



**City of Milwaukee**  
**Common Council Minutes**  
**COMMON COUNCIL**

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

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Tuesday, November 9, 1999

9:00:00 AM

Common Council Chambers

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PRESENTATIONS

**Present: 17 -**

Pratt, Kalwitz, D'Amato, Henningsen, Schramm,  
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,  
Witkowiak, Pawlinski, Breier, Nardelli, Murphy, Hines Jr.

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [991014](#) Substitute ordinance to further amend the 1999 rates of pay of offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 12 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 20, 1999 - September 19, 1999):

Under Pay Range 666, footnote "2/", add "PHN Coordinator-HIV Women's Program" to the list of job assignments eligible for premium pay.

Part 2. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 3. The provisions of Part 1 of this ordinance are deemed to be in force and effect from and after Pay Period 20, 1999 (September 19, 1999).

The provisions of all other parts of this ordinance are deemed to be in force and effect from and after the first day of the first pay period following passage and publication.

Part 4. This ordinance will take effect and be in force from and after its passage and publication.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

- 2) [991016](#) Substitute ordinance to further amend the 1999 offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 1 of ordinance File Number 980575 relative to offices and positions in the City Service is hereby amended as follows:

Under "Health Department, Public Health Services Decision Unit, Pilot Ordinance Evaluation Grant", add three positions of "Public Health Aide (X)" and amend footnote "(H)" as follows: "To expire 9/30/02 unless the Pilot Ordinance Evaluation Grant, available from the Batelle Organization, is extended." and under "Healthy Start Grant", delete one position of "Public Health Educator II (X)" and add two positions of "Public Health Aide (X)." and amend footnote "(T)" as follows: "To expire 12/31/99 unless the Healthy Start Grant is extended."

Part 2. All ordinances of parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 3. The provisions of this ordinance are deemed to be in force and effect from and after the first day of the first pay period following passage and publication.

Part 4. This ordinance will take effect and be in force from and after its passage and publication.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

- 3) [991067](#) A substitute ordinance relating to the lending of city records.

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

Part 1. Section 320-33-3.1 of the code is created to read:

320-33. City Records Committee.

3.1. LENDING OF CITY RECORDS. Any city department or agency may lend any of the records over which it is the custodian to any entity it deems fit. All loans shall be governed by written agreements negotiated by the department or agency and the borrowing entity. All such agreements shall be approved by the city records committee and shall indemnify and hold the city harmless for any loss, damage or destruction of city property lent under the agreement.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 15 - Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 1 - Pratt

**Excused:** 1 - Hines Jr.

ADOPTION OF THE FOLLOWING:

- 4) [990961](#) Substitute resolution authorizing a \$160,000 appropriation from the Common Council Contingent Fund to the City Attorney Collection Contract Special Purpose Account. Whereas, on December 17, 1996 the Common council passed resolution File Numbers 961270 and 961271 authorizing contracts with the Kohn Law Firm for the collection of City receivables and Professional Account Management, Inc. (PAM) for the collection of overdue Municipal Court judgments; and
- Whereas, Funding for both these activities is under the jurisdiction of the City Attorney's Office Collection contract Special Purpose Account; and
- Whereas, Expenditures for the Kohn Law Firm through August, 1999 total \$208,401.67 and expenditures for PAM through July, 1999 total \$390,035.63; collection services year-to-date total \$598,437.30 and there is a balance of \$166,524.88 remaining in the account and additional funding of \$160,000 is necessary for the remainder of the year; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that \$160,000 be appropriated from the Common Council Contingent Fund Account No. 006300-0001-9990-C001-1999 to the City Attorney Collection Contract Special Purpose Account No. 006300-0001-1490-0001-S113-1999.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

5) [991056](#) Resolution amending Common Council File 990560 relative to application, acceptance and funding of the Pilot Ordinance Evaluation Grant. (Health Department) Whereas, Common Council File 990560 authorized the Health Department to apply for, accept and fund the Pilot Ordinance Evaluation Grant from the Batelle Organization for the purpose of evaluating the feasibility, costs and effectiveness of the Pilot Project for Lead-Based Paint Hazard Control in residential property. This grant provided for a Grantor share total of \$14,558; and

Whereas, The Grantor share for this program is increased by \$427,934; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that application to the Batelle Organization is authorized and the Health Department shall accept such a grant without further Common Council approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to commit funds within Project/Grant Parent 1999 Special Revenue Grant and Aid Projects fund, the following amount for the project titled Pilot Ordinance Evaluation Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$427,934

; and, be it

Further Resolved, That these funds are budgeted to the Health Department which is

authorized to:

Enter into subcontracts and leases as detailed in the grant budget; and, be it

Further Resolved, That the Common Council directs that the 1999 Positions Ordinance, Common Council File 980575, should be amended as follows:

HEALTH DEPARTMENT  
PUBLIC HEALTH SERVICES DECISION UNIT  
Pilot Ordinance Evaluation Grant

Add:

( 3 ) Public Health Aides (X)

Amend footnote (H) as follows:

To expire 09/30/02 unless the Pilot Ordinance Evaluation Grant, available from the Batelle Organization, is extended. Positions are authorized only as reflected in the grant agreement as approved by the Grantor Agency; and, be it

Further Resolved, That all standard resolved clauses articulated in Common Council File 990560 remain applicable.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

- 6) [991058](#) Resolution relative to extension of the funding for the 1999 Maternal and Child Health Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the United States Department of Health and Family Services through the Wisconsin Department of Health and Social Services for a Maternal and Child Health Block Grant (CFDA #93.994); and

Whereas, The operation of this grant project from 10/01/99 to 12/31/99 would cost \$184,604 of which \$72,764 (39%) would be provided by the city and \$111,930 (61%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Wisconsin Department of Health and Family Services is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent account of the 1999 Special Revenue Accounts-Grant and Aid Projects, the following amounts for the project titled Maternal and Child Health Block Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$111,930

2. Create the necessary Special Revenue Fund - Grant and Aid Project/Grant and Project Level Values; budget to these Project/Grant values the amount required under the grant agreement;

3. Establish the necessary City share project values; and, be it

Further Resolved, That these funds are budgeted to the Health Department which is authorized to:

Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date; and, be it

Further Resolved, That the Common Council directs that the 1999 Positions Ordinance, C.C. File 980575, should be amended as follows:

HEALTH DEPARTMENT  
PUBLIC HEALTH SERVICES DECISION UNIT  
Healthy Start Grant

Delete:

(1) Public Health Educator II (X)

Add:

(2) Public Health Aides (X)

Amend footnote (T) as follows:

To expire 12/31/99 unless the Healthy Start Grant is extended.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

7) [991070](#) Resolution relative to application for an Expanding Public Access to Technology Grant. (Library)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Bill and Melinda Gates Foundation; and

Whereas, The operation of this grant project from 12/01/99 to 06/30/00 would cost \$67,951 of which \$1,401(2%) would be provided by the city and \$66,550(98%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Bill and Melinda Gates Foundation is authorized.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

8) [991072](#) Substitute resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue (Milwaukee Public Library)

**Sponsors:** THE CHAIR

*Not signed by comptroller.*

- 9) [991099](#) Resolution approving the Memorandum of Understanding between the City of Milwaukee Negotiating Team and Staff Nurses' Council relative to adding a new job assignment to those eligible for premium pay. (Labor Relations)

Whereas, The agreement between the City Negotiating Team and Staff Nurses' Council, for the period commencing pay period 20, 1999, has been reduced to writing; and

Whereas, Memorandum of Understanding embodying the agreement reached by the parties to such negotiations, copies of which are attached to this Common Council File No. 991099 and incorporated herein as though fully set forth at length, subject to ratification by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Memorandum of Understanding between the City Negotiating Team and Staff Nurses' Council, be approved; and, be it

Further Resolved, That the proper city officials are hereby authorized and directed to take the necessary action or to make the necessary recommendations to the Common Council or the appropriate committees or boards to implement the terms of this agreement; and, be it

Further Resolved, That such sums as are necessary for the implementation of the aforementioned Memorandum of Understanding in accordance with its terms and conditions be obtained for and charged to the appropriate department budget accounts in accordance with the customary reporting and accounting requirements.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

PLACING ON FILE THE FOLLOWING:

- 10) [990158](#) Communication from Local 423, City of Milwaukee Drivers Union relative to the state of equipment and the filling of vacancies.



**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

- 11) [990579](#) Communication from the Buildings & Fleet Division transmitting a report on a Municipal Court Space Study.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

- 12) [991074](#) Communication from the Employees' Retirement System relative to the Actuary's Valuation of the Employees' Retirement System and the Employer contribution as certified within.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

**No:** 0

**Excused:** 1 - Hines Jr.

**Ald. Pratt moved to adopt the foregoing COMMON COUNCIL recommendations as indicated and on which separate action was not taken.**

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [991054](#) Resolution authorizing the proper City officials to execute a water service agreement with the Village of Butler. (Milwaukee Water Works)

Whereas, The Common Council, on Resolution File No. 990568, authorized the Water Works to negotiate an agreement for wholesale water service with the Village of Butler; and

Whereas, The terms of an agreement for the sale of water to the Village of Butler were drafted by the Water Works and submitted to Butler; and

Whereas, The Village of Butler adopted Resolution No. 99-26 on September 21, 1999 that approved the agreement for the purchase of water at wholesale; now, therefore, be it

Resolved, By the Common council of the City of Milwaukee that the proper City officials are hereby authorized and directed to execute the attached Agreement between the City of Milwaukee and the Village of Butler for the purchase of water at wholesale; and be it

Further Resolved, That the Water Works file a fully executed copy of the agreement with the Public Service Commission of Wisconsin.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Gordon that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 12 - Pratt, Kalwitz, Schramm, Johnson-Odom, Gordon, Frank, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Hines Jr.

**No:** 5 - D'Amato, Henningsen, Richards, Butler Murphy

APPROVAL OF THE FOLLOWING:

- 2) [990289](#) Substitute motion to approve recommendations of the Utilities and Licenses Committee relative to granting of the rooming house license issued to John and Angela F. Dobron for the premises located at 1712 West Pierce Street, in the 8th Aldermanic District.

Whereas, The Utilities and Licenses Committee held an evidentiary hearing on October , 1999 relative to the granting of the rooming house license of John and Angela F. Dobron for the premises located at 1712 West Pierce Street; and

Whereas, The Utilities and Licenses Committee, after hearing all of the testimony of the Milwaukee Police Department, voted (4 ayes, 1 noes) to recommend granting of said license; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee, hereby accepts the recommendation of the Utilities and Licenses Committee to grant the rooming house license of John and Angela F. Dobron for the premises located at 1712 West Pierce Street, despite police objection.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Gordon that this matter be APPROVED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 3) [990290](#) Substitute motion to approve recommendations of the Utilities and Licenses Committee relative to granting of the rooming house license issued to George W. Domrose for the premises located at 712 E. Knapp Street, in the 4th Aldermanic District.

Whereas, The Utilities and Licenses Committee held an evidentiary hearing on October , 1999 relative to the granting of the rooming house license of George W. Domrose for the premises located at 712 E. Knapp Street; and

Whereas, The Utilities and Licenses Committee, after hearing all of the testimony of the Milwaukee Police Department, voted unanimously (5 ayes, 0 noes) to recommend granting of said license; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee, hereby accepts the recommendation of the Utilities and Licenses Committee to grant the rooming house license of George W. Domrose for the premises located at 712 E. Knapp Street, despite police objection.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Gordon that this matter be APPROVED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 4) [990387](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

The Common Council of the City of Milwaukee hereby accepts the recommendations of the Utilities and Licenses Committee as contained in the listings attached to this file.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Gordon that this matter be APPROVED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 5) [991022](#) Communication from the office of the Commissioner of Railroads transmitting a report relative to the petition of the Wisconsin & Southern Railroad Company for a determination of the adequacy of protective devices at the crossings of the Wisconsin & Southern Railroad Company tracks with five streets.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Gordon that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 6) [991023](#) Communication from the office of the Commissioner of Railroads transmitting a report relative to the petition of the Wisconsin Department of Transportation for the alteration of three public crossings of the Union Pacific Railroad Co. tracks with USH 45.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Gordon that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 7) [991048](#) Communication from the Public Service Commission transmitting a notice of proceeding and investigation relative to the Commission's own motion into the definition of natural gas essential use customers and the requirements for backup service.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Gordon that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE UTILITIES AND LICENSES COMMITTEE FURTHER RECOMMENDS APPROVAL OF THE FOLLOWING:

- 8) [990388](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

The Common Council of the City of Milwaukee hereby accepts the recommendations of the Utilities and Licenses Committee as contained in the listings attached to this file.

