



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, June 16, 2009

9:00 AM

Common Council Chambers

Amended 6/15/09

The meeting was called to order at 9:17 a.m.

The roll was called.

Present: 14 -

Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Donovan,
Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski, Hines
Jr.

Excused: 1 -

Wade

The Pledge of Allegiance was said followed by an invocation offered by Peter Schmidkofer, one of the pastors at Redeemer Evangelical Free Church.

President Hines acknowledged Ms. Jan-Marie Weiler's third graders from Golda Meir School, known as the Golda Meir Craniacs.

President Hines further acknowledged Ms. Tasha Allen of North Division High School. On June 6th, 2009, Ms. Allen won three events at the WIAA Division 1 state girls track and field competition, including the 100-, 200-, and 400-meter sprints.

President Hines further acknowledged Ms. Danielle Brooks and Ms. Brittany Loren Stark, winners of the inaugural "I AM THE DREAM" scholarship essay contest, sponsored by Alderwoman Coggs.

The question was put: Are there any corrections to the Common Council Journal of Proceedings for the regular meeting of May 27, 2009?

There being none, the minutes of that meeting were approved without objection.

Various commendatory and condolatory resolutions were read and approved without objection.

Present: 15 -

Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade,
Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski,
Zielinski, Hines Jr.

THE LICENSES COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [090103](#) A substitute ordinance relating to the circumstances in which warning letters are issued for alcohol beverage licenses.

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

Part 1. Section 90-5-8-a-3-0 of the code is amended to read:

90-5. Licensing.

8. COMMITTEE ACTION.

a. Notice.

a-3. If the chief of police files a written report summarizing the arrest and convictions of an applicant for a new operator's license, alcohol beverage wholesale establishment license or manager's license which could form the basis for denial of the application, the city clerk shall, in lieu of forwarding the application to the licensing committee for a hearing under subds. 1 and 2, refer the application to the common council for approval and<>>, except as provided in subd. 4, <<issue a warning letter to the applicant whenever all of the following are true:

Part 2. Section 90-5-8-a-4 to 9 of the code is renumbered 90-5-8-a-5 to 10.

Part 3. Section 90-5-8-a-4 of the code is created to read:

a-4. If an applicant eligible to be issued a warning letter under subd. 3 has not within 10 years of the date of application been convicted of any misdemeanor or felony offense or municipal code violation, then the city clerk shall refer the application to the common council for approval and issue no warning letter.

Part 4. Section 90-11-1-c-1-0 of the code is amended to read:

90-11. Renewal of License.

1. PROCEDURE FOR RENEWAL.

c. Warning Letter.

c-1. If the chief of police files a written report summarizing the arrest and convictions of an applicant for renewal of an operator's license, alcohol beverage wholesale

establishment license or manager's license which could form a basis for nonrenewal of the application, and if no written objection has been filed under par. b, the city clerk shall, in lieu of forwarding the application to the licensing committee for a hearing under par. b, refer the application to the common council for approval and>>, except as provided in subd. 2,<< issue a warning letter to the applicant whenever all of the following are true:

Part 5. Section 90-11-1-c-2 is renumbered 90-11-1-c-3.

Part 6. Section 90-11-1-c-2 of the code is created to read:

c-2. If an applicant eligible to be issued a warning letter under this paragraph has not within 10 years of the date of application been convicted of any misdemeanor or felony offense or municipal code violation, then the city clerk shall refer the application to the common council for approval and issue no warning letter.

A motion was made by ALD. BOHL that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Kovac Wade

ADOPTION OF THE FOLLOWING:

2. [090094](#) Resolution authorizing the issuance of mobile home park licenses.

Resolved, By the Common Council of the City of Milwaukee, that the City Clerk be and hereby is authorized and directed to issue a mobile home park license to Dan Daniels, Tower View Properties, Inc., for the premises at 4221 S. 6th St and the premises at 700 W. Layton Ave; to Eleanore Wildenberg-Klug, Evergreen Hotel & Mobile Court, for the premises at 3774 S. 27th St.; and to Zellmer Fromm, Collegiate Mobile Home Park, for the premises at 6160 S. 6th St. for a period of one year commencing July 1, 2009 and ending June 30, 2010.

A motion was made by ALD. BOHL that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Kovac Wade

PLACING ON FILE THE FOLLOWING:

3. [090160](#) A substitute ordinance relating to requests by nonprofit corporations for temporary extensions of licensed alcohol beverage premises.

A motion was made by ALD. BOHL that this Ordinance be PLACED ON FILE. This motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Kovac Wade

APPROVAL OF THE FOLLOWING:

4. [081329](#) Substitute motion suspending for 60 days the Class "B" Tavern license of Jennie M. Nuell, Agent for Maximum Capacity, LLC, for "All Star Sports Bar" at 4001 W. Fond du Lac Avenue.

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee and the exceptions filed in this matter?

All members present indicated they had done so.

The question was put: Is Jennie M. Nuell or her counsel present and, if so, does she wish to address the Council?

Ns, Nuell was present by counsel.

Ald. Bohl moved that the Common Council resolve itself into a Committee of the Whole for the purpose of taking testimony in this matter.

There were no objections.

Attorney. Michael Whitcomb appeared and addressed the Common Council.

Asst. City Attorney Bruce Schrimpf appeared and addressed the Common Council.

Ald. Bohl moved that the Committee of the Whole rise.

There was no objection.

Ald. Wade moved renewal with a warning letter in lieu of the 60-day suspension recommended by the Committee.

A motion was made by ALD. WADE that this Motion be AMENDED. The motion FAILED by the following vote:

Aye: 7 - Bauman, Wade, Puente, Murphy, Witkowiak, Zielinski Hines Jr.

No: 7 - Hamilton, Kovac, Bohl, Coggs, Donovan, Dudzik Witkowski

Excused: 1 - Davis

Whereas, The Licenses Committee received a notarized complaint from the Chief of Police of the Milwaukee Police Department requesting the revocation of the Class "B" Tavern license for the premises at 4001 W. Fond du Lac Avenue ("All Star Sports Bar") in the 7th aldermanic district; and

Whereas, The Licenses Committee held evidentiary hearings on March 6, May 11 and May 29, 2009; and

Whereas, After considering the complaint, witness and police testimony, and the police report, the Committee found that enough evidence existed to justify a 60-day suspension of the Class "B" Tavern license; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Class "B" Tavern license for the premises at 4001 W. Fond du Lac Avenue ("All Star Sports Bar") be suspended for 60 days.

A motion was made by ALD. BOHL that this Motion be APPROVED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

Present: 13 -

Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski, Hines Jr.

Excused: 2 -

Davis, Wade

5. [081330](#) Substitute motion revoking the Class "B" Manager license of Eddie J. Nuell for "All Star Sports Bar" at 4001 W. Fond du Lac Avenue.
- Whereas, The Milwaukee Police Department filed a notarized complaint requesting the revocation of the Class "B" Manager license of Eddie J. Nuell for "All Star Sports Bar" at 4001 W. Fond du Lac Avenue; and
- Whereas, The Licenses Committee held evidentiary hearings on March 6, May 11 and May 29, 2009; and

Whereas, Based on the police report and testimony provided at these hearings, the Committee unanimously voted to revoke the Class "B" Manager license of Eddie J. Nuell for "All Star Sports Bar" at 4001 W. Fond du Lac Avenue; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Class "B" Manager license of Eddie J. Nuell for the premises at 4001 W. Fond du Lac Avenue ("All Star Sports Bar") is revoked.

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee relative to this matter?

All members present indicated that they had done so.

A motion was made by ALD. BOHL that this Motion be APPROVED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Coggs Wade

6. [090067](#) Substitute motion denying the new application for a food dealer license of Johnnie Lee Little, Jr. for the premises at 2027 W. Juneau Avenue doing business as Johnnie's Candy Box in the 4th aldermanic district.

Johnnie Lee Little, Jr. applied for a food dealer license from the City of Milwaukee on April 6, 2009; and

Whereas, The Health Department received an objection from Ald. Robert Bauman for a food dealer license for Johnnie Lee Little, Jr. for the premises at 2027 W. Juneau Avenue in the 4th aldermanic district; and

The Common Council's Licenses Committee held an evidentiary hearing on the application on May 29, 2009; and

The Committee heard aldermanic testimony in opposition to the license and the applicant did not appear at the meeting; now, therefore,

It is moved, by the Common Council of the City of Milwaukee, that the food dealer license application of Johnnie Lee Little, Jr. for the premises at 2027 W. Juneau Avenue, ("Johnnie's Candy Box ") be denied.

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee relative to this matter?

All members present indicated that they had done so.

A motion was made by ALD. BOHL that this Motion be APPROVED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

7. [090086](#) Substitute motion denying the new application for a food dealer license of Lachell Evans for the premises at 2222 W. North Avenue doing business as "Topnotch" in the 15th Aldermanic District.

Lachell Evans applied for a food dealer license from the City of Milwaukee on March 23, 2009; and

Whereas, The Health Department received an objection from Ald. Willie Hines, Jr. for a food dealer license for Lachell Evans for the premises at 2222 W. North Avenue doing business as "Topnotch" in the 15th Aldermanic District; and

The Common Council's Licenses Committee held an evidentiary hearing on the application on May 29, 2009; and

The Committee heard aldermanic testimony in opposition to the license and the applicant did not appear at the meeting; now, therefore,

It is moved, by the Common Council of the City of Milwaukee, that the food dealer license application of Lachell Evans for the premises at 2222 W. North Avenue in the 15th Aldermanic District ("Topnotch ") be denied.

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee relative to this matter?

All members present indicated that they had done so.

A motion was made by ALD. BOHL that this Motion be APPROVED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

8. [081701](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

The Common Council of the City of Milwaukee hereby accepts the recommendations

of the Licenses Committee as contained in the listings attached to this file.

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee and the exceptions filed in this matter?

All members present indicated that they had done so.

The question was put: Is Virginia Albano or her counsel present and, if so, does she wish to address the Council?

Ms. Albano was present by counsel.

Ald. Bohl moved that the Common Council enter the Committee of the Whole for the purpose of taking testimony in this matter.

There were no objections.

Attorney Frank Schiro appeared and addressed the Common Council.

Asst. City Attorney Bruce Schrimpf appeared and addressed the Common Council.

Ald. Bohl moved that the Committee of the Whole rise.

There was no objection.

A motion was made by ALD. BOHL that this Motion be APPROVED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Kovac Wade

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. [090054](#) Motion relating to the recommendations of the Public Safety Committee relative to licenses.
The Common Council of the City of Milwaukee hereby accepts the recommendations of the Public Safety Committee as contained in the listings attached to this file.
A motion was made by ALD. DONOVAN that this Motion be APPROVED. The motion PREVAILED by the following vote:
Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 2 - Davis Wade

PASSAGE OF THE FOLLOWING:

2. [081651](#) A substitute ordinance relating to parking of vehicles for periods exceeding 24 hours in specified areas.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 101-27-1-a of the code is renumbered 101-27-1-a-1.

Part 2. Section 101-27-1-a-2 of the code is created to read:

101-27 All Night Parking.
1. RESTRICTIONS. a-2. The restriction provided in subd. 1 shall be suspended for the period beginning March 1 through November 30 of each year, to permit vehicles to stand in one place on a highway in designated areas for not more than 5 days consecutively. All other parking restrictions and parking permit requirements currently in force or which may be enacted shall remain in effect in the designated areas. The designated parking program areas to which these provisions apply include those bounded by and including both sides of the boundary streets:

a-2-a. E. Windsor Pl., N. Prospect Ave., E. Juneau Ave., N. Milwaukee St., N. Water St., E. Kane Pl., N. Warren Ave., E. Boylston St. and N. Cambridge Ave.

a-2-b. E. Juneau Ave., N. Prospect Ave., E. Wells St. and N. Milwaukee St.

a-2-c. E. Juneau Ave. from N. Prospect Ave. to its eastern terminus

Part 3. Section 101-27-1.5 of the code is repealed.

A motion was made by ALD. DONOVAN that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 9 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Witkowiak, Witkowski Zielinski

No: 4 - Puente, Murphy, Dudzik Hines Jr.

Excused: 2 - Davis Wade

3. [090028](#) 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 adding the following:

In the alley bounded by West Maple Street, West Burnham Street, South 11th Street and South 12th Street

A motion was made by ALD. DONOVAN that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

4. [090029](#) 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 101-11-1 of the Code relating to No Left Turns is amended by adding the following:

On West Villard Avenue at North 32nd Street Friday and Saturday from 8:00 PM to 2:00 AM westbound

Part 2. Section 101-16-1 of the Code relating to Stop signs is amended by adding the following:

On West Melvina Street and North 66th Street in all directions

A motion was made by ALD. DONOVAN that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

5. [090066](#) A substitute ordinance relating to ambulance conveyance rates.

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

Part 1. Section 75-15-14-c-1 to 3 of the code is amended to read:

75-15. Ambulance Certification Regulations.

