



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Friday, June 30, 2000

9:00:00 AM

Common Council Chambers

Present: 17 -

Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy, Hines Jr.

The meeting opened with the recitation of the Pledge of Allegiance and one minute of silent meditation and an invocation by E. Chris Goldsmith.

The minutes of the Journal of Proceedings of the Common Council for the regular meeting held on June 13, 2000, were approved.

PRESENTATIONS:

Ald. Murphy moved that the Common Council do now resolve itself into a Committee of the Whole for the purpose of hearing from Superintendent Spence Korte.

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Mr. Spence Korte & Dr. Lunde Re: Neighborhood Schools appeared and addressed the Committee relative to the foregoing matter.

Communication from the City Clerk transmitting various commendatory/condolatory resolutions to be acknowledged and affirmed by the Common Council.

OTHER BUSINESS

Report relative to consolidated actions entitled, Indian Council for the Elderly, Inc. et al. v. City of Milwaukee, Case No. 94-C-1156 and the United States of America v. City of Milwaukee, Case No. 94-C-104. The Council may convene in closed session for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or likely to be involved. The Council may reconvene in open session for further discussion of matters discussed in closed session.

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000010](#) Substitute ordinance to further amend the 2000 rates of pay of offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 2 of ordinance file Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Salary Grade 001, add the title "Pension Specialist."

Under Salary Grade 002, add the title "Disability Specialist."

Under Salary Grade 003, delete the title "pension Counselor-Senior" and add the title "Pension Specialist-Senior."

Under Salary Grade 004, add the title "Disability Specialist-Senior."

Under Salary Grade 007, delete the title of "Membership Services Manager" and add the title "Member Services Manager."

Under Salary Grade 011, add the title "Information Systems Manager-ERS."

Part 2. Section 5 of ordinances File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Pay Range 400, add the title "Records Technician I."

Under Pay range 410, add the title "Records Technician II."

Part 3. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 4. 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 5. This ordinance will take effect and be in force from and after its passage and publication.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 2) [000011](#) Substitute ordinance to further amend the 2000 offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 1 of ordinance File Number 990704 relative to offices and positions in the City Service is hereby amended as follows:

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

Under "Employees' Retirement System, Management Support Services", delete one position of "Administrative Specialist-Senior", one position of "Administrative Assistant I", one position of "Program Assistant I", one position of "Administrative Assistant III", two positions of "Office Assistant II" and add one position of "Paralegal" and one position of "Administrative Assistant II"; under "Fiscal Services", delete one position of "Management Accountant", one position of "Accounting Assistant III", two positions of "Accounting Assistant I", one position of "Office Assistant III" and one position of "Program Assistant I" and add two position of "Pension Accounting Specialist"; under "Information Systems", delete one position of "System Project Leader", one position of "Information Officer", one position of "Network Specialist III" and one position of "Programmer Analyst" and add one position of "Office Assistant III (.5 FTE)", one position of "Records Technician II", one position of "Information systems Manger-ERS", one position of "Business Systems Coordinator", two positions of "Systems Analyst-Senior" and one position of "Network Coordinator-Senior"; under "Membership Services", delete one position of "Membership Services Manager", one position of "Pension Counseling Supervisor", two positions of "Pension Counseling-Senior", one position of "Pension Counselor" and one position of "Medical Benefits Assistant III" and add one position of "Office Assistant II", one position of "Office Assistant III", two positions of "Disability Specialist-Senior", four positions of "Pension Special-Senior", one position of "Member Services Manager" and two positions of "Program Assistant II"; under "Auxiliary Positions", delete one position of "Research Analyst (A)", one position of "Paralegal (A)", three positions of "Administrative Assistant (.5 FTE) (A)", one position of "Infrastructure Support Manager (A)", one position of "Information System Manager (A)", two positions of "Application Support Manager (A)", one position of "Special Projects Manager (A)", one position of "Records Manager (A)", two positions of "Communications Specialist (A)", two positions of "Disability Specialist (A)", two positions of "Benefits Specialists (A)", two positions of "Insurance Specialist (A)", two positions of "Administrative Assistant (A)", one position of "Receptionist

(A)", two position of "Contribution Accountant (A)", two positions of "Payroll Accountant (A)", one position of "Investment/Budget Accountant (A)" and one position of "Investment Accountant (A)."

Under the "Police Department, Administration/Services Decision Unit, Technical Services Bureau, Communications Maintenance Division", delete two positions of "Police Electronic Technician" and add two positions of "Electronic Technician" and under "Vice Control", delete two positions of "Detective (K)" and add two positions of "Police Sergeant (K)."

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.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

3) [000325](#) Substitute ordinance relating to unclaimed funds in the city's debt service account.

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

Part 1. Section 304-18 of the code is created to read:

304-18. Unclaimed Principal and Interest on Bearer Debt. If funds deposited to the city's debt service account for the payment of city bearer debt obligations remain unclaimed for a period of 6 years following the debt maturity date, such funds shall be transferred by the comptroller to the city's general fund.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

- 4) [000009](#) Substitute resolution authorizing attendance at conventions.

Resolved, By the Common Council of the City of Milwaukee, that attendance of the following person(s) at the following conventions is approved, and the funds specified are authorized to be allocated from the Contingent Fund, such travel and reimbursement to be in accordance with policy guidelines set forth in Section 350-181 of the Milwaukee Code of Ordinances:

1. Ald. Annette Scherbert (CC-CC), "International Public Works Congress and Exposition"; Louisville, KY; 9/9-13/00; \$1,687.00.

2. Ald. Angel Sanchez (CC-CC), "Institute of Transportation Engineers Annual Meeting"; Nashville, TN; 8/5-9/00; \$2,079.00.

3. Ronald Kuisis (CC-CC), "National Association of Telecommunications Officers & Advisors (NATOA)"; Los Angeles, CA; 9/12-16/00; \$1,800.00.

and, be it

Further Resolved, That Common Council File Number 991479, adopted 2-29-00, be amended by adding \$577.10 to Subclass C025 to cover actual expenses incurred; and be it

Further Resolved, That the City Comptroller is authorized and directed to establish a separate subclass within the 2000 Common Council Contingent Fund (Account Number 0001-9990-0001-C001-006300) and to transfer the appropriation of \$5,566.00 into Subclass C0xx.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 5) [000017](#) Substitute resolution authorizing attendance at various seminars/meetings and authorizing expenditure of funds for this purpose.

Resolved, By the Common Council of the City of Milwaukee, that the attendance of the following individuals at the following seminars or meetings is approved, and the

funds specified are authorized to be allocated from the Seminar Fund, such travel and reimbursement to be in accordance with guidelines established by Section 350-181, Milwaukee Code:

1) Asst. City Atty. Thomas O. Gartner (City Atty.) "25th Annual Bond Attorneys' Workshop"; Chicago, IL; 9/20-22/00; \$863.91; and, be it

Further Resolved, That Common Council File Number 991785, adopted April 11, 2000, be amended by deleting the dates "6/25-28/00" under item "1)" and inserting in lieu thereof the dates "8/21-23/00"; and, be it

Further Resolved, That the dollar amount shown for each authorized seminar/meeting listed above is simply an ESTIMATE of the seminar attendance expenses anticipated to be paid or reimbursed by the city, and is primarily included to facilitate the making of the necessary dollar advances for such purposes; and, be it

Further Resolved, That ACTUAL city payment (or reimbursement) for seminar/meeting expenses incurred and reported by the attendee, reporting requirements, control procedures, etc., shall be in accordance with the Authorized Travel Regulations and Procedures Ordinance of the Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 6) [000241](#) Substitute resolution amending the prevailing wage resolution (Asbestos Workers/Heat & Frost Insulators, Bricklayers, Pointer, Caulker, Cleaner, Building, Marine and Shaft and Tunnel Labor Service, Marble & Cement Masons, Building, Shaft and Tunnel Construction, Building & Residential, Electricians, Sound and Communication Workers, Glaziers, Laborers, Building Agreement, Sewer and Water Open Cut, Tunnel-Compressed Air, Plasterers, Painters, Tile Layers, Bridge, Structural and Ornamental Iron Workers, Carpenters/Floor Coverer, Millwright Erectors, Piledriver Employers).

Resolved, By the Common Council of the City of Milwaukee, that the resolution relative to minimum rates of pay and fringe benefits for various construction worker categories employed by the private construction industry engaged in public works contracts with the City of Milwaukee is hereby amended to reflect changes as contained in letter(s) from the Milwaukee Building and Construction Trades Council dated May 23, and June 2, 2000, and from the Department of Employee Relations

dated June 20, 2000, and attached to Common Council File Number 000241; and, be it

Further Resolved, That a copy of the aforesaid letter(s) be included with all certified copies of this resolution as part thereof.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 7) [000297](#) Substitute resolution appropriating \$150,000 from the 2000 Contingent Fund to fund actuarial services that were provided in the process of achieving a global pension settlement.

Whereas, The City of Milwaukee faces potential costs of several million dollars annually as a result of the various pension lawsuits; and

Whereas, There is no unfunded liability in the pension system taken as a whole and there are sufficient surplus reserves available in the pension system taken as a whole to pay the additional liabilities incurred by the system as a result of the losses in pension lawsuits; and

Whereas, The City of Milwaukee has expressed to union presidents, retiree representatives and pension board members that it believes there may be a legal basis to enforce a binding settlement agreement on pension litigation and other pension issues: now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the sum of \$150,000 be reserved in the 2000 Common Council Contingent Fund (0001-9990-C001-006300) to fund actuarial services that were provided in the process of achieving a global pension settlement; and, be it

Further Resolved, That the City Comptroller, in cooperation with the City Clerk and the City Budget Director, shall establish an account within the Common Council Contingent Fund for expenditure through the City Clerk Operating Expenditures Account (0001-1310-C015-006300) with expenditure authority assigned to the City Clerk's Office; and, be it

Further Resolved, That the amounts appropriated and expended shall be made payable to the firms Buck Consultants or Milliman & Robertson, Inc.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 8) [000307](#) Resolution authorizing issuance of short-term promissory notes under sec. 67.12(1), Stats., for the purpose of financing the operating budget of the Milwaukee Public Schools on an interim basis. (Comptroller)

Whereas, The Milwaukee Public Schools is a department of the City authorized by secs. 65.05 and 119.46, Stats., to determine its expenditures and the taxes to be levied therefor; and

Whereas, The Milwaukee Public Schools operates on a fiscal year commencing July 1, 2000 through June 30, 2001; and

Whereas, Section 119.46, Stats., establishes a School Operations Fund and authorizes the Milwaukee Public Schools to establish the amount of money therefor required for the ensuing school year and the amount of property tax to be levied therefor; and

Whereas, The anticipated state general aid revenue payments for the School Operations Fund for fiscal year 2000-2001 amount to \$582,525,756; and the anticipated state general aid revenue payments under sec. 121.15, Stats., represent 70.9% of the anticipated revenues for the School Operations Fund for fiscal year 2000-2001; and

Whereas, The Milwaukee Public Schools is anticipating the receipt of equalization aid revenues from the State of Wisconsin in September, 2000, December, 2000, March, 2001 and June, 2001, and specifically in the amount of \$189,000,000 in June, 2001; and

Whereas, Operating expenses are incurred on a uniform basis throughout the school year; and

Whereas, The Milwaukee Public Schools has determined that it will be necessary to finance the operating budget of the Milwaukee Public Schools on an interim basis between now and the receipt of state general aid revenues during fiscal year 2000-2001; and

Whereas, The City of Milwaukee is a municipality authorized to borrow money for

school purposes; and

Whereas, Section 67.12(1), Stats., authorizes the City to borrow money for the School Operations Fund in anticipation of receiving payments of general aid revenues as hereinbefore referred to; and

Whereas, The Administration of the Milwaukee Public Schools has requested that the City issue notes pursuant to sec. 67.12(1), Stats., to finance the operating budget of the Milwaukee Public Schools on an interim basis pending receipt of state general aid revenues; and

Whereas, The purpose of this resolution is to authorize the sale of such notes, to authorize and direct the pledging of revenues of the School Operations Fund to the payment of debt service on such notes, to authorize and direct the segregation of general aid revenues due and payable in June, 2001 within the School Operations Fund to the payment of the principal of such notes at maturity and to pledge and segregate in a separate account in the Debt Service Fund an amount sufficient to pay the interest on such notes at maturity; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby and herewith authorizes and declares its purpose to issue short-term promissory notes pursuant to the provisions of sec. 67.12(1), Stats., in an amount not to exceed \$128,000,000 for the purpose of financing the operating budget of the Milwaukee Public Schools on an interim basis pending receipt of state general aid revenue payments during fiscal year 2000-2001; and, be it

Further Resolved, That said promissory notes be sold by the Commissioners of the Public Debt at public competitive sale; or to the Public Debt Amortization Fund for the purpose of investment; or to the Public Debt Amortization Fund for immediate cancellation; and, be it

Further Resolved, That said promissory notes shall be dated no later than September 30, 2000, shall have a maturity not to exceed one year, shall be registrable in the name CEDE & Co. as nominee of the Depository Trust Corporation, New York, New York, and shall not be subject to redemption prior to maturity; and, be it

Further Resolved, That said promissory notes shall be issued in numerical series beginning with Series of 2000-B, and notes in each series shall be numbered consecutively beginning with the number 1; and, be it

Further Resolved, In accordance with authorization from the Board of School Directors of the Milwaukee Public Schools, that the Common Council hereby declares that it will irrevocably pledge all revenues of the School Operations Fund due

and not yet paid as of the date of delivery of and payment for the notes and which are not otherwise applied through June 30, 2001 as security for repayment of such obligations; and, be it

Further Resolved, That in accordance with authorization from the Board of School Directors of the Milwaukee Public Schools for the purpose of securing payment of principal on each of said notes as the same fall due, the proper City officers are hereby authorized and directed to segregate through June 30, 2001 within the School Operations Fund state general aid revenue payments under sec. 121.15, Stats., received in June, 2001, in the amount of the principal obligation of the short-term promissory notes; and, be it

Further Resolved, That surplus revenues in the Debt Service Fund be and hereby are pledged to the payment of accrued interest on the short-term promissory notes at maturity, and that the proper City officers be and hereby are authorized and directed to create a separate account in the Debt Service Fund from surplus revenues within the fund in the amount of accrued interest to maturity for the purpose of paying the interest on the short-term promissory notes upon maturity; and, be it

