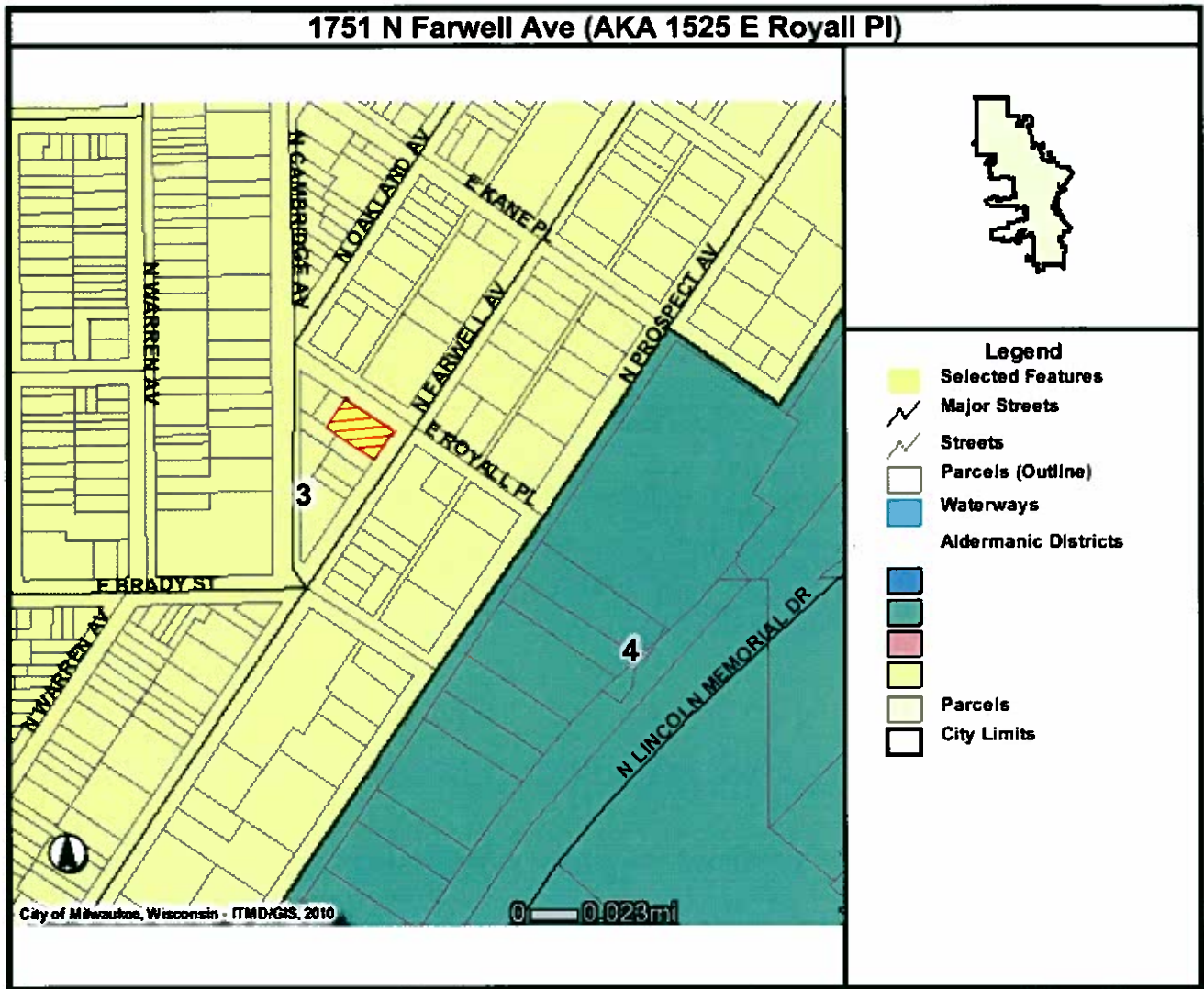
PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



CCF 090957 1751 N Farwell Ave 3-11-2010
Looking W'ly across Farwell Ave at
covered walk.



CCF 090957 1751 N Farwell Ave 3-11-2010
Looking N towards Royall Place at W
sidewalk area of Farwell and at covered walk.





Legislation Details (With Text)

File #: 090958 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 12/1/2009 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution granting a special privilege to George Kashou Company Inc to construct and maintain a covered walk in the public right-of-way for the premises at 2169 North Farwell Avenue, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Special Privilege Petition and Drawing, Letter, Fiscal Note, Pictures, Map, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/1/2009	0	COMMON COUNCIL	ASSIGNED TO		
4/1/2010	1	CITY CLERK	DRAFT SUBMITTED		
4/15/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/15/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
090958
Version
SUBSTITUTE 1

Reference

Sponsor
THE CHAIR

Title
Substitute resolution granting a special privilege to George Kashou Company Inc to construct and maintain a covered walk in the public right-of-way for the premises at 2169 North Farwell Avenue, in the 3rd Aldermanic District.

Analysis
This resolution grants a special privilege to George Kashou Company Inc to construct and maintain a covered walk in the public right-of-way for the premises at 2169 North Farwell Avenue.

Body
Whereas, George Kashou Company Inc is requesting permission to keep and maintain a covered walk in the public right-of-way; and

Whereas, Said covered walk may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that George Kashou Company Inc, 2169 North Farwell Avenue, Milwaukee, WI 53202 is hereby granted the following special privilege:

To construct and maintain a covered walk projecting 9 feet into the west, 11-foot wide fully paved sidewalk area of North Farwell Avenue. The 9-foot 4-inch wide covered walk is centered approximately 163 feet southerly of the southline of East Kenilworth Place. The minimal vertical clearance between the skirt of the covered walk and the sidewalk below is 9 feet.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot applied in any direction. No guy wire brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The coverings shall be of approved material. All fixtures and materials for illumination of the covered walks shall be indicated on the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walks. The name, street number, or character of the business may be indicated only on the vertical portion of the covering and shall not exceed 8 inches in height.

The grantee is required to keep a "Loading Zone" or "No Parking" status adjacent to the covered walk as long as the covered walk occupies the public right-of-way.

Said above-mentioned covered walk shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said covered walk shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, George Kashou Company Inc, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at _____

least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee, which has an initial amount of \$75.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

MDL: ns

March 24, 2010

090958



PETITION FOR A SPECIAL PRIVILEGE cci-246 (6/09)

SP 2492

- New application \$250.00 Fee**
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)**
- Amendment to remove items from Special Privilege # _____ (No fee)**
- Amendment for change of ownership for Special Privilege # _____ (No fee)**

- File petition with the City Clerk License Division, City Hall, 200 E. Wells Street, Room 105, Milwaukee, WI 53202, telephone (414) 286-2238. www.milwaukee.gov/license
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee Kashow Carpets
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 2169 N Farwell Ave
(Street Address and Zip Code)

in the 3rd Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: covered walk

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Bill Kashow
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: Bill Kashow
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: Kashow Carpets Inc.
(If applicable, as shown above)
(OVER)

Mailing Address (If different than property address above): _____

City: Milwaukee State: WI Zip: _____

Telephone: 414-271-9020 E-Mail: _____

Architect/Engineer/Contractor (If Applicable)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____