**Sponsors:** THE CHAIR

*THE CLERK swore in the Court Reporter.*

*Recommendation of renewal of the Class "B" Tavern and nonrenewal of the Cabaret license of Kirby D. Lewis, Jr. and Cory A. Harris (a partnership) for the premises at 6333 W. Burleigh St. ("Club Rendezvous") in the 2nd Ald. Dist.*

*Recommendation of renewal with a 30-day suspension of the Class "B" Tavern & Tavern Dance License of Bonnie F. Jackson for the premises at 2490 W. Fond du Lac Avenue ("B J's 2nd Time Around") in the 7th Ald. Dist. (Written objections were not filed by the licensees.)*

*The Chair questioned whether all the members of the Common Council read the Report and Recommendations of the Utilities and Licenses Committee in these matters and any written exceptions, if filed by the licensee(s).*

*Ayes: 17 - Ald. Pratt, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Murphy, Nardelli, Hines and President Kalwitz.*

*Noes: 0.*

*Kirby D. Lewis, Jr.  
Corey A. Harris*

*The Chair questioned whether the applicants or their counsel were present.*

*Neither was present.*

*ALD. BREIER AND ALD. SCHRAMM opposed to the Utilities and Licenses recommendations of renewal of the Class "B" Tavern and nonrenewal of the Cabaret partnership licenses of Kirby D. Lewis, Jr. and Cory A. Harris.*

*Bonnie F. Jackson*

*The applicant was not present.*

*ALD. BUTLER, NARDELLI AND BREIER opposed to renewal with a 30-day suspension of the Class "B" Tavern & Tavern Dance License of Bonnie F. Jackson .*

*THE CHAIR moved to approve the Utilities and Licenses Committee Report.*

*The motion prevailed.*

*Ayes: 16 - Ald. Pratt, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Nardelli, Murphy, Hines and Kalwitz.*

*Noes: 1 - Ald. Breier*

**A motion was made by Ald. Gordon that this matter be APPROVED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Nardelli, Murphy Hines Jr.

**No:** 1 - Breier

- 9) [990907](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

The Common Council of the City of Milwaukee hereby accepts the recommendations of the Utilities and Licenses Committee as contained in the listings attached to this file.

**Sponsors:** THE CHAIR

*Recommendation of nonrenewal of the Class "D" Bartender License of Steven R. Garibay.*

*Recommendation of nonrenewal of the Class "D" Bartender License of Arlene L. Whiting.*

*The Chair questioned whether all the members of the Common Council read the Report and Recommendations of the Utilities and Licenses Committee in these matters and any written exceptions, if filed by the licensee(s).*

*Ayes: 16 - Ald. Pratt, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Murphy,*

*Hines and Kalwitz.*

*Noes: 1 - Ald. Nardelli.*

*Steven R. Garibay*

*Arlene L. Whiting*

*THE CHAIR questioned whether the applicant or their counsel were present.*

*Arlene L. Whiting was present but did not wish to speak.*

*ALD. GORDON moved to refer the Class "D" Bartender License of Arlene L. Whiting back to Committee.*

*The motion prevailed.*

*THE CHAIR moved to approve File 990907 as amended.*

*The motion prevailed.*

*Ayes: 16 - Ald. Pratt, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Murphy, Hines and Kalwitz.*

*Noes: 0.*

*Excused: 1 - Ald. Nardelli.*

**A motion was made by Ald. Gordon that this matter be APPROVED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [990196](#) Substitute resolution relative to various legislative bills.

Whereas, The Judiciary and Legislation Committee of the Common Council has recommended the following position on the bills hereinafter listed and the Common

Council being advised of said matters; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it hereby approves the following legislative bills and instructs the Division of Intergovernmental Relations to appear before the proper committees to support such bills and use its best endeavors to have the same enacted into law, viz:

60-S, relating to Technology for Public Libraries.

507-A, relating to Exempting Speed Limits For Police Vehicles.

522-A, relating to Alcohol Beverages License.

525-A, relating to Selling Alcohol Beverages.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 2) Substitute resolutions authorizing return of real estate to its former owners upon payment of all city and county tax liens and any special improvement bonds with all interest and penalties thereon and all costs sustained by the City:
- a) [990665](#) Substitute resolution authorizing the return of real estate located at 3020 North Teutonia Avenue, in the 10th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- Whereas, The property located 3020 North Teutonia Avenue, tax key number 311-2905-7 previously owned by Debra Fenceroy, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and
- Whereas, Debra Fenceroy, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and
- Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and
- Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes,



plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 3020 North Teutonia Avenue, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 239, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [990693](#) Substitute resolution authorizing the return of real estate located at 1450 West Hadley Street, in the 10th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located 1450 West Hadley Street, tax key number 311-3202-3 previously owned by Valerie Powell-Perry, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and

Whereas, Valerie Powell-Perry, would like to reclaim said property by paying all City

and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$400; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 1450 West Hadley Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 242, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- c) [990706](#) Substitute resolution authorizing the return of real estate located at 3261 North 25th Street, in the 10th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located 3261 North 25th Street, tax key number 285-0608-4 previously owned by Mary E. Clayborn, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and

Whereas, Mary E. Clayborn, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450. Additional costs incurred for various repairs were approximately \$1,100; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 5041 North 66th Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 154 securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- d) [990804](#) Substitute resolution authorizing the return of real estate located at 2429-31 North 5th Street, in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located 2429-31 North 5th Street, tax key number 322-1164-110-9 previously owned by Charles Haze, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and

Whereas, Marion L. Hughes, Personal Representative for Charles Haze, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2429-31 North 5th Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 276, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process

becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- e) [990826](#) Substitute resolution authorizing the return of real estate located at 1438 South 10th Street, in the 12th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located at 1438 South 10th Street, tax key number 461-0124-000-2 previously owned by Wilma J. Mulkins, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and

Whereas, Wilma J. Mulkins, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 1438 South 10th Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 438 securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- f) [990827](#) Substitute resolution authorizing the return of real estate located at 2015-17 North 58th Street, in the 16th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located at 2015-17 North 58th Street, tax key number 346-1137-000-x previously owned by Victor Schittone II, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and

Whereas, Victor Schittone II, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred

totalling \$450. Additional costs incurred were approximately \$600 for repairs; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2015-17 North 58th Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 330 securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- g) [990828](#) Substitute resolution authorizing the return of real estate located at 2706 West Wright Street, in the 7th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located at 2706 West Wright Street, tax key number 326-1161-121-7 previously owned by Lisa Odom, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and

Whereas, Lisa Odom, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2706 West Wright Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 307 securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- h) [990876](#) Substitute resolution authorizing the return of real estate located at 6081 North Denmark Street, in the 15th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located 6081 North Denmark Street, tax key number 151-0131-8 previously owned by Lillie R. LaGrant, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a



fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and

Whereas, Lillie R. LaGrant, would like to reclaim said property by paying all City and County real estate taxes, Bond BK 03199, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes, plus interest, Bond BK 03199, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450; and

Whereas, The Health Department reported no outstanding orders or notices, and no clean up notices have been issued against this property under Section 80-8 or 17-12 in 1998 or thus far in 1999; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 6081 N. Denmark Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 16, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, Bond BK 03199, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- i) [990878](#) Substitute resolution authorizing the return of real estate located at 2869 North 14th Street, in the 10th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located 2869 North 14th Street, tax key number 311-3117-1 previously owned by Gregory McCoy, has delinquent taxes for 1996 through 1998 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26, 1999; and

Whereas, Gregory McCoy, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26, 1999; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1996 through 1998 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied and rent has been collected and administrative costs have been incurred totalling \$450; and

Whereas, The Health Department reported no outstanding orders or notices, and no clean up notices have been issued against this property under Section 80-8 or 17-12 in 1998 or thus far in 1999; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2869 North 14th Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County

Circuit Court Case No. 99-CV-001198 known as the 1999-1, In Rem Parcel 241, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

3) Substitute resolutions to settle various claims:

a) [990958](#) Substitute resolution to settle claim of Congregation Beth Jehudah for property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$650.00 payable to Congregation Beth Jehudah and Attorney James A. Hiller, 5325 W. Burleigh St., 2nd Floor, 53210, to reimburse them for property damage; and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to Account No. 636505, Fund - 0001, Organization - 1490, Program - 2631, Sub Class - S118.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

b) [990978](#) Substitute resolution to settle claim of Pattie Sue Elder for property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$100.00 payable to Pattie Sue Elder, 7141 W. Grantosa Court, 53218, to reimburse her for property damage; and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to Account No. 636505, Fund - 0001, Organization - 1490, Program - 2631, Sub Class - S118.

**Sponsors:** THE CHAIR

**A motion was made by Ald. D'Amato that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 1 - Richards

- 4) [990977](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1998 tax roll, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

Whereas, Assessments were made against certain parcels of real estate for the year 1998 as contained in Common Council Resolution File No. 990977; and

Whereas, The Board of Review has decreased these assessments as shown in this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue city checks in the amounts as shown in this file, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate of 9.6% applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and said checks to be delivered to the Tax Billing and Collection Division of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That interest for Key No. 183-0221-100-7 shall be applicable from date of payment to September 3, 1998 for the year 1998; and, be it

Further Resolved, That delinquent interest and penalties on any account covered by this resolution are hereby canceled.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 5) Resolutions to settle claims of various attorneys for defense of various police officers and a sergeant:
- a) [991003](#) Resolution to settle claims of Eggert Law Offices, S.C., for defense of various Police Officers.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$18,074.25 payable to Eggert Law Office, S.C., 1840 North Farwell Avenue, Suite 303, 53202, to reimburse them for legal fees for defense of the following Police Officers.

NAME AMOUNT

Robert Lutzke and Jon Osowski \$ 385.00

David Becker, Marcus Jeter, Dwayne Monteigh 1,595.00

Joel Rodriguez and Todd Bohlen 660.00

Byron Andrews and Virgil Cotton 4,312.00

Kevin Dudley and Todd Smolen 1,122.00

Shawn Bailey and Stacy Steen 286.00

Richard Wearing and Troy Jankowski 616.00

Barry Koch 968.00

Brant Ungerer and Todd Bohlen 310.00

Kevin J. Rogers, Chad Raden, Christopher Allen, 5,730.25  
Carol Schultz, Richard Wroblewski, Jacques Sampon, David Pierzchalski

Anthony Randazzo 880.00

Derek Jeter 330.00

Andrea Jaeger 330.00

August Halama 550.00

TOTAL: \$18,074.25

; and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to the Damages and Claims Account No. 636505, Fund - 0001, Organization - 1490, Program - 263, Sub Class S118.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [991024](#) Resolution to settle claim of Attorney Bridget E. Boyle, Boyle, Boyle & Smith, S.C. for defense of Police Sergeant Terry Fahrenkrug.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the sum of \$3,179.00 payable to Attorney Bridget E. Boyle, 1124 West Wells Street, 53233, to reimburse her for legal fees for defense of Police Sergeant Terry Fahrenkrug;

and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to the Damages and Claims Account No. 636505, Fund - 0001, Organization - 1490, Program - 263, Sub Class S118.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- c) [991025](#) Resolution to settle claim of Attorney Kenneth J. Murray for defense of various Police Officers.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$3,209.25 payable to Attorney Kenneth J. Murray of Murray & Cross, 845 North 11th Street, 53233, to reimburse him for legal fees for defense of the following Police Officers and Police Department Employee:

Julie Horter, Ripton Stewart and Detective Michael Braunreiter \$3,064.25

John Belsha and Artemio Rodriguez 145.00

TOTAL \$3,209.25

;and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to the Damages and Claims Account No. 0001, Organization - 1490, Program - 263, Sub Class S118.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- d) [991026](#) Resolution to settle claims of Eggert Law Offices, S.C., for defense of various Police Officers.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$9,607.10 payable to Attorney Laurie A. Eggert, Eggert Law Office, S.C., 1840 North Farwell Avenue, Suite 303, 53202, to reimburse them for legal fees for defense of the following Police Officers.

NAME AMOUNT

Thomas Wroblewski and Ted Puenta \$ 715.00

Anthony Randazzo and Richard Wearing 561.00

Jutiki Jackson 8,331.10

TOTAL

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 6) [990857](#) Appeal of Marquette University High School relative to claim for property damage. (16th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 7) Substitute resolutions authorizing return of real estate upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalties thereon and all costs as sustained by the City:

- a) [990872](#) Substitute resolution authorizing the return of real estate located at 1808-10 West Locust Street, in the 7th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0



- b) [990877](#) Substitute resolution authorizing the return of real estate located at 1704-06 West Wright Street, in the 17th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

**A motion was made by Ald. Frank that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

DISALLOW AND INDEFINITELY POSTPONE THE FOLLOWING:

- 8) Various claims against the City:

- a) [990286](#) Communication from the City Attorney's Office transmitting a communication from Vincy & Terry Rinaldi relative to claim for property damage.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [990864](#) Communication from the City Attorney's Office transmitting a communication from Michael Czerwinski relative to claim for property damage.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- e) [990984](#) Communication from the City Attorney's Office transmitting a communication from James Kollatz relative to claim for property damage.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- f) [990985](#) Communication from the City Attorney's Office transmitting a communication from Albert Krejci relative to claim for property damage.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- p) [991005](#) Appeal of the Wisconsin Gas Company relative to claim for reimbursement for repair costs for a gas service break at 3210 West Oriole Drive.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Frank that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990792](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.