Further Resolved, That the proper City officers be and hereby are authorized and directed to deposit with a trustee on or before June 30, 2001 pledged revenues to purchase direct obligations of the U.S. Government in an amount sufficient together with earnings thereon to pay the principal and interest due on such notes at maturity; and, be it

Further Resolved, That said notes are not intended to be arbitrage notes and that there is no reasonable expectation of the City of Milwaukee realizing arbitrage proceeds; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that the addendum to the agreement by and between the City and The Chase Manhattan Bank, a copy of which is attached to this file, be and hereby is approved, and the proper City officers be and hereby are authorized and directed to execute the same on behalf of the City of Milwaukee; and, be it

Further Resolved, That such short-term promissory notes shall not constitute an indebtedness for purposes of determining the municipality's constitutional debt limitation, and no tax shall be levied to pay such obligations; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that the City Comptroller be and hereby is authorized and directed to prepare the official statement in connection with the issuance of such notes and to execute on behalf of the City all certifications which may be required in connection with the official statement; and, be it

Further Resolved, The City covenants to take all actions necessary to preserve the exemption of interest on the notes from federal income taxation. No use of the proceeds of the sale of the notes shall be made which, if such use had been reasonably expected on the date of issue of the notes, would have caused such notes to be "arbitrage bonds" as defined in Subsection (d)(2) of Section 103 and Section 148 of the U.S. Internal Revenue Code of 1986. The City shall comply with the requirements of Sections 141 through 150 of said Internal Revenue Code and the applicable regulations of the Internal Revenue Service adopted thereunder throughout the term of the notes. The provisions of this section shall be a covenant with the purchasers of the notes; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that a Continuing Disclosure Certificate, in substantially the form as customarily provided, be dated the date of initial delivery of the Notes, is hereby authorized to be executed and delivered by the Comptroller; and, be it

Further Resolved, That the obligation of the City of Milwaukee under the aforementioned disclosure certificate under the terms therein specified be and hereby is determined to be contractual for the benefit of the note holders from time to time; and, be it

Further Resolved, That the City of Milwaukee hereby authorizes and directs the appropriate officers and employes of the City to take all action necessary or appropriate to comply with and carry out all of the provisions of the Continuing Disclosure Certificate as amended from time to time. Notwithstanding any other provision of the resolution, failure of the City to perform in accordance with the Continuing Disclosure Certificate shall not constitute a default under the resolution and the Continuing Disclosure Certificate may be enforced only as provided therein.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 9) [000334](#) Substitute resolution approving rates for 4 health maintenance organizations which will provide services to City employes and retirees in 2001.
- Whereas, The City of Milwaukee contracts with 4 health maintenance organizations (HMO) to provide health insurance to City employes and retirees; and

Whereas, Contracts with CompcareBlue, Family Health Plan, United Healthcare (PrimeCare) and Humana will not expire until December 31, 2001; and

Whereas, Each of these 4 HMOs has submitted not-to-exceed rate sheets for 2001 health insurance services; and

Whereas, Each of the 4 HMOs will submit a final 2001 rate by August 7, 2000 to the Department of Employee Relations; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Manager of Employee Benefits is authorized to prepare and complete new contracts or amendments to agreements for a one-year period with CompcareBlue, Family Health Plan, United Healthcare (PrimeCare) and Humana.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 10) [000335](#) Substitute resolution authorizing a contract extension for fee-for-service dental care with Delta Dental/WPS for 2 years.

Whereas, The City of Milwaukee contracts with Delta Dental/WPS for fee-for-service dental services will expire on December 31, 2000; and

Whereas, Delta Dental/WPS has submitted rates for a 2-year extension to the City of Milwaukee; and

Whereas, Delta Dental/WPS has been responsive to the needs of City employees since 1997; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Director of Employee Relations is authorized to prepare and complete an amendment to the agreement for a 2-year extension with Delta Dental/WPS.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 11) [000338](#) Resolution authorizing the Milwaukee Police Department to accept Asset Forfeiture Equitable Sharing funds from the United States Postal Service for official use in furthering law enforcement objectives.

Whereas, Common Council File Number 930380 establishes the City's procedural guidelines regarding the receipt, appropriation and expenditure of contributions; and

Whereas, The United States Postal Service has remitted funds in the amount of \$10,960.71 to the Milwaukee Police Department (MPD), which represents the City's equitable share of seized assets; and

Whereas, Federal regulations require that these funds be accounted for separately from all other contributions or funds, and that the funds are to be used for law enforcement purposes; and

Whereas, The Police Department intends to use these proceeds to fund the following items submitted in its 2000 Asset Forfeiture Plan, referenced in Common Council File 991443:

Cellular Phone Usage -- \$10,960.71;

now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Police Department is authorized to accept and expend up to \$10,960.71 from the U.S. Postal Service for law enforcement purposes, in accordance with established City policies and procedures for acceptance of contributions; and, be it

Further Resolved, That upon receipt and deposit of these funds, the City Comptroller is authorized and directed to establish a special account within the Police Department's budget for the expenditure of this contribution; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer appropriations and estimated revenue from the Contribution Fund - General, Account number 0001-2110-0001-D001-006300, and the estimated revenue account for Contributions, Account Number 0001-2110-0001-009850 to the Police Department's special account 0001-3310-0001-Dxxx-006300 and the Police Department's estimated revenue account 0001-3310-0001-009850.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

- 12) [000125](#) Reappointment of Randy Gschwind to serve as Chief Information Officer by the Mayor.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 13) [000173](#) Communication from the Comptroller's Office transmitting a report, titled "Audit of Internal Controls over Cash in the Office of the Treasurer, City of Milwaukee".

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 14) [000238](#) Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for City Service Commission action.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 15) [000309](#) Communication from the Comptroller's Office transmitting a report on the Schedule of

Milwaukee Public Schools Debt Service Payments for the year ended December 31, 1999 audited by KPMG.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

ALD. PAWLINSKI moved to offer a substitute ordinance to be substituted in lieu of the substitute ordinance recommended for passage by the Utilities and Licenses Committee and moved for its acceptance.

The motion prevailed.

[000337](#)

A substitute ordinance relating to a temporary surcharge of \$1 for taxicab fares.

Sponsors: Ald. Pawlinski

A motion was made by Ald. Pawlinski that this matter be SUBSTITUTED. The motion carried by the following vote:

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

1)

[000337](#)

A substitute ordinance relating to a temporary surcharge of \$1 for taxicab fares.

Whereas, The American Automobile Association (AAA) Wisconsin reported that regular gasoline has increased from \$1.16 per gallon a year ago to \$2.01 currently, an increase of 73.7%; and

Whereas, In May 2000, AAA Wisconsin reported that gasoline prices in Milwaukee were \$1.49 per gallon, which calculates to an increase of 34.9% since last month alone; and

Whereas, The chairman of the Federal Trade Commission formally noted that Wisconsin has seen "remarkably severe price increases in a short period of time"; and

Whereas, This increase has particularly hurt the taxicab drivers who pay for their own

fuel; and

Whereas, These increased fuel costs have put a tremendous financial strain on the taxicab owners and operators whose meter fare rates are set by this city; and

Whereas, The bulk of these taxicab owners and operators are supporting families while incurring increased costs; now, therefore

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

Part 1. Section 100-52-3-d of the code is created to read:

100-52. Rates Established.

3. METER FARE TAXICAB.

d. From the effective date of this paragraph [July 4, 2000] up through and including 90 days from the effective date of this paragraph [October 3, 2000] a surcharge not to exceed \$1 may be charged, for one or more persons, per ride pursuant to rates charged under pars. a and c. A ride shall be defined as a passenger or group of passengers who begin travel at one point and finish travel at a second point; multiple stops shall be counted as one ride as long as the meter is not reset. A notice of this surcharge shall be posted in the passenger compartment in a conspicuous place visible to all occupants of the vehicle.

Sponsors: Ald. Pawlinski

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

APPROVAL OF THE FOLLOWING:

[991602](#)

Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

Sponsors: THE CHAIR

ALD. HENNINGSEN moved to amend the grant list attached to File Number 991602 by striking from said list the Public Dance Hall (PD #33) and shows and Exhibitions (SHOWS .70) licenses of Tina Anderson for "The Underground" at 300 West Juneau Avenue in the 4th

Aldermanic District, thus returning said item to back to Committee.

The motion prevailed.

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

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

- 3) [991601](#) Substitute motion to approve recommendations of the Utilities and Licenses Committee relative to a 20-day suspension in lieu of revocation of the Class "B" Tavern license issued to LaQuanda Madison for the premises located at 2336 W. Orchard Street ("Club Down Low"), in the 8th Aldermanic District.

Whereas, The Utilities and Licenses Committee held an evidentiary hearing on June 12, 2000, relative to the revocation of the Class "B" Tavern license of LaQuanda Madison for the premises located at 2336 W. Orchard Street ("Club Down Low") in the 8th Aldermanic District; and

Whereas, The Committee found that the licensed premises is operated in a disorderly manner and constitutes a public nuisance contrary to the public welfare and a substantial and adverse threat to the health, safety, convenience and prosperity of the immediate neighborhood, and that it is in the best interest of the community that the Class "B" Tavern license of LaQuanda Madison for the premises located at 2336 W. Orchard Street ("Club Down Low") in the 8th Aldermanic District, be granted with a 20-day suspension, in lieu of revocation; and

Whereas, The Utilities and Licenses Committee, after hearing all of the testimony of the neighborhood complainants and police report, voted (3 ayes, 2 noes) to recommend granting of said license with a 20-day suspension in lieu of revocation;

now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee, hereby accepts the recommendation of the Utilities and Licenses Committee to grant the Class "B" Tavern license with a 20-day suspension in lieu of revocation of LaQuanda Madison for the premises located at 2336 W. Orchard Street ("Club Down Low") in the 8th Aldermanic District, based upon objections by the neighborhood and the police report.

Sponsors: THE CHAIR

Recommendation of renewal with a 20-day suspension in lieu of revocation of the Class "B" Tavern license of LaQuanda Madison for the premises located at 2336 W. Orchard Street ("Club Down Low"), in the 8th Ald. District. Written objections have been filed by the licensee. (Committee Vote: 3 Ayes; 2 Noes; Expiration Date: 4-19-01).

The Clerk swore in the Court Reporter and LaQuanda Madison.

The President questioned whether the members of the Common Council read the Report and Recommendations of the Utilities and Licenses Committee in this matter and any written exceptions, if filed by the licensee?

Ayes: 17 - Ald. Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron-Rollins, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy, Hines and President Pratt.

Noes: 0.

The Clerk questioned whether the following applicant or her Counsel was present and wish to address the Council:

The applicant La Quanda Madison was present and wished to address the Council.

ALD. HERRON moved that the Common Council do now resolve into the Committee of the Whole for the purpose of hearing from LaQuanda Madison relative to the foregoing matter.

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

LaQuanda Madison and Assistant City Attorney Bruce Schrimpf appeared and addressed the committee relative to the foregoing matter.

ALD. CAMERON-ROLLINS moved that the Committee do now rise.

THE CHAIR moved to approve the Utilities and Licenses recommendations.

Ayes: 15- Ald. Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy and President Pratt.

Noes: 1 - Ald. Cameron-Rollins.

Excused: 1 - Ald. Hines.

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 4) [991603](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.
- The Common Council of the City of Milwaukee hereby accepts the recommendations of the Utilities and Licenses Committee as contained in the listings attached to this file.

Sponsors: THE CHAIR

Recommendation of renewal with a 10-day suspension of the Class "B" Tavern license of Martin De La Garza for the premises located at 2900 W. Lapham Street ("Kojak's"), in the 8th Ald. District. Written objections have been filed by the licensee. (Committee Vote: 4 Ayes; 1 Noes; Expiration Date: 6-30-00).

Recommendation of renewal with a 15-day suspension of the Class "B" Tavern and Tavern Dance license of Juan J. Jimenez for the premises located at 823 S. Cesar E. Chavez Drive ("Club Malibu"), in the 12th Ald. District. Written objections have not been filed by the licensee. (Committee Vote: 3 Ayes; 1 Noes; 1 Excused; Expiration Date: 6-30-00).

Recommendation of renewal with a 20-day suspension of the Class "B" Tavern license of Nancy M. Aschenbrenner for the premises located at 3278 S. 9th Place ("Asche's"), in the 14th Ald. District. Written objections have been filed by the licensee. (Committee Vote: 4 Ayes; 1 Noes; Expiration Date: 6-30-00).

The President questioned whether the members of the Common Council read the Report and Recommendations of the Utilities and Licenses Committee in these matters and any written exceptions, if filed by the licensees, including the

additional pages regarding Aschenbrenner?

Ayes: 15 - Ald. Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron-Rollins, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy and President Pratt.

Excused: 2 Henningsen and Hines.

The Clerk questioned whether the following applicants or their Counsel present and wish to address the Council:

Martin De La Garza.

The applicant was present and wished to address the Council.

The Clerk sworn in Martin De La Garza.

ALD. BOHL moved that the Common Council do now resolve into the Committee of the Whole for the purpose of hearing from Mr. De La Garza relative to the foregoing matter.

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Martin De La Garza and Assistant City Attorney Bruce Schrimpf appeared and addressed the committee relative to the foregoing matter.

ALD JOHNSON-ODOM moved that the Committee do now rise.

The motion prevailed.

Juan J. Jimenez was not present.

Nancy M. Aschenbrenne was present and did not want to wish to address the Council.

ALD. BREIER moved to approve the Aschenbrenner license with a 15-day suspension notwithstanding the recommendation of the Utilities and Licenses Committee.

ALD. SCHERBERT moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of hearing from Assistant City Attorney Bruce Schrimpf relative to the foregoing matter.

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Assistant City Attorney Bruce Schrimpf appeared and addressed the committee relative to the foregoing matter.

ALD. SCHERBERT moved that the Committee do now rise.

ALD. BREIER moved to approve said license with a 15-day suspension.

The motion prevailed by the following vote:

Ayes: 12 - Ald. D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Cameron-Rollins, Scherbert, Pawlinski, Breier, Nardelli, Murphy and President Pratt.

Noes: 3 - Ald. Herron, Richards, Sanchez.

Excused: 2 - Ald. Henningsen and Hines.

ALD. PAWLINSKI moved for adoption of the foregoing Committee Report.