14. DETERMINING RATES BILLED BY PRIVATE SECTOR PROVIDERS.

c-1. For patients who are residents of the city of Milwaukee, for basic life support, ~~[[\$422]]~~ >> \$451 << and, for basic life support-emergency, ~~[[\$422]]~~ >> \$451 <<. When patients require treatment without transport, a ~~[[\$75]]~~ >> \$105 << basic life support non-transport fee applies.

c-2. For patients who are not residents of the city of Milwaukee, for basic life support, ~~[[\$488]]~~ >> \$522 << and, for basic life support - emergency, ~~[[\$488]]~~ >> \$522 <<. When patients require treatment without transport, a ~~[[\$125]]~~ >> \$150 << basic life support non-transport fee applies.

c-3. In addition to the charges provided in subds. c-1 and 2, a charge of ~~[[\$12.60]]~~ >> \$14.00 << per mile shall be assessed for mileage, mileage to be defined as the distance traveled with the patient in the ambulance from the point of patient origin to destination.

Part 2. Section 75-15-17-e of the code is renumbered to g.

Part 3. Section 75-15-17-e of the code is created to read:

17. CHARGES FOR PATIENT SERVICES DELIVERED BY THE FIRE DEPARTMENT.

e. When the fire department performs a basic life support transport for a bariatric patient the department is authorized to charge the rate specified in sub. 14-c-1.

Part 4. Section 75-15-17-f of the code is created to read:

f. When the fire department provides advanced life support services to a cardiac arrest patient who is not resuscitated in the field the department is authorized to charge medicare the rate specified in sub. 14-c-1.

A motion was made by ALD. DONOVAN that this Ordinance be PASSED. This motion FAILED by the following vote:

Aye: 2 - Donovan Witkowski

No: 11 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Zielinski Hines Jr.

Excused: 2 - Davis Wade

A motion was made by ALD. BOHL that this Ordinance be RECONSIDERED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

Ald. Bohl moved for suspension of the rules for the purpose of offering an amendment not in writing.

There was no objection.

Ald. Bohl moved to amend the file to reflect a 4.4% increase.

A motion was made by ALD. BOHL that this Ordinance be AMENDED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

090066

A substitute ordinance relating to ambulance conveyance rates.

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

Part 1. Section 75-15-14-c-1 to 3 of the code is amended to read:

75-15. Ambulance Certification Regulations.

14. DETERMINING RATES BILLED BY PRIVATE SECTOR PROVIDERS.

c-1. For patients who are residents of the city of Milwaukee, for basic life support, [[\$422]>>\$441<<and, for basic life support-emergency, [[\$422]>>\$441<<. When patients require treatment without transport, a [[\$75]>>\$105<< basic life support non-transport fee applies.

c-2. For patients who are not residents of the city of Milwaukee, for basic life support, [[\$488]>>\$510<< and, for basic life support - emergency, [[\$488]>>\$510<<. When patients require treatment

without transport, a [[\$125]] >> \$150 << basic life support non-transport fee applies.

c-3. In addition to the charges provided in subds. c-1 and 2, a charge of [[\$12.60]] >> \$14.00 << per mile.

c-3. In addition to the charges provided in subds. c-1 and 2, a charge of [[\$12.60]] >> \$14.00 << per mile shall be assessed for mileage, mileage to be defined as the distance traveled with the patient in the ambulance from the point of patient origin to destination.

Part 2. Section 75-15-17-e of the code is renumbered to g.

Part 3. Section 75-15-17-e of the code is created to read:

17. CHARGES FOR PATIENT SERVICES DELIVERED BY THE FIRE DEPARTMENT.

e. When the fire department performs a basic life support transport for a bariatric patient the department is authorized to charge the rate specified in sub. 14-c-1.

Part 4. Section 75-15-17-f of the code is created to read:

f. When the fire department provides advanced life support services to a cardiac arrest patient who is not resuscitated in the field the department is authorized to charge medicare the rate specified in sub. 14-c-1.

A motion was made by ALD. BOHL that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Donovan

Excused: 2 - Davis Wade

6. [090157](#) A charter ordinance relating to storage of gunpowder.

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

Part 1. Section 20-01 of the charter is amended to read:

20-01. Nuisances. The powers conferred upon the [[said]] common council to provide for the abatement or removal of nuisances, shall not bar or hinder suits, prosecutions or proceedings in the courts according to law. [[Depots, houses or buildings of any kind, wherein more than twenty-five pounds of gun-powder are deposited, stored or kept at one time, gambling]] >> Gambling << houses, houses of ill-fame, disorderly taverns, and houses or places where spirituous, vinous or

fermented liquors are sold without license, within the limits of said city, are [[hereby]] declared and shall be deemed public or common nuisances.

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

A motion was made by ALD. DONOVAN that this Charter Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

ADOPTION OF THE FOLLOWING:

- 7. [090145](#) Resolution relative to application, acceptance and funding of a Solving Cold Cases With DNA Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the U.S. Department of Justice, Office of Justice Programs, through the Wisconsin Department of Justice, Division of Criminal Investigation, in the amount of \$131,040; and

Whereas, The operation of this grant project from January 1, 2009 through May 31, 2010 would cost \$131,040 of which, 100% would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Police Department shall accept this grant without further approval unless the terms of this grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

- 1. Commit funds within the Project/Grant Parent of the 2009 Special Revenue-Grant and Aid Projects, the following amounts for the project titled "Solving Cold Cases with DNA":

Proj/Grt	Fund	Org	Program	BY	Subclass	ACCT
GR0000900000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$131,040

2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against 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 for the Milwaukee Police Department which is authorized to:

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

A motion was made by ALD. DONOVAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

8. [090146](#) Resolution relative to application, acceptance and funding of a Traffic and Criminal Software Implementation/Expended Use Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Transportation, Bureau of Transportation Safety for a TraCS Implementation/Expended Use Grant; and

Whereas, The operation of this grant from 04/07/09 to 04/07/10 would cost \$29,540, of which 100% 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 Transportation, Bureau of Transportation is authorized and the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2009 Special Revenue-Grant and Aid Projects, the following amount for the program titled: TraCS Implementation/Expanded Use Grant

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000900000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$29,540

2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against 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 for the Milwaukee Police Department which is authorized to:

Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;

Transfer funds within the project budget as long as the amount expended for each specific purpose does not exceed the amount authorized by the budget by 10 percent.

A motion was made by ALD. DONOVAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

PLACING ON FILE THE FOLLOWING:

9. [090018](#) Appointment of Captain Timothy Burkee to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Police Chief.

A motion was made by ALD. DONOVAN that this Appointment be PLACED ON FILE. This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

10. [090098](#) Communication from the Milwaukee Police Department relating to its inspection of public passenger vehicles.

A motion was made by ALD. DONOVAN that this Communication-Report be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

11. [090153](#) Communication from the Milwaukee Police Department related to the re-districting of the police stations and changes in personnel assignments.

A motion was made by ALD. DONOVAN that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081192](#) A substitute ordinance to further amend the 2009 rates of pay of offices and positions in the City Service.

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

Part 1. Section 2 of ordinance File Number 080521 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Salary Grade 016, delete the title "Environmental Services Superintendent."

Part 2. Section 5 of ordinance File Number 080521 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective June 8, 2009):

Under Pay Range 406, delete the footnote designation "1/" after the title "Library Circulation Assistant I" and delete footnote "1/" in its entirety.

Part 3. Section 16a of ordinance File Number 080521 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective June 8, 2009):

Under Pay Range 750 add the footnote designation "6/" after the title "Operations Driver/Worker" and add footnote 6/ to read as follows: "6/ Effective June 8, 2009, one position held by Ken Wischer, in the Milwaukee Department of Public Works, to be paid at rates consistent with Pay Range 936 while performing contract administrator duties."

Part 4. Section 23 of ordinance File Number 080521 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective June 8, 2009):

Delete Pay Range 936 in its entirety and replace with the following:

Pay Range 936
Official Biweekly Rates
\$1,903.85

District Council 48 Contract Administrator

Part 5. All ordinances or parts of ordinances contravening the provisions of this

ordinance are hereby repealed.

Part 6. The provisions of Part 2, 3 and 4 this ordinance are deemed to have been in force and effect from and after June 8, 2009.

The provisions of all other parts of this ordinance are deemed to be in force and effect from and after its passage and publication.

Part 7. This ordinance will take effect and be in force from and after its passage and publication.

A motion was made by ALD. MURPHY that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

2. [090100](#) A substitute ordinance to further amend the 2009 offices and positions in the City Service.

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

Part 1. Section 1 of ordinance File Number 080522 relative to offices and positions in the City Service is hereby amended as follows:

Under "Department of Administration, Business Operations Division", add one position of "Contract Compliance Officer."

Under "Election, Election Service Division", delete one position of "Elections Recruiter/Trainer" and add one position of "Community Outreach Liaison."

Under "Department of Employee Relations, Employee Benefits Division, Medical Benefits Section", delete one position of "Benefits Services Specialist I" and add one position of "Benefits Services Specialist II."

Under "Health Department, Disease Control and Prevention Division, Immunization Action Plan Grant (DD)", delete one position of "Public Health Nurse (G)(DD)(X)(YY)" and add one position of "Public Health Nurse (G)(X)(DD)(YY)(CC)"; under "Bioterrorism-CDC Public Health Preparedness Grant (A)", delete one position of "Infectious Disease Epidemiologist (X)(Y)(A)(EE)(FF)(RR)" and add one position of "Infectious Disease Epidemiologist (X)(Y)(A)(EE)(FF)(RR)(CC)" and add footnote "(CC)" to read as follows: "To expire 06/14/11 unless the increasing Adolescent Immunization Rates through School -Based Clinics Grant from the Robert Wood

Johnson Foundation is extended. Partially funds one position of Public Health Nurse and one position of Infectious Disease Epidemiologist.”

Under “Library, Administration Services Decision Unit, Administration Bureau, Personnel Section”, delete one position of “Library Circulation Assistant I (I)” and delete footnote “(I)” in its entirety.

Under “Department of Public Works, Operations Division, Fleet Operations/Dispatch Section”, add one position of “Operations Driver/Worker (A)” and add footnote “(A)” to read as follows: “One position occupied by Ken Wischer, authorized with the terms of the labor contract.”

Under "Department of Public Works, Operations Division, Environmental Services", delete one position of "Environmental Services Superintendent (X)(Y)."

Under “Department of Public Works, Operations Division, Sanitation Section”, amend footnote “(B)” to read as follows: “To expire 12/31/10 unless the Recycling Efficiency Incentive Grant is extended.”

Part 2. All ordinances or 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.

A motion was made by ALD. MURPHY that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

ADOPTION OF THE FOLLOWING:

3. [090140](#) Substitute resolution relative to application, acceptance and funding of the Increasing Adolescent Immunization Rates through School-Based Clinics Grant from the Robert Wood Johnson Foundation.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Robert Wood Johnson Foundation in this research project; and

Whereas, The operation of this grant project from 06/15/09 to 06/14/11 would cost \$159,999 provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Robert Wood Johnson Foundation is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Milwaukee Code of Ordinances Section 304-81; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2009 Special Revenue Grant and Aid Projects Funds, the following amount for the project titled Increasing Adolescent Immunization Rates through School-Based Clinics Grant:

Project/Grant	GR0000900000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$159,999

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

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

1. Expend from the amount budgeted sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2009 grant budget funds for training and out-of-town travel by departmental staff;
3. Enter into leases and subcontracts as detailed in the grant budget; and
4. Expend from the 2009 grant funds for equipment as deemed necessary for program operation.

; and, be it

Further resolved, That the Common Council directs that the 2009 Positions Ordinance C.C. File Number 080522, should be amended as follows:

Under

HEALTH DEPARTMENT
Disease Control and Prevention Division
Immunization Action Plan Grant (DD)

DELETE:
Public Health Nurse (G) (DD) (X) (YY)

ADD:
Public Health Nurse (G) (X) (DD) (YY) (CC)

Under
HEALTH DEPARTMENT
Disease Control and Prevention Division
Bioterrorism-CDC Public Health Preparedness Grant (A)

DELETE:
Infectious Disease Epidemiologist (X) (Y) (A) (EE) (FF) (RR)

ADD:
Infectious Disease Epidemiologist (X) (Y) (A) (EE) (FF) (RR) (CC)

ADD footnote (CC) to read as follows:

To expire 06/14/11 unless the Increasing Adolescent Immunization Rates through School-Based Clinics Grant from the Robert Wood Johnson Foundation is extended. Partially funds one position of Public Health Nurse and one position of Infectious Disease Epidemiologist.

A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

4. [090144](#) Resolution authorizing an extension of a contract among the City of Milwaukee, other government employers and CORVEL Corporation to provide Preferred Provider

Network discounts and Pharmacy Benefit Management services for those employees using Workers' Compensation services.