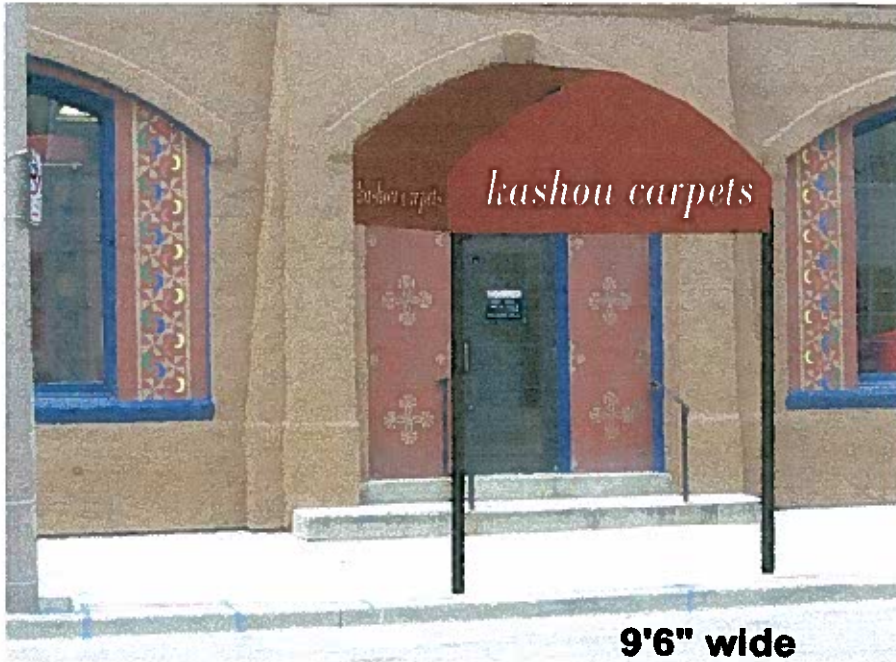
CITY OF MILWAUKEE
2009 NOV 11 PM 3:38
RONALD D. LEONARDI
CITY CLERK

naegele awning paul 213.1120
new canopy over sidewalk
graphics, welded frame, sunbrella burgandy
complete and installed
job 2169 n. farewell

kashou carpets, owner Bill Kashou

150' from kenilworth prop to center of awning
to north

face east



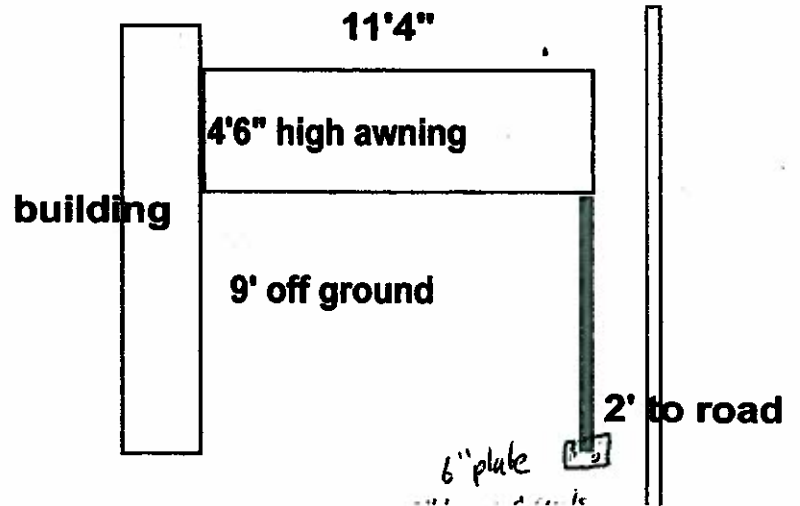
letters 6" high s 5'0"

9' off ground

9'6" wide

awning out 11'4", from awning to street 2'0", from building to road 13'4"

side view





March 24, 2010

To the Public Works Committee

Subject: Common Council Resolution File Number 090958

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 090958, being a resolution to grant a special privilege to George Kashou Company Inc to construct and maintain a covered walk in the public right-of-way for the premises at 2169 North Farwell Avenue.

The 9-foot 4-inch wide covered walk projects 9 feet into the west, 11-foot wide sidewalk area of North Farwell Avenue. Said covered walk is centered approximately 163 feet southerly of the southline of East Kenilworth Place.

We are not aware that the presence of said covered walk will have an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will allow said covered walk to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Art Dahlberg, Commissioner
Department of Neighborhood Services

MDL: ns

Attachments

c: Alderman Nik Kovac

CITY OF MILWAUKEE FISCAL NOTE

A) DATE March 24, 2010

FILE NUMBER: 090958

Original Fiscal Note Substitute

SUBJECT: Substitute resolution granting a special privilege to George Kashou Company Inc to construct and maintain a covered walk in the public right-of-way for the premises at 2169 North Farwell Avenue.

B) SUBMITTED BY (Name/title/dept./ext.): JEFFREY S. POLENSKE, P.E./CITY ENGINEER/INFRASTRUCTURE SERVICES DIVISION/2400

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Annual billing/initial Inspection		\$2.77/4.04		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:			\$2.77/4.04	\$75.00	
TOTALS				\$75.00	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Fee (Income) \$75.00
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Cost Billing - \$2.77/4.04
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