The motion prevailed by the following vote:

Ayes: 15 - Ald. Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron-Rollins, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy and President Pratt

Excused: 2 - Ald. Henningsen and Hines.

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

Aye: 15 - Pratt, Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Henningsen Hines Jr.

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [000036](#) Substitute resolution authorizing the return of real estate located at 425-27 North 33rd Street, in the 4th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in

foreclosing and managing said real estate. (Dennis Day)

Whereas, The property located 425-27 North 33rd Street, tax key number 401-0193-0 previously owned by Dennis Day, has delinquent taxes for 1997 through 1999 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated March 13, 2000; and

Whereas, Dennis Day, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since March 13, 2000; and

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

Whereas, The City Treasurer's records show outstanding 1997 through 1999 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450 and miscellaneous costs were also incurred by the Department for various repairs at a cost of \$106.63; and

Whereas, The Health Department reported no outstanding orders or notices, and no clean up notices have been issued against this property under Section 80-8 or 17-12 in 1998 or thus far in 2000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 425-27 North 33rd Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 99-CV-007792 known as the 1999-4, In Rem Parcel 220, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

2) Substitute resolutions to settle various claims:

a) [000236](#) Resolution authorizing payment of the claim of Charles Hampton, C.I. File No. 98-L-156. (City Attorney)

Whereas, The claimant, Charles Hampton, through his attorneys, Hausmann-McNally, S.C., has filed a claim for damages against the City of Milwaukee pursuant to sec. 66.189, Stats., for injuries and damages incurred on October 12, 1998, as a result of being struck by an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$25,000.00; and

Whereas, Pursuant to Common Council Resolution File No. 890916, the City Attorney's Office retained the services of the law firm of Crivello, Carlson, Mentkowski & Steeves, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

Whereas, The law firm of Crivello, Carlson, Mentkowski & Steeves, S.C., recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$25,000.00, payable to Charles Hampton and Hausmann-McNally, S.C. Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and be it

Further Resolved, That the law firm of Crivello, Carlson, Mentkowski & Steeves, S.C., shall upon payment to claimant obtain a release of claim and deliver the original release to the City Attorney.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- b) [000237](#) Resolution authorizing payment of the claim of Dean Sass, C.I. File No. 98-L-87. (City Attorney)

Whereas, The claimant, Dean Sass, through his attorneys, Warshafsky, Rotter, Tarnoff, Reinhart & Bloch, S.C., has filed a claim for damages against the City of Milwaukee pursuant to sec. 66.189, Stats., for injuries and damages incurred on December 1, 1997, as a result of being struck by an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$25,000.00; and

Whereas, Pursuant to Common Council Resolution File No. 890916, the City Attorney's Office retained the services of the law firm of Crivello, Carlson, Mentkowski & Steeves, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

Whereas, The law firm of Crivello, Carlson, Mentkowski & Steeves, S.C., recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$25,000.00, payable to Dean Sass and Warshafsky, Rotter, Tarnoff, Reinhart & Bloch, S.C. Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and be it

Further Resolved, That the law firm of Crivello, Carlson, Mentkowski & Steeves, S.C., shall upon payment to claimant obtain a release of claim and deliver the original release to the City Attorney.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 3) [000283](#) Resolution authorizing settlement of disability discrimination charge entitled Darlene Wagner v. City of Milwaukee Health Department, EEOC Charge No. 260990689, ERD Case No. 199902692. (City Attorney)

Whereas, The charging party, Darlene Wagner, filed a discrimination charge with the EEOC, claiming discrimination based upon actual or perceived disability for placing her on an involuntary leave of absence on January 22, 1999; and

Whereas, The parties have agreed to settle this lawsuit in the amount of \$19,500 which represents attorneys fees and costs; \$5,569.60 which represents damages, and \$65,445.00 which represents back pay and front pay for the period of April 13, 1999 through November 26, 2000, from which all appropriate payroll deductions will be made including state and federal taxes, plus the payment of City pension contributions and medical and dental insurance premiums as set forth in the proposed Settlement and Mutual Release Agreement attached to this file; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Attorney be and hereby is authorized to execute the Settlement and Mutual Release Agreement; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$19,500, payable to Attorney Arthur Heitzer which represents attorneys fees and costs; \$5,569.60 payable to Darlene Wagner, which represents damages, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 636506 2631 S118; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$65,445.00 payable to Darlene Wagner, which represents back pay and front pay, from which all necessary and appropriate payroll deductions will be made, including all federal and state taxes, and to make the City pension contributions and medical and dental insurance payments as required by the Settlement and Mutual

Release Agreement, in full and final settlement of this lawsuit, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Milwaukee Health Department Wage and Salaries Account, Account No. 0001 3810R999006000.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier Nardelli

No: 1 - Murphy

Excused: 1 - Hines Jr.

- 4) [000294](#) Substitute resolution relating to the introduction and passage of state legislation authorizing municipalities to enact ordinances for the removal of parked motor vehicles without current license plates.

Whereas, Wisconsin statutes permit municipalities and counties to enact ordinances prohibiting unregistered motor vehicles from being parked on streets and authorizing such vehicles to be towed and impounded, s. 341.65, Wis. Stats.; and

Whereas, Milwaukee has enacted an ordinance in conformity with the provisions of the state statute, s. 105-65.5, Milw. Code; and

Whereas, Although removal of unregistered vehicles would provide many benefits to Milwaukee residents and visitors, the definition of "unregistered motor vehicle" in the statute and the Milwaukee ordinance has proven to be inadequate for effective removal of unregistered vehicles; and

Whereas, The statute and ordinance both define a vehicle that is eligible for removal as one that "is not currently registered and which is located upon a highway for such time and under such circumstances as to cause the motor vehicle to reasonably appear to have been unregistered for not less than 30 days;" and

Whereas, This definitional language has made it impossible to remove a vehicle that displays no license plate and on which the vehicle identification number (VIN) is not discernable, as a law enforcement officer cannot determine whether the vehicle "reasonably appears" to have been unregistered for 30 days; and

Whereas, The state could optimize effective local removal of unregistered motor vehicles by revising the statutory definition of "unregistered motor vehicle" to only mean a vehicle that does not display a currently valid license plate; and

Whereas, The state could further optimize effective local enforcement by allowing local communities to determine whether parking checkers or other non-sworn personnel may enforce unregistered motor vehicle laws; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division - Department of Administration is directed to seek introduction and passage of state legislation revising the statutory authorization for municipalities to enact ordinances prohibiting unregistered motor vehicles on highways and governing their immobilization, removal and disposal, s. 341.65, Wis. Stats.; and, be it

Further Resolved, That the Common Council recommends that the statutory revision define an "unregistered motor vehicle" as any vehicle that does not display a currently valid license plate and delete the current language requiring the vehicle to "reasonably appear" to have been unregistered for a period of time; and, be it

Further Resolved, That the Common Council recommends that the statutory revision also specify that the unregistered motor vehicle law may be enforced by parking checkers or other public workers whose job duties include parking enforcement but whose job titles are not enumerated in s. 341.65(2)(b), Wis. Stats.

Sponsors: Ald. Donovan, Ald. Nardelli, Ald. Cameron, Ald. Herron, Ald. Bohl, Ald. Gordon and Ald. Richards

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 5) [000298](#) Resolution changing the hourly rate charged by Whyte Hirschboeck Dudek, S.C. for representation of the Employees' Retirement System Annuity and Pension Board (Board) in six issues. (ERS)
- Whereas, The Board is empowered to engage such services as shall be required to fulfill its fiduciary responsibilities under the terms of the Milwaukee City Charter, and
- Whereas, The Law Firm of Whyte Hirschboeck Dudek, S.C. represents the Board in MPA, et al. v. City, et al., Case No. 95-CV-011251; MERS, et al. v. City, Case No. 97-CV-000685; MPA, et al. v. City, Case No. 97-CV-007996; DeBraska, et al. v. City, Case No. 93-CV-016054; City v. ERS, Case No. 00-CV-003439 (Global Settlement); and, Indemnification by the City; and

Whereas, The Board and the Law Firm have amended their agreement to raise the hourly rate from \$150.00 (Resolution No. 961273) to \$185.00, effective March 1, 2000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the approved hourly rate of the Law Firm of Whyte Hirschboeck Dudek, S.C., be \$185.00, effective March 1, 2000, for representation of the Board in the six issues referenced above.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 6) [000333](#) Resolution authorizing cancellation of Department of Public Works Invoice No. 72034 billed to Donald A. Damaske for repairs to an aluminum light pole and traffic control box in the amount of \$7,732.35. (City Attorney)

Whereas, On December 4, 1998 a motor vehicle operated by Donald A. Damaske was proceeding westbound on West Villard Avenue, swerved to avoid a vehicle northbound on North 60th Street that failed to stop for the red light, and struck a light pole and traffic control box, causing damage in the amount of \$9,665.44; and

Whereas, The vehicle failing to stop for the red light left the accident scene and could not be identified by a witness; and

Whereas, The invoice was referred for collection to the Kohn Law Firm, who after investigation, obtained a settlement offer of \$1,933.09 from Farmers Insurance, the insurer of Donald A. Damaske, now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that the Department of Public Works Invoice No. 72034 billed to Donald A. Damaske be and hereby is cancelled in the amount of \$7,732.35.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

CONFIRMATION OF THE FOLLOWING:

- 7) [000056](#) Appointment of Minnie Davis to the Equal Rights Commission by the Mayor. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

PLACING ON FILE THE FOLLOWING:

- 8) [990261](#) Substitute resolution seeking introduction and passage of state legislation to increase the list of the highest eligible applicants for consideration in City Civil Service positions.

Sponsors: Ald. Pratt and Ald. Witkowiak

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 9) [991990](#) Communication from the Equal Rights commission transmitting their 1998-99 Annual Report and "A Report on Past Discrimination Against African-Americans in Milwaukee, 1835-1999".

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

DISALLOW AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

10) Various claims against the City:

a) [000006](#) Appeal of Cumi Coulter relative to claim for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

b) [000047](#) Appeal of Blanche Terrien relative to claim for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

c) [000215](#) Communication from the City Attorney's Office transmitting a communication from Erline Reaves relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- d) [000234](#) Communication from the City Attorney's Office transmitting a communication from Cordelia & James Taylor relative to claim for property damage.
- Sponsors:** THE CHAIR
- A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**
- Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy
- No:** 0
- Excused:** 1 - Hines Jr.
- e) [000255](#) Communication transmitting an appeal of Edward Pritzlaff relative to claim for property damage. (3rd Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**
- Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy
- No:** 0
- Excused:** 1 - Hines Jr.
- f) [000288](#) Appeal of Elaine Pinter relative to claim for property damage. (14th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**
- Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy
- No:** 0
- Excused:** 1 - Hines Jr.
- g) [000336](#) Appeal of Thomas Couillard relative to claim for property damage. (16th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [991992](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.

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

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

"On S. 1st Street between East & West Florida and East & West Oregon Streets at any time"

"On the east side of N. 1st Street from a point 135' south of the south curb line of E. Melvina Street to a point 18' south thereof at any time"

"On the east side of N. 2nd Street along the diagonal portion of the roadway north of W. Clybourn Street"

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

On the north side of W. Lisbon Avenue from N. Sherman Boulevard to N. 45th Street from 3:30PM to 5:30PM except Saturday and Sunday

On the west side of S. Burrell Street from E. Smith Street to E. Clarence Street from 2:00AM to 6:00AM

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

"On the northwesterly side of W. Windlake Avenue from the west curb line of S. 15th Street to a point 125' west thereof"

"On the west side of S. 3rd Street from W. Maple Street to W. Burnham Street between the hours of 7:00AM to 5:00PM"

"On the south side of W. Wright Street from N. 5th Street west to the alley"

"On W. Wells Street from N. 11th Street to N. 12th Street between the hours of 7:00AM to 6:00PM except Sundays and Holidays

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

"On N. 34th Street between W. McKinley and W. Juneau Avenues"

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

"On W. Vliet Street between N. 5th Street and N. 6th Street from 5:00AM to 6:00PM"

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

" On the west side of N. Water Street from a point 165' north of the north curb line of E. Wisconsin Avenue to a point 34' north (2 cab stands)"

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

"On the west side of N. 13th Street from W. Capitol Drive to N. Green Bay Avenue"

"On the west side of N. 15th Street from W. Melvina Street to W. Congress Street"

"On the west side of N. 16th Street from W. Capitol Drive to W. Congress Street"

"On the west side of N. 17th Street from W. Capitol Drive to W. Congress Street"

"On the west side of N. 17th Street from W. Nash Street to W. Vienna Avenue"

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

"On the west side of N. 34th Street from W. Juneau Avenue to the dead end north of W. McKinley Boulevard"

"On the west side of N. 16th Street from W. Vienna Avenue to W. Capitol Drive

except Sundays from 7:00AM to 4:00PM"

"On the west side of N. 17th Street from W. Vienna Avenue to W. Capitol Drive
except Sundays from 7:00AM to 4:00PM"

"On the west side of N. 14th Street from W. Capitol Drive to W. Congress Street"

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom,
Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez,
Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

2) [991993](#) 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 101-13-1 of the Code relating to Speed Limit is amended by adding
the following:

On N. Oakland Avenue from E. North Avenue to E. Providence Avenue 25 Miles
Per Hour

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

On N. Sherman Boulevard from W. Florist Avenue to W. Douglas Avenue

On S. 27th Street from W. Oklahoma Avenue to W. Ohio Avenue

Part 3. Section 101-16 of the Code relating to Stop signs is amended by striking the
following:

"N. Astor Street at E. Lyon Street"

"East/Westbound E. Knapp Street traffic to stop for N. Astor Street"

Part 4. Section 101-16-1 of the Code relating to Stop signs is amended by adding the
following:

On N. Astor Street and E. Lyon Street in all directions

On N. Astor Street and E. Knapp Street in all directions

Sponsors: THE CHAIR

*Amend Ald. Dist. (S. 27th & Oklahoma Ave. to W. Ohio Ave.) from 8th to 11th.
Prevailed.*

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

3) [000189](#) A substitute ordinance relating to designated areas in which cruising is prohibited.

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

Part 1. Section 101-20.5-1-b-5 of the code is amended to read:

101-20.5. Cruising Prohibited.