Whereas, The City of Milwaukee has been participating in a joint Preferred Provider Network Organization with CORVEL Corporation to control health care costs through network discounts and a pharmacy benefit management program associated with Workers' Compensation claims for nine years; and

Whereas, File No 991339 initiated a three year contract for 2000-2001-2002 and File No 021214 extended the contract from 2003 to 2005 for an additional three years; and Files No 051366 and File No 060096 extended the contract from 2006-2008; and

Whereas, Additional participants in this contract are the Milwaukee Public Schools, the Metropolitan Milwaukee Sewerage District and Milwaukee County; and

Whereas, The City of Milwaukee has avoided health care costs associated with Workers' Compensation claims of \$2,107,425 from 2000-2002, \$3,946,676 from 2003-2005, and \$10,840,534 from 2006-2008, including \$2,099,181 in 2006, \$4,055,188 in 2007 and \$4,686,165 in 2008; and

Whereas, The avoided costs increased in 2007 and 2008 when the City directed CORVEL to use their discounts on both network and non-network bills; and

Whereas, There is no direct cost to the City budget for these services since CORVEL is paid through a percent of savings agreement; and

Whereas, The percent of savings retained by CORVEL in the three years of this contract will not change from the current 23% for Professional Review, Usual and Customary and PPO Re-pricing; and

Whereas, The City of Milwaukee Department of Employee Relations-Workers' Compensation Section and the other taxing groups desire to extend this contract for a period of three years, January 1, 2009 through December 31, 2011; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Employee Relations is directed to extend this contract with CORVEL Corporation for a period of three years, with the form and content of such agreement to extend the contract to be subject to the approval of the City Attorney.

A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

5. [090150](#) Resolution amending Common Council File Number 080430 to increase the amount of the State of Wisconsin Recycling Efficiency Incentive grant awarded to the City of Milwaukee.

Whereas, On July 30th, 2008, the Common Council adopted File Number 080430, a resolution authorizing the Commissioner of Public Works to apply for, accept and expend a State of Wisconsin Recycling Efficiency Incentive Grant in the anticipated amount of \$226,850.00; and

Whereas, In recognition of the efficiency of the City's recycling program, the State of Wisconsin has actually awarded the City a Recycling Efficiency Incentive grant in the amount of \$329,596.58; and

Whereas, Pursuant to s. 304-81-5-c-4 of the Milwaukee Code of Ordinances, whenever a grant amount exceeds the originally specified amount by more than 10%, the administering department is required to prepare an amendment to the original resolution prior to execution of the grant award; and

Whereas, The actual amount of the Recycling Efficiency Incentive Grant awarded to the City exceeds the originally anticipated amount of \$226,850.00 by more than 10%; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the fifth "Further Resolved" clause of Common Council File Number 080430 is amended by changing the Recycling Efficiency Incentive Grant amount from \$226,850.00 to \$329,596.58; and, be it

Further Resolved, That the Common Council directs that the 2009 Positions Ordinance, Common Council File Number 080522, as amended, be further amended as follows:

Under

Department of Public Works-Operations Division
Sanitation Section

Change footnote (B) as follows:

(B) To expire 12/31/10 unless the Recycling Efficiency Incentive Grant is extended.

A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

PLACING ON FILE THE FOLLOWING:

6. [090053](#) Communication from the Department of Administration - Budget and Management Analysis Division regarding vacancy requests, fund transfers and equipment requests.

A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

7. [090134](#) Communication from the Department of Employee Relations relating to classification studies scheduled for City Service Commission action.

A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

8. [090190](#) Communication from the Department of Administration, Business Operations Division relating to amendments to the positions ordinance.

A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

9. [090191](#) Communication from the Department of Employee Relations requesting amendments to the salary and positions ordinances.

A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

10. Obsolete files:

- a. [081513](#) Resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue. (Health Department)

A motion was made by ALD. MURPHY that this Resolution be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

- b. [081714](#) Resolution authorizing the acceptance and expenditure of funds from the State of Wisconsin Attorney General's Office for the Milwaukee Court Appointed Foreclosure Mediation Program.

A motion was made by ALD. MURPHY that this Resolution be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

THE FINANCE AND PERSONNEL COMMITTEE FURTHER RECOMMENDS:

---The following items may be referred from the SPECIAL Finance and Personnel Committee meeting held on Monday, June 15, 2009 at 9:00 A.M.

12. [090043](#) Substitute resolution approving a 2009 Budget Management Plan.

Ald. Donovan moved to amend by deleting all references in the text of the resolution to snow and ice expenditures, including the 4th and 5th "Whereas" clauses, items 3 and 4 in the "Resolved" clause and the 2nd "Further Resolved" clause.

A motion was made by ALD. DONOVAN that this Resolution be AMENDED. The motion FAILED by the following vote:

Aye: 6 - Bauman, Bohl, Donovan, Puente, Dudzik Zielinski

No: 7 - Hamilton, Kovac, Coggs, Murphy, Witkowiak, Witkowski Hines Jr.

Excused: 2 - Davis Wade

Ald. Donovan moved to amend by:

1. deleting all references to the Fire and Police Departments in Exhibit B (Summary of Operational Details) which is attached to this file.

2. deleting the lines relating the Fire and Police Departments in the summary spreadsheet attached to the file, detailing furlough savings.

A motion was made by ALD. DONOVAN that this Resolution be AMENDED. The motion FAILED by the following vote:

Aye: 4 - Donovan, Puente, Dudzik Witkowiak

No: 9 - Hamilton, Kovac, Bauman, Bohl, Coggs, Murphy, Witkowski, Zielinski Hines Jr.

Excused: 2 - Davis Wade

Whereas, The City of Milwaukee's 2009 Budget has experienced an ongoing imbalance between the increased annual costs of continuing baseline services and the lack of revenue growth to fund services; and

Whereas, The inflation-adjusted value of shared revenue to Milwaukee has decreased by approximately \$60 million since 2003, and the City expects to lose additional shared revenue as part of the 2009-2011 State Budget; and

Whereas, 2008 investment losses for the City's Employees Retirement System are expected to result in an increased City contribution of at least \$49 million in the 2010 City Budget; and

Whereas, In 2008 the City experienced approximately 107 inches of snowfall and expended approximately \$15 million for snow and ice removal operations, resulting in 2009 contingent borrowing of \$2.7 million that will increase City debt service over the next 2 years; and

Whereas, 2009 first quarter snow and ice removal expenditures consumed approximately 70% of the 2009 operating budget allocated for that purpose; and

Whereas, The City's Tax Stabilization Fund balance has declined to approximately \$25.5 million for the 2010 Budget, which will limit the City's future budget flexibility; now, therefore, be it

Resolved, By the Milwaukee Common Council that a 2009 Budget Management Plan

is approved in order to achieve the following objectives:

1. Achieve an expenditure lapse of at least \$13 million that would be available for regeneration into the 2011 Tax Stabilization Fund balance as well as for potential carryover, on a limited basis, into 2010 to avoid future service reductions that would otherwise occur.
2. Achieve at least 200 full-time Operating and Maintenance (O&M)-funded position vacancies in the general city employee category by December, 2009, in order to reduce the City's 2010 budget exposure for salary and Unemployment Compensation expenditures and to improve budget flexibility.
3. Ensure that the City has sufficient O&M funding available for snow and ice removal operations in the fourth quarter of 2009.
4. Enable a cancellation of all or part of the debt related to the \$2.7 million of 2009 contingent borrowing that occurred as a result of exceedingly high expenditures for snow and ice operations during 2008.

; and, be it

Further Resolved, That the following actions are authorized and directed in order to achieve the objectives of the 2009 Budget Management Plan:

1. Continued review by the Budget and Management Division of requests to fill vacant positions under s. 18-10-6-c-3, City Charter, in a manner consistent with achieving the objectives of the 2009 Budget Management Plan.
2. Consistent with s. 18-06-13, City Charter, suspension of appropriations from salary accounts of approximately \$1,527,000 in various City departments as enumerated in Exhibit A (attached to this file) as a result of implementation of a furlough program, pursuant to the passage of Common Council File Number 090102, an ordinance implementing mandatory furloughs, the details of which are further specified in Exhibit B attached to this file; provided that these furloughs are consistent with the provisions of s. 350-116-4, Milwaukee Code of Ordinances.
3. Departments shall not expend funds budgeted for Energy in the "line item budget" for any purpose other than energy expenses, unless the Budget and Management Division provides prior approval in writing for such expenditure. The Division shall report any such approvals to the Finance and Personnel Committee on a monthly basis.

; and, be it

Further Resolved, That the 2009 Budget Management Plan shall contain an adjustment to the 2009 Snow and Ice Removal Cost Recovery Charge, as provided by s. 309-83, Code of Ordinances, in order to achieve objectives 3 and 4 of the Plan, to be implemented in File Number 090044; and, be it

Further Resolved, That the Budget and Management Division is directed to report on the implementation of the 2009 Budget Management Plan and its progress toward achieving its objectives to the Finance and Personnel Committee at the Committee's regularly scheduled December 16, 2009 meeting, as well as any other time the Committee chooses to direct.

A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

13. [090044](#) Substitute resolution amending the 2009 Snow and Ice Removal Cost Recovery Charge.

A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion FAILED by the following vote:

Aye: 7 - Hamilton, Kovac, Coggs, Murphy, Witkowiak, Witkowski Hines Jr.

No: 6 - Bauman, Bohl, Donovan, Puente, Dudzik Zielinski

Excused: 2 - Davis Wade

14. [090102](#) A substitute ordinance relating to implementation of mandatory furloughs.

A motion was made by ALD. MURPHY that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Bohl

Excused: 2 - Davis Wade

15. [090183](#) A substitute charter ordinance relating to the allowance of creditable service as it pertains to mandatory furloughs.

A motion was made by ALD. MURPHY that this Charter Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 2 - Davis Wade

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [090117](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2007 and 2008 tax rolls, plus interest applicable to date of repayment, if appropriate.

Whereas, Assessments were made against certain parcels of real estate for the years 2007 and 2008 as contained in Common Council Resolution File No. 090117; 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 applicable pursuant to Section 70.511 of Wisconsin Statutes, for an appeal that was filed as shown in this file, 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 Customer Services Unit 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 delinquent interest and penalties on any account covered by this resolution are hereby canceled.

A motion was made by ALD. HAMILTON that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Wade Donovan

2. [090138](#) Substitute resolution relative to various legislative bills.

Whereas, The Judiciary and Legislation Committee of the Common Council has recommended the following positions 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 bill and instructs the Division of Intergovernmental Relations to appear before the proper committees to support such bill and use its best endeavors to have the same enacted into law, viz:

--LRB 1920/2 (Payday Lending Consumer Protection Act).

; and, be it

Further Resolved, That it hereby opposes the following in the proposed state budget and hereby instructs the Division of Intergovernmental Relations to appear before the proper committees in opposition to said proposals and use its best endeavors in opposition to the same viz:

--Columbus Park senior housing property tax waiver and the increase in a tipping fee.

; and, be it

Further Resolved, That it hereby stands neutral to AB 311 (formerly LRB 1053/1) unless interest rate limitation provisions are added.

A motion was made by ALD. HAMILTON that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Wade Donovan

CONFIRMATION OF THE FOLLOWING:

3. [090164](#) Appointment of Robert Shelledy to the Ethics Board by the Mayor.

A motion was made by ALD. HAMILTON that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Wade Donovan

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

4. Claims against the city:

- a. [090096](#) Resolution relating to the claim of Ronald Sherrill for property damage. (2nd Aldermanic District)
- A motion was made by ALD. HAMILTON that this Resolution be REFERRED TO to the JUDICIARY & LEGISLATION COMMITTEE . This motion PREVAILED by the following vote:**
- Aye:** 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 3 - Davis, Wade Donovan
- b. [090097](#) Resolution relating to the claim of CNA on their behalf and the behalf of Milwaukee Street Gallery, LLC for property damage. (4th Aldermanic District)
- A motion was made by ALD. HAMILTON that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:**
- Aye:** 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 3 - Davis, Wade Donovan
- c. [090109](#) Resolution relating to an appeal from Max Stephenson, Agent for Metropolitan Motors, Inc. for property damage. (1st Aldermanic District)
- A motion was made by ALD. HAMILTON that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:**
- Aye:** 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 3 - Davis, Wade Donovan
- d. [090110](#) Resolution relating to an appeal from Johnnie Hills for property damage. (1st Aldermanic District)
- A motion was made by ALD. HAMILTON that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:**
- Aye:** 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 3 - Davis, Wade Donovan
- e. [090111](#) Resolution relating to the claim of Makbul Sajan for property damage. (10th

Aldermanic District)

A motion was made by ALD. HAMILTON that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Wade Donovan

- f. [090112](#) Resolution relating to the claim of Roger & Shelley Morgan, through West Bend Mutual Insurance, relating to property damage.

A motion was made by ALD. HAMILTON that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Wade Donovan

- g. [090113](#) Resolution relating to the claim of Jose Gomez Soto for property damage. (11th Aldermanic District)

A motion was made by ALD. HAMILTON that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Wade Donovan

- h. [090115](#) Resolution relating to an appeal from Vicky Schinker for property damage.

A motion was made by ALD. HAMILTON that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 3 - Davis, Wade Donovan

Present: 14 -

Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski, Hines Jr.