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

Part 1. Section 101-23-3 of the Code relating to No Parking is amended by striking the following:

"On the south side of E. Hamilton Street from the east curb line of N. Cass Street to a point 150 feet east thereof at any time"

"On the east side of N. 124th Street 120 feet north of W. Hampton Avenue at any

time"

"On the east side of N. 124th Street from the north curb line of W. Hampton Avenue to a point 220 feet north thereof at any time"

"On the west side of N. Prospect Avenue between E. State Street and N. Astor Street at any time"

"On the west side of N. Prospect Avenue from E. Kilbourn Avenue to E. State Street at any time"

"On the north side of E. Irving Place from N. Cambridge Avenue to N. Prospect Avenue at any time"

Part 2. Section 101-23-3 of the Code relating to No Parking is amended by adding the following:

On the south side of E. North Avenue from N. Humboldt Avenue to a point 165 feet west at any time

On the east side of N. Port Washington Avenue from W. Olive Street to a point 360 feet south at any time

Part 3. Section 101-23-4-d of the Code relating to Two Hour Parking is amended by striking the following:

"On the west side of S. 9th Street between W. Lapham and W. Orchard Streets"

Part 4. Section 101-23-4-d of the Code relating to Two Hour Parking is amended by adding the following:

On the west side of N. Prospect Avenue from N. Astor Street to E. State Street

Part 5. Section 101-23-6 of the Code relating to Angle Parking is amended by striking the following:

"On the south side of E. Irving Place from N. Cambridge Avenue to N. Prospect Avenue"

Part 6. Section 101-23-8 of the Code relating to Taxi Stands is amended by adding the following:

On the south side of W. Wisconsin Avenue from a point 100 feet west of N. 5th

Street to N. 6th Street (10 cab stands)

Part 7. Section 101-23-10-a of the Code relating to Winter Parking is amended by striking the following:

"On the south side of E. Hamilton Street from N. Arlington Place to N. Warren Avenue"

"On the north side of W. Custer Avenue from N. 31st Street to N. 35th Street"

Part 8. Section 101-23-10-a of the Code relating to Winter Parking is amended by adding the following:

On the north side of W. Custer Avenue from N. 33rd Street to N. 35th Street

Part 9. Section 101-26.5-1 of the Code relating to No Parking When Snow Fall 2" or More is amended by adding the following:

On the south side of E. Hamilton Street from N. Arlington Place to N. Warren Avenue

**Sponsors:** THE CHAIR

**A motion was made by Ald. Murphy that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

2) [990793](#) A substitute ordinance relating to traffic controls in various Aldermanic Districts.

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

Part 1. Section 101-12-4-a of the Code relating to Mandatory Turns is amended by striking the following:

"S. 6th Street at W. Washington Street Left Lane Must Turn Left Southbound"

Part 2. Section 101-13-8 of the Code relating to School Speed 20 MPH is amended by adding the following:

On W. Washington Boulevard from N. 56th Street to N. 58th Street

On W. Appleton Avenue from W. Nash Street to W. Keefe Parkway

Part 3. Section 101-15 of the Code relating to Yield signs is amended by adding the following:

On W. Mallory Avenue at S. 23rd Street

Part 4. Section 101-18-1 of the Code relating to Prohibition of Heavy Traffic is amended by adding the following:

On N. 86th Street at W. Good Hope Road Northbound

Part 5. Section 101-21.5-1 of the Code relating to Designation of Bicycle Lanes is amended by adding the following:

On Holton Street Viaduct from E. Brady Street to E. Reservoir Avenue

On 35th Street Viaduct from W. Park Hill Avenue to W. National Avenue

**Sponsors:** THE CHAIR

**A motion was made by Ald. Murphy that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

ADOPTION OF THE FOLLOWING:

- 3) [991055](#) Resolution relative to application, acceptance and funding of a Pregnancy Prevention Consortium Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Centers for Disease Control for developing and implementing a city-wide community action plan for the prevention of adolescent pregnancy; and

Whereas, The operation of this grant project (CFDA #93.283) from 09/30/99 to 09/29/00 would cost \$447,978 entirely provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Centers for Disease Control is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent account of the 1999 Special Revenue Accounts-Grant and Aid Projects, the following amounts for the project titled Pregnancy Prevention Consortium Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$447,978

2. Create the necessary Special Revenue Fund - Grant and Aid Project/Grant and Project Level Values; budget to these Project/Grant values the amount required under the grant agreement;

3. Establish the necessary City Share project values; and, be it

Further Resolved, That these funds are budgeted to the Health Department which is authorized to:

1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 1998 grant budget funds for training and out-of-town travel by departmental staff;
3. Enter into subcontracts and leases as detailed in the grant budget;
4. Expend funding for equipment as defined in the grant budget.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Murphy that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 4) [991057](#) Resolution relative to application, acceptance and funding of the Integrated Pest Management Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the United States Environmental Protection Agency for conducting a workshop to promote the use of integrated pest management techniques as a means of reducing incidental pesticide exposure to young children in school settings; and

Whereas, The operation of this grant project from 10/01/99 to 09/30/00 would cost \$2,500 provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the United States Environmental Protection Agency is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent Account of the 1999 Special Revenue Grant and Aid Projects, the following amounts for the project titled Integrated Pest Management Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
BY	0000
Subclass	R999
Acct	000600
Project	Grantor Share
Amount	\$2,500

2. Create the necessary Special Revenue Fund - Grant and Aid Project/Grant and Project level values; budget to these Project/Grant values the amount required under the grant agreement; and, be it

Further Resolved, That these funds are budgeted to the Health Department which is authorized to:

Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Murphy that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 5) [990670](#) Substitute resolution relating to enforcement of "quality of life" ordinances.

Whereas, The Milwaukee Police Department, under Chief Arthur Jones' direction, has embarked upon a stringent enforcement of "quality of life" ordinances; and

Whereas, These ordinances include City regulations relating to littering, public streets, excessive noise, pets, public drinking, prostitution, all-night parking, abandoned vehicles, loitering, curfew, licensing of bicycles, sale of cigarettes to minors, etc.; and

Whereas, Chief Jones believes that strict enforcement of such ordinances is a form of "preventive maintenance" that prevents disorder; and

Whereas, The notion of quality-of-life policing is to fully enforce minor offenses to discourage major crimes; and

Whereas, There is a growing concern in the community that the Police Department's campaign of enforcing quality of life ordinances may have an adverse impact on current police-community relations within the city; and

Whereas, The Police Department must take a pro-active approach to addressing citizens' concerns of unequal enforcement and disparate treatment of individuals; and

Whereas, For the quality of life initiative to succeed, citizens must be assured that the ordinances are enforced equally and fairly throughout the city; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council requests that:

1. The Police Department keep detailed records and statistics related to quality of life ordinance violations, including the race, gender and ethnicity of each person involved, and the location of the violation.
2. The Police Department maintain records by race, gender and ethnicity of citizen complaints related to the enforcement of quality of life ordinances, including complaints where there were no arrests or citations issued.
3. The Fire and Police Commission analyze the data collected by the Police



Department and submit a report of its findings on a quarterly basis, beginning with a report on the last quarter of 1999, to the Public Safety Committee of the Common Council which will release the report to members of the media and to interested citizens for public examination.

**Sponsors:** Ald. Butler

*Ald. Butler moved for separate action.*

*(The motion prevailed.)*

*Ald. Butler moved to approve notwithstanding the recommendation of the Public Safety Committee. Prevailed.*

**A motion was made that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 9 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler Witkowiak

**No:** 8 - Schramm, Frank, Scherbert, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

- 6) [990687](#) Communication from K. Singh and Associates, Inc. transmitting a report on environmental assessment and strategies for redevelopment of tax-delinquent properties in the City of Milwaukee.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Murphy that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [991037](#) Substitute resolution authorizing expenditures from the Neighborhood Commercial District Street Improvement Fund for streetscape improvements, in conjunction with Business Improvement District No. 20, on East North Avenue and various other streets between the Milwaukee River and North Prospect Avenue.

Whereas, The 1999 Capital Budget for the City of Milwaukee ("City") contains \$500,000 in the Neighborhood Commercial District Street Improvement Fund; and

Whereas, The purpose of this Capital account is to pay for streetscape improvements such as pedestrian lighting and other public way improvements along commercial

streets; and

Whereas, The Common Council of the City of Milwaukee has adopted File No. 921480 which established guidelines for use of the Neighborhood Commercial District Street Improvement Fund; and

Whereas, The proposed project meets these guidelines; and

Whereas, Property owners petitioned for the creation of Business Improvement District No. 20 to raise funds to be used in conjunction with the City's Neighborhood Commercial District Street Improvement Fund; and

Whereas, Said Business Improvement District No. 20 has been approved by the Common Council of the City of Milwaukee; and

Whereas, The private funds will equal or exceed the amount of City funds for this project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Comptroller is authorized and directed to transfer the sum of \$500,000 from the Neighborhood Commercial District Street Improvement Fund to the appropriate borrowing account and expenditure accounts following the City Attorney's determination as to the taxability or nontaxability of the specific borrowing required under this resolution; and, be it

Further Resolved, That the City Comptroller, in conjunction with the Commissioner of the Department of City Development, is authorized and directed to establish any and all subaccounts in accord with generally accepted accounting practices and the City guidelines necessary to maintain the fiscal control to carry out the intent and purpose of this resolution, public way improvements associated with the Business Improvement District No. 20 streetscape project; and, be it

Further Resolved, That all City officials, departments, boards and commissions are authorized and directed to assist and cooperate with the project.

**Sponsors:** Ald. D'Amato

**A motion was made by Ald. Nardelli that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

CONFIRMATION OF THE FOLLOWING:

- 2) [990866](#) Appointment of Sharon Valentine to the Business Improvement District #4 (Mitchell Street) by the Mayor.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 3) [990867](#) Appointment of Anthony Furlick to the Business Improvement District #13 (Oakland Avenue) by the Mayor. (3rd Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 4) [991069](#) Resolution establishing application and issuance fees for projects financed with Industrial Development Revenue Bonds. (DCD)

**Sponsors:** THE CHAIR

**A motion was made by Ald. Nardelli that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

PASSAGE OF THE FOLLOWING:

- 1) [990366](#) A substitute ordinance establishing zoning regulations for title loan agencies.

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

Part 1. Section 295-7-178.2 of the code is created to read:

295-7. Definitions.

178.2. TITLE LOAN AGENCY: An establishment engaged in the business of making loans to individuals in exchange for receiving title to the borrowers' motor vehicles as collateral.

Part 2. Section 295-323-6 of the code is repealed and recreated to read:

295-323. Special Uses.

6. OFFICES. a. Currency exchanges.

b. Title loan agencies.

Part 3. Section 295-333-6 of the code is repealed and recreated to read:

295-333. Special Uses.

6. OFFICES. a. Currency exchanges.

b. Title loan agencies.

Part 4. Section 295-343-6 of the code is repealed and recreated to read:

295-343. Special Uses.

6. OFFICES. a. Currency exchanges.

b. Title loan agencies.

Part 5. Section 295-423-6 of the code is repealed and recreated to read:

295-423. C9B (Residential and Specialty Use): Special Uses.

6. OFFICES. a. Currency exchanges.

b. Title loan agencies.

Part 6. Section 295-433-6-c of the code is created to read:

295-433. C9C (Neighborhood Retail): Special Uses.

6. OFFICES.

c. Title loan agencies.

Part 7. Section 295-453-6-d of the code is created to read:

295-453. C9E (Major Retail): Special Uses.

6. OFFICES.

d. Title loan agencies.

Part 8. Section 295-463-6 of the code is repealed and recreated to read:

295-463. C9F (Office and Service): Special Uses.

6. OFFICES. a. Currency exchanges.

b. Title loan agencies.

Part 9. Section 295-473-6 of the code is repealed and recreated to read:

295-473. C9G (Mixed Activity): Special Uses.

6. OFFICES. a. Currency exchanges.

b. Title loan agencies.

Part 10. Section 295-483-6 of the code is repealed and recreated to read:

295-483. C9H (Warehousing and Light Manufacturing): Special Uses.

6. OFFICES. a. Currency exchanges.

b. Title loan agencies.

Part 11. Section 295-513-6-d of the code is created to read:

295-513. Special Uses.

6. OFFICES.

d. Title loan agencies.

Part 12. Section 295-523-6-b and c of the code is amended to read:

295-523. Special Uses.

6. OFFICES.

b. In I/A/125 to I/D/60 districts, banks and other financial institutions [[and]] >>, << currency exchanges >>and title loan agencies<<.

c. In I/E/40 and I/E/60 districts, banks and other financial institutions, excluding drive-thru facilities [[and]] >>, << currency exchanges >>and title loan agencies<<.