1. DEFINITIONS.

b. "Designated area" means:

b-5. All of that portion of West Capitol Drive bounded by [[North 35th Street]] >>the Milwaukee River<< on the east and North [[51st Boulevard]] >>92nd Street<< on the west.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

ADOPTION OF THE FOLLOWING:

4) [991868](#) Substitute resolution authorizing and directing the City Engineer to undertake a study to evaluate traffic conditions and circulation patterns on the eastside of the City of

Milwaukee in the 3rd Aldermanic District.

Whereas, The East North Avenue Business Improvement District and many of the local businesses along North Farwell Avenue have requested that North Farwell Avenue be converted from one-way traffic operation to two-way traffic operation; and

Whereas, The local Alderman is willing to support the requested action providing said conversion is in the best interest of the B.I.D., abutting owners and the general public; and

Whereas, It will be necessary to conduct a detailed traffic analysis to determine the effect of the conversion on the localized roadway system and what changes in traffic control and geometrics may be necessary to facilitate changed traffic patterns; and

Whereas, It would be prudent to also study the impacts of a conversion of North Prospect Avenue from one-way to two-way operation; and

Whereas, Said traffic analysis will also provide a level of magnitude estimate of expenditures to undertake necessary changes in traffic control and geometrics to facilitate the one-way to two-way conversion; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Engineer is hereby authorized and directed to undertake a traffic analysis as it relates to the conversion of North Farwell Avenue and/or North Prospect Avenue from one-way to two-way operations; and, be it

Further Resolved that the study investigate three separate scenarios, those being the conversion from one-way to two-way operation of:

* North Farwell Avenue - East Bradford Avenue to East Franklin Place * North Farwell Avenue and North Prospect Avenue - East Bradford Avenue to East Franklin Place * North Farwell Avenue - East Bradford Avenue to East Franklin Place and North Prospect Avenue from East Bradford Avenue to East Lafayette Place

; and, be it

Further Resolved, That the City Engineer is authorized and directed to conduct said traffic analysis primarily through the use of City forces, supplemented by consultant/vendor services as needed to complete the study by October 1, 2000; and, be it

Further Resolved, That Funding for this study to cover the cost of service order consultant/vendor supplemental assistance shall not exceed \$20,000; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Traffic Signal Reconstruction with Paving Fund the necessary Project/Grant Chartfield values for the project (Expenditure), and transfer to these accounts the amount required under City Accounting Policy, but not to exceed a 10 percent increase of the total amounts or \$5,000, whichever is greater, as follows:

Infrastructure Services Division Accounts

City Share

Fund Number 0333

Project Grant Number ST22090300

\$20,000

; and, be it

Further Resolved, That the City Engineer is authorized to draw upon said accounts for the purposes of staff and/or consultant costs.

Sponsors: Ald. D'Amato

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 5) [000190](#) Substitute resolution amending the Domestic Animal Control Services Agreement and reauthorizing the expenditure of \$220,150 for completion of the facility.

Whereas, In 1997, the City and 18 municipalities in Milwaukee County entered into an agreement to provide domestic animal control services within Milwaukee County through the Milwaukee Area Domestic Animal Control Commission (MADACC); and

Whereas, The agreement required the city and Milwaukee County suburbs to share in the cost of animal services with operating costs paid for on pro-rated usage basis and capital costs paid on a pro-rated equalized value basis; and

Whereas, The agreement anticipated capital costs to total \$2.5 million, and therefore

established a limit of that amount; and

Whereas, Final construction and related costs totaled \$3,066,782.58; and

Whereas, Said additional construction and related costs were partially offset by increased investment earnings that along with County debt proceeds totaled \$2,602,116.50; and

Whereas, The City of West Allis, as fiscal agent for MADACC, agreed to temporarily fund the additional expenses of \$464,666.07, plus loss interest of \$16,730.44; and

Whereas, The 2000 City of Milwaukee Budget - Department of Neighborhood Services anticipated funding of \$220,149.51 for Milwaukee's share of the final capital costs; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Domestic Animal Control Service Agreement, adopted as part of Common Council Resolution 970660, be amended to include the following provisions:

1. Final construction and related costs of \$3,066,782.58.
2. The additional net costs of \$481,396.51.
3. The additional net costs, including interest, shall be shared by each participating municipality based on the January 1, 1999 equalized value, as a percent of the total County equalized value.
4. Each municipality shall be responsible for payment of its share to MADACC, which shall provide reimbursement to the City of West Allis.
5. Each municipality's share shall include its share of the additional net costs, plus interest at the City of West Allis' actual/average rate of investment in the Local Government Investment Pool.
6. Each municipality's obligation shall accrue interest on the basis of the outstanding balance of its share calculated as of June 30, 2000.

and, be it

Further Resolved, That the Department of Neighborhood Services is re-authorized to pay the City of Milwaukee's share to MADACC, which shall provide reimbursement to the City of West Allis; and, be it

Further Resolved, That a copy of this Resolution shall be provided to MADACC and the City of West Allis.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

6) [000318](#) Resolution relative to application, acceptance and funding of the State of Wisconsin Department of Justice Weed and Seed Grant for 2000 in the amount of \$175,000. (CBGA)

Whereas, The City of Milwaukee is eligible for grant funds for the Weed and Seed Grant program, under State appropriation number 455.209 from the State of Wisconsin Department of Justice; and

Whereas, The Common Council in CCFN 980248 has approved the administrative and supervisory function of the Community Relations - Social Development Commission for the Weed and Seed Program; and

Whereas, The operation of this grant program from October 1, 2000 through September 30, 2001 would be provided for by the grantor in the amount of \$175,000; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit Funds within the Project/Grant Parent of the 2000 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/project titled State of Wisconsin Department of Justice Weed and Seed Program:

Project/Grant	Fund	Org	Program	BY	SubClass	Acct
GR00000000000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$175,000

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 Community Block Grant 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. Enter into a subcontract with SDC as detailed in the grant budget; and, be it

Further Resolved, That all departments/agencies are required to submit budgets and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File Number 74-92-5v to the Community Block Grant Administration and the City Comptroller for their review and approval; and, be it

Further Resolved, That payments for the State of Wisconsin Weed and Seed costs incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Block Grant Administration and City Comptroller of a Budget Forecast (CDA-51); and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v is fully applicable to the 2000 Weed and Seed Grant Program.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 7) [000319](#) Substitute resolution relative to application, acceptance and funding of a Federal Emergency Management Agency Juvenile Firesetters Intervention Specialist Course project authorized by the Catalogue of Federal Domestic Assistance #. (C.F.D.A. #83.546) (FIRE DEPARTMENT)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

Whereas, Under the terms of the Juvenile Firesetters Intervention Specialist course, the City of Milwaukee appears to be eligible for grant funds from the Federal Emergency Management Agency, for arson prevention public education; and

Whereas, It would appear that City involvement in this grant and aid program, and more specifically in a grant and aid project involving additional financial support for arson prevention would result in the following major benefits to the City; and

Whereas, Development and implementation of an arson prevention public education campaign including classroom and instructional material that support arson prevention goals; and

Whereas, The Department of Administration, Division of Intergovernmental Relations, has determined that operation of this grant from July 1, 2000 to December 31, 2001 would cost approximately \$7,453.50 of which \$5,000 or (67%) would be provided by the Grantor and \$2,453.50 or (33%) would be provided by the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Federal Emergency Management Agency is authorized and the Fire Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 94-0843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue Grant and Aid Projects, the following amounts for the project titled "Juvenile Firesetters Intervention Specialist Course":

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000000000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$5,000

2. Create a Special Revenue Fund - 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 appropriated to the Milwaukee Fire 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;

2. 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; and

3. Enter into subcontracts and leases as detailed in the grant budget.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

8) [000332](#) Substitute resolution authorizing the City of Milwaukee to agree to a month-to -month lease extension for the Police Department's space at Capitol Court.

Whereas, The City of Milwaukee adopted Common Council File No. 950551 on July 28, 1995 which authorized entering into a 5-year lease with the Capitol Court Corporation for a police satellite office at Capitol Court; and

Whereas, The Lease between Capitol Court Corporation and the City was entered into and expires on June 30, 2000 and the significant terms are \$1.00 per year with no security deposit, and no common area charges; and

Whereas, Capitol Court Corporation has offered to extend the Lease beyond June 30, 2000 on a month-to-month basis on the same terms and conditions as the existing 5-year Lease; and

Whereas, The Police Department is desirous of continuing to occupy the Capitol Court location; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers are authorized and directed to execute the proposed month-to-month lease extension for the police space at Capitol Court.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

CONFIRMATION OF THE FOLLOWING:

9) Various Appointments or Reappointments:

a) [000216](#) Reappointment of Dr. Patricia McManus to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

b) [000217](#) Appointment of Ben Ortega to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

c) [000218](#) Appointment of Pa Vang to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- d) [000219](#) Reappointment of Janine Arseneau to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- e) [000220](#) Appointment of Maryann Clesceri to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- f) [000221](#) Reappointment of Geri McFadden to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- g) [000223](#) Reappointment of Liz Marquardt to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- h) [000224](#) Reappointment of Craig Mayfield to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- i) [000225](#) Appointment of Millie Sernovitz to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- j) [000242](#) Reappointment of La Verne Hermann to the Safety Commission by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- k) [000247](#) Appointment of Jane Foley to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- l) [000251](#) Appointment of Rev. AreNee Guthrie to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- m) [000252](#) Appointment of Cathy Kendrigan to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- n) [000254](#) Appointment of Sue Deutsch to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (12th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- o) [000305](#) Appointment of Janice Cummings to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

PLACING ON FILE THE FOLLOWING:

- 10) [000002](#) Substitute resolution transmitting an evaluation and analysis of initial offers to purchase City parking structures for review and approval, authorizing the Commissioner of Public Works to proceed with sale condition negotiations consistent with a cooperation agreement with the Redevelopment Authority of the City of Milwaukee contained in File 000003.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 11) [000003](#) Substitute resolution authorizing declaring as surplus the city parking structures located at 1000 North Water Street, 841 North 7th Street, and 742 North 2nd Street, directing a disposition by conveyance to the Redevelopment Authority of the City of Milwaukee, and authorizing certain other actions necessary for the City to approve in order for the Redevelopment Authority to convey the properties.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

THE ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [000272](#) Resolution authorizing and directing the Department of City Development to prepare a Neighborhood Plan for the West Fond du Lac Avenue and West North Avenue area and authorizing the transfer of funds from the Advance Planning Fund to a Subaccount for the preparation of the Plan. (DCD)

Whereas, The Department of City Development ("DCD") continues to prepare plans for areas within the City of Milwaukee ("City"); and

Whereas, On May 19, 2000, by File No. 000012, the Common Council of the City of Milwaukee ("Common Council") approved the plat of right-of-way for the improvement of West Fond du Lac Avenue between North 36th Street and North 19th Street; and

Whereas, On June 13, 2000, by File No. 000166, the Common Council approved the creation of a Fond du Lac Avenue Economic Development Program; and

Whereas, The improvement of West Fond du Lac Avenue between North 36th Street and North 19th Street scheduled for 2001 can serve as a catalyst for redevelopment if it is complemented by a master plan for the area; and

Whereas, State Senator Gary R. George and community organizations have requested that DCD prepare a master plan for the area, and community organizations have offered to assist DCD in preparing the plan; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to prepare a Neighborhood Plan for the West Fond du Lac Avenue and West North Avenue area, including entering into contracts with qualified planning consultants in accordance with City procedures; and, be it

Further Resolved, That the proper City officials are authorized to enter into Cooperation Agreements, consistent with the terms outlined in Exhibit A (a copy of which is attached to this Common Council File), with community organizations for their assistance in the preparation of the Neighborhood Plan; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer the amount of \$80,000 from the 2000 Advance Planning Fund parent account, Account No. UR01280000, and the amount of \$80,000 from the 2001 Advance Planning Fund parent account, Account No. UR01280000, to Subaccount No. UR01280119 established for the preparation of the Plan; and, be it

Further Resolved, That the transfer of \$80,000 from the 2001 Advance Planning Fund parent account is contingent on the approval of the 2001 budget for the Advance Planning Fund.

Sponsors: Ald. Gordon, Ald. Cameron and Ald. Hines Jr.

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 2) [000323](#) Resolution relating to the payment of first-quarter 2000 program costs for the City's participation in the Joint Certification Program.

Whereas, The City has participated in the Joint Certification Program since the mid-1980s as a way of increasing contracting opportunities for firms owned by minorities and disadvantaged persons; and

Whereas, The 2000 City Budget for the Department of Administration contained an appropriation of \$50,000 in the special fund, "Minority and Disadvantaged Business Joint Certification", to cover costs related to the City's participation in the Joint Certification Program; and

Whereas, The City has received a request for payment from Milwaukee County in the

amount of \$20,281 for the first quarter of 2000 for the City's participation in the Joint Certification Program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration is authorized and directed to expend a total of \$20,281 from its 2000 special fund "Minority and Disadvantaged Business Joint Certification", account number 0001-1510-R151-006300, for payment to Milwaukee County for the City's full membership in the Joint Certification Program in the first quarter of 2000.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

CONFIRMATION OF THE FOLLOWING:

- 3) [000282](#) Appointment of Ald. Terrance Herron to the Pabst Theater Board by the Mayor.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

PLACING ON FILE THE FOLLOWING:

- 4) [971012](#) Resolution approving the updated Economic Development Strategy for the Special Impact Area for the Economic Development Administration of the U.S. Department of Commerce. (DCD)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 5) [000284](#) Communication transmitting an overview from the Department of City Development on the impact of Business Improvement Districts on the City.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [991852](#) Substitute ordinance relating to the change in zoning from Multi-Family Residence (R/D/40) to a Detailed Planned Development (DPD) known as Parklawn, on land located on the South Side of West Congress Street and East of North 47th Street, in the 1st Aldermanic District.

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

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

Section 295-810(2)(b).0148.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the 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 bounded and described by the centerline of West Congress Street, North Sherman Boulevard, West Hope Street and North 47th Street.