Annual billing/initial Inspection

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

Special Privilege Committee Fee Schedule

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

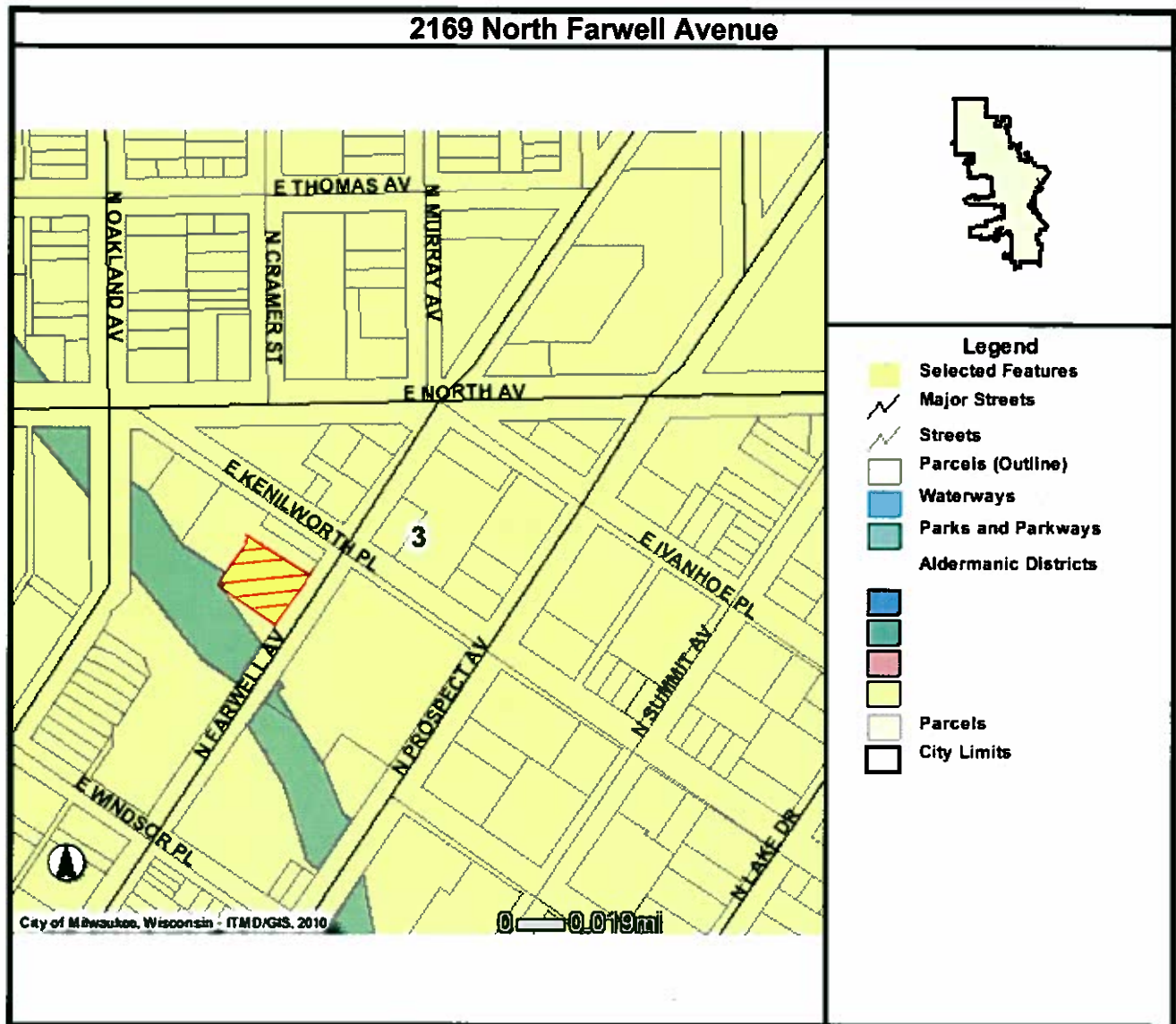


CCF 090958 2169 N Farwell Ave 3-11-2010
Looking W'ly across Farwell at covered walk.

Note: Step is NOT in ROW.



CCF 090958 2169 N Farwell Ave 3-11-2010
Looking N'ly at W sidewalk area of Farwell.
Note: step is not in ROW.





Legislation Details (With Text)

File #: 091633 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs totaling \$307,659.81, City share is \$34,992.84 and the Grantor's share is \$272,667.07.

Sponsors: THE CHAIR

Indexes: AMERICAN RECOVERY AND REINVESTMENT ACT, BRIDGES, STREET IMPROVEMENTS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Fiscal Note, Cover Letter, Comptroller's Certificate, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091633

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs totaling \$307,659.81, City share is \$34,992.84 and the Grantor's share is \$272,667.07.

Analysis

This resolution authorizes the City Comptroller to transfer funds to the previously established subaccounts for the remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs in the amount of \$307,659.81. The City of Milwaukee's share is \$34,992.84 and the Grantor share is \$272,667.07.

Body

Whereas, The Common Council has previously adopted resolutions authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for preliminary engineering and construction; and

Whereas, Additional planning and review during the design state and additional work during the construction stage have resulted in increased costs charged against the projects; and

Whereas, Additional funds are, therefore, necessary for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs for the projects; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Comptroller is hereby authorized and directed to transfer funds to the project grant chartfields as follows:

Project Grant Value

State I.D. 2245-01-00 (ARRA/IMPACTED)

ST320021301

South 2nd Street

West National Avenue to West St. Paul Avenue

City Share Non-Assessable Paving

ST320100000

Fund 0333

\$9,992.84

Grantor Share Reimbursable Paving

SP032100100

Fund 0306

\$39,971.37

Construction is scheduled for 2010.

Previously authorized for engineering: \$421,739.82

Current estimated cost of total project including this resolution: \$3,776,704.03

Original estimated cost of total project (Resolution File No. 051254): \$1,832,420.00

Project Grant Value

State I.D. 2245-01-70 (ARRA/IMPACTED)

ST320021311

South 2nd Street

West National Avenue to a point north of the Menomonee River

Grantor Non-Reimbursable Paving

(\$232,695.70)

Grantor Reimbursable Paving
SP0320100100
\$232,695.70

Construction is scheduled for 2010.

Previously authorized for street construction: \$2,635,000.00
Current estimated cost of total project including this resolution: \$3,776,704.03
Original estimated cost of total project (Resolution File No. 010810): \$1,832,420.00

Project Grant Value

State I.D. 2060-09-00
BR320062301
South Howell Avenue Bridge
Over the Union Pacific Railroad

City Share Non-Assessable Fund Structure
BR300100000
Fund 0303
\$25,000.00

Previously authorized for engineering: \$180,620.00
Current estimated cost of total project including this resolution: \$1,585,620.00
Original estimated cost of total project (Resolution File No. 060882): \$1,022,000.00

Summary of projects in this resolution:

City of Milwaukee Share Non Assessable structure (0303): \$25,000.00
City of Milwaukee Share Non-Assessable Paving (0333): \$9,992.84
Grantor Reimbursable Paving (0306): \$272,667.07
Resolution total: \$307,659.81

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

LCG:amh

April 6, 2010

(16) Reso Vari Fed Sta Aid Pjec Saccou 040110.rtf

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** April 6, 2010

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution authorizing the City Comptroller to transfer funds to various State and/or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs totaling \$307,659.81, City share is \$34,992.84 and the Grantor's share is \$272,667.07.

B) **SUBMITTED BY (Name/title/dept./ext.):** Jeffrey S. Polenske, PE / City Engineer / Infrastructure Services Division / extension 2400

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	City of Milwaukee Share Non-Assessable Paving	ST320100000 (Fund 0333)	\$9,992.84		
	City of Milwaukee Share Non-Assessable Structure	BR300100000 (Fund 0303)	\$25,000.00		
	Grant & Aid Funds Reimbursable Paving	SP0320100100 (Fund 0306)	\$272,667.07	\$272,667.07	
TOTALS			\$307,659.81	\$272,667.07	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input checked="" type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Expenditure: \$307,659.81
<input checked="" type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Revenue: \$272,667.07
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



April 6, 2010

To the Honorable, the Common Council

Subject: Federal/State Aid Project Subaccounts

Dear Council Members:

Please find the attached resolution to authorize the City Comptroller to transfer funds to the subaccounts for various State and/or Federal Aid street and bridge improvement projects as listed in the body of the resolution.

Additional funds are necessary for the estimated remaining Wisconsin Department of Transportation (WISDOT) and City of Milwaukee preliminary engineering and construction costs for these projects.

We have, therefore, prepared and recommend adoption of the attached resolution authorizing the City Comptroller to transfer funds to the respective project subaccounts for the estimated remaining preliminary engineering and construction costs.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

LG:amh

Attachment

c: Mr. W. Martin Morics

**Capital Grant Resolution Certification from the
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. _____ for various State and Federal Aid projects preliminary engineering and construction costs (City Share \$34,992.84 Grantor Share \$272,667.07) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: *C. Wisniewski*

Date: 4/16/10



Legislation Details (With Text)

File #: 091635 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to the cost participation and installation of street lighting and traffic signal improvements as part of the West National Avenue Streetscape Enhancement under the Transportation Enhancement Program at a total estimated cost of \$109,877.18, with an estimated grantor share of \$80,000.00 and an estimated City of Milwaukee share of \$29,877.18.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, STREET LIGHTING, TRAFFIC CONTROL SIGNALS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Fiscal Note, Cover Letter, Comptroller's Certificate, Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091635

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relative to the cost participation and installation of street lighting and traffic signal improvements as part of the West National Avenue Streetscape Enhancement under the Transportation Enhancement Program at a total estimated cost of \$109,877.18, with an estimated grantor share of \$80,000.00 and an estimated City of Milwaukee share of \$29,877.18.

Analysis

This resolution authorizes the Commissioner of Public Works and Comptroller to enter into a funding agreement to install street lighting and traffic signal improvements as part of the West National Avenue Streetscape Enhancement under the Transportation Enhancement Program at a total estimated cost of \$109,877.18, with an estimated grantor share of \$80,000.00 and an estimated City of Milwaukee share of \$29,877.18, and to install these improvements upon execution of the agreement. This resolution also authorizes the Comptroller to establish and transfer funds to the appropriate accounts for the project. The total estimated cost of the entire project is \$709,877.18, with a grantor share of \$560,000.00 and a City share of \$149,877.18.