Excused: 1 -

Davis

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081309](#) Substitute ordinance relating to the change in zoning from Two-Family Residential to a Detailed Planned Development known as Olga Village, on lands located North of West Washington Street and West of South 7th Street for development of apartment housing for the elderly, in the 12th 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 295-907(2)(c).0143.

(1) In accordance with the provisions of Section 295-907 of the Code relating to the establishment of planned development districts, the Common Council approves the subject Detailed Planned Development, 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 the area described and bounded as follows:

A line 306.63 feet East and parallel to the east line of South 9th Street, the centerline of West Washington Street, a line 427.95 feet East and parallel to the east line of South 9th Street, a line 150 feet North and parallel to the north line of West Washington Street, a line 452.95 feet East and parallel to the east line of South 9th Street, the centerline of West Washington Street, a line 627.95 feet East and parallel to the east line of South 9th Street, a line 75 feet North and parallel to the north line of West Washington Street, a line 652.95 feet East and parallel to the east line of South 9th Street, the centerline of West Washington Street, a line 806.45 feet East and parallel to the east line of South 9th Street, and the boundary line of the I-94 and I-43 Interstate Freeway land, from Two-Family Residential (RT4) to Detailed Planned Development (DPD).

(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. 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.

A motion was made by ALD. WITKOWIAK that this Ordinance be PASSED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

ADOPTION OF THE FOLLOWING:

2. [081519](#) Substitute resolution dissolving Tax Incremental District Nos. 21, 24 and 45 and authorizing the distribution of excess incremental revenue to overlying taxing districts. Whereas, The City of Milwaukee ("City") created the following Tax Incremental Districts ("TIDs") with the adoption of resolutions on the following dates:

TID No. 21 (North Avenue Commerce Center) adopted on December 22, 1993

TID No. 24 (Riverworks) adopted on June 28, 1994

TID No. 45 (Wilson Commons) adopted on September 5, 2001

; and

Whereas, All of the projects in the above districts were completed in the prescribed allowed timeframes; and

Whereas, Sufficient incremental revenue has been collected for each district, as of the 2008 tax levy, to cover project costs for TID Nos. 21, 24 and 45 and to escrow funds to cover each district's remaining outstanding debt; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Tax Incremental District Nos. 21, 24 and 45 are dissolved; and, be it

Further Resolved, That the City Clerk shall notify the Wisconsin Department of Revenue within 60 days of adoption of this resolution that the above districts have been terminated; and, be it

Further Resolved, That the City Clerk shall sign the required Wisconsin Department of Revenue final accounting form agreeing on the date by which the City shall send final audit information to the Wisconsin Department of Revenue; and, be it

Further Resolved, That the proper City officials shall distribute any excess incremental revenue collected, after providing for ongoing expenses of the districts, to the affected taxing jurisdictions with proportionate shares to be determined by final audit by the City's auditors.

A motion was made by ALD. WITKOWIAK that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

3. [090075](#) Substitute resolution approving the Land Disposition Report for Career Youth Development, Inc. for the property at 2615-2643 North Dr. Martin Luther King Jr. Drive for community purposes, in the 6th Aldermanic District.
- Whereas, The Redevelopment Authority of the City of Milwaukee ("Authority") recommended acceptance of a Lease with Option to Purchase with Career Youth Development, Inc. for property at 2615-2643 North Dr. Martin Luther King Jr. Drive; and

Whereas, On April 16, 2009, the Authority held a Public Hearing on the proposed Lease with Option to Purchase 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 Lease with Option to Purchase; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Land Disposition Report dated May 5, 2009, with respect to the proposed Lease with Option to Purchase for the property described below is approved; and, be it

Further Resolved, That the annual rent and sale proceeds, less sale expenses and a 30 percent disposition cost reimbursement to the Authority, shall be returned to the Community Development Grants Administration.

REDEVELOPMENT PROJECT AREA

West Center Street - North 3rd Street

PARCEL ADDRESS

2615-2643 North Dr. Martin Luther King Jr. Drive

REDEVELOPER

Career Youth Development, Inc.

A motion was made by ALD. WITKOWIAK that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

4. [090127](#) Resolution facilitating commercial revitalization and job creation at Muskego and Greenfield Avenues in the South Cesar Chavez Commercial Corridor by approving the blight designation and acquisition by the Redevelopment Authority of the privately owned properties at 1443 and 1445-47 South Muskego Avenue and authorizing conveyance to Pete's Marketplace, Inc., in the 12th Aldermanic District.

A motion was made by ALD. WITKOWIAK that this Resolution be HELD IN COUNCIL. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

5. [090148](#) Resolution approving the blight designation and acquisition of three privately owned properties in the vicinity of 26th and Hadley and authorizing subsequent conveyance to the City of Milwaukee for inclusion in the Option to Purchase with United Christian Church for the United Townhomes Project.

Whereas, By adoption of File No. 081371 on February 10, 2009, the Common Council of the City of Milwaukee ("Common Council") authorized the sale of City-owned vacant lots in the vicinity of North 26th and West Hadley Streets to United Christian Church, Inc. ("UCC") for development of United Townhomes, an affordable housing initiative; and

Whereas, UCC has been working with the Redevelopment Authority of the City of Milwaukee ("Authority") to identify additional vacant lots in its target area that could be acquired by the Authority to improve building sites for the United Townhomes Project as well as eliminate blighting influences; and

Whereas, The Authority is proposing to acquire the privately owned properties at 2810-12 North 28th Street (Tax Key No. 309-0313-000-2), 2825-27 North 28th Street (Tax Key No. 309-0342-000-4) and 2748 North 27th Street (Tax Key No. 310-1945-000-X) for assemblage with the adjacent City-owned vacant lots for residential redevelopment by UCC under its Option to Purchase with the City of Milwaukee ("City"), as summarized in a Blight Designation Summary and Land Disposition Report, a copy of which is attached to this Common Council File; and

Whereas, Section 66.1333(5)(c), Wisconsin Statutes, enables the Authority of a first class city, with the approval of the local legislative body of that city, to acquire blighted properties without designating a boundary or adopting a Redevelopment Plan after providing proper notice to the property owner and conducting a public hearing on the proposed blight designation; and

Whereas, Funding for the acquisitions is available from the Community Development Grants Administration; and

Whereas, Proper notices were given to the owners of the properties and a public hearing was conducted on May 21, 2009 by the Authority pursuant to Wisconsin Statutes, after which the Authority determined the properties to be blighted within the

meaning of Section 66.1333(2m)(bm), Wisconsin Statutes, and requested Common Council approval of the blight designations and acquisitions; and

Whereas, After acquisition, the Authority proposes to convey the properties to the City for inclusion in the Option to Purchase with UCC for the United Townhomes Project as summarized in the Blight Designation Summary and Land Disposition Report; and

Whereas, Pursuant to Wisconsin Statutes, the Public Hearing conducted on May 21, 2009, concurrently addressed the disposition of the properties as required by Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it is found, determined and reaffirmed that:

1. The properties at 2810-12 North 28th Street, 2825-27 North 28th Street and 2748 North 27th Street, which are legally described in the Blight Designation Summary and Land Disposition Report, are blighted within the meaning of Section 66.1333(2m)(bm), Wisconsin Statutes.
2. The objectives of the Authority cannot be achieved solely through rehabilitation of these properties.
3. These acquisitions are feasible and conform to the general plan of the City.
4. Financial assistance to the Authority under the provisions of the Housing and Community Development Act of 1974, as amended, is available from the Community Development Grants Administration to enable the properties to be acquired and redeveloped; and, be it

Further Resolved, That the acquisition of these properties is approved and the Common Council:

1. Pledges its cooperation in helping to carry out these acquisitions.
2. Directs the various public officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the objectives for these acquisitions.
3. Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate these acquisitions; and, be it

Further Resolved, That the City Clerk is directed to transmit a certified copy of this resolution to the Commissioner of the Department of Public Works, the Commissioner of the Department of Neighborhood Services, the City Engineer, the Assessment Commissioner, the City Attorney, the Redevelopment Authority of the City of Milwaukee, and to such other agencies, boards and commissions of the City having administrative jurisdiction in the properties described above; and, be it

Further Resolved, That upon Common Council approval of this resolution and upon execution of the necessary funding agreements, the Authority is requested to proceed with the acquisitions as provided in Section 66.1333, Wisconsin Statutes; and, be it

Further Resolved, That the Blight Designation Summary and Land Disposition Report dated May 21, 2009, and the proposed conveyance of the properties to the City for inclusion in the Option to Purchase with UCC for the United Townhomes Project, is approved.

A motion was made by ALD. WITKOWIAK that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

6. [090154](#) Resolution approving the blight designation and acquisition of six privately owned properties and the adjacent City-owned vacant lots in the vicinity of 22nd and Clarke, 25th and Clybourn and 1st and Keefe to assemble sites for future development, in the 4th, 6th and 15th Aldermanic Districts.

Whereas, Section 66.1333(5)(c), Wisconsin Statutes, as amended, enables the Redevelopment Authority of the City of Milwaukee (“Authority”), with the approval of the Common Council of the City of Milwaukee (“Common Council”), to acquire blighted property without designating a boundary or adopting a redevelopment plan; and

Whereas, The Authority proposes to acquire the following privately owned properties that adjoin City-owned vacant lots to assemble development parcels that are better suited for modern development practices, as outlined in a Blight Designation Summary, a copy of which is attached to this Common Council File:

2501 North 20th Street/Tax Key No. 325-0320-000

2642-44 North 21st Street/Tax Key No. 325-0614-000

2654 North 21st Street/Tax Key No. 325-0611-000

2509-11 North 22nd Street/Tax Key No. 325-0357-000

2522 West Clybourn Street/Tax Key No. 400-0068-000

3525 North 1st Street/Tax Key No. 273-0919-111

; and

Whereas, The adjoining City-owned vacant lots identified below also should be declared blighted and acquired by the Authority to facilitate site assemblage, future marketing and development:

2505 North 20th Street/Tax Key No. 325-0317-000

2012 West Wright Street/Tax Key No. 325-0321-000

2838 North 21st Street/Tax Key No. 325-0615-000

2646-48 North 20th Street/Tax Key No. 325-0613-000

2650-52 North 20th Street/Tax Key No. 325-0612-000

2501-03 North 21st Street/Tax Key No. 325-0361-000

2505-07 North 21st Street/Tax Key No. 325-0358-000

2506R West Clybourn Street/Tax Key No. 400-0071-000

2510 West Clybourn Street/Tax Key No. 400-0070-000

2518 West Clybourn Street/Tax Key No. 400-0069-000

2526 West Clybourn Street/Tax Key No. 400-0067-000

502-04 North 26th Street/Tax Key No. 400-0066-000

512 North 26th Street/Tax Key No. 400-0065-000

3529 North 1st Street/Tax Key No. 273-0918-000

; and

Whereas, The Authority submitted an application to the City for the necessary financial assistance under the Housing and Community Development Act of 1974, as amended, and from the Community Development Grants Administration Development Fund to carrying out such acquisitions; and

Whereas, Proper notices were given to the owners of the properties and a public hearing was conducted on May 21, 2009 by the Authority pursuant to Wisconsin Statutes, after which the Authority determined the properties to be blighted within the meaning of Section 66.1333(2m)(bm), Wisconsin Statutes, as amended, and requested approval of these acquisitions by the Common Council; and

Whereas, The Common Council is cognizant of the conditions that are imposed in the undertaking and carrying out of redevelopment activities under Wisconsin law and the Act, including those pertaining to relocation payments and assistance, and to the prohibition of discrimination because of race, color, creed or national origin; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it is found, determined and reaffirmed that:

1. The privately owned and City-owned properties identified above and as identified in the Blight Designation Summary are blighted within the meaning of Section 66.1333(2m)(bm), Wisconsin Statutes, as amended.
2. The objectives of the Authority cannot be achieved solely through rehabilitation of these properties.
3. These acquisitions are feasible and conform to the general plan of the City.
4. Financial assistance to the Authority under the provisions of Housing and Community Development Act of 1974, as amended, is available from the Community Development Grants Administration to enable the properties to be acquired and redeveloped; and, be it

Further Resolved, That the acquisitions are approved and the Common Council:

1. Pledges its cooperation in helping to carry out these acquisitions.
2. Directs that no new construction shall be permitted or authorized at these properties by any agencies, boards or commissions of the City under local codes or ordinances unless as authorized by the Council under Section 66.1333(6)(e), Wisconsin Statutes.

3. Directs the various public officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the objectives for these acquisitions.

4. Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate these acquisitions; and, be it

Further Resolved, That the City Clerk is directed to transmit a certified copy of this resolution to the Commissioner of the Department of Public Works, the Commissioner of the Department of Neighborhood Services, the City Engineer, the Assessment Commissioner, the Director of the Community Development Grants Administration, the Redevelopment Authority of the City of Milwaukee and to such other agencies, boards and commissions of the City having administrative jurisdiction in the premises described above; and, be it

Further Resolved, That upon Common Council approval of this resolution and upon execution of the necessary funding agreements, the Authority is requested to proceed with the acquisitions as provided in Section 66.1333, Wisconsin Statutes; and, be it

Further Resolved, That the Commissioner of the Department of City Development, or designee, is authorized to convey the City-owned vacant lots designated for acquisition to the Authority for no monetary consideration and to prepare the assembled sites for marketing and redevelopment upon approval of the local Common Council members.