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

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

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

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 2) [991966](#) Ordinance relating to the change in zoning from Neighborhood Shopping (S/C/40) to Commercial Service (CS/C/40) on land located on the West Side of North Holton Street and North of East Brown Street, in the 6th Aldermanic District. (DCD)
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

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

Section 295-330(2).0003. The zoning map is amended to change the zoning for the area bounded by a line 150 feet South and parallel to the south line of East Lloyd Street, the centerline of North Holton Street, a line 210 feet South and parallel to the south line of East Lloyd Street, a line 80 feet West and parallel to the west line of North Holton Street, a line 225 feet South and parallel to the south line of East Lloyd Street, a line 200 feet West and parallel to the west line of North Holton Street, a line 200 feet South and parallel to the south line of East Lloyd Street and a line 120 feet West and parallel to the west line of North Holton Street, from Neighborhood Shopping (S/C/40) to Commercial Service (CS/C/40).

Sponsors: Ald. Johnson-Odom

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 3) [000008](#) An ordinance regulating the placement of advertising signs adjacent to the Lake Parkway.
- The Mayor and Common Council of the City of Milwaukee do ordain as follows:
- Part 1. Section 295-99-0 of the code is amended to read:
- 295-99. Advertising Signs Adjacent to Freeways >>or the Lake Parkway<< .
Outdoor advertising which has advertising copy visible from a freeway >>or the Lake Parkway<< shall be governed by the following regulations:
- Part 2. Section 295-99-2-e-0 and 2 of the code is amended to read:
2. LOCATION.
- e. Off premise signs located within 1,000 feet east or west of the Hoan Memorial Bridge>>/Lake Parkway<< or the High Rise Bridge are prohibited. In this paragraph:
- e-2. "Hoan Memorial Bridge>>/Lake Parkway<<" means [[that portion]] >>those portions<< of Interstate 794 >>and State Trunk Highway 794<< located between East St. Paul Avenue extended and the [[north line of South Carferry Drive]] >>south city limits<<.

Sponsors: Ald. Breier and Ald. Pawlinski

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 4) [000152](#) Ordinance relating to a change in zoning from Institutional (T/B/85, T/D/40 and T/C/60), Industrial (I/B/85 and I/C/60), Local Business (L/B/60 and L/D/40) and Manufacturing (M/C/60) to a General Planned Development (GPD) known as St. Luke's Medical Center, on land located North of West Oklahoma Avenue and West of South 27th Street, in the 8th Aldermanic District. (DCD)

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

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

Section 295-810(2)(a).0063.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the subject General 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 following areas bounded and described by:

Forest Home Plaza: Parcels 1 and 2 of Certified Survey Map No. 6062 being a redivision of all of Block 9 and Lots 1 through 21, inclusive, and Lots 25 through 39, inclusive, in Block 10, including abutting vacated streets and alleys in the second continuation of Layton Park, being a subdivision in the Northwest 1/4 of the Southeast 1/4 of Section 12, Township 06 North, Range 21 East, together with lands in the Southwest 1/4 of the Northeast 1/4 of Section 12, Township 06 North, Range 21 East, in the City of Milwaukee, County of Milwaukee and State of Wisconsin.

St. Lukes: All of J.M. Schneider's Subdivision No. 2, Certified Survey Map No. 5559 and part of the Southeast 1/4 of the Southeast 1/4 of Section 12, Township 06 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at a concrete monument with a brass cap at the Southeast corner of said Southeast 1/4; thence South 87 deg. 42 min. 47 sec. West, on and along the south line of said Southeast 1/4, 44.77 feet; thence North 02 deg. 17 min. 13 sec. West, at a right angle to said south line, 33 feet to the north right-of-way line of West Oklahoma Avenue and the point of beginning; thence South 87 deg. 42 min. 47 sec. West, on and along said north right-of-way line and parallel to the south line of said Southeast 1/4, 923.68 feet; thence North 01 deg. 00 min. 13 sec. West, 170 feet; thence South 87 deg. 42 min. 47 sec. West, parallel to said south line, 24 feet; thence North 11 deg. 13 min. 09 sec. West, 38 feet; thence North 01 deg. 00 min. 13 sec. West, 167.15 feet; thence North 09 deg. 05 min. 42 sec. West, 193.51 feet; thence North 01 deg. 00 min. 13 sec. West, 191 feet to the south right-of-way line of Kinnickinnic River Parkway and the beginning of a curve to the left having a radius of 363.51 feet and a long chord bearing North 60 deg. 23 min. 09 sec. East, 188.58 feet; thence Northeasterly, on and along the arc of said curve and said south right-of-way line, 190.77 feet to the beginning of a curve to the right having a radius of 263.85 feet and a long chord bearing North 65 deg. 07 min. 18 sec. East, 202.69 feet; thence Northeasterly, on and along the arc of said curve and said south right-of-way line, 208.04 feet; thence North 87 deg. 42 min. 47 sec. East, on and along said south right-of-way line, 318 feet; thence South 71 deg. 56 min. 43 sec. East on and along said south right-of-way line 63.74 feet to the Northwest corner of Parcel 1 of CSM No. 5559; thence South 75 deg. 04 min. 24 sec. East, on and along said south right-of-way line and said north line, 119.79 feet to the beginning of a curve to the left having a radius of 486.05 feet and a long chord bearing South 82 deg. 14 min. 38 sec. East, 121.34 feet; thence Southeasterly, on and along the arc of said curve and said south right-of-way line and said north line, 121.66 feet to the west right-of-way line of South 27th Street; thence South 03 deg. 50 min. 27 sec. East, on and along said west right-of-way line, 601.16 feet; thence South 01 deg. 00 min. 00 sec. East, on and along said west right-of-way line, 62.46 feet; thence South 01 deg. 23 min. 01 sec. West, on and along said west right-of-way line, 175.25 feet; thence South 44 deg. 30 min. 42 sec. West, on and along said west right-of-way line, 7.3 feet to the point of beginning.

Aurora Health Care Offices: Situated on West Montana Street, in the City of Milwaukee, Wisconsin. Block 6; Lots 1 through 11, both inclusive, in Block 7; together with the vacated alley lying adjacent to Lots 1 through 10, both inclusive, in Block 7; together with the south half of Layton Avenue lying Northerly and adjacent to Blocks 6 and 7; together with vacated 25th Avenue (now South 30th Street) lying between Blocks 6 and 7; all being in the second continuation of Layton Park, being a subdivision of a part of the Southeast 1/4 of Section 12, Town 06 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

Heil Center: Situated on West Dakota Street, City of Milwaukee, Wisconsin. Lots 1

through 9 inclusive, and part of Lots 10, 31 through 40 in Block 15; Lots 1 through 20, inclusive, Lots 28 through 40, inclusive, and a part of Lots 21 through 27, inclusive, in Block 16; Lots 1 through 40, inclusive, in Block 17, together with the vacated North-South alleys adjoining in said Blocks and part of vacated South 30th Street and South 31st Street lying between said Blocks all being in the second continuation of Layton Park, being a subdivision of a part of the Southeast 1/4 of Section 12, Town 06 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, being more particularly described as follows:

Beginning at the Southeast corner of said Block 17, said point being at the intersection of the north line of West Dakota Street with the west line of South 29th Street; thence North 00 deg. 05 min. 30 sec. West 599.84 feet to the Northeast corner of said Block 17; thence South 88 deg. 37 min. 18 sec. West along the south line of West Montana Street 921.58 feet to a point; thence South 00 deg. 01 min. 02 sec. West 270 feet to a point; thence East 45 feet to a point; thence South 00 deg. 01 min. 02 sec. West 24 feet to a point; thence East 273 feet to a point; thence South 70 feet to a point; thence South 44 deg. 46 min. 54 sec. East 48.33 feet to a point; thence North 88 deg. 37 min. 30 sec. East 20 feet to a point; thence South 01 deg. 22 min. 30 sec. East 193 feet to a point on the north line of West Dakota Street; thence North 88 deg. 37 min. 30 sec. East 545.85 feet to the point of beginning.

(3) The requirements set forth in said general 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 general plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the general plan to all conditions and limitations set forth in such general plan.

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

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

Part 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such

holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 5) [000153](#) Substitute ordinance relating to the change in zoning from Multi-Family Residence (R/C/40) to Parking (P/D/40) on land located on the North Side of West Highland Boulevard and East of North 38th Street, in the 16th Aldermanic District.

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

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

Section 295-610(4).0029. The zoning map is amended to change the zoning for the area bounded by the centerline of North 38th Street, the centerline of West Highland Boulevard, the centerline of North 37th Street, the centerline of West Juneau Avenue, a line 134 feet West and parallel to the west line of North 37th Street, a line 120 feet North and parallel to the north line of West Highland Boulevard, a line 40 feet East and parallel to the east line of North 38th Street and a line 90 feet North and parallel to the north line of West Highland Boulevard from Multi-Family Residence (R/C/40) to Parking (P/D/40).

Sponsors: Ald. Murphy

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 6) [000171](#) An ordinance relating to zoning regulations for transportation services.

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

Part 1. Section 295-512-8-b of the code is amended to read:

295-512. Permitted Uses.

8. MOTOR VEHICLE.

b. Transportation services if located more than 200 feet from any residence district or residential planned development district and if all outdoor vehicle storage areas are [[located more than 200 feet from a public street]] >>in compliance with s. 295-14-12<<.

Part 2. Section 295-522-8-b of the code is amended to read:

295-522. Permitted Uses.

8. MOTOR VEHICLE.

b. Transportation services if located more than 200 feet from any residence district or residential planned development district and if all outdoor vehicle storage areas are [[located more than 200 feet from a public street]] >>in compliance with s. 295-14-12<<.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

ADOPTION OF THE FOLLOWING:

- 7) [000156](#) Resolution approving the final plat of Riverwoods of Milwaukee located on the West Side of North 91st Street and North of West Mill Road, in the 15th Aldermanic District. (DCD)
- Resolved, By the Common Council of the City of Milwaukee that the final plat of Riverwoods of Milwaukee, being a division of a part of the Northeast 1/4 of the Southeast 1/4 of Section 20, Township 08 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 8) [000230](#) Substitute resolution approving various final Certified Survey maps.

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

NAME	TAX KEY NUMBER(s)
RACM	313-2321-100
Owen Smith	321-2103-3
RACM	350-0456-100-5, 351-1628-100-5, -1632-100-7, -1633-6, -0453-100-9
Ezekiel Community Development	363-0853-100-1, -0857-7, -0858-2, -0859-100-4

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 9) Various resolutions approving/amending Land Disposition Reports in the 4th, 7th, 10th, 8th, 6th and 17th Aldermanic Districts:

- a) [000164](#) Resolution approving the Land Disposition Report for the property at 400 North Water Street for sale to Business Improvement District No. 2 for development of a public market, in the 4th Aldermanic District (Redevelopment Authority).
Whereas, On May 18, 2000, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin

Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated May 18, 2000, with respect to the proposed sale of the following described parcel is approved.

PROJECT

Blight Elimination/Historic Third Ward

PARCEL NUMBER

Disposition Parcel No. 397-03-01

PROPERTY ADDRESS

400 North Water Street

REDEVELOPER

Business Improvement District No. 2 or its assigns

Sponsors: Ald. Henningsen

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- b) [000259](#) Resolution amending the disposition of the surplus, improved, tax-deed property located at 2522 North 36th Street, in the 7th Aldermanic District. (DCD-Real Estate) Whereas, Common Council File No. 000212, adopted on June 13, 2000, declared surplus and directed that the Department of City Development sell 2522 North 36th Street via the open listing method; and

Whereas, Walker's Point Development Corporation, a nonprofit organization, has offered to purchase said property for \$500 for affordable housing purposes and

eventual resale to an owner-occupant; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell the surplus, improved, tax-deed property located at 2522 North 36th Street, Tax Key No. 327-0352-5, to Walker's Point Development Corporation at a fixed price of \$500; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- c) [000260](#) Resolution amending the disposition of the surplus, improved, tax-deed property located at 2019-21 North 31st Street, in the 17th Aldermanic District. (DCD-Real Estate)
- Whereas, Common Council File No. 991536, adopted on February 8, 2000, declared surplus and directed that the Department of City Development sell 2019-21 North 31st Street via the open listing method; and
- Whereas, Walker's Point Development Corporation, a nonprofit organization, has offered to purchase said property for \$500 for affordable housing purposes and eventual resale to an owner-occupant; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell the surplus, improved, tax-deed property located at 2019-21 North 31st Street, Tax Key No. 349-2509-1, to Walker's Point Development Corporation at a fixed price of \$500; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- d) [000262](#) Resolution amending the disposition of the surplus, improved, tax-deed property located at 1350-52 West Hadley Street, in the 10th Aldermanic District. (DCD-Real Estate)
- Whereas, Common Council File No. 981152, adopted on January 19, 1999, declared surplus and directed that the Department of City Development sell 1350-52 West Hadley Street via the open listing method and no offers were received; and
- Whereas, Joseph Purefoy has submitted an Offer to Purchase said property through a licensed real estate broker for \$5,000 and will become an owner-occupant; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell the surplus, improved, tax-deed property located at 1350-52 West Hadley Street, Tax Key No. 311-1115-4, to Joseph Purefoy for \$5,000 and to pay the appropriate broker's commission; and, be it
- Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said property and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106; and, be it
- Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring property into compliance with applicable building codes within the

time specified by the Department of Neighborhood Services or said property may revert back to the ownership of the City of Milwaukee upon action by the Common Council.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- e) [000263](#) Resolution amending the disposition of the surplus, vacant, tax-deed lots located at 2915, 2917-19 and 2921-23 West Greenfield Avenue, in the 8th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 990269, adopted on June 2, 1999, accepted an unsolicited Offer to Purchase the surplus, vacant, tax-deed lots located at 2915, 2917-19 and 2921-23 West Greenfield Avenue from Megal Development Corporation to construct a laundromat and banking facility; and

Whereas, Megal Development Corporation has canceled their offer; and

Whereas, Hughes Enterprises, Inc., has offered to purchase said surplus, vacant, tax-deed lots for \$25,000 to construct a laundromat; and

Whereas, Said lots will be combined with a privately-owned adjoining vacant lot to be purchased by Hughes Enterprises, Inc., to be included as part of the development site; and

Whereas, Closing the sale is contingent upon:

1. Full support of the active neighborhood group, Layton Boulevard West Neighborhood.
2. Purchase of the adjoining privately-owned property located at 2907-13 West Greenfield Avenue as evidenced by a recorded deed.
3. Submittal and approval of site and building plans to the Department of City Development, Planning Division.
4. Financial commitment in place to complete the project as proposed.