Body

Whereas, The Project Agreement for the installation of street lighting and traffic signal improvements as part of the West National Avenue Streetscape Enhancement under the Transportation Enhancement Program was approved by the Common Council under File Number 050572; and

Whereas, The project will include street lighting improvements on West National Avenue from South 28th Street to South 39th Street and traffic signal improvements at the intersection at West National Avenue and South 35th Street; and

Whereas, The total estimated cost of this project is \$109,877.18 for the installation of street lighting and traffic signal improvements; and

Whereas, \$29,877.18 is not reimbursable and is included in the Division's 2010 Capital Purpose Project/Grant Number ST320100000; and

Whereas, \$80,000.00 is reimbursable from the Wisconsin Department of Transportation (WISDOT), and should be earmarked for this project in the 2010 Capital Grant and Aids Projects Fund Project/Grant Number SP032100100; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5% without prior Department of Public Works approval; and

Whereas, The Department of Public Works shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project cost overruns and/or changes in scope approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100% liable for any such project cost overruns and/or changes in scope as approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are authorized to enter into a funding agreement and are directed to execute the contract with WISDOT for

the installation of street lighting and traffic signal improvements as part of the West National Avenue Streetscape Enhancement under the Transportation Enhancement Program with unit prices based on a predetermined estimate prepared under the Federal/State aided highway program, a copy of which is attached to this resolution, and is incorporated into this resolution as though set forth in full; and be it

Further Resolved, That upon approval of this contract, that the Commissioner of Public Works is directed to install street lighting improvements on West National Avenue from South 28th Street to South 39th Street and traffic signal improvements at the intersection of West National Avenue and South 35th Street; and, be it

Further Resolved, That upon approval of this contract, the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Chartfield Value for this project; and transfer to these accounts the amount required under the agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater as follows:

Location:

Project I.D.-2410-12-90

West National Avenue Streetscape Enhancement

City of Milwaukee Share

Fund Number-0333

Project/Grant Number-ST320100000

\$29,877.18

Grantor Reimbursable Cash - Traffic Control

Fund Number-0306

Project/Grant Number-SP032100100

\$80,000.00

Total-\$109,877.18

Previously Authorized for Street Lighting and Traffic Signal Improvements-\$0

Current Estimated Cost of the Total Project Including this Resolution-\$709,877.18

Original Estimated Cost of the Total Project (Common Council Resolution File Number 050572)-\$700,000.00

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

RWB: ns

April 6, 2010

National Av. Streetscape Enhancements

I:\SIGNALS\State Pavings\2010\2410-12-90 National Layton to 39th Streetscape\Council\National Scape Resolution.doc

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)
Ref: GEN\FISCALNT.MST

A) DATE: April 6, 2010

FILE NUMBER:

Original Fiscal Note Substitute

SUBJECT: Resolution relative to the cost participation and installation street lighting and traffic signal improvements as part of the West National Avenue Streetscape Enhancement under the Transportation Enhancement Program at a total estimated cost of \$109,877.18, with an estimated grantor share of \$80,000.00 and an estimated City of Milwaukee share of \$29,877.18, and to install these improvements upon execution of the agreement.

B) SUBMITTED BY (NAME/TITLE/DEPT./EXT.): Jeffrey S. Polenske, City Engineer, DPW, ext. 2400

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Grantor Reimbursable Cash Traffic Control	SP032100100	\$80,000.00	\$80,000.00	
	Capital Project Funds	ST320100000	\$29,877.18	\$0.00	
TOTALS:			\$109,877.18	\$80,000.00	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Expenditures \$109,877.18	Revenue \$80,000.00
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS		
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS		

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

None

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

Unit Prices

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



April 6, 2010

To the Honorable, the Common Council

Subject: Street Lighting and Traffic Signal Improvements
West National Avenue Streetscape Enhancement
2010 Transportation Enhancement Program

Dear Honorable Members:

The 2010 Transportation Enhancement Program includes the installation of street lighting and traffic signal improvements in conjunction with the National Avenue Streetscape Enhancement in the 8th Aldermanic District.

The total estimated cost of the project is \$109,877.18 with \$80,000 funded by the Wisconsin Department of Transportation (WISDOT). The local share of \$29,877.18 will be provided through the Division's existing Capital Improvement Program.

We have, therefore, prepared the attached resolution, which authorizes the Commissioner of Public Works to execute a Local Forces Account (LFA) – Local contract with WISDOT that allows City forces to install street lighting and traffic signal improvements in conjunction with the West National Avenue Streetscape Enhancement in the 8th Aldermanic District.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

RWB: ns

Attachment
c: Honorable Robert G. Donovan

**Capital Grant Resolution Certification from the
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. _____ for the installation of street lighting and traffic signal improvements as part of the West National Streetscape Enhancement under the Transportation Enhancement Program (City Share \$29,877.18 Grantor Share \$80,000.00) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: *C. Wisniewski*

Date: 4/6/10

CONTRACT FOR CONSTRUCTION

Local Force Account

Wisconsin Department of Transportation
DT2056 7/2005

Project ID 2410-12-90	Contract Amount \$109,877.18	Contract between WDOT and Local Governmental Unit <input checked="" type="checkbox"/> Municipality <input checked="" type="checkbox"/> City of Milwaukee <input type="checkbox"/> Village of <input type="checkbox"/> Town of <input type="checkbox"/> County – Who is doing the work
Road Name W. National Av. Streetscape Enhancement		
Highway STH 59	County – Where Work Performed Milwaukee	
<input type="checkbox"/> Work on STH System - SHR Funded (CEF to BHO, Contract to BHO)		<input checked="" type="checkbox"/> Work on Local Units System (CEF to DTSD Region, Contract to BPD)
<input type="checkbox"/> Work on STH System – Non-SHR Funded (CEF to BHO, Contract to BHO)		<input type="checkbox"/> Work on Another Local Units System (CEF to DTSD Region, Contract to BPD)
Type of Work Street Lighting and Traffic Signal Improvements		
Approximate Start Work Date July 1, 2010		Approximate Stop Work Date December 31, 2011

This contract is made and entered into by and between the Wisconsin Department of Transportation, designated the "Department", and the above-identified county or municipality, designated the "Local Governmental Unit", represented by its designees for constructing the above-specified project. The Department finds and determines that it is more feasible and advantageous for highway purposes to construct the identified project with the Local Governmental Unit's organization, forces, and equipment. The Department and Local Governmental Unit mutually agree to the provisions on the attached pages, which are made a part of this contract.

Recommended for Approval

For County or Municipality

(Name) (Date)

(Title)

(Name) (Date)

(Title)

(Name) (Date)

(Title)

(Name) (Date)

(Title)

For Wisconsin Department of Transportation

(Regional Director) (Date)

Approved for the State of Wisconsin

(Contract Specialist) (Date)

(Director of Project Development) (Date)

(Governor of Wisconsin) (Date)

The Local Governmental Unit agrees to construct the described project in accordance with the requirements of the Department, the approved plans when required for such project, in accordance with the Standard Specifications for Road and Bridge Construction and approved supplements as may be applicable, and in accordance with the special provisions made a part of this contract. The word "contractor" as used in the specifications and special provisions shall, when applicable, be deemed to mean the Local Governmental Unit.

The provisions of Subsection 108.11 of the Standard Specifications, Liquidated Damages, are deleted from this contract.