**Sponsors:** Ald. Pratt

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 2) [990519](#) Substitute ordinance relating to the approval of a detailed plan for Phase 3 of a General Planned Development known as Honey Creek Corporate Center and to change the zoning from General Planned Development (GPD) to Detailed Planned Development (DPD), on land located on the North Side of the East-West Freeway (I-94) and West of South 84th Street, in the 16th Aldermanic District.
- The Mayor and Common Council of the City of Milwaukee ("Common Council") do ordain as follows:

Part 1. There is added to the Milwaukee Code of Ordinances ("Code") a new section to read as follows:

Section 295-810(2)(b).0133.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the Detailed Planned Development known as Honey Creek Corporate Center, a copy of which is attached to this Common Council File as Exhibit A which is on file in the Office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for all that Parcel 1 of Certified Survey Map No. 6360, in the Northeast 1/4 and the Northwest 1/4 of the Northwest 1/4 of Section 33, Township 07 North, Range 21 East, in the City of Milwaukee,

Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at a concrete monument with a brass cap at the Northwest corner of said Northwest 1/4 Section; thence North 86 deg. 45 min. 04 sec. East, on and along the north line of said Northwest 1/4 Section, 683.80 feet to a point; thence South 01 deg. 44 min. 52 sec. East, 100.03 feet to the Northwest corner of said Parcel 1 and the south line of a 100-foot WEPCO right-of-way, said point also being the point of beginning; thence North 86 deg. 45 min. 04 sec. East, on and along the north line of said Parcel 1 and the south line of said WEPCO right-of-way and parallel to the north line of said Northwest 1/4 Section, 144.22 feet to a point; thence South 01 deg. 44 min. 52 sec. East and parallel to the west line of said Parcel 1, 332.93 feet to a point; thence North 88 deg. 15 min. 08 sec. East, 308.93 feet to a point; thence South 46 deg. 45 min. 34 sec. East, 256.03 feet to a point; thence South 43 deg. 06 min. 01 sec. West, 50.56 feet to a point; thence South 01 deg. 44 min. 52 sec. East and parallel to the west line of said Parcel 1, 399.48 feet to a point on the south line of said Parcel 1 and the north right-of-way line of I-94 (East-West freeway); thence South 87 deg. 23 min. 03 sec. West, on and along said south line, 339.90 feet to the Southwest corner of said Parcel 1; thence North 01 deg. 44 min. 52 sec. West, on and along the west line of said Parcel 1, 416.44 feet to a point; thence South 86 deg. 45 min. 03 sec. West on and along the west line of said Parcel 1, 258.75 feet to a point; thence North 01 deg. 44 min. 52 sec. West, on and along the west line of said Parcel 1, 540.97 feet to the point of beginning.

(3) The requirements set forth in said detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling, or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. In accordance with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance

is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 3) [990520](#) Substitute ordinance relating to the approval of Phase 2 of a Detailed Planned Development (DPD) known as Southgate Marketplace, on land located West of South 27th Street and North of West Morgan Avenue, in the 11th Aldermanic District.

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

Part 1. There is added to the Milwaukee Code of Ordinances ("Code") a new section to read as follows:

Section 295-810(2)(b).0115.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the second phase of a Detailed Planned Development known as Southgate Marketplace, a copy of which is attached to this Common Council File as Exhibit A which is on file in the Office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for all that part of Certified Survey Map No. 5902 in the Northeast 1/4 and the Southeast 1/4 of the Northeast 1/4 of Section 13, Township 06 North, Range 21 East, located in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of said Section 13, thence South 00 deg. 08 min. 40 sec. East and along the east line of said Northeast 1/4 Section 982 feet; thence South 88 deg. 27 min. 40 sec. West 295.97 feet to the point of beginning of the following description:



Thence South 00 deg. 00 min. 00 sec. East 75.84 feet; thence North 90 deg. 00 min. 00 sec. West 243.96 feet; thence South 00 deg. 00 min. 00 sec. East 269.62 feet; thence North 90 deg. 00 min. 00 sec. West 295.29 feet to the arc of a curve; thence Southwesterly 65.97 feet along the arc of a curve to the left whose radius is 42 feet and whose chord bears South 45 deg. 00 min. 00 sec. West 59.40 feet to the arc of a curve; thence Southwesterly 28.32 feet along the arc of a curve to the right whose radius is 17.86 feet and whose chord bears South 45 deg. 24 min. 45 sec. West 25.44 feet; thence North 89 deg. 10 min. 30 sec. West 167.90 feet to the easterly line of a public right-of-way; thence North 01 deg. 32 min. 20 sec. West and along said easterly line 205.09 feet to the arc of a curve; thence Northeasterly 302.96 feet along said easterly line and the arc of a curve to the right whose radius is 717.10 feet and whose chord bears North 10 deg. 33 min. 51 sec. East 300.71 feet; thence North 88 deg. 27 min. 40 sec. East 367.57 feet; thence South 00 deg. 08 min. 40 sec. East 117 feet; thence North 88 deg. 27 min. 40 sec. East 350.03 feet to the point of beginning.

(3) The requirements set forth in said detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling, or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. In accordance with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 4) [990734](#) Ordinance relating to the approval of a Second Amendment to the Detailed Planned Development (DPD) known as Airport Business Center, on land located on the East Side of South 6th Street and South of West Layton Avenue, in the 13th Aldermanic District. (Department of City Development)

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

Part 1. There is added to the Milwaukee Code of Ordinances ("Code") a new section to read as follows:

Section 295-810(2)(b).0132.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the Second Amendment to the Detailed Planned Development known as Airport Business Center, a copy of which is attached to this Common Council File as Exhibit A which is on file in the Office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map reaffirms the zoning for the area bounded by and described as follows:

Parcel 1 of Certified Survey Map No. 5056 in the Northeast 1/4 of Section 29, Township 06 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Northeast 1/4 Section; thence North 88 deg. 51 min. 26 sec. East along the north line of said Northeast 1/4 Section 440.00 feet to a point; thence South 01 deg. 09 min. 09 sec. East 990.00 feet to a point; thence South 88 deg. 51 min. 26 sec. West 44.00 feet to a point; thence South 01 deg. 09 min. 09 sec. East 182.46 feet to a point; thence South 88 deg. 51 min. 26 sec. West 396.00 feet to a point on the west line of said Northeast 1/4 Section; thence North 01 deg. 09 min. 09 sec. West along said west line 1172.46 feet to the point of commencement.

(3) The requirements set forth in said amended detailed plan attached to this Common

Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such amended detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended detailed plan to all conditions and limitations set forth in such detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling, or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. In accordance with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 5) [990818](#) An ordinance relating to the zoning classification of health clinics in regional shopping zoning districts. (Department of City Development)

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

Part 1. Section 295-343-5-d of the code is created to read:

295-343. Special Uses.

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5. HEALTH AND SOCIAL SERVICE FACILITIES.

d. Health clinics.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

6) [991064](#) An ordinance relating to the razing of structures.

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

Part 1. Section 218-4-1 and 5 of the code is amended to read:

218-4. Razing of Structures. 1. REPAIR OR RAZE. All such unsafe buildings, structures or parts thereof as defined in s. 200-11 >>or consistent with the conditions specified in s. 218-9-1<< , are declared to be a public nuisance, endangering life, limb, health or property, and shall be repaired and made safe, or razed and removed in compliance with this chapter, as ordered by the commissioner, pursuant to the authority provided in s. 66.05(10), Wis. Stats.

5. FINAL ORDER OF THE COMMISSION. No individual is affected, as described in s. 66.05(3), Wis. Stats., by an order of the commissioner under this [[section]] >>chapter<< until such time as a final determination from the standards and appeals commission finding the order of the commissioner reasonable is filed in the office of the commissioner.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

7) [991065](#) An ordinance relating to the building code requirements for abandoned sewer and water plumbing connections.

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

Part 1. Section 225-9-1 and 2 of the code is amended to read:

225-9. Abandonment of Sewer and Water Connections. 1. Any person, firm or corporation demolishing or moving a building or structure that is served by a [[sewer or water or both]] >>storm, sanitary, combination sewer or water service<< shall engage a licensed master plumber under a permit to properly abandon [[the building sewer or water service or both]] >>such service or services<< immediately inside the front lot line on private property. The plumbing permit shall be obtained from the department of city development before the commissioner of city development may issue a permit to demolish or move a building or structure.

2. The building sewer shall be disconnected at the front lot line and a pie or bulkhead installed. On a vitrified clay or concrete sewer, a pie shall be cemented into the bell or hub. If the pipe, bell or hub is broken, then a swab and 6 inches of concrete shall be inserted in the sewer as a permanent bulkhead. On a cast iron sewer, a cast iron >>cap or<< plug [[with a lead caulked joint]] shall be installed.

Part 2. Section 225-9-5 of the code is amended to read:

5. The water shall be disconnected at the front lot line and a plug or cap installed. [[On copper pipe, a plugged flared adapter shall be installed. On cast iron pipe, a cast iron plug or cap with a lead caulked joint shall be installed. On lead pipe, a solder joint shall be made.]] >>The copper, cast iron or lead service piping shall be sealed with approved piping material.<<

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 8) [991066](#) An ordinance relating to building code requirements for roof drainage conductors and water leaders.

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

Part 1. Section 225-4-2-d of the code is amended to read:

225-4. Drainage of Yard Areas and Roofs.

2. ROOF RAINWATER LEADERS (CONDUCTORS).

d. Outside Rainwater Leaders. All outside roof leaders (conductors) installed under

or in the ground shall be installed as regulated in s. Comm. 82.36, Wis. Adm. Code. Conductors shall terminate with [[a cast iron hub]] >>an approved pipe<< above grade. The sheet metal conductors shall be connected and sealed to the [[cast iron hub]] >>pipe<< in an approved manner. Roof leaders (conductors) connecting to the storm building drain in the basement shall be [[cast iron pipe]] >>of an approved pipe material<< to a point at least 2 feet inside the basement foundation wall. Roof leaders (conductors) shall be maintained in good repair and free of stoppages.

Part 2. Section 225-4-2-h of the code is created to read:

h. Previous and New Construction. Roof water leaders on all buildings or structures with a roof area of 300 square feet or less may discharge to finished grade when all the following conditions are met:

h-1. If the discharge water is not contained on the owner's property, written permission shall be obtained from each affected abutting property owner.

h-2. The discharge water shall not create a nuisance.

h-3. The discharge water shall not discharge to a street, alley or other public way.

h-4. The discharge water shall not create an icy condition.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

ADOPTION OF THE FOLLOWING:

9) Various resolutions declaring surplus vacant, tax deed properties located in the 14th, 9th, 17th and other various aldermanic districts:

a) [990972](#) Resolution declaring as surplus the vacant, tax deed lot located at 3476-78 South 14th Street and accepting an Offer to Purchase from Donald Adrian Stewart, Jr., and Jodi Lynne Stewart for construction of a single-family, owner-occupied home, in the 14th Aldermanic District. (DCD-Real Estate)

Whereas, Donald Adrian Stewart, Jr., and Jodi Lynne Stewart have offered to purchase the vacant, tax deed lot located at 3476-78 South 14th Street, Tax Roll Key No. 535-1112-0, from the City of Milwaukee for the amount of \$4,000 for construction of a single-family home; and

Whereas, The Department of City Development recommends acceptance of said Offer, contingent upon the following:

1. Approval of building and site plans by the Department of City Development.
2. Construction must commence no later than twelve months from the date of closing or property will automatically revert back to the City of Milwaukee's ownership; and

Whereas, This vacant, tax deed lot is being sold in an "as is" condition; and

Whereas, The City Plan Commission has approved the acceptance of said Offer, the sale of said lot to be consummated in the manner provided for in the sale of other tax deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said lot is declared surplus, that said Offer is accepted, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot in accordance with the above contingencies and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [990974](#) Resolution declaring as surplus the vacant, tax deed lot located at 3477-79 South 14th Street and accepting an Offer to Purchase from T.R. Martin Builders, LLC, for construction of a single-family, owner-occupied home, in the 14th Aldermanic District. (DCD-Real Estate)

Whereas, T.R. Martin Builders, LLC, has offered to purchase the vacant, tax deed lot located at 3477-79 South 14th Street, Tax Roll Key No. 535-1136-1, from the City of Milwaukee for the amount of \$4,000 for construction of a single-family home for sale to an owner-occupant; and

Whereas, The Department of City Development recommends acceptance of said Offer, contingent upon the following:

1. Approval of building and site plans by the Department of City Development.

2. Construction must commence no later than twelve months from the date of closing or property will automatically revert back to the City of Milwaukee's ownership; and

Whereas, This vacant, tax deed lot is being sold in an "as is" condition; and

Whereas, The City Plan Commission has approved the acceptance of said Offer, the sale of said lot to be consummated in the manner provided for in the sale of other tax deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said lot is declared surplus, that said Offer is accepted, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot in accordance with the above contingencies and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- c) [990975](#) Resolution declaring as surplus and authorizing the sale of improved, City-owned/tax deed properties located in various aldermanic districts. (DCD-Real Estate)
- Whereas, The Commissioner of the Department of City Development recommends the sale of the following City-owned/tax deed properties in "as is" condition via the open listing method:

PROPERTY ADDRESS, LISTING PRICE, ALDERMANIC DISTRICT

2429-31 North 5th Street, TK #322-1164-110-9 \$24,000 6th

3916 North 10th Street, TK #272-0205-5 \$32,000 6th

1438 South 10th Street, TK #461-0124-2 \$36,000 12th

2954 North 19th Street, TK #311-1300-X \$16,000 1st

3739-A North 22nd Street, TK #270-1452-2 \$12,000 10th



1830 North 29th Street, TK #349-0962-9 \$10,000 10th

4538 West Eggert Place, TK #209-0376-2 \$44,000 2nd

507 East Howard Avenue, TK #581-0703-8 \$98,000 13th

; and

Whereas, Any adjoining City-owned/tax deed vacant lot may be sold with an improved property to enhance its disposition and by this resolution is declared surplus; and

Whereas, The City Plan Commission and the Public Improvements Committee have determined that said properties have no possible municipal use and are surplus to the City's needs and recommends sale of them to the highest acceptable offer; and

Whereas, The Zoning, Neighborhoods and Development Committee has determined that said properties should be sold via the open listing method pursuant to Section 304-49 of the Milwaukee Code of Ordinances under the following terms and conditions:

- A. The Offer conforms in all respects with the sales procedure.
- B. The net offer (offer less sale's commission) is greater than 75 percent of the listing price.
- C. The buyer is not delinquent in the payment of real estate taxes on any properties that he/she may own in the City of Milwaukee.
- D. The buyer has not been convicted, within twelve months preceding the date of the Offer, of failure to comply with an order from the Commissioner of the Department of Neighborhood Services of the City of Milwaukee to correct code violations; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said properties are declared surplus and that the Commissioner of the Department of City Development or designee is authorized and directed to advertise and list said properties for sale to the highest acceptable offer; and, be it

Further Resolved, That the Commissioner of the Department of City Development or designee is authorized and directed to accept Offers to Purchase on behalf of the City of Milwaukee and to perform such acts as are necessary to close the transactions under the terms and conditions as set forth above; and, be it

Further Resolved, That if no offer is received for any property after advertising it on two occasions, the asking price will be reduced by up to 25 percent; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchasers are required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or said property may revert back to the ownership of the City of Milwaukee upon action by the Common Council; and, be it

Further Resolved, That the proceeds remaining from the sale of surplus property after payment of commissions and other closing related expenses be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- d) [991033](#) Resolution declaring as surplus the vacant, tax deed lots located at 6751 North 57th Street (part) and 6762-R North 58th Street and accepting an Offer to Purchase from the adjoining owners, Timothy P. Piontek and Norine L. Wilson, for use as green space, in the 9th Aldermanic District. (DCD-Real Estate)

Whereas, City of Milwaukee vacant lots have been held for continuation of North 57th Street to meet West Green Tree Road; and

Whereas, Such proposed street continuation is no longer viable and many of the lots have been sold to the adjoining owners; and

Whereas, The adjoining owners, Timothy P. Piontek and Norine L. Wilson, with their properties located at 5733 West Green Tree Road and 5729 West Green Tree Road, respectively, have offered to purchase the vacant, tax deed lots located at 6751 North 57th Street (part) and 6762-R North 58th Street, Tax Roll Key Nos. 139-9957-210-8 and 139-9956-300-1, for the amount of \$300 each for use as green space; and

Whereas, These vacant, tax deed lots are being sold in an "as is" condition; and

Whereas, The City Plan Commission has approved the acceptance of said Offers, the sale of said lots to be consummated in the manner provided for in the sale of other tax

deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said vacant lots are declared surplus, said Offers are accepted, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lots and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- e) [991034](#) Resolution declaring as surplus vacant, tax deed and City-owned lots and authorizing the sale of them to Milwaukee Habitat For Humanity, Inc., for new residential construction, in the 17th Aldermanic District. (DCD-Real Estate)

Whereas, Milwaukee Habitat for Humanity, Inc., wishes to acquire the following vacant, tax deed and City-owned lots for \$1.00 each to construct residential units for owner-occupants:

PROPERTY ADDRESS, TAX KEY NO.

2450-52 West Brown Street, TK #350-2374-X

2456 West Brown Street, TK #350-2373-4

1941 North 25th Street, TK #350-1239-7

1945 North 25th Street, TK #350-1238-1

1953 North 25th Street, TK #350-1236-0

1955-57 North 25th Street, TK #350-1235-5

1930 North 26th Street, TK #350-1256-X

1934-36 North 26th Street, TK #350-1257-5

1841 North 24th Place, TK #350-1314-4

1845 North 24th Place, TK #350-1313-9

1853 North 24th Place, TK #350-1311-100-4

1926 North 24th Place, TK #350-0723-100-6

1812 North 24th Place, TK #350-1300-8

1816 North 24th Place, TK #350-1299-4

1832 North 24th Place, TK #350-1295-100-9

1836 North 24th Place, TK #350-1294-100-3

1842 North 24th Place, TK #350-1293-1

; and

Whereas, These vacant lots are being sold in an "as is" condition; and

Whereas, The City Plan Commission has approved the sale of said vacant lots to be consummated in the manner provided for in Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said vacant lots are declared surplus, that said sale is approved, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale in accordance with the provisions of this resolution; and, be it

Further Resolved, That the Commissioner of the Department of City Development is authorized to close the sale of said lots only after receipt of construction plans which are generally acceptable in terms of architectural detail and neighborhood compatibility.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

10) [991040](#) Resolution amending the sales price and disposition of the surplus, vacant, tax deed

lots located at 6735, 6762, and 6754 North 53rd Street and 6755 North 55th Street, in the 9th Aldermanic District. (DCD-Real Estate)

Whereas, On July 25, 1997 and November 4, 1997, the Common Council of the City of Milwaukee adopted File Nos. 970531 and 970983, respectively, which declared surplus and authorized the disposition of various vacant, tax deed/City-owned lots via the open listing method; and

Whereas, The original listing prices are as follows:

6735 North 53rd Street - \$9,000

6762 North 53rd Street - \$9,000

6754 North 53rd Street - \$8,500

6755 North 55th Street - \$8,500

; and

Whereas, The City of Milwaukee has received Offers to Purchase said lots from Landtek of Wisconsin in the amount of \$3,600 per lot for construction of single-family owner-occupied residential units; and

Whereas, The Department of City Development recommends acceptance of said Offers contingent upon submittal, review and approval of site and building plans by the Department of City Development's planning staff and the proposed buyer must submit firm financial commitment to complete the project as proposed; and

Whereas, These vacant, tax deed lots are being sold in an "as is" condition and the City of Milwaukee makes no representation or warranties concerning the condition of the property, including but not limited to, soil and subsoil condition; and

Whereas, The City Plan Commission has approved the acceptance of said Offers, the sale of said lots to be consummated in the manner provided for in the sale of other tax deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said Offers are accepted and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lots with the above conditions and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** Ald. Richards

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

11) Various resolutions approving the Land Disposition Report for properties in the 12th, 4th and 17th Aldermanic Districts:

a) [991042](#) Resolution approving the Land Disposition Report for the property at 1205 West Mt. Vernon Avenue for sale to Santoro Corporation for development of an office/warehouse for its landscaping business, in the 12th Aldermanic District (Redevelopment Authority).

Whereas, On October 15, 1996, by passage of File No. 960844, the Common Council of the City of Milwaukee approved the sale of the Redevelopment Authority of the City of Milwaukee ("Authority") property at 1205 West Mt. Vernon Avenue to the Santoro Corporation, but the buyer could not close until the Authority resolved a property line dispute with the adjoining owner; and

Whereas, On October 14, 1999, the Authority held a Public Hearing on renewing the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated October 14, 1999, with respect to the proposed sale of the following described parcel is approved.

PROJECT

Menomonee River Valley "C"

PARCEL NUMBER

Disposition Parcel No. 1-3

PROPERTY ADDRESS

1205 West Mt. Vernon Avenue

## REDEVELOPER

Santoro Corporation

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [991043](#) Resolution approving the Land Disposition Report for the properties at 1128-44 North Water Street and 209-19 East Juneau Avenue for sale to Market Street Partners II for commercial development, in the 4th Aldermanic District (Redevelopment Authority).

Whereas, On October 9, 1998, by passage of File No. 980787, the Common Council of the City of Milwaukee approved the sale of the Redevelopment Authority of the City of Milwaukee ("Authority") properties at 1128-44 North Water Street and 209-19 East Juneau Avenue to Market Street Partners II, but the Option to Purchase has expired; and

Whereas, On October 14, 1999, the Authority held a Public Hearing on renewing the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated October 14, 1999, with respect to the proposed sale of the following described parcel is approved.

## PROJECT

North Market Street - West Highland Avenue

## PARCEL NUMBER

Disposition Parcel No. 392-14-2

## PROPERTY ADDRESSES

1128-30 North Water Street

1132-44 North Water Street

209 East Juneau Avenue

215 East Juneau Avenue

219 East Juneau Avenue

REDEVELOPER

Market Street Partners II

Sponsors: THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- c) [991044](#) Resolution approving the Land Disposition Report for the property at 1718 North 22nd Street for sale to Florine D. Ingram for use as open space for her adjacent property in the 17th Aldermanic District (Redevelopment Authority).

Whereas, On October 14, 1999, the Redevelopment Authority of the City of Milwaukee held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Redevelopment Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated October 14, 1999, with respect to the proposed sale of the following property is approved.

PROJECT

North 22nd Street - West Vine Street

PARCEL NUMBER



Disposition Parcel No. 350-06-7

PARCEL ADDRESS

1718 North 22nd Street

REDEVELOPER

Florine D. Ingram

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

12) [991045](#)

Resolution authorizing the Department of City Development to transfer various City-owned and/or tax deed parcels of land to the Housing Authority of the City of Milwaukee, in the 15th Aldermanic District. (DCD-Real Estate)

Whereas, The Common Council of the City of Milwaukee by File No. 68-1025, adopted October 8, 1968, authorized the execution of a Cooperation Agreement between the City of Milwaukee ("City") and the Housing Authority of the City of Milwaukee ("Authority") setting forth the terms of local cooperation necessary for the development and construction of new dwelling units of low rent public housing, described as Program Reservation No. WIS 2-E; and

Whereas, In the aforesaid Resolution, lands for construction of family-type dwelling units were leased to the Authority on a ground lease of at least 40 years (no monetary consideration); and

Whereas, The Authority has identified the following properties as Program Reservation No. WIS 2-E:

PROPERTY ADDRESS, TAX KEY NO., ALDERMANIC DISTRICT

8936 West Winfield Avenue, TK #152-0806-4, 15th

8942 West Winfield Avenue, TK #152-0805-9, 15th

8948 West Winfield Avenue, TK #152-0804-3, 15th

; and

Whereas, The Authority, through a special HUD program titled Section 5-h Homeownership Program, is now able to sell these housing units, constructed on City-owned vacant lots, exclusively to existing Authority or City of Milwaukee Rent Assistance residents; and

Whereas, Land on which these units were constructed is leased by the Authority from the City; and

Whereas, To sell these units to pre-qualified tenants, title to the property must be in the Authority's name; and

Whereas, The Authority is actively marketing these homes to pre-qualified, current Authority and Rent Assistance residents who will be owner-occupants; and

Whereas, The Authority has HUD authorization for 50 such sales to eligible buyers under the Section 5-h Homeownership Program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to perform such acts as may be necessary to carry out the intent of this resolution; and, be it

Further Resolved, That no monetary consideration is necessary to facilitate the terms and intentions of this resolution.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 13) [991060](#) A substitute resolution relating to an appeal of the Historic Preservation Commission's denial of a certificate of appropriateness for the installation of a chain-link fence on the property at 3401 West Kilbourn Avenue.

Whereas, The property located at 3401 West Kilbourn Avenue is located in the City of Milwaukee-designated Concordia Historic District; and

Whereas, Section 308-81-9 of the Code of Ordinances prohibits the owner of a structure in a historic district from altering the exterior of such a structure without first

obtaining a certificate of appropriateness from the City's Historic Preservation Commission; and

Whereas, On July 19, 1999, the Historic Preservation Commission denied a request for a certificate of appropriateness for a chain-link fence installed on the property at 3401 West Kilbourn Avenue; and

Whereas, Section 308-81-9-f of the Code provides that, whenever a request for a certificate of appropriateness is denied, the applicant may appeal the decision of the Historic Preservation Commission to the Common Council, which may reverse or modify the Commission's decision; and

Whereas, Nick Buttitta, the owner of the property at 3401 West Kilbourn Avenue, has filed a written appeal of the Historic Preservation Commission's denial of the certificate of appropriateness; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council reverses the July 19, 1999 decision of the Historic Preservation Commission denying a request for a certificate of appropriateness for the installation of a chain-link fence on the property at 3401 West Kilbourn Avenue.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 15 - Pratt, Kalwitz, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Hines Jr.

**No:** 2 - D'Amato Murphy

- 14) [991062](#) Resolution declaring the City-owned parking lot at 2235 North 48th Street surplus and accepting an Offer to Purchase from Schnell Price, owner of Jo's Playpen Daycare Center, for use as outdoor play space, in the 17th Aldermanic District. (DCD-Real Estate)

**Sponsors:** THE CHAIR

*ALD. HINES moved to refer file 991062 back to Committee.*

*The motion prevailed.*

**A motion was made by Ald. Hines, Jr. that this matter be REFERRED TO to the ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 15) [991073](#) Substitute resolution authorizing the proper City officials to enter into a Streetscape Agreement with The Partnership to Develop Westtown, Inc.
- Whereas, The Common Council of the City of Milwaukee via File No. 951496 adopted on February 13, 1996, entered into a Development Agreement with the Milwaukee Redevelopment Corporation ("MRC") for the development of the Westtown Housing Project ("Development Agreement"); and
- Whereas, MRC's successor in interest to the Development Agreement is The Partnership to Develop Westtown, Inc., a Wisconsin not-for-profit corporation ("Developer"); and
- Whereas, All involved parties desire to have the Developer construct certain public improvements ("Street Improvements") consisting primarily of sidewalks and planters surrounding the Library Hill housing development; and
- Whereas, The City of Milwaukee through the Department of Public Works will undertake certain streetscape activities; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to enter into a Streetscape Agreement with The Partnership to Develop Westtown, Inc., under the terms and conditions as outlined in Exhibit A, a copy of which is attached to this Common Council File; and, be it
- Further Resolved, That the Commissioner of the Department of Public Works is authorized and directed to undertake any necessary activities to complete the installation of City-owned streetscape improvements such as decorative lighting; and, be it
- Further Resolved, That the City Comptroller is directed to transfer \$250,000 from Bond Account No. 9990-UR03390000 to Parent Account No. 1910-UR03390000 for the purpose of funding these activities; and, be it
- Further Resolved, That the City Attorney is directed to draft a Streetscape Agreement consistent with the terms outlined in Exhibit A.
- Sponsors:** Ald. Henningsen
- A motion was made by Ald. Henningsen that this matter be ADOPTED. The motion carried by the following vote:**
- Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 16) [991063](#) An ordinance relating to permits for the installation and alteration of elevators.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be PLACED ON FILE.**

**The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,  
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,  
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

OFF THE AGENDA:

- 17) [990937](#) Substitute ordinance relating to the approval of a 10th Amendment to the general plan for a General Planned Development (GPD) known as Park Place, located North of West Good Hope Road and West of North 107th Street, in the 15th Aldermanic District.