5. Closing must occur within 120 days from the date of adoption of this resolution.

6. Construction must be completed within 18 months from the date of closing as evidenced by a Certificate of Occupancy; and

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

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- f) [000264](#) Resolution amending the disposition of the surplus, improved, tax-deed property located at 2806-08 West Lisbon Avenue, in the 17th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 000212, adopted on June 13, 2000, declared surplus and directed that the Department of City Development sell 2806-08 West Lisbon Avenue via the open listing method; and

Whereas, Acts Community Development Corporation, a nonprofit organization, has offered to purchase said property for \$500 for affordable housing and development of an ice cream parlor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell the surplus, improved, tax-deed property located at 2806-08 West Lisbon Avenue, Tax Key No. 349-0952-100-0,

to Acts Community Development Corporation at a fixed price of \$500; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

g) [000274](#) Resolution approving the Land Disposition Report for the property at 2977-79 North 2nd Street for sale to Cedric D. Fleming for use as open space for his adjacent property in the 6th Aldermanic District. (Redevelopment Authority)

Whereas, On June 8, 2000, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated June 8, 2000, with respect to the proposed sale of the following property is approved.

PROJECT

North 2nd Street-West Locust Street

PARCEL NUMBER

Disposition Parcel No. 313-16-01

PARCEL ADDRESS

2977-79 North 2nd Street

REDEVELOPER

Cedric D. Fleming

Sponsors: Ald. Johnson-Odom

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- h) [000275](#) Resolution approving the Land Disposition Report for the properties in the vicinity of North 14th Street and West Juneau Avenue for sale to SOS Children's Villages of Wisconsin, Inc., for housing development and approving the blight designation of the City-owned lots in the area and two private parcels for acquisition by the Redevelopment Authority, in the 17th Aldermanic District (Redevelopment Authority).
- Whereas, On November 24, 1998, the Common Council of the City of Milwaukee adopted File No. 981155 that authorized sale of land owned by the Redevelopment Authority of the City of Milwaukee ("Authority") in the vicinity of North 14th Street and West Juneau Avenue to SOS Children's Village of Wisconsin, Inc., ("Redeveloper") for housing development; and
- Whereas, The Option to Purchase with the Redeveloper expired, but the Redeveloper has requested that the Option to Purchase be renewed so it can complete its fundraising activities and that the project be modified slightly; and
- Whereas, Since the project was first conceived, additional lots in the area have been acquired by the City of Milwaukee ("City") through tax foreclosure and would be suitable for this project or other area development, but first must be declared surplus to municipal needs and declared blighted pursuant to Section 66.431 of Wisconsin Statutes; and
- Whereas, The Authority also recommends the blight designation pursuant to Section 66.431 Wisconsin Statutes of two properties that the Redeveloper will acquire

privately and propose to convey to the Authority as part of sale consideration; and

Whereas, On June 8, 2000, the Authority held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

Whereas, The owners of the lots to be declared blighted waived their statutory right to receive official notices and the Public Hearing on the land sale concurrently addressed the blight designation of these lots; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated June 8, 2000, with respect to the proposed sale of the following described property is approved.

PROJECT

Blight/14th & Juneau

CURRENT AUTHORITY-OWNED PROPERTIES TO BE CONVEYED

1107, 1122, 1124-26, 1125A, 1132A and 1132-34 North 15th Street

REDEVELOPER

SOS Children's Villages of Wisconsin, Inc.

; and, be it

Further Resolved, That the following City-owned vacant lots are declared surplus to municipal needs and blighted pursuant to Section 66.431 of Wisconsin Statutes for conveyance to the Authority and that the proper City officials shall execute a deed to the Authority for subsequent conveyance to the Redeveloper according to the terms of the Land Disposition Report:

1434, 1506 and 1510-12 West Highland Avenue

1121 and 1125 North 15th Street

; and, be it

Further Resolved, That the blight designation pursuant to Section 66.431 of Wisconsin Statutes of the privately-owned lots at 1147 (Part) and 1423-25 West Juneau Avenue, currently under contract to the Redeveloper, is approved and that the Authority is authorized to accept title to these lots at the time of closing with the Redeveloper; and, be it

Further Resolved, That the City-owned lot at 1143-47 North 15th Street is declared surplus to municipal needs, is declared blighted pursuant to Section 66.431 of Wisconsin Statutes and that the proper City officials shall execute a deed to convey the property to the Authority for future development.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 10) [000267](#) Resolution declaring the vacant, tax-deed lot at 3249-51 West McKinley Boulevard surplus and accepting an unsolicited Offer to Purchase from Select Milwaukee, Inc., for a housemove site, in the 4th Aldermanic District. (DCD-Real Estate)

Whereas, Harley Davidson Corporation is in the process of parking lot construction and will be moving several residential buildings; and

Whereas, Harley Davidson Corporation has agreed to donate the home at 1115 North 37th Street to Select Milwaukee, Inc., provided that Select Milwaukee, Inc., obtain an appropriate site in a timeframe consistent with their construction schedule; and

Whereas, Select Milwaukee, Inc., has submitted an Offer to Purchase the vacant, tax-deed lot at 3249-51 West McKinley Boulevard, Tax Key No. 365-1426-6, containing 4,320 square feet, for the amount of \$1.00; and

Whereas, After the relocation, Select Milwaukee, Inc., will rehabilitate the home and market it for sale to an owner-occupant; and

Whereas, The Department of City Development's Historic Preservation Commission staff has approved the site and the home to be moved as compatible with the historic character of West McKinley Boulevard; and

Whereas, The Department of City Development recommends acceptance of said Offer in the amount of \$1.00 due to the expenses that will be incurred during the housemove process contingent upon submittal, review and approval of the site plan by the Department of City Development's Planning and Historic Preservation Commission staff; and

Whereas, Said lot is being sold in an "as is" condition and the City of Milwaukee makes no representations or warranties concerning the condition of the property, including but not limited to soil and subsoil condition; and

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

Resolved, By the Common Council of the City of Milwaukee that the vacant, tax-deed lot at 3249-51 West McKinley Boulevard is declared surplus, that said Offer to Purchase is accepted, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

Sponsors: Ald. Henningsen

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 11) [000276](#) Resolution clarifying conveyance of properties in the area of North 35th Street and West North Avenue for the Metcalfe Park Community Center and approving sale of a portion of the site to the Capital Christian Center for development of a daycare facility. (Redevelopment Authority)
- Whereas, On October 30, 1998, the Common Council of the City of Milwaukee adopted File No. 980914 to authorize the Redevelopment Authority of the City of Milwaukee ("Authority") to acquire several privately-owned properties in the vicinity of North 35th Street and West North Avenue and to convey these parcels to the Neighborhood Improvement Development Corporation ("NIDC") for development of the Metcalfe Park Community Center ("Center"); and

Whereas, NIDC, the Milwaukee Board of School Directors ("MBSD") and the Boys

and Girls Clubs of Greater Milwaukee, Inc. ("Boys and Girls Clubs") entered into a Development Agreement to provide for construction of the Center by NIDC and for use of the Center by MBSD and the Boys and Girls Clubs; and

Whereas, Acquisitions by the Authority and NIDC have been completed and construction of the Center has commenced, but a need exists to clarify the conveyance of land during construction to NIDC and to clarify conveyance of the completed Center to the City of Milwaukee ("City") in Trust for the MBSD and of the related recreational facilities to the City; and

Whereas, Several City-owned parcels in the area are also needed for construction of the Center and related recreational amenities; and

Whereas, The Authority also recently received a request from the Capital Christian Center to purchase a portion of the assembled site at the corner of North 35th Street and West North Avenue for development of a daycare center that would be available for employees of the Center as well as other area workers and residents; and

Whereas, On June 8, 2000, the Authority held a Public Hearing on the proposed conveyances 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 conveyances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated June 8, 2000, is approved and that the following properties shall be conveyed to the Neighborhood Improvement Development Corporation for construction of the Metcalfe Park Community Center:

From the Redevelopment Authority of the City of Milwaukee:

3300, 3324-28, 3400-02, 3404-10 and part of 3424-34 West North Avenue

2375 North 34th Street

From the City of Milwaukee:

3412-18 West North Avenue

2319 North 34th Street

2320 North 35th Street

3401 West Meinecke Avenue

; and, be it

Further Resolved, That the Authority is authorized to convey to the City the property at 2321 North 32nd Street to be combined with the City-owned park at 2350 North 33rd Street and developed with the National Football League play field, which will be under the jurisdiction of the Department of Public Works ("DPW"); and, be it

Further Resolved, That upon completion of construction, NIDC shall convey the completed Center to the City in Trust for the MBSD and shall convey the recreational facilities to the City under the jurisdiction of DPW; and, be it

Further Resolved, That the Authority is authorized to convey a portion of the land at the corner of North 35th Street and West North Avenue to Capital Christian Center, or its assigns, for development of a daycare center in accordance with the terms of the Land Disposition Report and the Option to Purchase; and, be it

Further Resolved, That the proper City officials and/or the MBSD are authorized to enter into an easement or other such agreement to allow for shared parking between the Capital Christian Center and MBSD and/or the City; and, be it

Further Resolved, Upon completion of construction and preparation of property surveys, minor modifications to conveyances of these properties may be made upon the recommendation of the Commissioner of Public Works, the Commissioner of the Department of City Development or the MBSD; and, be it

Further Resolved, That the proper City officials may execute any other easements to facilitate these developments and that the City may accept the necessary easements in this area upon the recommendation of the City Engineer.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

12) [000291](#) Resolution permitting a minor modification to the Detailed Planned Development

known as Honey Creek Corporate Center, located on the North Side of the East-West Freeway (I-94) and West of South 84th Street, in the 16th Aldermanic District. (DCD)

Whereas, Section 295-814(5) of the Milwaukee Code of Ordinances permits variation to planned developments after approval of the Common Council; and

Whereas, The detailed plan for a planned development known as Honey Creek Corporate Center for the third phase was approved by the Common Council of the City of Milwaukee on November 9, 1999, under File No. 990519; and

Whereas, The proposed additional building sign is consistent with the spirit and intent of the approved plan and will not adversely affect surrounding development and 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; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the minor modification to the approved plan permitting an additional building sign for the property located at 135 South 84th Street is approved.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 13) [000299](#) Resolution approving Amendment No. 5 to the Redevelopment Plan for the Downtown Retail Center Redevelopment Project in the 4th Aldermanic District. (Redevelopment Authority)
- Whereas, On May 30, 1978 the Redevelopment Authority of the City of Milwaukee ("Authority") and on May 22, 1978 the Common Council of the City of Milwaukee ("Common Council") adopted a Redevelopment Plan for the Downtown Retail Center Redevelopment Project ("Plan") and said Plan was modified by Amendment No. 1 on February 23, 1987 by the Authority and on February 24, 1987 by the Common Council, and by Amendment No. 2 on November 4, 1993 by the Authority and on November 24, 1993 by the Common Council, and by Amendment No. 3 on April 30, 1998 by the Authority and on May 27, 1998 by the Common Council, and by Amendment No. 4 on November 19, 1998 by the Authority and on January 19, 1999 by the Common Council; and

Whereas, The Authority desires to further modify the Plan to allow business services and office uses in additional areas of the Project Area and to provide guidelines for certain public corridors; and

Whereas, On June 8, 2000, following a Public Hearing held per Section 66.431, Wisconsin Statutes, the Authority approved Amendment No. 5 to the Plan and transmitted such Amendment to the Common Council for its approval; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Amendment No. 5 to the Redevelopment Plan for the Downtown Retail Center Redevelopment Project Area, a copy of which is part of an Authority resolution and attached to this Common Council File, is in all respects approved per Section 66.431(11)(b), Wisconsin Statutes; and, be it

Further Resolved, That the City Clerk is authorized and directed to transmit to the Authority a certified copy of this resolution for recording in the Office of the Register of Deeds of Milwaukee County.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 14) [000326](#) Substitute resolution declaring the City-owned property at 1027 North Edison Street surplus to municipal needs and authorizing an Option to Purchase with River Tower Associates, L.P. for multi-family development, in the 4th Aldermanic District. (DCD-Real Estate)

Whereas, The City of Milwaukee ("City") has received an unsolicited proposal from River Tower Associates, L.P. to purchase the former City-owned parking lot at 1027 North Edison Street for development of a multi-story residential building as outlined in the Land Disposition Report, a copy of which is attached to this Common Council File; and

Whereas, The property at 1027 North Edison Street is no longer used as a City employee parking lot and is no longer needed for construction staging of the Riverwalk and the Highland Avenue pedestrian bridge; and

Whereas, The Department of City Development has reviewed the proposed site plan

and building elevations and recommends granting an Option to Purchase to the prospective developer; and

Whereas, The developer has also agreed to construct a public plaza on a portion of the property to link the Highland Avenue pedestrian bridge to the Riverwalk and to North Edison Street and to grant to the City a Public Access Easement for use of the plaza; and

Whereas, The City Plan Commission has determined that this property is surplus to municipal needs; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City-owned property at 1027 North Edison Street is declared surplus to municipal needs and that the development proposal submitted by River Tower Associates, L.P. is accepted; and, be it

Further Resolved, That the Commissioner of the Department of City Development ("DCD") is authorized to execute an Option to Purchase and/or an Agreement for Sale on behalf of the City and to close the transaction according to the terms of the Land Disposition Report, upon DCD approval of site and building plans and submission of evidence of financing; and, be it

Further Resolved, That the City is authorized to accept a Public Access Easement on a portion of the property to ensure public use of the public plaza that the developer will construct on a portion of the site; and, be it

Further Resolved, That the City is authorized to accept other such easements for public infrastructure or utilities.

Sponsors: Ald. Henningsen

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

CONFIRMATION OF THE FOLLOWING:

- 15) Various reappointments:
- a) [000062](#) Reappointment of Georgia Cameron to the Board of Zoning Appeals by the Mayor.