The Local Governmental Unit is authorized by the Department and agrees to provide for the purchase, delivery, and storing of all materials required except those excluded from this contract, the furnishing or necessary rental of all equipment and small tools, and the furnishing of all labor necessary to expeditiously complete the work, and to pay all costs incurred pursuant to this contract.

The Department agrees to reimburse the Local Governmental Unit for actual costs of equipment, labor and materials incurred in performing the work up to the contract amount or as amended by contract change orders.

The Department agrees to pay to the Local Governmental Unit and the Local Governmental Unit agrees to accept in full, settlement for the work performed under this contract:

1. The actual cost of labor, at rates currently paid by the Local Governmental Unit for similar work in the area, materials and incidental expense furnished or incurred by the Local Governmental Unit pursuant to this contract, such payment to be based on a Detailed Statement of Expenditures, submitted monthly with the Monthly Report of Expenditures, and verified by the Local Governmental Unit.
2. The recognized costs incident to the employment of labor under this contract (such as worker's compensation insurance, unemployment and retirement contributions and time off with pay) computed and requisitioned in accordance with established policy.
3. An allowance for the use of equipment, tools and incidentals for the work under this contract. Such allowance shall be in accordance with the provisions of, and at the rates either:
 - (a) Specified in the Cost Agreement between the Department and the Local Governmental Unit in effect when the work is performed, except for the

conditions, changes or additions as listed below, or as may be otherwise provided in the Special Provisions of this contract; or,

- (b) Specified in the attached Equipment Rate schedule, or as may be otherwise provided in the special provisions of this contract.

These payments shall be based on a Detailed Statement of Expenditures, submitted monthly with the Monthly Report of Expenditures and verified by the Local Governmental Unit.

The rates established apply on equipment in good working order. Allowance will be made only for the time during which the equipment is in actual use on the project; no allowance will be made for equipment wholly inadequate or inefficient or in excess of the requirements of the work.

In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s.51.01(5) Wis. Stats., sexual orientation, or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

The Local Governmental Unit agrees to furnish, on the Detailed Statement of Expenditures, an accurate distribution of the costs between the various items of work.

The estimated unit costs of materials being used on this contract are listed as attached.

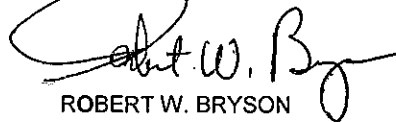
PROJECT UNIT COST ANALYSIS

ESTIMATE OF QUANTITIES
PROJECT ID 2410-12-90
WEST NATIONAL AVENUE STREETScape ENHANCEMENT
STREET LIGHTING AND TRAFFIC SIGNALS
MILWAUKEE COUNTY

Item No.	Std. Bid Item No.	Description	Unit	Quantity	Excluded Costs	City Unit	City Total
71031	204.0155	Removing Concrete Sidewalk	SY	20	\$ 4.52	\$ 6.52	\$ 130.31
71032	602.0410	Concrete Sidewalk 5-inch	Sq Ft	180	\$ 289.09	\$ 7.90	\$ 1,421.27
71034	SPV.0060.001	Opticom 721 Detector w/ Selector Card	Each	2	\$ 4,994.26	\$ 2,694.73	\$ 5,389.45
71035	SPV.0060.002	Opticom Flood Lights	Each	4	\$ 209.61	\$ 213.07	\$ 852.27
71055	658.0225	Backplates Signal Face 5 Section 12-inch	Each	2	\$ 126.28	\$ 87.85	\$ 175.70
71057	658.0215	Backplates Signal Face 3 Section 12-inch	Each	2	\$ 83.64	\$ 66.53	\$ 133.06
71060	658.0120	Traffic Signal Face 5-12 Inch Vertical	Each	1	\$ 563.73	\$ 1,008.34	\$ 1,008.34
71062	658.0110	Traffic Signal Face 3-12 Inch Vertical	Each	6	\$ 2,205.80	\$ 614.63	\$ 3,687.76
71066LC	658.0412	Pedestrian Signal Face 12-Inch	Each	8	\$ 1,392.66	\$ 322.28	\$ 2,578.23
71067	SPV.0060.003	Pedestrian Countdown Signal Face 12-Inch	Each	8	\$ 1,382.96	\$ 321.07	\$ 2,568.53
71142	652.0605	Conduit Special 2-Inch	LF	2,075	\$ 895.93	\$ 7.00	\$ 14,519.41
71154	SPV.0090.001	Opticom Cable	LF	215	\$ 116.92	\$ 3.01	\$ 647.95
71156	SPV.0090.002	Cable Traffic Signal Loop Lead-In	LF	1,300	\$ 473.56	\$ 2.83	\$ 3,684.50
71160	SPV.0090.003	Cable Service 3 #2/1 #8 LTP	LF	405	\$ 1,320.39	\$ 5.39	\$ 2,184.88
71161	SPV.0090.004	Cable Service 3 #4/1 #8 LTP	LF	425	\$ 1,309.29	\$ 5.22	\$ 2,216.42
71162	SPV.0090.005	Cable Service 3 #6/1 #8 LTP	LF	155	\$ 329.68	\$ 4.26	\$ 661.06
71163	SPV.0090.006	Cable Service 3 #8/1 #8 LTP	LF	965	\$ 1,370.25	\$ 3.55	\$ 3,428.92
71172	SPV.0090.007	Cable Traffic Signal 17-14 AWG	LF	710	\$ 975.66	\$ 3.84	\$ 2,729.33
71173	SPV.0090.008	Cable Traffic Signal 20-14 AWG	LF	410	\$ 687.63	\$ 4.15	\$ 1,700.30
71176	SPV.0090.009	Remove Temporary Overhead Line	LF	430	\$ 24.51	\$ 1.05	\$ 449.36
71190	SPV.0060.004	Mast Arm Fabricated	Each	1	\$ 69.15	\$ 1,560.42	\$ 1,560.42
71191	SPV.0060.005	Mast Arm Pole	Each	1	\$ 1,811.88	\$ 2,335.60	\$ 2,335.60
71197	SPV.0060.006	Signal Standard 13'	Each	1	\$ 663.44	\$ 1,108.05	\$ 1,108.05
71198	SPV.0060.007	Signal Standard 1' Extension	Each	2	\$ 114.18	\$ 106.49	\$ 212.98
71199	SPV.0060.008	Signal Standard 2' Extension	Each	1	\$ 99.32	\$ 148.74	\$ 148.74
71700	SPV.0060.009	Signal Housing Relocated	Each	3	\$ 51.30	\$ 313.49	\$ 940.48
90005-14	SPV.0090.010	3 #10 with Ground UF Underground Cable	LF	2,885	\$ 4,076.78	\$ 3.55	\$ 10,229.82
90005-32	SPV.0060.010	H17 Concrete Pole includes Riser Cable	Each	18	\$ 15,605.37	\$ 1,124.55	\$ 20,241.82
90005-80	SPV.0060.011	70W/240V Black Milwaukee Harp with 70W High Pressure Sodium Lamp	Each	18	\$ 14,185.11	\$ 936.26	\$ 16,852.65
90005-99	SPV.0060.012	Secondary Splice	Each	15	\$ 44.25	\$ 126.45	\$ 1,896.71
90005-112	SPV.0060.013	200A, 120/240V Pad Mount Service Cabinet (Green)	Each	1	\$ 4,741.00	\$ 5,734.44	\$ 5,734.44

TOTAL CITY COST \$ 109,877.18
TOTAL EXCLUDED COSTS \$ 60,213.63

APPROVED BY:


ROBERT W. BRYSON
CHIEF TRAFFIC AND LIGHTING ENGINEER

TRANSPORTATION SECTION
TRAFFIC AND LIGHTING DESIGN UNIT
JOSEPH C. BLAKEMAN
REVISED: MARCH 18, 2010

* Please note that the Total City Cost includes the embedded costs of mobilization, traffic control, mounting hardware, equipment removal, and construction staking electrical installations which are included in the times used for calculating City Unit Costs on the attached worksheets.