**Sponsors:** Ald. Nardelli

**A motion was made by Ald. Henningsen that this matter be PLACED ON FILE.**

**The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,  
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,  
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

ADOPTION OF THE FOLLOWING:

- 18) [990938](#) Substitute ordinance approving the rezoning from General Planned Development (GPD) to Detailed Planned Development (DPD) for a planned development known as Park Place, Stage 17, for Liberty I at Park Place, located North of West Good Hope Road and West of North 107th Street, in the 15th Aldermanic District.

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

Part 1. There is added to the Milwaukee Code of Ordinances ("Code") a new section to read as follows:

Section 295-810(2)(b).0135.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the Detailed Planned Development known as Liberty I at Park Place, a copy of which is attached to this Common Council File as Exhibit A which is on file in the Office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for that part of Parcel 2 of Certified Survey Map No. 5557, located in the Northeast 1/4, Northwest 1/4, Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 18, Township 08 North, Range 21 East in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said Parcel 2, thence South 23 deg. 47 min. 53 sec. East along the easterly right-of-way line of West Park Place, 118.28 feet to the point of beginning of the lands to be described; thence North 65 deg. 38 min. 26 sec. East, 88.54 feet to the point of a curve to the right, having a length of 69.21 feet, a radius of 187 feet, and a chord which bears North 76 deg. 14 min. 36 sec. East, a distance of 68.81 feet to the point of tangency; thence North 86 deg. 50 min. 45 sec. East, 406.45 feet; thence South 19 deg. 26 min. 50 sec. East, 353.17 feet; thence South 13 deg. 51 min. 50 sec. West, 86.08 feet; thence North 60 deg. 03 min. 15 sec. West, 63.63 feet; thence South 88 deg. 35 min. 39 sec. West, 56.50 feet; thence South 45 deg. 16 min. 44 sec. West, 89.20 feet; thence South 01 deg. 06 min. 27 sec. East, 56.66 feet; thence South 47 deg. 44 min. 04 sec. East, 23.65 feet to the southerly line of said Parcel 2; thence South 62 deg. 23 min. 22 sec. West along the southerly line of said Parcel 2, 272.42 feet to the easterly right-of-way line of West Park Place; thence North 23 deg. 47 min. 53 sec. West along the easterly line of West Park Place, 625.74 feet to the point of beginning.

(3) The requirements set forth in said detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling, or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. In accordance with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

**Sponsors:** Ald. Nardelli

**A motion was made by Ald. Henningsen that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,  
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,  
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) Substitute resolutions granting/amending special privileges:
  - a) [980981](#) Substitute resolution amending a special privilege granted to Berbaum Millwork, Inc. to construct, operate and maintain three backup driveways in the public right-of-way adjacent to their property located at 3403 West Kiehnau Avenue, to now change the name of the grantee of the special privilege to Kiehnau Investments, in the 9th Aldermanic District in the City of Milwaukee.

Whereas, Berbaum Millwork, Inc. was granted a special privilege under Common Council Resolution File Number 86-846, on September 23, 1986, to construct, operate and maintain three backup driveways encroaching into the public right-of-way on the south side of West Kiehnau Avenue adjacent to the premises at 3403 West Kiehnau Avenue; and

Whereas, The current owner of the property is Kiehnau Investments and should now be named as the grantee of the special privilege; and

Whereas, The backup driveways may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 86-846 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Kiehnau Investments, a Joint Venture Agreement, 8850 North Port Washington Road, Milwaukee, WI 53217, is hereby granted the following special privilege:

To keep, maintain and use three 10-foot wide driveways between the curb and property line on the south side of West Kiehnau Avenue, approximately 41.5, 72.5 and 132.5 feet west of the westline of North Teutonia Avenue serving approximately 10-foot wide loading docks. The sidewalk area is 13 feet wide at this location, and the roadway width is 34 feet. Vehicles using said driveways during loading and unloading operations may occupy and obstruct the public right-of-way only to the centerline of West Kiehnau Avenue.

Said backup driveways shall be used and maintained to the satisfaction of the Commissioners of Public Works and Neighborhood Services.

At such future time that the driveways, individually or combined, are no longer needed, they shall be removed from the public right-of-way to the satisfaction of the Commissioners of Public Works and 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, Kiehnau Investments, a Joint Venture Agreement, 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 bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000.00 such bond to be approved by the City Attorney. The applicant shall also 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 one 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 canceled 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 \$172.17. 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 any 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 66.045 of the Wisconsin Statutes (1979), 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [990703](#) Substitute resolution to grant a special privilege to Plankinton LLC to place a covered walk on the north side of West Wisconsin Avenue within the public right-of-way at the 208 West Wisconsin Avenue entrance to the building in the 4th Aldermanic District in the City of Milwaukee.

Whereas, The applicant desires to place and maintain a covered walk at the 208 West Wisconsin Avenue entrance to the building; and

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

Resolved, By the Common Council of the City of Milwaukee that Plankinton LLC, 200-208 W. Wisconsin Avenue, Milwaukee, WI 53203, is hereby granted the

following special privilege:

To erect and maintain a covered walk at the property known as 200-208 West Wisconsin Avenue. Said covered walk, 11 feet 8 inches in width, is to be centered approximately 50 feet west of the westline of North 2nd Street and shall encroach approximately 14.5 feet into the present 16.5-foot wide fully concrete paved sidewalk area on the north side of West Wisconsin Avenue at the 208 West Wisconsin Avenue entrance.

The covered walk shall be supported by the building and by two vertical supports near each corner closest to the curb along each side of the covered walk. Each set of vertical supports nearest the curb will be centered approximately 4 feet from the present curbline. There shall be an approximately 11-foot 8-inch wide opening between the vertical supports, which parallel the curb face. The minimum vertical clearance between the skirt of the covered walk and the sidewalk below shall be 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 and wind pressure of 20 pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The covering shall be of approved material.

All fixtures and materials for illumination of covered walk shall be indicated upon 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 walk only. The name, street number, or character of the business may be indicated and only on the vertical portion of the covering and shall not exceed 6 inches in height.

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

Prior to installation, permits shall be obtained from the Departments of Public Works and City Development/Neighborhood Services for the covered walk structure itself and from the Department of Public Works to occupy the right-of-way during construction, as necessary.

Said covered walk shall be constructed, installed, used and maintained to the approval of the Departments of Public Works and 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, Plankinton LLC, 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 bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also 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 one 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 canceled 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 any 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 66.045 of the Wisconsin Statutes (1979), 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

c) [990880](#)

Substitute resolution amending a special privilege granted to Koehler and Koehler Laboratories to construct and maintain a backup driveway in the public right-of-way adjacent to their property located at 141 West Vine Street, to now change the name of the grantee of the special privilege to Bohrer Partnership, in the 6th Aldermanic District in the City of Milwaukee.

Whereas, Koehler and Koehler Laboratories was granted a special privilege under Common Council Resolution File Number 65-2059, on September 21, 1965, to construct and maintain a backup driveway encroaching into the public right-of-way on the south side of West Vine Street adjacent to the premises at 141 West Vine Street; and

Whereas, The current owner of the property is Bohrer Partnership and should now be named as the grantee of the special privilege; and

Whereas, The backup driveway may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 65-2059 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Bohrer Partnership, 141 West Vine Street, Milwaukee, WI 53212, is hereby granted the following special privilege:

To keep, use and maintain a 10-foot wide driveway between the curb and property line on the south side of West Vine Street, approximately 65 feet east of the eastline of North 2nd Street serving an approximately 8-foot wide loading dock at this location. The sidewalk area is 20 feet wide at this location, and the roadway width is 40 feet. Vehicles using said driveway during loading and unloading operations may occupy and obstruct the public right-of-way only to the centerline of West Vine Street.

Said backup driveway shall be used and maintained to the satisfaction of the Commissioners of Public Works and Neighborhood Services.

At such future time that the driveway is no longer needed, it shall be removed from the public right-of-way to the satisfaction of the Commissioners of Public Works and 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, Bohrer Partnership, 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 bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also 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 one 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 canceled 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 \$125.31. 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 any 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 66.045 of the Wisconsin Statutes (1979), 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

d) [991012](#) Substitute resolution granting a special privilege to Linda B. Somrak and Doreen J. Endisch to maintain a fence in the public right-of-way abutting the premises at 4503 North 68th Street, in the 2nd Aldermanic District of the City of Milwaukee.

Whereas, The applicant desires to keep and maintain a recently installed solid wood board on board fence within the public right-of-way on the north side of West Ruby Avenue for security of the backyard of the premises at 4503 North 68th Street; and

Whereas, A fence within the public right-of-way at a residential property would generally only require permits; however, due to the material and height and its location related to the property line, a special privilege resolution adopted by the Common Council is required for it to legally remain in the public right-of-way; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Linda B. Somrak and Doreen J. Endisch, 4503 North 68th Street, Milwaukee, WI 53208, are hereby granted the following special privilege:

To maintain a 5-foot 4-inch high solid wood board on board fence that encroaches into the public right-of-way of West Ruby Avenue, adjacent to the premises at 4503 North 68th Street. The fence commences at a point on the right-of-way line on the north side of West Ruby Avenue, approximately 35 feet west of the west-line of North 68th Street, and then extends south 2 feet to the edge of the 5-foot wide concrete sidewalk at this location; then extends approximately 75 feet west and then 2 feet north to the right-of-way line. Said fence shall be erected, maintained and used to the approval of the Commissioners of Public Works and Neighborhood Services. All necessary permits must be obtained for the fence.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantees, Linda B. Somrak and Doreen J. Endisch, 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 bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$2,000, such

bond to be approved by the City Attorney. The applicant shall also 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 one 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 canceled 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 \$232.27. 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 any 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 66.045 of the Wisconsin Statutes (1979), 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

e) [991013](#) Substitute resolution granting a special privilege to QSI Inc. for a portion of front porch steps to encroach into the public right-of-way, adjacent to 1415-17 East Brady Street, in the 3rd Aldermanic District in the City of Milwaukee.

Whereas, QSI Inc. is the owner of the building located at 1415-17 East Brady Street, which is undergoing exterior renovation; and

Whereas, The property is located in the Brady Street Historic District and has been granted a Certificate of Appropriateness by the Milwaukee Historic Preservation Commission for these and other renovations, which include encroachment of front porch steps into the public right-of-way; and

Whereas, Encroachment of the steps into the public right-of-way can only be allowed through the adoption of a special privilege resolution by the Common Council now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that QSI Inc., 1417 East Brady Street, Milwaukee, WI 53202, is hereby granted the following special privilege:

To construct and maintain a portion of one set of front porch steps within the south sidewalk area of East Brady Street abutting the building at 1415-17 East Brady Street. Said steps shall encroach approximately 1 foot into the 13-foot wide sidewalk area of East Brady Street, leaving approximately 12 feet for pedestrian usage. Said steps are approximately 7 feet 9 inches wide, with a wood handrail and post on each side. Said steps shall be constructed abutting the building in such a manner that their use would minimally infringe upon the paved public sidewalk and minimally interfere with through pedestrian movement at any time.

Said steps shall be constructed, used and maintained to the satisfaction of the Commissioners of Public Works and Neighborhood Services. All required permits shall be procured prior to beginning construction. Said steps shall be removed from the public right-of-way in such future time as they are no longer needed to the satisfaction of the Departments of Public Works and 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, QSI 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 bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also 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 one 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 canceled 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 \$35.00. 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 any 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 66.045 of the Wisconsin Statutes (1979), 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 2) [990947](#) Substitute resolution authorizing and directing the Commissioner of Public Works to execute a document titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming and construction of various projects with Federal and/or State aid using Interstate Construction Estimate (ICE) funds.
- Whereas, The City of Milwaukee, the State of Wisconsin, and Milwaukee County have agreed to utilize federal Interstate Construction Estimate (ICE) funds for various projects associated with the removal of the Park East Freeway; and

Whereas, The Wisconsin Department of Transportation (WISDOT) has submitted a document titled "State/Municipal Agreement for a Highway Improvement Project" for execution by the City of Milwaukee for the construction of:

1. Project I.D. 1730-05-00, 20, 40, 70

Park East Freeway demolition from North 4th Street to North Jefferson street, and connections to the local street system.