(10th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- b) [000063](#) Reappointment of Donald Jackson to the Board of Zoning Appeals by the Mayor.
(4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- c) [000098](#) Reappointment of Juanita Hawkins to serve as Director of the Community Block Grant Administration by the Mayor.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

PLACING ON FILE THE FOLLOWING:

- 16) [991827](#) Ordinance relating to the change in zoning from Multi-Family Residence (R/C/40 and R/D/40) and Manufacturing (M/D/40) to Detailed Planned Development (DPD) for a planned development known as Garfield Street Apartments, on land located on the North Side of East Garfield Avenue and West of North Humboldt Boulevard, in the 6th Aldermanic District. (DCD)

Sponsors: THE CHAIR

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

The motion carried by the following vote:

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

THE COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [000327](#) Substitute resolution relative to Community Development Block Grant allocations for Summer Youth activities.(CBGA)

Sponsors: THE CHAIR

A motion was made by Ald. Richards that this matter be SUBSTITUTED. The motion carried by the following vote:

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

Whereas, The Community Development Committee on June 21, 2000, approved funding in the amount of \$150,000 for the Summer Youth grant program, as attached to this file, and the Common Council approved \$50,000 to Milwaukee Public Schools for Summer Youth activities; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that these funds are budgeted for the Community Block Grant Administration which is authorized to:

1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Enter into subrecipient contracts as detailed in the grant budget; and, be it

Further Resolved, That the Community Block Grant Administration is responsible for awarding subrecipient contracts of the 2000 approved activities for the Summer Youth grant program; and, be it

Further Resolved, That these projects are required to submit budget and activity

reports in amounts and according to any conditions approved by the Common Council and the Mayor attached to and made part of this file and in conformance with File Number 74-92-5v to the Community Block Grant Administration and the City Comptroller for their review and approval; and, be it

Further Resolved, That payments for CDBG costs incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Block Administration and City Comptroller of a Budget Forecast (CDA-51); and, be it

Further Resolved, That except as modified by this resolutions, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v fully applicable to the 2000 Community Development Entitlement Funding Program.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Henningsen Hines Jr.

PLACING ON FILE THE FOLLOWING:

- 2) [000339](#) Communication relative to a report on an analysis of Community Development Year-end closeouts.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Henningsen Hines Jr.

- 3) [000340](#) Communication relative to Community Development Year 2000 Schedules: Funding, Contract Execution and Program Start Up.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Henningsen Hines Jr.

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1) Substitute resolutions to vacate various streets and alleys:

a) [991280](#) Substitute resolution to vacate a portion of the East Side of North 124th Street from West Rohr Avenue to a point North approximately 190 feet, located North of West Rohr Avenue, in the 15th Aldermanic District.

Whereas, It is proposed that a portion of the East Side of North 124th Street from West Rohr Avenue to a point North approximately 190 feet, located North of West Rohr Avenue, be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, This proposed vacation has been reviewed in accordance with Section 81-308-28, Milwaukee Code of Ordinances; now, therefore, be it

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

That part of North 124th Street in the Northwest 1/4 of Section 31, Township 08 North, Range 21 East, described as follows: commencing at the Southwest corner of Parcel 1 of Certified Survey Map No. 5486; thence Northerly along the west line of Parcel 1, 179.00 feet to a point; thence Westerly and normal to said west line to a point lying 33.00 feet easterly of, as measured normal to, the west line of said 1/4 Section; thence Southerly parallel to the west line of said 1/4 Section to a point in the westerly extension of the south line of Parcel 1; thence Easterly along said westerly extension to the point of commencement, is vacated; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, such 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 of entrance, maintenance, construction and repair with reference thereto shall continue as if such portion of street had not been vacated.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- b) [991408](#) Substitute resolution to vacate the East-West alley from North 11th Street to North 12th Street and a portion of the North-South alley, located between West Wisconsin Avenue and West Wells Street, in the 4th Aldermanic District.

Whereas, It is proposed that the East-West alley from North 11th Street to North 12th Street and a portion of the North-South alley, located between West Wisconsin Avenue and West Wells Street, be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, This proposed vacation has been reviewed in accordance with Section 81-308-28, Milwaukee Code of Ordinances; now, therefore, be it

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

All that part of the alleys in Block 185 of A. Eldred's Subdivision, a recorded subdivision, in the Northwest 1/4 of Section 29, Township 07 North, Range 22 East, described as follows:

All of the East-West 20.00 foot wide alley, as platted, lying between the west line of North 11th Street, extended, and the east line of North 12th Street, extended, and that part of the North-South 20.00 foot wide alley, as platted, lying between the north line of the East-West alley and a line drawn between the Southwest corner of Lot 1 and the Southeast corner of Lot 14 in said Block 185, is vacated; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, such 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 of entrance, maintenance, construction and repair with reference thereto shall continue as if said portions of alley had not been vacated.

Sponsors: THE CHAIR

Ald. Scherbert presented a substitute resolution to be substituted in lieu of the substitute resolution recommended for adoption by the Public Improvements Committee and moved for its acceptance.

The motion prevailed.

Ald. Scherbert moved for adoption of the substitute resolution.

The motion prevailed.

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

2) Substitute resolutions granting/amending various special privileges:

a) [000032](#) Substitute resolution amending a special privilege to Woman's Club of Wisconsin, that granted permission for a platform with step, a double door swing encroachment, an entry step, a covered walk, two exterior building lights and two planting areas with raised brick edging at 813 East Kilbourn Avenue, to now add permission for two sidewalk planters placed on either side of the existing covered walk, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, Common Council Resolution File Number 960959 was adopted on November 26, 1996, granting a special privilege to Woman's Club of Wisconsin to construct and maintain a concrete step with platform and a double door swing encroachment over the platform at the main entrance to their building and to keep and maintain a covered walk, a step, two lights attached to the building face and two planting areas with raised brick edging all within the public right-of-way on the south side of East Kilbourn Avenue; and

Whereas, Women's Club of Wisconsin now wishes to place and maintain two sidewalk planters in the public right-of-way, one on either side of the existing covered walk; and

Whereas, The aforementioned items may only legally occupy City of Milwaukee public right-of-way by the granting of a special privilege; now, therefore, be it

Resolved. By the Common Council of the City of Milwaukee that Common Council Resolution File Number 960959 granted to Woman's Club of Wisconsin, is hereby

rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee, that Woman's Club of Wisconsin, 813 East Kilbourn Avenue, Milwaukee, WI 53202, is hereby granted the following special privileges:

1. To place and maintain two 30 inch by 39-inch, 34.5-inch high above-ground sidewalk planters within the 18-foot wide public sidewalk area on the south side of East Kilbourn Avenue, one on either side of a covered walk at the main entrance to the building at 813 East Kilbourn Avenue. Said planters shall be placed north of and outside of the 6-foot wide concrete sidewalk at this location. The planters are to be placed near the vertical supports for the covered walk, with the north edge approximately 5 feet from the present curb. The plant material shall be approved by and maintained to the satisfaction of the City Forester.
2. To keep and maintain a semicircular 10-foot wide, 5-foot 8-inch deep platform with step on the south side of East Kilbourn Avenue adjacent to 813 East Kilbourn Avenue. The platform and step is centered approximately 95.5 feet east of the eastline of North Cass Street and encroaches a maximum of 5 feet 8 inches into the 18-foot wide public sidewalk area on the south side of East Kilbourn Avenue, leaving approximately 12 feet 4 inches for general pedestrian usage and providing a 6-foot wide paved path for through pedestrians. A handrail is installed at the center and at each end of the platform.
3. To use and maintain one excess double door swing encroachment at the building known as 813 East Kilbourn Avenue that, when fully opened, projects into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of Ordinances. The double door is located on the south side of East Kilbourn Avenue, centered approximately 95.5 feet east of the eastline of North Cass Street and its maximum encroachment is approximately 3 feet, swinging out over the new 5-foot 8-inch deep platform.
4. To keep and maintain an existing 10-foot wide, 18-foot long covered walk. Said covered walk is centered approximately 95.5 feet east of the eastline of North Cass Street and encroaches approximately 18 feet into the 18-foot wide public sidewalk area on the south side of East Kilbourn Avenue adjacent to 813 East Kilbourn Avenue. The covered walk shall be supported by the building at one end and by vertical supports centered approximately 7.5 feet south of the present curbline. There shall be an approximately 9-foot wide opening between the vertical supports, which parallel the curb face. The minimum vertical clearance between the edge of the covered walk and the sidewalk shall be at least 8 feet. The covered walk structure shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot and wind pressures of 20 pounds per square foot applied in

any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 7 feet above the sidewalk level. The covering shall be of any approved material. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walk. The name, street number, or character of the business may be indicated only on the vertical portion of the covering and not to exceed 12 inches in height.

5. To keep and maintain an existing 9.5-foot wide, 1.5-foot deep step with a platform on the south side of East Kilbourn Avenue adjacent to 813 East Kilbourn Avenue. The step with platform is centered approximately 42 feet east of the eastline of North Cass Street and encroaches 1.5 feet into the 18-foot wide public sidewalk area on the south side of East Kilbourn Avenue.

6. To keep and maintain two lights attached to the building wall, one on each side of the main entrance doors. The two lights are located approximately 90.5 feet and 200.5 feet east of the eastline of North Cass Street and encroach approximately 1.5 feet into the public right-of-way. Said lamps shall have a vertical clearance of not less than 7 feet above the adjacent sidewalk grade.

7. To keep and maintain two 4-foot wide planting areas surrounded by raised brick edging on the south side of East Kilbourn Avenue adjacent to the building at 813 East Kilbourn Avenue. Said planting areas are 37.5 feet and 35.5 feet long and centered approximately 19 feet and 65 feet east of the eastline of North Cass Street, respectively, and encroach approximately 4 feet into the public right-of-way of East Kilbourn Avenue.

Said planters, steps, platform, covered walk, lights and brick edging shall be installed, used and maintained to the satisfaction of the Commissioners of Public Works and Neighborhood Services. All necessary permits shall be obtained from the Commissioners of Public Works and Neighborhood Services/City Development.

Said items shall be kept, 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 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, Woman's Club of Wisconsin, shall:

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

2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$5,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$232.88. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- b) [000033](#) Substitute resolution amending a special privilege granted to Barbieri's Italian Inn, Ltd. to construct and maintain a concrete stoop with risers and iron railing in the

public right-of-way adjacent to the property located at 5901 West Bluemound Road, to now change the name of the grantee of the special privilege to Richard J. McGinn, in the 16th Aldermanic District in the City of Milwaukee.

Whereas, Barbieri's Italian Inn, Ltd. was granted a special privilege under Common Council Resolution File 84-1291, on December 11, 1984, to construct and maintain a concrete stoop with risers and iron railing encroaching into the public right-of-way on the west side of North 59th Street, adjacent to the building at 5901 West Bluemound Road; and

Whereas, The current owner of the property is Richard J. McGinn and should now be named as the grantee of the special privilege; and

Whereas, The concrete stoop with risers and iron railing may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 84-1291 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Richard J. McGinn, 5903 West Bluemound Road, Milwaukee, WI 53213, is hereby granted the following special privilege:

To keep, use and maintain a reinforced concrete stoop with three risers and an iron railing. The three risers are approximately 7 inches each and two tread surfaces are approximately 10 inches each and this item is constructed parallel to the building. The iron railing has one intermediate rail in addition to the top rail and is placed along the east edge of the risers and stoop and also along the south edge of the stoop. The actual encroachment of the stoop and risers extending into the 15-foot wide west sidewalk area of North 59th Street is approximately 1-foot 11-inches for a length of approximately 5 feet 8 inches. The stoop and risers are centered approximately 43 feet south of the southline of West Bluemound Road.

The stoop, risers and railing shall be used and maintained to the approval of the Departments of Public Works and Neighborhood Services. Said stoop, risers and railing shall be removed from the public right-of-way at such future time that they are no longer needed, to the satisfaction of the Commissioners of Public Works and Neighborhood Services

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Richard J. McGinn, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$2,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- c) [000084](#) Substitute resolution granting a special privilege to Wisconsin Lutheran College Conference, Inc. to install and maintain underground communication cabling under and across North 89th Street, extending between 529 North 89th Street and 8890 West Bluemound Road, in the 16th Aldermanic District in the City of Milwaukee. Whereas, Wisconsin Lutheran College Conference, Inc., desires to install and maintain communication cabling within North 89th Street to connect the facilities at 529 North 89th Street and 8890 West Bluemound Road; and

Whereas, Said communication cabling may only be permitted to occupy the public right-of-way by the adoption of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Wisconsin Lutheran College Conference, Inc., 8800 West Bluemound Road, Milwaukee, WI 53226 is hereby granted the following special privilege:

To install and maintain a 3-inch diameter PVC conduit under and across North 89th Street, beginning at a point on the westline of North 89th Street, approximately 198 feet north of the northline of West Bluemound Road, and extending approximately 60 feet east to a point on the eastline of North 89th Street.

Said conduit is proposed to be located approximately 2 feet below grade. Grantee shall provide "as-built" plans of the conduit installation to the City Engineer in a timely manner.

The communication cabling conduit shall be installed, operated and maintained to the approval of the Departments of Public Works and Neighborhood Services. The grantee shall procure the necessary permits from the Departments of City Development/Neighborhood Services and Public Works

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Wisconsin Lutheran College Conference, Inc., a Wisconsin corporation, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$2,000.00

such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$60.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

7. Not now or in the future use the cable communication facility in a manner that will conflict with the provisions of Chapter 99 of the Code of Ordinances regarding the transmission and distribution of video entertainment programming to subscribers.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

d) [000110](#) Substitute resolution granting a special privilege to Anthony Depalma to construct and maintain a front porch encroaching into the public way at 1852-54 East Kenilworth Place, in the 3rd Aldermanic District in the City of Milwaukee.

Whereas, The applicant wishes to construct a front porch structure with handicap accessibility, that will encroach approximately 4 feet into the approximately 12-foot wide public sidewalk area at the northeast side of East Kenilworth Place, adjacent to the premises at 1852-54 East Kenilworth Place; and

Whereas, The proposed front porch structure may only encroach into the public right-of-way by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Anthony DePalma, 1854 East Kenilworth Place, Milwaukee, WI 53202 is hereby granted the following special privileges:

To construct and maintain a front porch, that will encroach 4 feet into the approximately 12-foot wide public sidewalk area on the north side of East Kenilworth Place, adjacent to 1852-54 East Kenilworth Place. The porch, which is approximately 29 feet 9 inches wide and approximately 8-inches above grade, begins at a point approximately 72 feet northwest of the westline of North Farwell Avenue and extends northwest. The deck structure consists of a concrete floor with wood posts and a 3-foot 8-inch high decorative wrought iron railing enclosing the outside of the porch structure. A ramp for handicap accessibility is incorporated into the concrete floor at the east end of the porch structure.