Legislation Details (With Text)

File #: 090886 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 11/3/2009 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution to vacate the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ALLEY VACATIONS

Attachments: Fiscal Note.pdf, Exhibit A.pdf, City Plan Commission Letter.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2009	0	COMMON COUNCIL	ASSIGNED TO		
11/4/2009	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/16/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number
090886
Version
SUBSTITUTE 1
Reference

Sponsor
THE CHAIR

Title
Substitute resolution to vacate the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue, in the 15th Aldermanic District.

Analysis
This substitute resolution vacates the above alleys in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was initiated by the Department of City Development to consolidate land to allow for site improvements for a Milwaukee Urban Garden Project known as Alice's Urban Garden.

Body
Whereas, It is proposed that the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 62.73, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

Whereas, Said vacation has been reviewed in accordance with Section 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said alleys as indicated by Exhibit A and bound and described by:

All of the north-south and east-west alleys, as originally platted, in Block 229 of Continuation of Brown's Addition, a recorded subdivision, in the Northwest 1/4 of Section 19, Township 7 North, Range 22 East are vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

Further Resolved, That the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation and when a money deposit is required, it must be deposited prior to implementing said actions; and, be it

Further Resolved, That as provided by Section 62.73, Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above-described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said alleys had not been vacated.

Drafter
DCD:AJF:ajf
04/15/10

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 11/03/09

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution to vacate the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue, in the 15th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, DCD

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

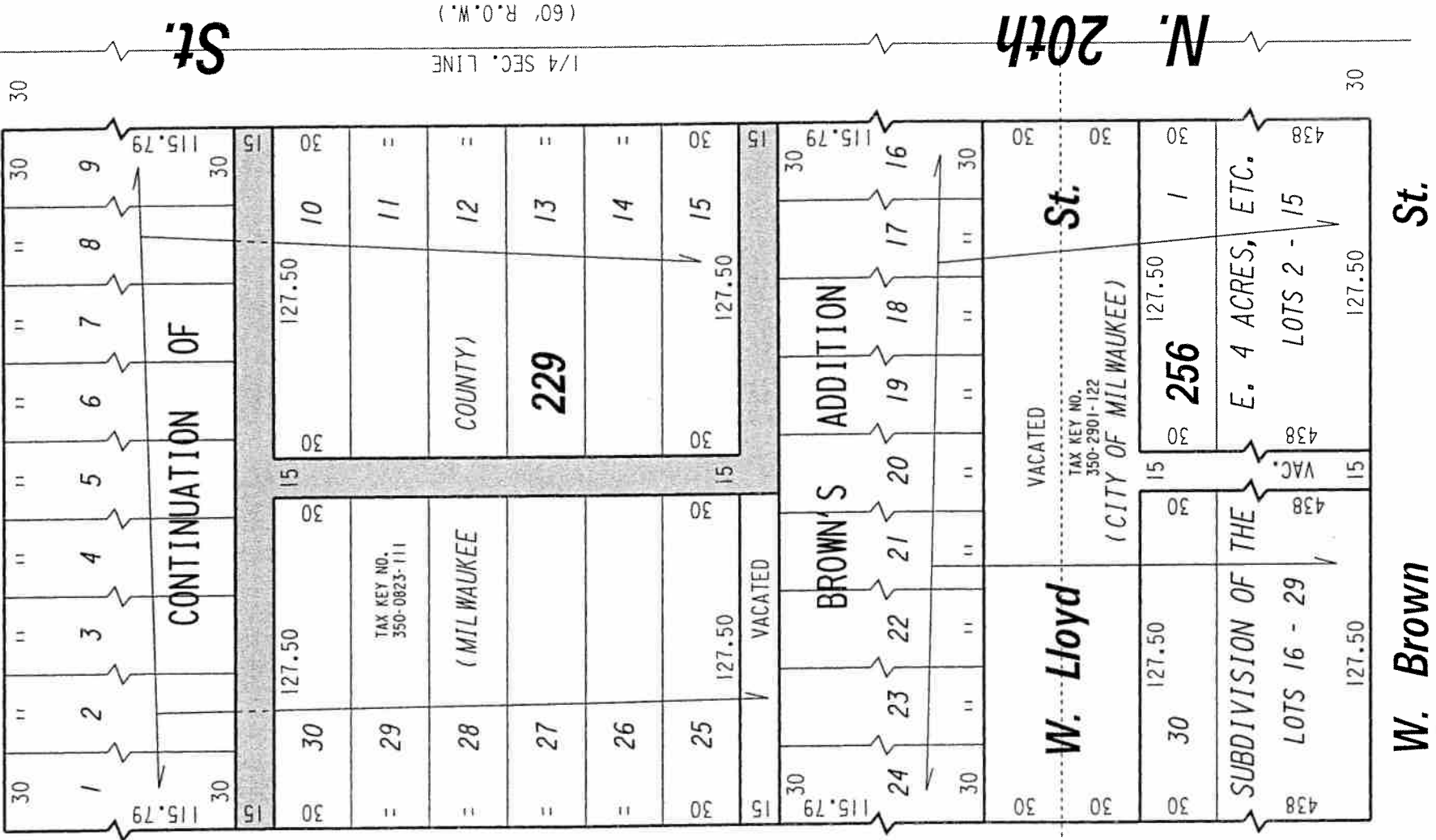
G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

W. Garfield Ave.

(60' R.O.W.)



PUBLIC ALLEYS
PROPOSED TO
BE VACATED

EXHIBIT "A" FILE NO. 090886

INFRASTRUCTURE SERVICES DIVISION

MILWAUKEE, WISCONSIN

ASSIGNED TO: W.E. FUCHS

CH'K'D. BY: W.E. FUCHS

DRAWN BY: W.E.F.

DATE: JAN. 26, 2010

PROJECT/GRANT NO.: WK52337288

SCALE: 1" = 60'

APPROVED BY:

Marcia Cornell

CENTRAL DRAFTING & RECORDS MANAGER

[Signature]
CITY ENGINEER

April 12, 2010

To the Honorable Common Council
Public Works Committee
City of Milwaukee

Dear Committee Members:

File No. 090886 vacates the east-west and north south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue, in the 15th Aldermanic District. This vacation is initiated by the Department of City Development to consolidate lands to allow for site improvements for a Milwaukee Urban Garden Project known as Alice's Urban Garden.

The Department of Public Works Coordinated Report contains no stated objections to the proposed vacation. At the request of the Commissioner of Public Works, the petitioner has provided:

Sewer easement	\$600.00
----------------	----------

Since the proposed vacation is not in conflict with City plans, the City Plan Commission at its regular meeting on April 12, 2010, recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Willie Hines



Legislation Details (With Text)

File #: 091018 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 12/1/2009 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Substitute resolution to vacate the north-south alley in the block bounded by South 15th Street, South Cesar E. Chavez Drive, West Mineral Street and West Walker Street, in the 12th Aldermanic District.
Sponsors: THE CHAIR
Indexes: ALLEY VACATIONS
Attachments: Fiscal Note.pdf, Exhibit A.pdf, Plan Commission Letter.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/1/2009	0	COMMON COUNCIL	ASSIGNED TO		
12/4/2009	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/16/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
091018
Version
SUBSTITUTE 1
Reference

Sponsor
THE CHAIR

Title
Substitute resolution to vacate the north-south alley in the block bounded by South 15th Street, South Cesar E. Chavez Drive, West Mineral Street and West Walker Street, in the 12th Aldermanic District.