A motion was made by ALD. WITKOWIAK that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

PLACING ON FILE THE FOLLOWING:

7. [081202](#) Resolution approving the blight designation and acquisition by the Redevelopment Authority of City-owned vacant lots in the Near West and Near North planning areas and authorizing conveyance along with Redevelopment Authority property at 11th and Center and 37th and Vliet Streets to Commonwealth Development Partners, LLC, for affordable housing, in the 15th Aldermanic District.

A motion was made by ALD. WITKOWIAK that this Resolution be PLACED ON FILE. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

8. [090129](#) Communication from the Department of City Development relating to presentation of the 2008 Annual Report of Milwaukee Tax Incremental Finance Districts.

A motion was made by ALD. WITKOWIAK that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1. [090147](#) Substitute resolution authorizing the application, acceptance and funding of the Milwaukee Youth Construction Training-Project A funded under the Workforce Investment Act (WIA) from the U. S. Department of Labor through the Community Development Grants Administration (CDGA).

Whereas, The City of Milwaukee appears to be eligible for grant funds from the U. S. Department of Labor for the Milwaukee Youth Construction Training-Project A in the amount of \$238,755; and

Whereas, The operation of this grant from 05/01/09 through 04/30/11 would cost \$238,755 which would be provided by the grantor; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

- 1. Commit funds within the Project/Grant Parent of the 2009 Special Revenue - Grant and Aid Projects, the following amounts for the project titled: Milwaukee Youth Construction Training-Project A:

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000900000	0150	9990	0001 0000		R999	000600

Project	Amount
Grantor Share	\$238,755

- 2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against these Project/Grant values the amount required under the grant agreement; and

- 3. Establish the necessary City Share Project Values; and, be it

Further Resolved, That these funds are budgeted through the Community Development Grants Administration which is authorized to:

- 1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;

2. Expend from the 2009 grant budget funds for specific items of equipment;
3. Enter into subcontracts and leases as detailed in the grant budget.

A motion was made by ALD. ZIELINSKI that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

CONFIRMATION OF THE FOLLOWING:

2. [080990](#) Reappointment of Josie Osborne to the Milwaukee Arts Board by the Mayor. (3rd Aldermanic District)

A motion was made by ALD. ZIELINSKI that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

3. [090170](#) Appointment of Scott Welsh to the Neighborhood Improvement District Board #1 by the Mayor. (4th Aldermanic District)

A motion was made by ALD. ZIELINSKI that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

4. Reappointments to the Business Improvement District Boards:

- a. [081734](#) Reappointment of Greg Uhen to the Business Improvement District Board #2 (Historic Third Ward) by the Mayor. (4th Aldermanic District)

A motion was made by ALD. DAVIS that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

- b. [081740](#) Reappointment of Samih Omari to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th Aldermanic District)

A motion was made by ALD. DAVIS that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

- c. [090168](#) Appointment of Michael Lee to the Business Improvement District Board #11 (Brady Street) by the Mayor. (3rd Aldermanic District)

A motion was made by ALD. DAVIS that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

- d. [090178](#) Reappointment of Phyllis Resop to the Business Improvement District Board #21 (Downtown Management) by the Mayor. (4th Aldermanic District)

A motion was made by ALD. DAVIS that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

- e. [090179](#) Reappointment of William Halper to the Business Improvement District Board #21 (Downtown Management) by the Mayor. (4th Aldermanic District)

A motion was made by ALD. DAVIS that this Appointment be CONFIRMED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081474](#) A substitute ordinance relating to publicly accessible collection bins and bin permit regulations and fees.

Ald. Puente offered proposed substitute A.

Ald. Murphy asked to be added as a co-sponsor.

A motion was made by ALD. PUENTE that this Ordinance be SUBSTITUTED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

[081474](#) A substitute ordinance relating to publicly accessible collection bins and bin permit regulations and fees.

Whereas, Non-profit charities and for-profit entities place unattended publicly accessible collection bins throughout the City to facilitate clothing and household goods collection; and

Whereas, Unattended publicly accessible collection bins are not adequately monitored or maintained, and material is allowed to accumulate outside of the containers; and

Whereas, Unattended publicly accessible collection bins are placed without authorization on public property and other locations potentially hazardous to pedestrian and vehicular traffic; and

Whereas, The proliferation and concentration of these bins in certain areas of the City, as documented by a list and a map which is attached to this file, is accompanied by trash, graffiti, and an overall lack of maintenance creating a safety hazard; and

Whereas, It is therefore necessary to prescribe regulations for unattended publicly accessible collection bins, including but not limited to spacing of bins and location of bins in zoning districts; and

Whereas, Moreover, spacing of bins is required in that there are 10 locations in the city of Milwaukee where 2 bins are located at one address and establishing a minimum spacing requirement of 500 ft, which is a little less than 1/10 of a mile, is necessary to

minimize litter concerns; and

Whereas, Both s. 62.11(5) Wis. Stats., and s. 4-10, Milwaukee city charter, provide that the Common Council may enact legislation for the health, safety and welfare of the citizens of the City of Milwaukee: now, therefore

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

Part 1. Section 200-33-44.5-a, b-2 and c-2 of the code are amended to read:

200-33. Fees.

44.5. PUBLICLY ACCESSIBLE COLLECTION BIN PROVIDER AND BIN PERMITS.

a. Permits shall be issued for a period of one year beginning on [[May]]>>October<< 1, and ending on the following [[April]]>>September<< 30. Those publicly accessible collection bin provider and bin permits whose permits are due to expire April 30, 2009 shall be extended to expire on September 30, 2009.

b-2. The permit renewal fee for a publicly accessible collection bin provider shall be \$[[250]]>>500<<.

c-2. The permit renewal fee for each publicly accessible collection bin shall be \$[[25]]>>50<<.

Part 2. Section 239-13-1-c of the code is renumbered 239-13-1-d.

Part 3. Section 239-13-1-c of the code is created to read:

239-13. Publicly Accessible Collection Bins.

1. DEFINITION.

c. "Local operator" means an operator as defined in s. 200-51.5-2-e.

Part 4. Section 239-13-3-c-4 of the code is amended to read:

3. APPLICATION.

c-4. The name, address and phone number of the [[business where the bin is located]]>>local operator<<, if the owner of the property is different from the owner of the business.

Part 5. Section 239-13-3-c-7 of the code is created to read:

c-7. A site plan demonstrating compliance with the regulations set forth in sub. 7, for each publicly accessible collection bin application.

Part 6. Section 239-13-7-a, c, e and i of the code are amended to read:

7. REGULATIONS

a. A bin shall be no larger than 6 feet in height>>, measured at lot grade; however, the height shall include any pad or elevating device which is higher than the parking lot grade. A bin shall also be no larger than<< [[by]] 6 feet in width by 5 feet in depth. The storage compartment of a bin shall be able to be securely locked at all times so as to limit access by the public to the material placed inside the bin.

c. A bin shall be emptied no less than once per week. Whenever the commissioner of neighborhood services notifies the provider of the bin, the owner of the property or the [[business]]>>local operator<< where the bin is located of the fact that material of the type intended to be collected in the bin has been left outside the bin, the provider, owner or [[business]]>>local operator<< shall have 72 hours to remove the material.

e. A bin shall be maintained in a clean condition and kept in good repair. The provider of the bin shall monitor each bin so that it is kept clean and free of graffiti and other unauthorized writing, painting, drawing, or other markings or inscriptions, and is kept in good repair. The provider shall also ensure that each bin under his or her ownership or control is not used as a depository for the placement of refuse. Whenever the commissioner of neighborhood services notifies the provider of the bin where the bin is located of the fact that the bin contains graffiti or refuse, the provider, owner or [[business]]>>local operator<< shall have 72 hours to have the graffiti or refuse removed.

i. No publicly accessible collection bin shall be placed on any private property without written permission of the property owner >>or local operator<<. A copy of this agreement shall be filed with the commissioner of neighborhood services at the time a permit application is submitted for a publicly accessible collection bin.

Part 6. Section 239-13-7-k to n of the code are created to read:

k. Only one publicly accessible collection bin per premises shall be allowed.

L. A publicly accessible collection bin may be located on:

L-1. Any premises in a commercial, industrial or institutional zoning district.

L-2. In a residential or downtown zoning district, only a premises containing an elementary or secondary school or religious assembly.

m. Each publicly accessible collection bin shall be located a minimum of 500 feet from any other publicly accessible collection bin. The distance between any 2 bins shall be measured, without regard to intervening structures, as the closest distance between the property lines of the properties containing the bins.

n. Each publicly accessible collection bin shall be placed on an approved surface, as specified in s. 252-74-1-a.

..LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date:_____

A motion was made by ALD. PUENTE that this Ordinance be PASSED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

2. [081746](#) A substitute ordinance relating to review and approval of public arts projects.

Ald. Murphy moved to amend Part 1, Section 320-12-04-a of the code with the addition of a final sentence, defining a public arts project, to read as follows:

4. DESIGNS TO BE SUBMITTED TO BOARD. a. Before any municipal building, bridge, approach or other structure [[or]] >>, << project >> or public arts project << is constructed, installed or altered by the city, its design shall be submitted to the board for examination and report before final working drawings have been started or any contract has been let. >> For the purposes of this sub., a public arts project is defined to include all forms of limited edition or one-of-a-kind original creations of visual art created by an artist and located in a space readily accessible by the general public.<<

A motion was made by ALD. MURPHY that this Ordinance be AMENDED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

[081746](#)

A substitute ordinance relating to review and approval of public arts projects.

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

Part 1. Section 320-12-4-a and b of the code is amended to read:

320-12. Arts Board.

4. DESIGNS TO BE SUBMITTED TO BOARD. a. Before any municipal building, bridge, approach or other structure [[or]] >>, << project >> or public arts project << is constructed, installed or altered by the city, its design shall be submitted to the board for examination and report before final working drawings have been started or any contract has been let. >>For the purposes of this sub., a public arts project is defined to include all forms of limited edition or one-of-a-kind original creations of visual art created by an artist and located in a space readily accessible by the general public.<<

b. If, within 60 days after a design >>other than a design for a public arts project<< has been submitted to the board under par. a, the board prepares a written report that objects to the design and transmits the report to the affected city department, the mayor and common council, the affected department may not proceed with the project until 30 days after the transmission of the report.

Part 2. Section 320-12-4-c of the code is created to read:

c. Within 60 days after review of a design for a public arts project that has been submitted to the board under par. a, the board shall prepare a written report evaluating the design and transmit the report to the affected city department, the mayor and common council. The affected department may not proceed with the project until receiving approval from the common council.

A motion was made by ALD. MURPHY that this Ordinance be PASSED. This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Dudzik

Excused: 1 - Davis

ADOPTION OF THE FOLLOWING:

3. [081515](#) Substitute resolution to vacate the remaining portion of the east-west alley in the block bounded by West Washington Street, South 9th Street and I-94 Freeway land, in the 12th Aldermanic District.

Whereas, It is proposed that the remaining portion of the east-west alley in the block bounded by West Washington Street, South 9th Street and I-94 Freeway land be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

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

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

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

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

All of the east-west 20.00-foot wide alley as platted in Block 23 of Walker's Point Addition, a recorded subdivision, in the Southwest 1/4 of Section 32, Township 7 North, Range 22 East, from a line between the northeast corner of Lot 1 in said block and the southeast corner of Lot 2 in said block easterly to its terminus is vacated; and, be it

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

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

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

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

4. [081557](#) Substitute resolution granting a special privilege to Marquette University for a security camera on a city light pole and associated conduit in the public right-of-way for the premises at 1818 West Canal Street, in the 12th and 8th Aldermanic Districts.

Whereas, Marquette University is requesting permission to install a security camera on a city-owned light pole in order to increase security for its stairwell adjacent to the 16th Street Viaduct; and

Whereas, Marquette University will also be installing conduit which will be attached to the underside of the 16th Street Viaduct in order to provide communications cabling and electrical power to the camera; and

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

Resolved, By the Common Council of the City of Milwaukee, that Marquette University, PO Box 1881, Milwaukee, WI 53201 is hereby granted the following special privileges:

1. To install and maintain a security camera attached to a city-owned light pole atop the 16th Street Viaduct. Said light pole is centered approximately 115 feet north of the northline of West Canal Street and is attached to the east parapet wall of the 16th Street Viaduct. The camera will be mounted to the light pole at an elevation of 15 feet above the Viaduct deck.
2. To construct and maintain a ¾-inch PVC conduit attached to and under the 16th Street Viaduct for the purpose of providing the security camera of Item #1 with electrical power and communications cabling. Said conduit will commence at a point approximately 115 feet north of the northline of West Canal Street at a city-owned light pole atop the east parapet wall of the 16th Street Viaduct. The conduit will run down the side of the light pole and under the bridge deck going north 25 feet where it will extend west to a bridge support column, down said column to the top of the bridge pier. The conduit will continue west across the bridge pier and, at the end of the pier, will drop down into the ground and will extend 14 feet to the west to the

westline of North 16th Street. Total length of said conduit will be approximately 135 feet.