2. Project I.D. 1730-06-00, 20, 40, 70

New bridge over the Milwaukee River connecting East Knapp Street to West McKinley Avenue.

3. Project I.D. 1730-07-00, 20, 40, 70

Miscellaneous local street improvements associated with the removal of the Park East Freeway; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works (CPW) is hereby authorized and directed to execute the agreement for the programming and construction of the aforementioned projects with federal ICE funds, a copy of which is attached to Common Council File Number 990947, and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the CPW is hereby authorized and directed to undertake or engage a consultant to undertake preliminary engineering for the above-mentioned projects and to reimburse the WISDOT for preliminary engineering costs they incur for the improvements and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield values for preliminary engineering for these projects (Expenditure), and transfer to these accounts the amount required under the grant agreement and City accounting policy, but not to exceed a 10 percent increase in the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

Project I.D. 1730-06-00  
McKinley/Knapp Bridge Project  
City of Milwaukee Share  
Fund No. 0303  
Project Grant No. BR10090000  
\$120,000

Federal Grantor Share

Fund No. 0306  
Project Grant No. SP03290100  
\$680,000

Project I.D. 1730-07-00  
Miscellaneous Local Streets Project  
City of Milwaukee Share  
Fund No. 0333  
Project Grant No. ST32090000  
\$150,000

Federal Grantor Share  
Fund No. 0306  
Project Grant No. SP03290100  
\$850,000

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to approve and make periodic payments to the WISDOT upon receipt of invoices for the local share of costs of the project; and, be it

Further Resolved; That separate Common Council action will be required to authorize funding for right-of-way acquisitions and construction.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,  
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,  
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 3) [990973](#) Resolution declaring as surplus and authorizing the disposition of a tax deed, vacant lot (part) located at 1028 North 21st Street and an improved, tax deed property located at 1032 North 21st Street, in the 17th Aldermanic District. (DCD-Real Estate)

Whereas, Acts Community Development Corporation, a nonprofit organization, has offered to purchase said properties for \$500 for affordable housing purposes, with eventual resale to an owner-occupant; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that 1028 North 21st Street (part) and 1032 North 21st Street, Tax Roll Key Nos. 389-1032-6 and

389-1033-1, are declared surplus and that the Department of City Development is authorized and directed to sell said properties to Acts Community Development Corporation at a fixed price of \$500; and, be it

Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said properties and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring said property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or said property may revert back to the ownership of the City of Milwaukee upon action by the Common Council.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 4) [990976](#) Resolution accepting fourteen Water Easements. (Department of City Development)

Resolved, By the Common Council of the City of Milwaukee that the following easements offered the City of Milwaukee:

Water Easement WE-843, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and American Stores Properties, Inc., a Delaware Corporation, for a permanent water main easement in C.S.M. No. 6527, Parcel 1, at East Garfield Avenue (Extended) from North Humboldt Avenue to North Dousman Street, in the City of Milwaukee.

Water Easement WE-844, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and American Stores Properties, Inc., a Delaware Corporation, for a permanent water main easement in C.S.M. No. 6527, Parcel 4, at 75 feet south of East Garfield Avenue from North Riverboat Road to North Commerce Street, in the City of Milwaukee.

Water Easement WE-846, executed by the City of Greenfield, a municipal corporation of the State of Wisconsin, and Rivershire Addition, LLC, for a permanent water main easement in C.S.M. No. 680, Lot 2, at 260 feet west of South 111th Street from 257 feet south of West Morgan Avenue to West Morgan Avenue, in the

City of Greenfield.

Water Easement WE-847, executed by the City of Greenfield, a municipal corporation of the State of Wisconsin, and Weber Homes, Inc., for a permanent water main easement in C.S.M. No. 5037, Parcel 1, at 380 feet south of West Abbott Avenue (Extended) to 1,100 feet south of West Abbott Avenue (Extended) and 300 feet east of South 35th Street (Extended) to 70 feet west of South 35th Street (Extended), in the City of Greenfield.

Water Easement WE-848, executed by the City of Greenfield, a municipal corporation of the State of Wisconsin, and Cambridge Village Condominium Association, for a permanent water main easement in C.S.M. No. 5046, Parcel 1, at 1,100 feet south of West Abbott Avenue (Extended) to 1,180 feet south of West Abbott Avenue (Extended) and South 35th Street (Extended) to 30 feet east of South 35th Street (Extended), in the City of Greenfield.

Water Easement WE-850, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Homer E. Rosenberg, for a permanent water main easement in lands at 520 feet south of West Bradley Road from 300 feet east of North 64th Court to North 64th Court, in the City of Milwaukee.

Water Easement WE-853, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and American Stores Properties, Inc., a Delaware Corporation, for a permanent water main easement in C.S.M. No. 6527, Parcel 1, at 151 feet south of East North Avenue from 193 feet west of North Commerce Street to North Commerce Street, in the City of Milwaukee.

Water Easement WE-854, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Home Depot U.S.A., Inc., a Delaware Corporation, for a permanent water main easement in lands from 38 feet west of North Port Washington Avenue to 1,155 feet west of North Port Washington Avenue, and West Olive Street (Extended) to 550 feet north of West Olive Street (Extended), in the City of Milwaukee.

Water Easement WE-855, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Home Depot U.S.A., Inc., a Delaware Corporation, for a permanent water main easement in lands from North Port Washington Avenue to 60 feet west of North Port Washington Avenue and 75 feet south of West Olive Street (Extended) to West Olive Street (Extended), in the City of Milwaukee.

Water Easement WE-856, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Towne-Granville LLC, a Wisconsin

Limited Liability Company, for a permanent water main easement at 650 feet west of North 107th Street from 195 feet south of West Villa Avenue to West Villa Avenue, in the City of Milwaukee.

Water Easement WE-857, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Towne-Granville LLC, a Wisconsin Limited Liability Company, for a permanent water main easement from 690 feet west of North 107th Street to 820 feet west of North 107th Street and 180 feet south of West Fairlane Avenue to West Fairlane Avenue, in the City of Milwaukee.

Water Easement WE-858, executed by the City of Greenfield, a municipal corporation of the State of Wisconsin, and B and A Investments, L.L.C., for a permanent water main easement in C.S.M. No. 6594, Parcel 1, from 250 feet to 150 feet north of West Layton Avenue, and 200 feet east of South 84th Street, to South 84th Street, in the City of Greenfield.

Water Easement WE-860, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Greg F. Gensch, for a permanent water main easement from the east line of North 124th Street, from 482 feet south of West Villard Avenue, to 282 feet south of West Villard Avenue, in the City of Milwaukee.

Water Easement WE-861, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Lee's Auto Salvage, Inc., for a permanent water main easement from the east line of North 124th Street, from 282 feet south of West Villard Avenue, to West Villard Avenue, in the City of Milwaukee.

are accepted, ordered recorded by the City Real Estate Office, and thereafter kept on file in the Office of the City Comptroller.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,  
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,  
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 5) [990979](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations.
- 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:

## 4th Aldermanic District

N. 28th St. - W. Wisconsin Ave. to W. Kilbourn Ave. WT41001066: Relay water main. (Nonassessable Water Fund -- \$5,000)

## 11th Aldermanic District

W. Norwich Ct. - 470 ft. m/l east of S. 50th St. to S. 50th St. WT41091312: Relay water main.

S. 57th St. - W. Stack Dr. to 250 ft. m/l south of S. 58th St. (Cul-du-Sac) WT41091332: Relay water main.

S. 57th St. (Cul-du-Sac) at 250 ft. m/l south of S. 58th St. WT41091333: Relay water main.

## 13th Aldermanic District

S. 14th St. - 120 ft. m/l north of W. Leroy Ave. to 120 ft. m/l south of W. Leroy Ave. WT41091322: Relay water main.

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

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 6) [991027](#) Resolution removing a deed restriction from three former City-owned vacant lots located at 2801-03 and 2811 North 22nd Street, in the 7th Aldermanic District. (DCD-Real Estate)

Whereas, The City of Milwaukee conveyed to Emmaus Evangelical Lutheran Church three vacant lots located at 2801-03 and 2811 North 22nd Street via two Quit Claim

Deeds dated December 18, 1979 and April 30, 1987, pursuant to Common Council File Nos. 79-928 and 86-2005, adopted on November 13, 1979 and April 7, 1987; and

Whereas, Said deeds of conveyance contained a restriction that the land conveyed therein, "shall be used as open space and no principal building may be erected thereon without the approval of the Common Council of the City of Milwaukee"; and

Whereas, Emmaus Evangelical Lutheran Church is planning to build a Child Care Center on said vacant lots; and

Whereas, Removal of the deed restriction will allow said Church to build a Child Care Center on this portion of said vacant lots; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to execute the necessary legal documents to remove the restriction contained said Quit Claim Deeds, dated December 18, 1979 and April 30, 1987, to allow for the building of said structure.

**Sponsors:** Ald. Gordon

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 7) [991030](#) Substitute resolution approving construction of nonassessable public improvement projects at various locations.

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:

5th Aldermanic District

N. 82nd St. - W. Carmen Ave. to W. Bobolink Ave. WT41001031 File Number 990314: Relay water main. (Nonassessable Water Fund -- \$110,000)

N. 92nd St. - W. Lisbon Ave. to W. Melvina St. WT41001021 File Number 990314: Relay water main. (Nonassessable Water Fund -- \$190,000)



## 8th Aldermanic District

S. 17th St. - 300 ft. m/l south of W. Becher St. to W. Grant St. WT41091323 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$100,000)

## 11th Aldermanic District

W. Beloit Rd. (South Side) - S. 96th St. to S. 98th St. WT41091281 File Number 980034: Relaying water main. (Nonassessable Water Fund -- \$95,000)

W. Norwich Ct. - 470 ft. m/l east of S. 50th St. to S. 50th St. WT41091312 File Number 990979: Relay water main. (Nonassessable Water Fund -- \$140,000)

W. Waterford Ave. - S. 74th St. to S. 75th St. WT41091316 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$58,000)

S. 57th St. - W. Stack Dr. to 250 ft. m/l south of S. 58th St. (Cul-du-Sac) WT41091332 File Number 990979: Relay water main. (Nonassessable Water Fund -- \$135,000)

S. 57th St. (Cul-du-Sac) at 250 ft. m/l south of S. 58th St. WT410941333 File Number 990979: Relay water main. (Nonassessable Water Fund -- \$40,000)

S. 86th St. - W. Crawford Ave. to 350 ft. m/l north of W. Crawford Ave. WT41091341 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$65,000)

## 13th Aldermanic District

S. 14th St. - 120 ft. m/l north of W. Leroy Ave to 120 ft. m/l south of W. Leroy Ave. WT41091322 File Number 990979: Relay water main. (Nonassessable Water Fund -- \$47,000)

## 14th Aldermanic District

S. Chase Ave. at E. Dakota St. WT41091286 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$26,000)

S. Delaware Ave. - 150 ft. m/l north of E. Estes St. to E. Estes St. WT41091290 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$40,000)

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

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 8) [991031](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations.

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:

3rd Aldermanic District

Alley between N. Humboldt Bl., E. Keefe Ave., E. Townsend St, and N. Weil St. (Northerly East-West Leg) ST21200134 File Number 85-727: Concrete alley pavement reconstruction, replace some abutting sidewalk and driveway approaches, and grading. (Nonassessable Alley Paving Fund -- \$12,900; Assessable Alley Paving Fund -- \$2,800)

7th Aldermanic District

Alley between W. Auer Ave., W. Burleigh St., N. 48th St., and N. 49th St. ST21200104 File Number 980790: Concrete alley pavement reconstruction, replace some abutting sidewalk and driveway approaches, and grading. (Nonassessable Alley Paving Fund -- \$18,200; Assessable Alley Paving Fund -- \$7,500)

17th Aldermanic District

Alley between W. Clarke St., W. Wright St., N. 10th St., and N. 11th St. ST21200121 File Number 960740: Concrete alley pavement reconstruction, replace some abutting sidewalk and driveway approaches, and grading. (Nonassessable Alley Paving Fund -- \$48,800; Assessable Alley Paving Fund -- \$27,500)

;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 66.60 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 projects Alley W. Auer Ave. ST21200104, Alley W. Clarke St. ST21200121 and Alley N. Humboldt Ave. ST21200134 will be billed after January 1, 2002, but not before 12 months after the project contract has been completed.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 9) [991032](#) Resolution determining it necessary to make various assessable public improvements at various locations. (Infrastructure Services Div.)