Analysis
This substitute resolution vacates the above alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was initiated by El Rey Mexican Store to allow for the expansion of its parking lot. This leg of alley will be relocated to the property at 1540 West Mineral Street.

Body
Whereas, It is proposed that the north-south alley in the block bounded by South 15th Street, South Cesar E. Chavez Drive, West Mineral Street and West Walker Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 62.73, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

Whereas, Said vacation has been reviewed in accordance with Section 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said alley as indicated by Exhibit A and bound and described by:

All of the north-south 20-foot wide alley, as originally platted in Certified Survey Map No. 7683, in the Southeast 1/4 of Section 31, Township 7 North, Range 22 East, lying between the north line of West Mineral Street extended and the south line of an east-west 20-foot wide alley extended, is vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

Further Resolved, That the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation and when a money deposit is required, it must be deposited prior to implementing said actions; and, be it

Further Resolved, That as provided by Section 62.73, Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above-described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said alley had not been vacated.

Drafter
DCD:AJF:ajf

04/15/10

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** 12/01/09

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution to vacate a north-south alley in the block bounded by South 15th Street, South Cesar E. Chavez Drive, West Mineral Street and West Walker Street, in the 12th Aldermanic District.

B) **SUBMITTED BY (Name/title/dept./ext.):** Rocky Marcoux, Commissioner, DCD

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

W. Walker

(76' R.O.W.)

St.

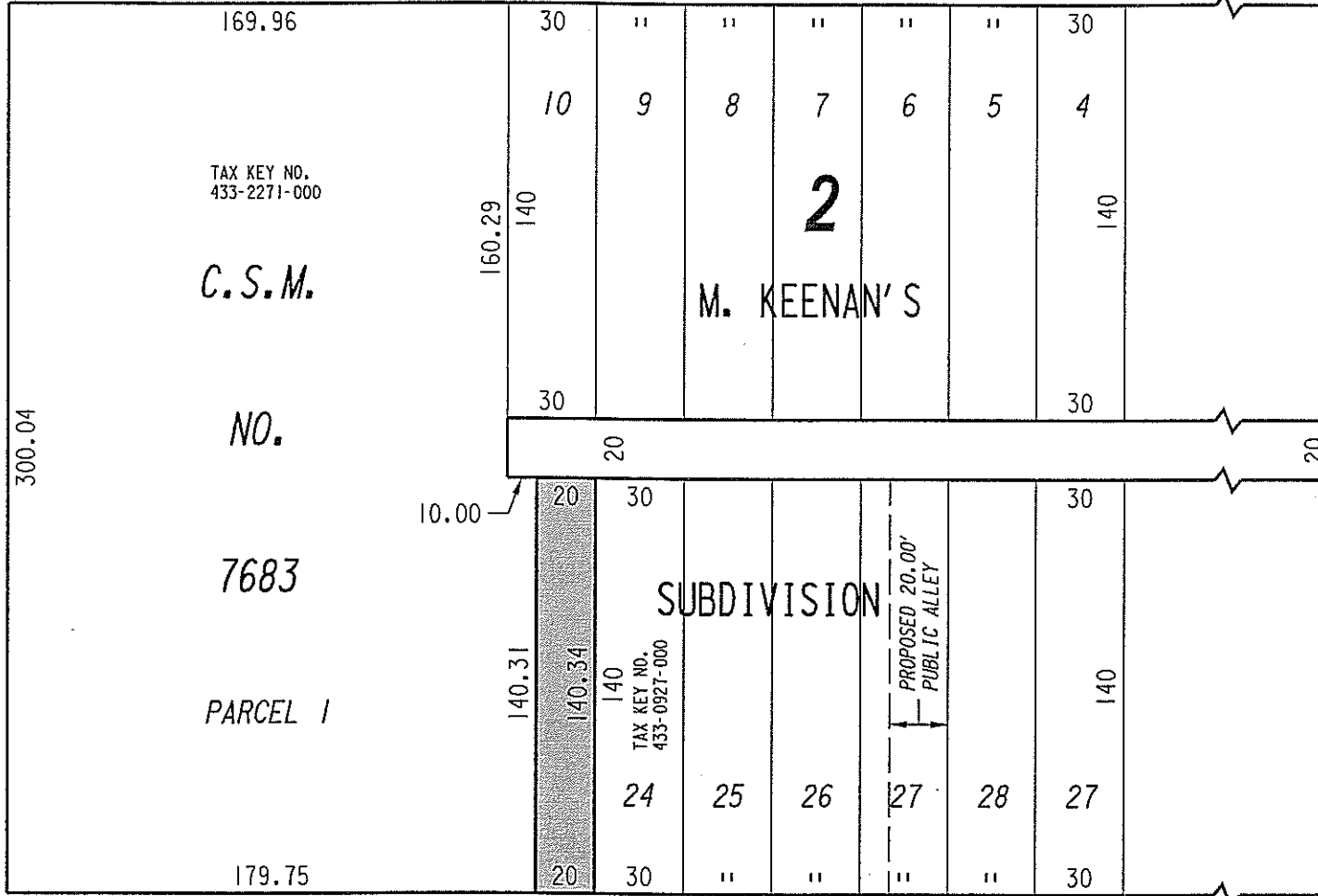
S.E. 1/4 SEC. 31, T.7N., R.22E.

433

Dr.

(66' R.O.W.)

S. Cesar E. Chavez



TAX KEY NO.
433-2271-000

C.S.M.

NO.

7683

PARCEL 1

2
M. KEENAN'S

SUBDIVISION

PROPOSED 20.00'
PUBLIC ALLEY

TAX KEY NO.
433-0927-000



PORTION OF PUBLIC
ALLEY PROPOSED TO
BE VACATED

W. Mineral

(66.47' R.O.W.)

St.

St.

(41' R.O.W.)

S. 15th

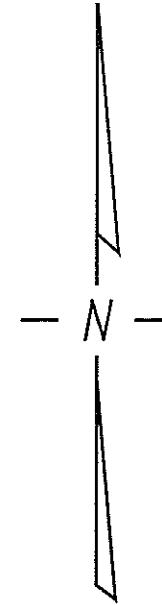


EXHIBIT "A"
FILE NO. 091018

INFRASTRUCTURE SERVICES DIVISION
MILWAUKEE, WISCONSIN

ASSIGNED TO: W.E. FUCHS

CH'K'D. BY: W.E. FUCHS

DRAWN BY: W.E.F.

DATE: MARCH 1, 2010

PROJECT/GRANT NO.: WK52337290

SCALE: 1" = 60'

APPROVED BY:

marcia Cornell

CENTRAL DRAFTING & RECORDS MANAGER

City Engineer

April 12, 2010

To the Honorable Common Council
Public Works Committee
City of Milwaukee

Dear Committee Members:

File No. 091018 vacates a north-south alley in the block bounded by South 15th Street, South Cesar Chavez Drive, West Mineral Street and West Walker Street, in the 12th Aldermanic District. This vacation was requested on behalf of El Rey Mexican Store to allow for expansion of its parking lot. This leg of alley will be relocated to the property at 1540 West Mineral Street.