Said items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

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

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Marquette University, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. The insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$150.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

5. [081605](#) Substitute resolution granting a special privilege to Ramon Arteaga for a monitoring well in the public right-of-way for the premises at 1601 West Becher Street, in the 12th Aldermanic District.

Whereas, Ramon Arteaga, the applicant, is working to remove contamination from his property that was caused by a leaking underground storage tank; and

Whereas, As part of the remediation, the applicant, is being asked to install a monitoring well in the public right-of-way by the Wisconsin Department of Natural Resources; and

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

Resolved, By the Common Council of the City of Milwaukee, that Ramon Arteaga, 1601 West Becher Street, Milwaukee, WI 53204 is hereby granted the following special privilege:

To construct and maintain an 8-inch diameter monitoring well in the east, 13-foot wide sidewalk area of South 16th Street. Said monitoring well is centered approximately 86 feet south of the southline of West Becher Street and 8 feet west of the eastline of South 16th Street.

Said monitoring well shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

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

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Ramon Arteaga, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. The insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$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 and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

6. [081606](#) Substitute resolution assigning the honorary street name, "Dr. Lucy B. Hughes," to West State Street from North 29th to North 31st Street in the 4th Aldermanic District.
- Whereas, Dr. Lucy B. Hughes, known affectionately as "Dr. L.B.," and her husband of 59 years, Bishop Joe L. Hughes, established their original church in their home in 1964, and both ministered to the congregants of the Greater Utopian Church at 2925 W. State Street for over 30 years before Dr. L.B.'s passing on November 15, 2008; and
- Whereas, Dr. L.B. was a gifted teacher whose seminars refreshed those who attended and her presence inspired faith, hope and love in everyone she met, young or old, church-member, visitor or part of the surrounding neighborhood; and
- Whereas, Dr. L.B. was a visionary who established ministries beyond the walls of the Greater Utopian Church to reach out to Milwaukeeans struggling in life and spirit; and
- Whereas, Dr. L.B. and Bishop Hughes began telecasting worship services on Channel 55 in 1989 to minister to the spiritual needs of the homebound and shut-ins; and
- Whereas; Her Prison Ministry preached the redemptive power of rehabilitation to prisoners hoping to rebuild their lives; and
- Whereas, Her Samaritans Purse Ministry provided the material blessing of coats and hats, gloves and scarves to warm the homeless and food to slake their hunger; and
- Whereas, Her Nursing Home Ministry provided comfort and concern to ease the loneliness and misery of the elderly, and
- Whereas, Dr. L.B. demonstrated by example that study and spiritual growth is a lifelong process when at the age of 61 she received her Bachelor's Degree in Theology and Honorary Doctorate in Humanities through the Greater Utopian School of Ministry and Training Center's accredited Bible College Christian International program; and
- Whereas, Young people and children lined up for her reassuring hugs of love and approval, and looked forward to Dr. L.B.'s Thanksgiving and Easter Baskets, Christmas stockings and Harvest Parties; and
- Whereas, Dr. L.B.'s love and humanity were guiding lights for countless Milwaukeeans as it radiated out from the Greater Utopian Church into the surrounding neighborhood and beyond; and

Whereas, Section 113-3 of the Milwaukee Code of Ordinances provides a procedure for assigning honorary street names, and s. 113-3-6 specifies criteria for the using the names of individuals when assigning honorary street names; and

Whereas, The Common Council finds the honorary naming of the 2-block segment of West State Street between North 29th Street and North 31st Street as “Dr. Lucy B. Hughes,” meets the code criteria; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the honorary name of “Dr. Lucy B. Hughes,” be assigned to the 2-block segment of West State Street between North 29th Street and North 31st Street; and, be it

Further Resolved, That signage for this honorary street naming comply with design specifications set by the Department of Public Works; and, be it

Further Resolved, That the petitioner has requested suitable honorary street naming signage be fabricated and installed by the Department of Public Works at a cost to be paid in full by petitioner; and, be it

Further Resolved, That the Department of Public Works shall fabricate and install signage for this honorary street naming within 90 days of adoption of this resolution in compliance with s. 113-3; and, be it

Further Resolved, That petitioner shall notify the Department of Public Works if and when signage for this honorary street naming needs to be replaced and petitioner will fully reimburse the City for any such replacement.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Dudzik

Excused: 1 - Davis

7. [090063](#) Resolution directing the Commissioner of Public Works to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District allowing the City to conduct necessary Polychlorinated Biphenyls removal in the area of North Humboldt Avenue and East Capitol Drive.

Whereas, Section 66.0301, Stats., authorizes any municipality to enter into an Intergovernmental Cooperation Agreement with another municipality for the furnishing of services; and

Whereas, Milwaukee Metropolitan Sewerage District (MMSD) is authorized by statute to project, plan, design, construct, maintain, and operate a sewerage system for the collection, transmission, and disposal of all sewage and drainage of the sewerage service area including, either as an integrated or as a separate feature of the system, the collection, transmission and disposal of storm water and groundwater; and

Whereas, The City is authorized to construct, maintain, and operate a municipal sewerage conveyance system; and

Whereas, MMSD in furtherance of its functions relating to the operation of a sewage system undertook a cleaning project in sewers located near North Humboldt Avenue near East Capitol Drive and discovered Polychlorinated Biphenyls (PCBs) in sewers in that location; and

Whereas, MMSD has also discovered PCBs in City owned sewers connected to MMSD's Metropolitan Intercepting Sewers (MIS) near North Humboldt and East Capitol; and

Whereas, It is necessary to remove the PCB contamination located in both MMSD and the City owned sewers; and

Whereas, The City and MMSD have determined that it will be in the best interests of both entities if MMSD includes work to remove PCBs from the City owned sewers in the MMSD's environmental consulting and sewer cleaning contracts; and

Whereas, Possible further remediation of PCB's or lining of City owned sewers may be ordered by the EPA; and

Whereas, The City and MMSD have each determined to enter into this ICA, and their authorizing resolutions are 090063 and 08-114-11, respectively; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby directed to execute an Intergovernmental Cooperation Agreement with MMSD allowing the City to conduct necessary PCB cleanup work in the area of North Humboldt Avenue and East Capitol Drive; and, be it

Further Resolved, That said Agreement is subject to the City Attorney's review and approval and any non-substantive changes made by the City Attorney.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

8. [090087](#) Resolution supporting the annual observance of Earth Hour and directing the Department of Public Works to coordinate and report annually on the City of Milwaukee's participation in Earth Hour.

Whereas, Earth Hour is both an international and local symbolic event organized by the World Wildlife Fund to raise awareness about climate change issues and to encourage businesses, individuals and governments to take actions to reduce their carbon emissions and their impact on the environment in their daily lives and operations; and

Whereas, Earth Hour asks all individuals, businesses, government agencies, and commercial and non-commercial establishments to turn off non-essential lighting for one hour beginning at 8:30 p.m. on the last Saturday of March each year and to encourage citizens and businesses to commit to actions they can take in the coming year to reduce their carbon footprints and conserve energy; and

Whereas, Earth Hour helps to inform local residents and businesses about existing information and tools within the community to assist them in increasing energy efficiency and decreasing emissions and use of natural resources; and

Whereas, Extinguishing non-essential lights in all city government buildings, public schools and public landmarks for one hour and urging all businesses and individuals to do the same, will send a clear message that the people of Milwaukee are concerned about climate change, stand with the rest of the world in seeking solutions, and are demanding that elected leaders act to take measures that will help fight global climate change; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it declares that it is City Policy to turn off non-essential lighting in City government buildings and at public landmarks for the hour between 8:30 p.m. and 9:30 p.m., on the last Saturday of March each year; and all City employees are encouraged to turn off lights at home during that hour as well, to conserve energy and raise awareness about global climate change; and, be it

Further Resolved, That the Department of Public Works will coordinate the City's efforts and will report annually on City participation and estimated energy savings for the observed hour.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Dudzik

Excused: 1 - Davis

9. [090104](#) Resolution authorizing the execution of an agreement with MillerCoors, LLC for the installation, operation, and maintenance of two new electronic traffic control signs on West State Street approximately 825 feet east of North 45th Street and on West State Street approximately 125 feet west of North 38th Street in the 10th and 15th Aldermanic Districts, total cost is \$2,000.00, which is all grantor funds.
- Whereas, MillerCoors owns properties on both sides of West State Street in Miller Valley which includes several signalized and non-signalized intersections and a variety of driveways and access points which experience both heavy motor vehicle traffic and daily pedestrian traffic consisting of employees, visitors and guests of MillerCoors; and
- Whereas, MillerCoors approached the City with a request for actions to control the vehicular speeds in Miller Valley; and
- Whereas, Two new electronic signs along West State Street in Miller Valley that measure and display a vehicle's travel speed with a static speed limit sign to test the technology and determine their effectiveness in controlling vehicle speeds; and
- Whereas, That due to the characteristics of Miller Valley, including but not limited to the geometry, sight lines and the number of visitors walking the sidewalks during tours, the City will install and maintain the electronic signs with all associated costs paid for by MillerCoors as set forth in the attached agreement; and
- Whereas, One sign is proposed to be installed on West State Street approximately 825 feet west of North 45th Street for eastbound traffic and one sign is proposed to be located on West State Street approximately 125 feet west of North 38th Street for westbound traffic; and
- Whereas, The signs and all related equipment will be provided by MillerCoors; and
- Whereas, The total estimated combined installation cost is \$2,000, 100 percent of which is being provided by MillerCoors and this amount is not included in Division accounts, and should be earmarked for this project in the 2009 Capital Grant and Aids Projects Fund Project/Grant Number SP032090100; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is directed to execute the agreement with MillerCoors pertaining to the cost participation for the installation, operation, and maintenance of

two new electronic traffic control signs on West State Street approximately 825 feet east of North 45th Street and on West State Street approximately 125 feet west of North 38th Street, a copy of which is attached to this Common Council Resolution File, and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That upon approval of this agreement, the Commissioner of Public Works is authorized to install two new electronic traffic control signs on West State Street approximately 825 feet east of North 45th Street and on West State Street approximately 125 feet west of North 38th Street; and, be it

Further Resolved, That upon approval of these agreements, the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects fund the appropriate Project/Grant Chartfield Value for this project; and transfer to these accounts the amount required under the agreement and City accounting policy.

Location:

West State Street approximately 825 feet east of North 45th Street and
West State Street approximately 125 feet west of North 38th Street

Grantor Share Estimated Cost \$2,000
Project/Grant Number SP032090100

Previously Authorized for Traffic Control Improvements-\$0.00
Current Estimated Cost of the Total Project Including this Resolution-\$2,000.00
Original Estimated Cost of the Total Project -\$2,000.00

Total Estimated Cost \$2,000

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

10. [090105](#) Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$75,000 for a total estimated cost of these projects being \$929,000.

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

specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

1st Aldermanic District

N. 28th St. - W. Atkinson Ave. to W. Glendale Ave. (ST211060103) File Number 050805: Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$225,000. This project is anticipated to be completed during the 2010 construction season.

2nd Aldermanic District

W. Spencer Pl. - W. Glendale Ave. to W. Hampton Ave. (ST211060114) File Number 060699: Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$175,000. This project is anticipated to be completed during the 2010 construction season.

5th Aldermanic District

N. 87th St. - W. Townsend St. to W. Lisbon Ave. (ST211060108) File Number 040945: (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$100,000. This project is anticipated to be completed during the 2010 construction season.

11th Aldermanic District

S. 77th St. - W. Warnimont Ave. to W. Eden Pl. (ST211100103) File Number 080910: Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000 Additional Funds). The total estimated cost for this project including the requested amount is \$55,000. This project is anticipated to be completed during the 2010 construction season.

12th Aldermanic District

S. 3rd St. - W. Florida St. to a point 90 feet m/l north of W. Florida St. (ST211080116) File Number 070946: Asphalt pavement reconstruction, replace all

curb and gutter, replace all sidewalk and driveway approaches, sodding (5-foot width of tree border area), and grading. (Nonassessable Reconstruction Paving Fund -- \$10,000 Additional Funds). The total estimated cost for this project including the requested amount is \$116,000. The work was done in 2008, these funds are needed to complete the project.

14th Aldermanic District

E. Bennett St. - S. Ellen St. to a point west of S. Ellen St. (ST211050114) File Number 031322: 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). The total estimated cost for this project including the requested amount is \$100,000. This project is anticipated to be completed during the 2010 construction season.

S. Burrell St. - 285 feet m/l south of E. Ohio Ave. to E. Ohio Ave. (ST211060141) File Number 051444: Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2010 construction season.