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 66.60 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

W. Congress St. - W. Roosevelt Dr. to N. Teutonia Ave. (Incl. N. 22nd St. - W. Roosevelt Dr. to W. Congress St.) ST21100130 (870-0812-3): 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 -- \$2,000)

2nd Aldermanic District

W. Vienna Ave. - N. 68th St. to W. Appleton Ave. ST21110126 (871-0846-6): 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 -- \$5,000)

4th Aldermanic District

N. Art Museum Dr. - N. Harbor Dr. to N. Lincoln Memorial Dr. ST21090122 (839-0872-0): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable New Paving Fund -- \$5,000)

Alley between N. Broadway, E. Buffalo St., E. Chicago St., and N. Milwaukee St. ST21210123 (881-0848-3): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000)

Alley between N. Broadway, E. Mason St., N. Milwaukee St., and E. Wells St. ST21210124 (881-0849-9): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000)

5th Aldermanic District

W. Vienna Ave. - N. 76th St. to N. 84th St. ST21110125 (871-0845-0): 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 -- \$5,000)

## 6th Aldermanic District

N. 3rd St. - W. Auer Ave. to W. Concordia Ave. ST21110116 (871-0836-1):  
Laying a concrete curb and gutter. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$2,000)

## 7th Aldermanic District

Alley between W. Chambers St., W. Locust St., N. 50th St., and N. 51st St.  
ST21210125 (881-0850-4): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000)

## 10th Aldermanic District

N. 29th St. - W. Melvina St. to W. Capitol Dr. ST21110118 (871-0838-2): 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 -- \$2,000)

## 11th Aldermanic District

W. Wilbur Ave. - S. 80th St. to S. 84th St. ST21110127 (871-0847-1): 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 -- \$5,000)

S. 39th St. - W. Morgan Ave. to W. Ohio Ave. ST21110121 (871-0841-9): 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 -- \$5,000)

## 12th Aldermanic District

Alley between W. National Ave., S. 6th St., S. 7th St., North-South Freeway  
ST21210126 (881-0851-X): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000)

## 13th Aldermanic District

S. Logan Ave. - E. Norwich St. to E. Howard Ave. ST21110124 (871-0844-5):  
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 -- \$5,000)

S. 23rd St. - W. College Ave. to W. Alvina Ave. ST21110114 (872-0662-3):  
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 -- \$5,000)

16th Aldermanic District

N. 90th St. - W. Blue Mound Rd. to W. Wisconsin Ave. ST21110122  
(871-0842-4): 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 -- \$2,000)

N. 91st St. - W. Blue Mound Rd. to W. Wisconsin Ave. ST21110123  
(871-0843-X): 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 -- \$2,000)

17th Aldermanic District

N. 14th St. - W. Lloyd St. to W. North Ave. ST21110117 (871-0837-7): Laying a concrete curb and gutter. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$2,000)

N. 34th St. - W. Lisbon Ave. to W. Brown St. ST21110119 (871-0839-8): Laying a concrete curb and gutter. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$2,000)

N. 38th St. - W. Lisbon Ave. to W. North Ave. ST21110120 (871-0840-3): 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 -- \$5,000)

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

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 10) [991038](#) Resolution authorizing and directing the proper City Officers to execute an Out-of-Program Agreement between Liberty Property Trust and the City of Milwaukee for construction of public improvements to support development of stage 18 of the Park Place Planned Development. (DPW)
- Whereas, Liberty Properties Trust plans to develop a nine-lot service center and office park as the next phase of the Park Place Planned Development; and
- Whereas, Park Place is located generally north of West Good Hope Road and west of North 107th Street; and
- Whereas, The planned service center and office park will require various public improvements including storm and sanitary sewer, water extensions, and a new public street; and
- Whereas, The developer now desires to enter into an Out-of-Program Agreement with the City of Milwaukee to provide for construction and funding of the required public improvements; and
- Whereas, The Out-of-Program Agreement for this project is attached to this file; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the Out-of-Program Agreement attached to the file is hereby approved and the proper City Officials are hereby authorized and directed to execute said agreement on behalf of the City; and, be it
- Further Resolved, That the Commissioner of Public Works is authorized to make

minor, non-substantive changes to the Out-of-Program Agreement prior to its execution.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 11) [991041](#) Resolution authorizing the acceptance of a private contribution for the purpose of performing needed repairs and installing an automatic pull-down striker for the bell in the City Hall bell tower.

Whereas, The Milwaukee Common Council, on October 28, 1895, authorized the construction of a bell suitable for the tower of its new City Hall; and

Whereas, On New Year's Day 1897, citizens of Milwaukee first heard the bell sound from the City Hall tower; and

Whereas, In October 1925, the City, fearing vibrations from the bell would cause structural damage to City Hall, stopped ringing it regularly; and

Whereas, More recent analysis of the bell and its tower suggests that, with careful monitoring, the bell can return to more regular use; and

Whereas, The bell and its infrastructure are in need of some repair and the installation of an automatic pull-down striker would make ringing the bell much easier; and

Whereas, A private citizen, Mr. Harry F. Franke, has generously offered to donate the \$7,000 it will cost both for the repairs and the installation of a pull-down striker; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works-Buildings and Fleet Division is authorized to accept up to \$7,000 in private contributions for the purpose of performing needed repairs and installing a pull-down striker for the bell in the City Hall bell tower, in accordance with established City policies and procedures for the acceptance of contributions; and be it

Further Resolved, That upon receipt and deposit of these funds, the City Comptroller is authorized and directed to establish a special account within the Department of



Public Works-Buildings and Fleet Division's budget for the expenditure of the contribution; and be it

Further Resolved, That the City Comptroller is authorized and directed to transfer appropriations and estimated revenue from the Special Purpose Account for Contributions, 0001-2110-0001-D001-006300 and the Estimated Revenue Account for Contributions, 0001-2110-0001-009850 to the Department of Public Works - Buildings and Fleet Division's Estimated Revenue Account, to be established by the City Comptroller, up to the amount of \$7,000.

**Sponsors:** Ms. Scherbert

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 12) [991046](#) Resolution to remove obstructions from streets and alleys on the 2000 Paving Program. (Infrastructure Services Div.)

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to notify the owners of the premises abutting where obstructions exist on streets and alleys which the Common Council approves for improvement during 2000, and for said owners to remove said obstructions within thirty (30) days; and, be it

Further Resolved, That upon failure of the owners to remove said obstructions within said thirty (30) day period, the Commissioner of Public Works is hereby authorized and directed to remove the same and assess the cost thereof against the owners of the abutting property.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 13) [991047](#) Resolution regarding the removal or reconstruction of encroachments, projections, and special privileges on streets and alleys on the 2000 paving program. (Infrastructure Services Div.)

Resolved, By the Common Council of the City of Milwaukee, that under Section

66.045 of the Wisconsin Statutes, Section 7.05 of the Milwaukee City Charter and Section 245-3 of the Milwaukee Building Code and amendments thereto, all special privileges and permits for projections and encroachments on streets and alleys on which the Common Council approves for improvement during 2000 whether granted as provided by law or otherwise exercised, are hereby cancelled to the extent necessary to accomplish the construction or reconstruction, of said streets and alleys, and the Commissioner of Public Works is hereby authorized and directed to notify the owners of the premises abutting such special privileges, encroachments, and projections, to alter, as may be necessary, or to remove the same within thirty (30) days; and, be it

Further Resolved, That upon failure of the owner or owners to alter or remove said special privileges, encroachments, and projections on the streets and alleys above-mentioned within said thirty (30) day period, the Commissioner of Public Works is hereby authorized and directed to remove and fill in the same, either by contract or by City forces, and assess the cost thereof against the owner or owners of the abutting property.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 14) [991049](#) Resolution declaring as surplus vacant, tax deed lots and authorizing their sale to the Neighborhood Improvement Development Corporation for new residential construction, in the 1st, 2nd and 3rd Aldermanic Districts. (DCD-Real Estate)  
Whereas, The Neighborhood Improvement Development Corporation wishes to acquire the following vacant, tax deed lots for \$1.00 each to construct residential units for owner-occupants:

PROPERTY ADDRESS, TAX KEY NO.

3304-06 North Pierce Street, TK #281-0029-8

4167 North 48th Street, TK #248-0315-8

4637 North 24th Place, TK #231-0254-X

4557 North 24th Street, TK #231-9941-8

; and

Whereas, The City Plan Commission has approved the sale of said vacant lots to be consummated in the manner provided for in Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said lots are declared surplus, said Offers are accepted, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sales in accordance with the provisions of the resolution referred to above; and, be it

Further Resolved, That the Commissioner of the Department of City Development is authorized to close the sales of said lots only after receipt of construction plans which are generally acceptable in terms of architectural detail and neighborhood compatibility.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 15)      [991050](#)      Resolution authorizing the Commissioner of Public Works to enter into contracts for the mechanical, environmental, and electrical designs of 2000 Capital Improvements Projects. (Buildings & Fleet Division)
- Whereas, The design of 2000 Capital Improvements Projects funded through the City's Capital Improvements Projects funded through the City's Capital Budget should be completed as expeditiously as possible to meet the needs of the using agencies and to minimize the construction cost due to inflation; and
- Whereas, Due to the present design workload of the Buildings and Fleet Division, especially in the architectural, mechanical, environmental, and electrical disciplines, it would be desirable to obtain the services of outside consultants, on an as needed basis, to assist in expediting the design of 2000 Capital Projects; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed, as being in the best interests of the City, to obtain the services of outside consultants, on an as needed basis, to assist in expediting the design of 2000 Capital Improvements Projects; and be it
- Further Resolved, That the cost of the consultant services shall be charged against the

funds already budgeted for the design and construction of each respective project.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 16) [991051](#) Resolution authorizing the purchase of equipment, material, and services for maintaining the Building Management Computer System. (Buildings & Fleet Division)  
Whereas, The Buildings and Fleet Division has a Building Management Computer in the Zeidler Municipal Building, City Hall, 809 Broadway Building, and many outlying buildings; and

Whereas, Alterations and modifications made to the heating, ventilating, and air conditioning systems in these buildings due to office remodelings and systems updating will require changes in the controls for these systems and the monitoring done by the Building Management Computer; and

Whereas, The Building Management Computer was installed and is serviced by Johnson Controls, Inc.; and

Whereas, It would be in the best interests of the City of Milwaukee to procure the equipment, materials, and services necessary to make changes in the operation and for maintenance of the computer systems from Johnson Controls, Inc. to ensure compatibility of equipment and undivided responsibility for operation of the system; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be authorized and directed as being in the best interests of the City of Milwaukee to procure the equipment, materials, and services necessary to make required changes to the Building Management Computer System from Johnson Controls, Inc. during 2000; and be it

Further Resolved, That the costs to procure the equipment, materials, and services shall be charged against funds already budgeted for heating, ventilating, and air conditioning alterations and modifications.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

17) [991052](#) Resolution approving Lease Agreement with the Edward E. Gillen Company. (Port of Milwaukee)

Resolved, By the Common Council of the City of Milwaukee that said Common Council hereby ratifies and approves Lease Agreement between the City, by and through its Board of Harbor Commissioners, and the Edward E. Gillen Co., for the use of about .921 acres of property off Carferry Drive on the Port of Milwaukee South Harbor Tract for the five-year period 1 January 1999 through 31 December 2003, and, be it

Further Resolved, That the designated officers of said government and of said Board are hereby authorized and directed to execute an agreement to carry out this purpose as prepared by the City Attorney's office.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

#### RESOLUTION(S) TO BE PRESENTED FOR IMMEDIATE ADOPTION

[991161](#) Appointment of Juanita Hawkins to serve as Director of the Office of Community Block Grant Administration by the Mayor.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Henningsen that this matter be CONFIRMED to the MAYOR. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

[991163](#) Resolution approving various final certified survey maps.

Resolved, By the Common Council of the City of Milwaukee, that the following final certified survey maps be and hereby are approved:

NAME	TAX KEY NUMBER(s)
RACM	351-3410-x, 3411-5, -3412-0, -3413-6
RACM	350-0448-100-1, 351-1637-100-4
RACM	352-2161-100-2, -2163-110-0
JDN Development	533-1091-3
RACM	462-0256-8, -0257-3, 0258-9, 0259-4, 0260-x
Great Lakes	626-0331

**Sponsors:** ZONING and NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**A motion was made by Ald. Henningsen that this matter be ADOPTED to the MAYOR. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

[991209](#)

Resolution authorizing the Commissioner of Public Works to issue a permit to Daws Crane Company allowing temporary occupancy of North Jackson Street between East Juneau Avenue and East State Street. (DPW)

Whereas, A new Kohl's grocery store is being constructed at the Juneau Village shopping center; and

Whereas, This building is located along North Jackson Street between East Juneau Avenue and East State Street; and

Whereas, Daws Crane Company has been hired to install the heavy, rooftop equipment on the new building; and

Whereas, A crane lift will be required to place this equipment on the building's roof; and

Whereas, Given the constraints of the project site, the only practical location for the crane is in the North Jackson Street right-of-way; and

Whereas, Daws has requested a permit to occupy North Jackson Street between East Juneau Avenue and East State Street for an eight-hour period from approximately 8:30 AM to 4:30 PM on Wednesday, November 10; and

Whereas, Access to private driveways within the closure area will be maintained during the operation; and

Whereas, Daws will work with the Department of Public Works to establish a detailed traffic control plan that minimizes the public inconvenience associated with the

street closure; and

Whereas, The Commissioner of Public Works is authorized to issue permits for temporary occupancy of up to one-third of public rights-of-way while temporary occupancy beyond that must be approved by the Common Council; now, therefore, be it

Resolved, That the Commissioner of Public Works is hereby authorized to issue a permit to Daws Crane Company allowing the company to occupy North Jackson Street between East Juneau Avenue and East State Street during the period beginning at 8:30 AM and ending at 4:30 PM on Wednesday, November 10, 1999.

**Sponsors:** THE CHAIR

**A motion was made by Ald. Witkowiak that this matter be ADOPTED to the MAYOR. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,  
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,  
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0