The Department of Public Works Coordinated Report contains no stated objections to the proposed vacation. At the request of the Commissioner of Public Works, the petitioner has provided:

Construct new alley leg and abandon the alley approach	\$38,000.00
Alter street lighting circuitry and pole	\$4,000.00
Total	\$42,000.00

Since the proposed vacation is not in conflict with City plans, the City Plan Commission at its regular meeting on April 12, 2010, recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Jim Witkowiak



Legislation Details (With Text)

File #: 091170 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 12/22/2009 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution to vacate the east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th Street, in the 11th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ALLEY VACATIONS

Attachments: Fiscal Note.pdf, Exhibit A.pdf, City Plan Commission Letter.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/16/2010	1	CITY CLERK	DRAFT SUBMITTED		
4/16/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

091170
Version
SUBSTITUTE 1
Reference

Sponsor
THE CHAIR

Title
Substitute resolution to vacate the east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th Street, in the 11th Aldermanic District.

Analysis
This substitute resolution vacates the above alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was initiated by the City of Milwaukee, Department of Public Works, and will vacate an unimproved and landlocked alley with the property reverting to the properties along West Lakefield Drive.

Body
Whereas, It is proposed that the unimproved east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 62.73, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

Whereas, Said vacation has been reviewed in accordance with Section 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said alley as indicated by Exhibit A and bound and described by:

All of the east-west 20-foot wide alley as platted in Block 1 of Park Towne, a recorded subdivision, in the Northeast 1/4 of Section 15, Township 6 North, Range 21 East, described as follows: Commencing at the northwest corner of Lot 1 in said Block 1; thence Easterly, along the south line of said alley, 393.11 feet to the northeast corner of Lot 7 in said Block 1; thence Northerly, along the northerly extension of the east line of Lot 7 aforesaid, 20.0 feet to a point in the north line of said alley and the north line of said Park Towne; thence Westerly, along said north line, 393.09 feet to a point in the northerly extension of the west line of Lot 1; thence Southerly, along said northerly extension, 20.0 feet to the point of commencement, is vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

Further Resolved, That the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation and when a money deposit is required, it must be deposited prior to implementing said actions; and, be it

Further Resolved, That as provided by Section 62.73, Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said

description of land above-described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said alley had not been vacated.

Drafter

DCD:AJF:ajf

04/15/10

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** 12/22/2009

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution to vacate the east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Avenue, South 62nd Street and South 66th Street, in the 11th Aldermanic District.

B) **SUBMITTED BY (Name/title/dept./ext.):** Rocky Marcoux, Commissioner, DCD

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

(120' R.O.W.)

SEC. LINE

N.E. 1/4 SEC. 15, T.6N., R.21E.

529

60

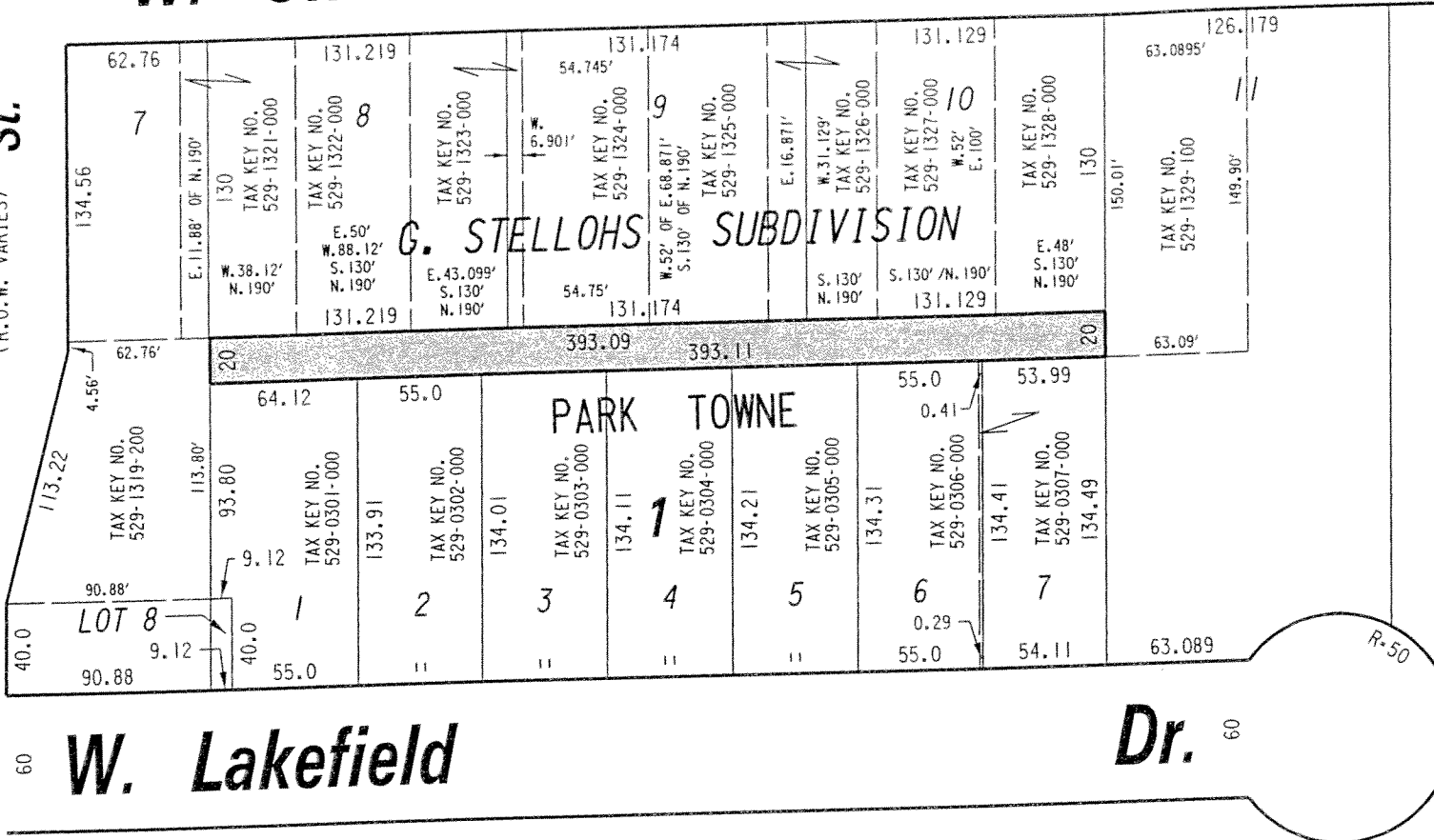
W. Oklahoma Ave.

Ave. 60

St.

(R.O.W. VARIES)

S. 66th




 PUBLIC ALLEY PROPOSED TO BE VACATED

EXHIBIT "A"
 FILE NO. 091170
 INFRASTRUCTURE SERVICES DIVISION
 MILWAUKEE, WISCONSIN

ASSIGNED TO: W.E. FUCHS
 DRAWN BY: W.E.F.
 PROJECT/GRANT NO.: WK52337291
 APPROVED BY:

CH'K'D. BY: W.E. FUCHS
 DATE: JAN. 26, 2010
 SCALE: 1" = 80'

Marcia Cornell
 CENTRAL DRAFTING & RECORDS MANAGER

[Signature]
 CITY ENGINEER

April 12, 2010

To the Honorable Common Council
Public Works Committee
City of Milwaukee

Dear Committee Members:

File No. 091170 vacates the east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th Street, in the 11th Aldermanic District. This vacation was initiated by the City of Milwaukee, Department of Public Works, and will vacate an unimproved and landlocked alley with the property reverting to the properties along West Lakefield Avenue.

The Department of Public Works Coordinated Report contains no stated objections to the proposed vacation. No additional fees would be incurred by DPW as a result of this vacation.

Since the proposed vacation is not in conflict with City plans, the City Plan Commission at its regular meeting on April 12, 2010, recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Joe Dudzik