E. Norwich St. - S. Herman St. to S. Lenox St. (ST211090110) File Number 071168: Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$98,000. This project is anticipated to be completed during the 2010 construction season.

; and, be it

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

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

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

Further Resolved, That the Department of Public Works is authorized to use the

funding as specified in the above description of work; and, be it

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

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

11. [090106](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$442,700 for a total estimated cost of \$493,700.

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:

6th Aldermanic District

Alley between W. Brown St., N. Dr. Martin Luther King Jr. Dr., W. Lloyd St., and N. 2nd St. (ST212090104) File Number 080386: Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, storm drainage facilities where needed, and tree removal where necessary. (Assessable Reconstruction Paving Fund -- \$30,600; Nonassessable Reconstruction Paving Fund -- \$40,000). The total estimated cost for this project including the requested amount is \$80,600. This project is anticipated to be completed during the 2009 construction season.

7th Aldermanic District

Alley between W. Burleigh St., W. Fond du Lac Ave., N. 34th St., and lands east. (ST212090101) File Number 070782: Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, storm drainage facilities where needed, and tree removal where necessary. (Assessable Reconstruction Paving Fund -- \$18,600; Nonassessable Reconstruction Paving Fund -- \$30,000). The total estimated cost for this project including the requested amount is \$57,600. This project is anticipated to be completed during the 2009 construction season.

10th Aldermanic District

W. Mt. Vernon Ave. - N. 90th St. to N. 95th St. (ST211090126) File Number 080123: Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (7-foot to 8.2-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$23,500; Nonassessable Reconstruction Paving Fund -- \$300,000). The total estimated cost for this project including the requested amount is \$355,500. This project is anticipated to be completed during the 2009 construction season.

; and

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

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

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

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

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

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

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

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

Further Resolved, That projects Alley W. Brown St. (ST212090104), Alley W.

Burleigh St. (ST212090101), and W. Mt. Vernon Ave. (ST211090126) will be billed after January 1, 2011, but not before 12 months after the project contract has been completed.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

12. [090107](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$65,000 for a total estimated cost of these projects being \$503,000.

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:

2nd and 9th Aldermanic Districts

N. 56th St. - W. Custer Ave. to W. Sheridan Ave. (SM495090055): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$228,000. This project is anticipated to be completed during the 2010 construction season.

3rd and 4th Aldermanic Districts

N. Prospect Ave. at E. Royall Pl. (ST211090147): Install traffic calming devices. (Nonassessable Reconstruction Paving Fund -- \$5,000). The total estimated cost for this project including the requested amount is \$20,000. This project is anticipated to be completed during the 2009 construction season.

4th Aldermanic District

N. 25th St. - W. St. Paul Ave. to W. Clybourn St. (WT410091015): Relaying water main and lining. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2009 construction season.

6th Aldermanic District

N. Port Washington Ave. - W. Vienna Ave. to W. Abert Pl. (SM495090054): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$105,000. This project is anticipated to be completed during the 2010 construction season.

13th Aldermanic District

S. Louisiana Ave. (Ext'd) - A point 15 feet m/l south of W. Van Norman Ave. to a point 625 feet m/l south of W. Van Norman Ave. (SM495090053): Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$63,000. This project is anticipated to be completed during the 2010 construction season.

; and, be it

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

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

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

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

13. [090108](#) Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$5,382,000 for a total estimated cost of these projects being \$6,121,000.

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

W. Melvina St. - N. 77th St. to N. 83rd St. (WT410081004) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$470,000). The total estimated cost for this project including the requested amount is \$500,000. This project is anticipated to be completed during the 2009 construction season.

N. 77th St. - W. Vienna Ave. to W. Melvina St. (WT410081005) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$165,000). The total estimated cost for this project including the requested amount is \$180,000. This project is anticipated to be completed during the 2009 construction season.

N. 79th St. - W. Vienna Ave. to W. Capitol Dr. (WT410081003) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$290,000). The total estimated cost for this project including the requested amount is \$310,000. This project is anticipated to be completed during the 2009 construction season.

6th Aldermanic District

N. Holton St. - The Milwaukee River to N. Commerce St. (TD02284058) File Number 990110: Concrete pavement construction, place all curb and gutter, place sidewalk and driveway approaches where necessary, sodding, and grading. (TID Nonassessable Paving Fund -- \$60,000). The total estimated cost for this project amount is \$60,000. This project is anticipated to be completed during the 2009 construction season.

7th Aldermanic District

W. Courtland Ave. - N. 42nd St. to N. Sherman Blvd. (WT410081020) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$125,000). The total estimated cost for this project including the requested amount is \$140,000. This project is anticipated to be completed during the 2009 construction season.

N. Sherman Blvd. - 40 feet south of W. Glendale Ave. to W. Derby Pl. (WT410081019) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$260,000). The total estimated cost for this project including the requested amount is \$275,000. This project is anticipated to be completed during the 2009 construction season.

8th Aldermanic District

W. Forest Home Ave. - W. Becher St. to W. Lincoln Ave. (SM495080060) File Number 080809: Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$380,000). The total estimated cost for this project including the requested amount is \$390,000. This project is anticipated to be completed during the 2009 construction season.

S. 28th St. - W. Grant St. to W. Lincoln Ave. (SM495070190) File Number 071167: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$156,000). The total estimated cost for this project including the requested amount is \$168,000. This project is anticipated to be completed during the 2009 construction season.

S. 28th St. - W. Lincoln Ave. to W. Hayes Ave. (SM495080039) File Number 081489: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$157,000). The total estimated cost for this project including the requested amount is \$172,000. This project is anticipated to be completed during the 2009 construction season.

S. 29th St. - W. Lapham St. to W. Mitchell St. (SM495070191) File Number 071167: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$127,000). The total estimated cost for this project including the requested amount is \$139,000. This project is anticipated to be completed during the 2009 construction season.

8th and 13th Aldermanic Districts

W. Lincoln Ave. - S. 23rd St. to W. Forest Home Ave. (SM495070068) File Number 070081: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$90,000). The total estimated cost for this project including the requested amount is \$100,000. This project is anticipated to be completed during the 2009 construction season.

S. 23rd St. - W. Lincoln Ave. to W. Forest Home Ave. (SM495080061) File Number 080809: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$79,000). The total estimated cost for this project including the requested amount is \$89,000. This project is anticipated to be completed during the 2009 construction season.

11th Aldermanic District

W. Dodge Pl. - 65 feet east of W. Wilbur Ave. to W. Warnimont Ave. (WT410091424) File Number 080237: Relay water main. (Nonassessable Water

Fund -- \$105,000). The total estimated cost for this project including the requested amount is \$120,000. This project is anticipated to be completed during the 2009 construction season.

W. Ohio Ave. - S. 98th St. to S. 99th St. (WT410091002) File Number 071573: Relay water main. (Nonassessable Water Fund -- \$55,000). The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2009 construction season.

W. Tesch Ave. - 60 feet east of S. 48th St. to S. 50th St. (WT410081405) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$160,000). The total estimated cost for this project including the requested amount is \$175,000. This project is anticipated to be completed during the 2009 construction season.

W. Van Beck Ave. - 800 feet east of S. 50th St. to S. 51st St. (WT410081403) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$210,000). The total estimated cost for this project including the requested amount is \$230,000. This project is anticipated to be completed during the 2009 construction season.

S. 48th St. - W. Norwich St. to W. Tesch Ave. (WT410081406) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$95,000). The total estimated cost for this project including the requested amount is \$110,000. This project is anticipated to be completed during the 2009 construction season.

S. 50th St. - W. Van Beck Ave. to W. Tesch Ave. (WT410081404) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$145,000). The total estimated cost for this project including the requested amount is \$160,000. This project is anticipated to be completed during the 2009 construction season.

S. 99th St. - W. Oklahoma Ave. to 565 feet south of W. Ohio Ave. (WT410091001) File Number 071573: Relay water main. (Nonassessable Water Fund -- \$395,000). The total estimated cost for this project including the requested amount is \$425,000. This project is anticipated to be completed during the 2009 construction season.

12th Aldermanic District

S. Cesar E. Chavez Dr. - W. Mineral St. to W. Scott St. (SM495090017) File Number 081588: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$138,000). The total estimated cost for this project including the requested amount is \$153,000. This project is anticipated to be completed during the 2009 construction season.

W. Washington St. - S. 15th St. to S. 18th St. (SM495070082) File Number 070266: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$262,000). The total estimated cost for this project including the requested amount is \$277,000. This project is anticipated to be completed during the 2009 construction season.

S. 17th St. - W. Mineral St. to W. Washington St. (SM495070081) File Number 070081: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$34,000). The total estimated cost for this project including the requested amount is \$44,000. This project is anticipated to be completed during the 2009 construction season.

13th Aldermanic District

W. College Ave. - 1,450 feet east of S. Howell Ave. to 3,575 feet east of S. Howell Ave. (WT410090501) File Number 080603: Relay water main. (Nonassessable Water Fund -- \$315,000). The total estimated cost for this project including the requested amount is \$330,000. This project is anticipated to be completed during the 2009 construction season.

W. Kimberly Ave. - S. 18th St. to S. 20th St. (WT410090001) File Number 080237: Relay water main. (Nonassessable Water Fund -- \$160,000). The total estimated cost for this project including the requested amount is \$175,000. This project is anticipated to be completed during the 2009 construction season.

S. 5th Pl. - W. Howard Ave. to W. Plainfield Ave. (SM495080066) File Number 080911: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$332,000). The total estimated cost for this project including the requested amount is \$352,000. This project is anticipated to be completed during the 2009 construction season.

14th Aldermanic District

S. 7th St. - W. Manitoba St. to W. Oklahoma Ave. (SM495080038) File Number 081489: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$132,000). The total estimated cost for this project including the requested amount is \$147,000. This project is anticipated to be completed during the 2009 construction season.

S. 8th St. - W. Manitoba St. to W. Oklahoma Ave. (SM495080047) File Number 080237: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$145,000). The total estimated cost for this project including the requested amount is \$155,000. This project is anticipated to be completed during the 2009 construction

season.

15th Aldermanic District

N. 21st St. - W. Lloyd St. to W. North Ave. (TD06584001) File Number 051275: Asphalt pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (6-foot - 7-foot width of tree border area), and grading. (TID Nonassessable Paving Fund -- \$225,000). The total estimated cost for this project amount is \$225,000. This project is anticipated to be completed during the 2009 construction season.

Various Districts

Asphalt resurfacing by contract. (ST211080129) File Number 071489: (Nonassessable Reconstruction Paving Fund -- \$50,000 Additional Funds). The total estimated cost for this project including the requested amount is \$370,000. This project is anticipated to be completed during the 2009 construction season.

City of Greenfield

S. 45th St. - W. Howard Ave. to W. Van Beck Ave. (WT410081407) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$65,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2009 construction season.

; now, therefore, be it

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

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

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

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

14. [090122](#) Resolution relative to the cost participation under the 2009 Highway Safety Improvement Program for the installation of traffic signal improvements at the intersection of West Lincoln Avenue and South 35th Street in the 11th Aldermanic District at a total estimated cost of \$17,964.28, with an estimated grantor share of \$16,167.85, and an estimated City share of \$1,796.43.
- Whereas, The Common Council of the City of Milwaukee authorized execution of a Project Agreement for the installation traffic signal improvements at the intersection of West Lincoln Avenue and South 35th Street under the 2009 Highway Safety Improvement Program (HSIP) under File Number 071689; and
- Whereas, The Surface Transportation Program provides cost participation for the construction of traffic control signal improvements in conjunction with Federal/State Aid under the 2009 HSIP; and
- Whereas, The HSIP is intended to reduce the number and severity of vehicle and pedestrian crashes; and
- Whereas, Traffic signal improvements proposed to be implemented under this project include the installation of mast arm mounted traffic signals for both directions of traffic on West Lincoln Avenue; and
- Whereas, The total estimated cost of this project is \$17,964.28 for the installation of traffic signal improvements; and
- Whereas, Ten percent of the participating costs, or \$1,796.43, is not reimbursable and is included in the Division's 2009 Capital Purpose Project/Grant Number ST320090000; and
- Whereas, Ninety percent of the participating costs, or \$16,167.85, is reimbursable from the Wisconsin Department of Transportation (WISDOT), and should be earmarked for this project in the 2009 Capital Grant and Aids Projects Fund Project/Grant Number SP032090100; and
- Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5% without prior Department of Public Works approval; and
- Whereas, The Department of Public Works shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project cost overruns and/or changes in scope approved by the Department of Public Works; and
- Whereas, The Common Council of the City of Milwaukee recognizes that the City

may be 100% liable for any such project cost overruns and/or changes in scope as approved by the Department of Public Works; and

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

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are authorized to enter into a funding agreement and are directed to execute the contract with WISDOT for the installation of traffic signal improvements at the intersection of West Lincoln Avenue and South 35th Street with unit prices based on a predetermined estimate prepared under the Federal/State aided highway program, a copy of which is attached to this resolution, and is incorporated into this resolution as though set forth in full; and, be it

Further Resolved, That upon approval of this contract, the Commissioner of Public Works is directed to install traffic signal improvements at the intersection of West Lincoln Avenue and South 35th Street; and, be it

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

Location:

Project I.D.-2110-05-90

West Lincoln Avenue and South 35th Street Intersection

City of Milwaukee Share

Fund Number-0333

Project/Grant Number-ST320090000

\$1,796.43

Grantor Reimbursable Cash - Traffic Control

Fund Number-0306

Project/Grant Number-SP032090100

\$16,167.85

Total-\$17,964.28

Previously Authorized for Traffic Control Improvements-\$0.00

Current Estimated Cost of the Total Project Including this Resolution-\$17,964.28
Original Estimated Cost of the Total Project (Common Council Resolution File
Number 071689)-\$60,000.00

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

15. [090123](#) Resolution relative to the cost participation under the 2009 Highway Safety Improvement Program for the installation of traffic signal improvements at the intersection of West Oklahoma Avenue and South 35th Street in the 8th and 11th Aldermanic Districts at a total estimated cost of \$4,126.08, with an estimated grantor share of \$3,713.47, and an estimated City share of \$412.61.
- Whereas, The Common Council of the City of Milwaukee authorized execution of a Project Agreement for the installation of traffic signal improvements at the intersection of West Oklahoma Avenue and South 35th Street under the 2009 Highway Safety Improvement Program (HSIP) under File Number 071689; and
- Whereas, The Surface Transportation Program provides cost participation for the construction of traffic control signal improvements in conjunction with Federal/State Aid under the 2009 HSIP; and
- Whereas, The HSIP is intended to reduce the number and severity of vehicle and pedestrian crashes; and
- Whereas, Traffic signal improvements proposed to be implemented under this project include the installation of a vehicle actuated left turn signal phase for southbound South 35th Street at the West Oklahoma Avenue intersection; and
- Whereas, The total estimated cost of this project is \$4,126.08 for the installation of traffic signal improvements; and
- Whereas, Ten percent of the participating costs, or \$412.61, is not reimbursable and is included in the Division's 2009 Capital Purpose Project/Grant Number ST320090000; and
- Whereas, Ninety percent of the participating project costs, or \$3,713.47, is reimbursable from the Wisconsin Department of Transportation (WISDOT), and should be earmarked for this project in the 2009 Capital Grant and Aids Projects

Fund Project/Grant Number SP032090100; and

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

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

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

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

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are authorized to enter into a funding agreement and are directed to execute the contract with WISDOT for the installation of traffic signal improvements at the intersection of West Oklahoma Avenue and South 35th Street with unit prices based on a predetermined estimate prepared under the Federal/State aided highway program, a copy of which is attached to this resolution, and is incorporated into this resolution as though set forth in full; and, be it

Further Resolved, That upon approval of this contract, the Commissioner of Public Works is directed to install traffic signal improvements at the intersection of West Oklahoma Avenue and South 35th Street; and, be it

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

Location:

Project I.D.-2400-10-90

West Oklahoma Avenue and South 35th Street Intersection

City of Milwaukee Share

Fund Number-0333

Project/Grant Number-ST320090000

\$412.61

Grantor Reimbursable Cash - Traffic Control

Fund Number-0306

Project/Grant Number-SP032090100

\$3,713.47

Total-\$4,126.08

Previously Authorized for Traffic Control Improvements-\$0.00

Current Estimated Cost of the Total Project Including this Resolution-\$4,126.08

Original Estimated Cost of the Total Project (Common Council Resolution File Number 071689)-\$20,000.00

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

16. [090141](#) Resolution authorizing a Reciprocal Emergency Water Service Agreement between the City of Milwaukee and the Oak Creek Water and Sewer Utility.
- Whereas, The City of Milwaukee (“Milwaukee”) and Oak Creek Water and Sewer Utility (“Oak Creek”) executed a Reciprocal Emergency Water Service Agreement dated August 20, 1984 and thereafter renewed; and
- Whereas, Milwaukee and Oak Creek desire to enter into an emergency water service agreement that supersedes the earlier agreement and reflects the change from a hydrant-to-hydrant connection to a 12-inch water main connection; and
- Whereas, The proper Oak Creek officials have approved the Agreement and executed the original attached to this file; 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 Reciprocal Emergency Water Service Agreement Between the City of Milwaukee and the Oak Creek Water and Sewer Utility attached to this file; and, be it
- Further Resolved, That the Milwaukee Water Works file with the Public Service Commission of Wisconsin, a fully executed copy of the Agreement.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

17. [090142](#) Substitute resolution relative to a rate increase for Milwaukee Water Works.

Whereas, The Milwaukee Water Works is a self-financing business enterprise of the City of Milwaukee that provides safe and abundant drinking water in the City of Milwaukee and 15 neighboring communities; and

Whereas, The Milwaukee Water Works is a valuable resource that provides a sound economic platform for the metropolitan Milwaukee area and produces a revenue stream that reduces the municipal tax levy; and

Whereas, The Milwaukee Water Works' last rate adjustment was in July 2007 and at that time a rate of return was requested that was lower than the Public Service Commission of Wisconsin's benchmark for municipally owned utilities in order to mitigate the impact of the rate increase on customers; and

Whereas, The Water Works expenses have exceeded revenues in 2007 and 2008 and cash from retained earnings was used to make up the difference, and without rate increases the same trends are anticipated for 2009 and 2010; and

Whereas, Adequate revenue and cash balances are essential for the Milwaukee Water Works to produce high quality drinking water and properly operate, maintain and repair its extensive infrastructure; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Superintendent of the Milwaukee Water Works is authorized and directed to submit to the Public Service Commission of Wisconsin an application for a rate increase of 3.8% using the simplified rate case process and to implement this increase as soon as approved by the Public Service Commission; and, be it

Further Resolved, That the Superintendent of the Milwaukee Water Works submit to the Common Council a strategy for a second step rate increase to be submitted to the Public Service Commission of Wisconsin via a full rate review and audit for implementation no earlier than December 15, 2009.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

18. [090143](#) Substitute resolution regarding the representation of the American Legion Star on the eastern slope of Kilbourn Reservoir Park.
- Whereas, The Milwaukee Water Works has completed the construction phase of the decommissioning of the Kilbourn Reservoir and now desires to put the finishing touches on the project; and
- Whereas, There was a representation of the American Legion Star emblem on the eastern slope of the property which was installed in 1941 to honor the American Legion; and
- Whereas, The Milwaukee Water Works is committed to return the star or a representation thereof to the eastern slope of the property; and
- Whereas, The previous representation utilizing live flowering plants is impractical and has high maintenance costs, and an alternate approach is sought; and
- Whereas, The alternate approach should have the attributes of being visually pleasing to stakeholders including the Alderpersons of the district and neighboring district, the American Legion, neighbors and those utilizing the park, and should be permanent, low maintenance, and acceptable to the Historic Preservation Commission; and
- Whereas, The Milwaukee Water Works does not have the expertise to design or evaluate possible approaches to this effort, but the local artistic community may have some solutions; 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 to issue a Request for Proposals for the design and installation of the American Legion Star emblem or a representation thereof on the eastern slope of Kilbourn Reservoir Park; and, be it
- Further Resolved, That the submissions be evaluated by a group whose members should be invited from representatives of the local Alderpersons, the American Legion, Riverwest community, Historic Preservation Commission and the Water Works and that the evaluation should use an open and transparent process; and, be it
- Further Resolved, That the selected proposal be presented to the Historic

Preservation Commission and Milwaukee Arts Board for their approval; and, be it

Further Resolved, That the cost of the work be charged to the appropriate Water Works account.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

19. [090158](#) Substitute resolution authorizing the application, acceptance and funding of the Port Security Grant from the U. S. Department of Homeland Security through the Community Development Grants Administration on behalf of the Port Authority of the City of Milwaukee.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the U. S. Department of Homeland Security in the amount of \$766,686; and

Whereas, The following projects will be covered by this grant:

Project 1: Enhancing Prevention, Protection, Response and Recovery in the amount of \$693,627 with a local match of \$231,210; Project 2: Marine Domain Awareness in the amount of \$67,457 with a local match of \$23,144; Project 3: Exercise in the amount of \$5,602 with a local match of \$1,867; and

Whereas, The operation of this grant from 07/01/2009 through 06/30/2012 would cost \$1,022,907 of which \$256,221 would be provided by the city and sub-contractors and \$766,686 would be provided by the grantor; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2009 Special Revenue - Grant and Aid Projects, the following amounts for the project titled: "2009 Port Security Grant Program":

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000900000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$766,686

2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against these Project/Grant values the amount required under the grant agreement; and
3. Establish the necessary City Chare Project Values; and, be it

Further Resolved, That these funds are budgeted through the Community Development Grants Administration which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2009 grant budget funds for specific items of equipment;
3. Enter into subcontracts and leases as detailed in the grant budget.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

PLACING ON FILE THE FOLLOWING:

20. [081647](#) Substitute resolution creating the Joint Committee on Downtown Streetcar Implementation.

Ald. Bauman offered proposed substitute D.

A motion was made by ALD. BAUMAN that this Resolution be SUBSTITUTED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

- [081647](#) Substitute resolution creating the Joint Committee on Downtown Streetcar

Implementation.

Whereas, It has been nearly 20 years since \$241 million in federal transportation aid (Interstate Cost Estimate or “ICE” funding) was allocated to the Milwaukee area for public transportation improvements and nearly 10 years since the Wisconsin Department of Transportation, the City of Milwaukee and Milwaukee County, in the spirit of intergovernmental cooperation, reached an agreement to, among other things, allocate \$91.5 million of those funds to implement the recommendations of the Milwaukee Downtown Transit Connector study; and

Whereas, A number of projects have been proposed for using the \$91.5 million to expand and improve public transportation in and around Downtown Milwaukee; however, no project has moved forward because City and County leaders have been unable to agree on transit mode, route alignments, financing and operating characteristics; and

Whereas, On March 11, 2009, President Obama signed into law a \$410 billion federal appropriations bill that allocates 60% of the \$91.5 million (\$54.9 million) to the City of Milwaukee for a “downtown fixed-rail corridor” and 40% (\$36.6 million) to Milwaukee County for “energy efficient buses”; and

Whereas, Now that federal funds have been appropriated for the Downtown Streetcar Circulator project, it is essential that the City establish a team of elected officials and key department leaders to oversee the planning, engineering and construction of the project, including but not limited to:

1. Route alignment.
2. Route engineering.
3. Vehicle procurement.
4. Capital and operating cost estimates.
5. Operating plans.
6. Financing plans.
7. Selection of consultants.
8. Timelines for engineering and construction.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Joint Committee on Downtown Streetcar Implementation is created to oversee the planning, engineering and construction of the Downtown Streetcar Circulator; and, be it

Further Resolved, That the Joint Committee on Downtown Streetcar Implementation shall consist of the following members, each of whom may appoint an alternate:

1. Mayor.
2. Common Council President.
3. Chair of the Common Council's Public Works Committee.
4. Chair of the Common Council's Finance and Personnel Committee.
5. Commissioner of Public Works.
6. City Engineer.
7. City Comptroller.
8. Commissioner of City Development.
9. Managing Director of the Milwaukee County Transit System.

; and, be it

Further Resolved, That the chair and the vice chair of the Joint Committee on Downtown Streetcar Implementation shall be elected by the members of the Committee; and, be it

Further Resolved, That all City departments and staff are directed to cooperate with, and provide assistance to, the Joint Committee on Downtown Streetcar Implementation; and, be it

Further Resolved, That the City Clerk's Office shall staff the meetings of the Joint Committee on Downtown Streetcar Implementation.

A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 2 - Donovan Dudzik

Excused: 1 - Davis

21. [090139](#) Communication from the Commissioner of Public Works relating to the revised and updated pavement restoration policy for utility cuts and trenches in the public street right-of-way.

A motion was made by ALD. BAUMAN that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

THE STEERING & RULES COMMITTEE RECOMMENDS:

---The following items may be referred from the SPECIAL Steering & Rules Committee meeting held on Tuesday, June 15, 2009 at 1:30 P.M.

1. [080566](#) Communication relating to the report and recommendations of the Alcohol Beverage Licensing Task Force.

A motion was made by ALD. MURPHY that this Communication-Report be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

Ald. Wade sought unanimous consent to be recorded in opposition to Common Council File Number 090044.

There being at least one objection, this was not granted.

Communications from City officers were read and ordered on file without objection.

MATTERS FOR IMMEDIATE ADOPTION:

1. [090208](#) Resolution approving final certified survey maps.

Resolved, By the Common Council of the City of Milwaukee, that the following certified survey maps be and hereby are approved:

NAME	TAX KEY NUMBER(S)
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Howell Avenue Land, LLC (DCD #2736)	6379999110x
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Trinity Court, Inc. (DCD #2737)	0449970100
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Schneider Fuel & Supply Co. (DCD #2755)	49300240002
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A motion was made by ALD. BAUMAN that this Resolution-Immediate Adoption be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Davis

Announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 12:07 p.m.

-- Jim Owczarski, Deputy City Clerk