Said porch structure encroachment shall be constructed, kept and/or maintained to the approval of the Departments of Public Works and Neighborhood Services and all necessary permits shall be procured from the Departments of Public Works and Neighborhood Services/City Development. No alteration or replacement of any item may be made without the written approval of these Departments

;and, be it

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

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the

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

3. Pay to the City Treasurer an annual fee which has an initial amount of \$159.65. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 3) [000245](#) Substitute resolution approving construction of nonassessable public improvement projects at various locations.
- Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

Whereas, Additional funds must be authorized to undertake the following improvements:

14th Aldermanic District

E. Idaho St. - S. Pine Ave. to S. Logan Ave. (SM495000182) File Number 000117: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund - \$190,000)

S. Logan Ave. - E. Idaho St. to E. Manitoba St. (SM495000409) File Number 000117: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund - \$172,000)

S. Pine Ave. - E. Montana St. to E. Idaho St. (SM495000181) File Number 000117: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund - \$39,000); and

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

3rd Aldermanic District

E. Bellevue Pl. - 20 feet m/l west of N. Stowell Ave. to N. Downer Ave. (WT410001081) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$62,000)

4th Aldermanic District

N. Edison St. - E. Highland Ave. to E. Juneau Ave. (WT41001045) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$92,000)

N. Edison St. - E. Juneau Ave. to 280 feet m/l north of E. Juneau Ave. (WT41001044) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$62,000)

5th Aldermanic District

N. 92nd St. (West Side) - W. Elmore Ct. (Extended) to W. Melvina St. (SM495000405) File Number 991497: Relay storm sewer. (Nonassessable Relief and Relay Sewer Fund -- \$173,000)

N. 93rd St. - W. Elmore Ct. to W. Melvina Ave. (SM495000187) File Number 991183: Relay storm sewer. (Nonassessable Relief and Relay Sewer Fund --

\$205,000)

N. 98th St. - W. Melvina St. to W. Capitol Dr. (SM495000410) File Number 991919: Relay storm sewer. (Nonassessable Relief and Relay Sewer Fund -- \$110,000)

W. Melvina St. - N. 93rd St. to N. 98th St. (SM495000191) File Number 991183: Relay storm sewer. (Nonassessable Relief and Relay Sewer Fund -- \$415,000)

6th Aldermanic District

Lapham Park Development - Area bounded by W. Brown St., W. Reservoir Ave., W. Vine St., N. 6th St. and N. 8th St. (WK68320013) File Number 000246: Install sanitary sewers. Install combined and building sewers. (Developer Sewer Fund -- \$452,000)

11th Aldermanic District

S. 54th St. - W. Midland Dr. to W. Forest Home Ave. (WT410001075) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$58,000)

S. 58th St. - S. Honey Creek Dr. to W. Plainfield Ave. (WT41001027) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$85,000)

S. 77th St. - W. Eden Pl. to W. Warnimont Ave. (WT41001029) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$55,000)

W. Eden Pl. - S. 77th St. to S. 79th St. (WT41001043) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$105,000)

W. Jerelyn Pl. - S. 52nd St. to S. 53rd St. (WT410001073) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$63,000)

W. Lakefield Dr. - A Point east of S. 60th St. to S. 60th St. (ST21490138) File Number 981682: Concrete pavement construction (inverted crown), place curb and gutter, sidewalk and driveway approaches where needed. Sodding, grading, and tree removal where necessary. (Developer Paving Fund -- \$61,300)

12th Aldermanic District

W. St. Paul Ave. - N. 10th St. to N. 12th St. (SM495000402) File Number 991497: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$47,000)

13th Aldermanic District

S. 23rd St. - 100 feet m/l south of W. Ramsey Ave. to W. Henry Ave.
(WT410001080) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$55,000)

W. Clayton Crest Ave. - S. 26th St. to S. 27th St. (WT41001040) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$65,000)

W. Henry Ave. - S. 25th Ct. to S. 26th St. (WT410001083) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$46,000)

W. Iona Tr. - W. Green Ave. to S. 31st St. (WT41001052) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$85,000)

W. Vogel Ave. - S. 14th St. to 75 feet m/l west of S. 16th St. (WT410001076) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$140,000)

15th Aldermanic District

W. Green Tree Rd. - N. 107th St. to N. 114th St. (ST21490101/ST211000175) File Number 940475: Asphalt pavement construction (rural cross section) (Nonassessable Reconstruction Paving Fund -- \$7,600; Developer Paving Fund -- \$24,200)

Various Aldermanic Districts

Various locations: Sanitary Manhole Rehabilitation (Nonassessable Relief and Relay Sewer Fund -- \$954,000)

Various locations within the City of Milwaukee (WT410001520) File Number 000246: Water main relays and alterations mandated by sewer work. (Nonassessable Water Fund -- \$75,000)

St. Francis

S. Delaware Ave. - E. Allerton Ave. to E. Van Norman Ave. (WT41091183) File Number 961875: Relay water main. (Nonassessable Water Fund -- \$55,000)

E. Norwich St. - S. Caufield Ave. to S. Shannon Ave. (WT41091185) File Number 970061: Relay water main. (Nonassessable Water Fund -- \$65,000)

;now, therefore, be it

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 4) [000246](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations.
- Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:
- 4th Aldermanic District
- N. 27th St. - W. Richardson Pl. to W. Hazelton Ct. (SM495010515): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$25,000) (2001 Program)
- 4th and 8th Aldermanic Districts
- N. 26th St. - W. Greves St. to W. St. Paul Ave. (SM495010518): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$25,000) (2001 Program)
- 6th Aldermanic District
- N. 1st St. - E./W. North Ave. to E./W. Meinecke Ave. (SM495010523): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$20,000) (2001 Program)
- Lapham Park Development - Area bounded by W. Brown St., W. Reservoir Ave., W. Vine St., N. 6th St. and N. 8th St. (WK68320013): Install sanitary sewers. Install combined and building sewers.

8th Aldermanic District

S. 8th St. - W. Montana St. to W. Dakota St. (SM495010521): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$10,000) (2001 Program)

10th Aldermanic District

N. 46th St. - W. Townsend St. to W. Keefe Ave. (SM495010545): Relay storm sewer. (Nonassessable Relief and Relay Sewer Fund -- \$7,000) (2001 Program)

11th Aldermanic District

W. Ohio Ave. - S. 67th St. to S. 70th St. (SM495010526): Relay sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$10,000) (2001 Program)

S. 67th St. - W. Euclid Ave. to W. Ohio Ave. (SM495010528): Relay sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$9,000) (2001 Program)

14th Aldermanic District

E. Becher St. - S. Robinson Ave. to S. Kinnickinnic Ave. (SM495010524): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$10,000) (2001 Program)

S. Burrell St. - E. Clarence St. to E. Deer Pl. (SM495010527): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$10,000) (2001 Program)

S. Mound St. - E. Bay St. to E. Lincoln Ave. (SM495010525): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$10,000) (2001 Program)

S. 13th St. - W. Euclid Ave. to W. Ohio Ave. (SM495010179): Relay sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$7,000) (2001 Program)

16th Aldermanic District

N. 36th St. (SE-549) - W. Juneau Ave. to W. McKinley Ave. (SM495010522): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$15,000) (2001 Program)

17th Aldermanic District

N. 26th St. - W. Cherry St. to W. Walnut St. (SM495010516): Relay combined

sewer. (Nonassessable Relief and Relay Sewer Fund -- \$25,000) (2001 Program)

N. 37th St. - W. Meinecke Ave. to W. Wright St. (SM495000411): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$10,000) (2001 Program)

Various Aldermanic Districts

Various locations within the City of Milwaukee (WT410001520): Watermain relays and alterations mandated by sewer work.

;and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 5) [000257](#) Resolution directing the Department of City Development to prepare a resolution to vacate the right-turn bypass located at the Southwest corner of West Kilbourn Avenue and North Prospect Avenue, in the 4th Aldermanic District. (DCD)

Whereas, It has been proposed by the Department of City Development that the right-turn bypass located at the Southwest corner of West Kilbourn Avenue and North Prospect Avenue be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, The vacation of said right-turn bypass is necessary for redevelopment; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is directed to prepare a resolution to vacate said right-turn bypass in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 6) [000265](#) Resolution removing a deed restriction from a former tax-deed vacant lot at 907-11 South 5th Street in the 12th Aldermanic District. (DCD-Real Estate)

Whereas, Pursuant to Common Council File No. 912384, the City of Milwaukee conveyed to Leader Cards, Inc. by a Quit Claim Deed dated November 11, 1992, a tax-deed vacant lot at 907-11 South 5th Street that adjoined its property at 913 South 5th Street; and

Whereas, The deed of conveyance contained restrictions that the land conveyed therein "shall be used as open space and no principal buildings may be erected thereon," to join the lot with the buyer's adjoining property to create a single parcel and that the combined parcel shall not be divided without the approval of the Common Council of the City of Milwaukee; and

Whereas, Leader Cards, Inc. is in the process of business expansion and will be erecting a new structure on the combined parcel; and

Whereas, Removal of the deed restriction is required for the property owner to develop the proposed business expansion; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to execute the necessary legal documents to remove the restrictions contained in the deed dated November 11, 1992, to allow for development of the property.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 7) [000266](#) Resolution declaring as surplus and authorizing the disposition of the improved,

tax-deed property located at 2009-11 North 29th Street, in the 17th Aldermanic District. (DCD-Real Estate)

Whereas, Milwaukee Habitat for Humanity, Inc., a nonprofit organization, has offered to purchase said property for \$500 for affordable housing purposes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that 2009-11 North 29th Street, Tax Key No. 349-0862-5, is declared surplus and that the Department of City Development is authorized and directed to sell said property to Milwaukee Habitat for Humanity, Inc., at a fixed price of \$500; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 8) [000295](#) Resolution authorizing the Commissioner of Public Works to issue a permit allowing excavation in the 1800 block of North Commerce Street where the pavement is less than three years old. (Department of Public Works)

Whereas, Various utility providers need to serve the housing development under construction at 1801 North Commerce Street; and

Whereas, To provide laterals for public and private utilities one or more open cuts in the street pavement will be required; and

Whereas, The 1800 block of North Commerce Street has been recently paved and is under guarantee; 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 one or more excavation permits allowing installation of lateral utility connections to property located at 1801 North Commerce Street, said installations required cuts in the guaranteed pavement of the street; and, be it

Further Resolved, That the pavement restoration of the affected street shall be accomplished in accordance with the specifications and restrictions established by the Department of Public Works of the City of Milwaukee

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 9) [000308](#) Substitute resolution authorizing and directing the City Comptroller to transfer additional funds to various State and/or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs.

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

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

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

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

Infrastructure Services Division Accounts

Project Grant Value
ST30180701

West Fond du Lac Avenue
North 36th Street to North 19th Street

City Share
ST320000000
Fund 0333
\$6,250

Grantor Share
SP032000100
Fund 0306
\$18,750

Estimated Total
\$25,000

Project Grant Value
ST30180801
Sixth Street Viaduct Over Menomonee Valley

City Share
ST320000000
Fund 0333
\$2,500

Grantor Share
SP032000100
Fund 0306
\$17,500

Estimated Total
\$20,000

Project Grant Value
ST30281701
North 124th Street
West Hampton Avenue to West Silver Spring Drive

City Share
ST320000000
Fund 0333
\$1,000

Grantor Share
SP032000100
Fund 0306
\$4,000

Estimated Total
\$5,000

Project Grant Value
ST30282101
South Lincoln Memorial Drive
East Russell Avenue to South Carferry Drive

City Share
ST320000000
Fund 0333
\$1,000

Grantor Share
SP032000100
Fund 0306
\$4,000

Estimated Total
\$5,000

Project Grant Value
ST30282301
East Russell Avenue
South Lincoln Memorial Drive to South Kinnickinnic Avenue

City Share
ST320000000
Fund 0333
\$1,000

Grantor Share
SP032000100
Fund 0306
\$4,000

Estimated Total
\$5,000

Project Grant Value
ST30381701
West Fond du Lac Avenue
West Capitol Drive to North 36th Street

City Share
ST320000000
Fund 0333
\$11,250

Grantor Share
SP032000100
Fund 0306
\$28,750

Estimated Total
\$40,000

Project Grant Value
ST30480310
East Oklahoma Avenue
South Clement Avenue to Lake Parkway

City Share
ST320000000
Fund 0333
\$600

Grantor Share
SP032000100
Fund 0306
\$2,400

Estimated Total
\$3,000

Project Grant Value
ST30681801
North 35th Street
West Highland Boulevard to West Townsend Street

City Share

ST320000000
Fund 0333
\$20,000

Grantor Share
SP032000100
Fund 0306
\$80,000

Estimated Total
\$100,000

Project Grant Value
ST30781901 West Good Hope Road
North 124th Street to USH 41/45

City Share
ST320000000
Fund 0333
\$1,500

Grantor Share
SP032000100
Fund 0306
\$1,500

Estimated Total
\$3,000

Project Grant Value
ST30881101
South 13th Street
Union Pacific Railroad Underpass

City Share
ST320000000
Fund 0333
\$1,600

Grantor Share
SP032000100
Fund 0306
\$6,400

Estimated Total
\$8,000

Project Grant Value
ST30882301
North Range Line Road
West Good Hope Road to North Green Bay Avenue

City Share
ST320000000
Fund 0333
\$5,000

Estimated Total
\$5,000

Project Grant Value
ST32091701
North Dr. Martin Luther King, Jr. Drive
West Burleigh Street to West Keefe Avenue

City Share
ST320000000
Fund 0333
\$4,000

Grantor Share
SP0323000100
Fund 0306
\$16,000

Estimated Total
\$20,000

Project Grant Value
ST30683310
South 35th Street Viaduct
Rehabilitation (Phase I)

City Share
ST320000000
Fund 0333

\$600

Grantor Share
SP032000100
Fund 0306
\$2,400

Estimated Total
\$3,000

Project Grant Value
ST30683801
North Milwaukee Street
East Kilbourn Avenue to East Ogden Avenue

City Share
ST320000000
Fund 0333
\$1,000

Grantor Share
SP032000100
Fund 0306
\$4,000

Estimated Total
\$5,000

Project Grant Value
ST30881401
North Sherman Boulevard
Lincoln Creek Bridge

City Share
ST320000000
Fund 0333
\$6,000

Grantor Share
SP032000100
Fund 0306
\$24,000

Estimated Total
\$30,000

TOTAL:

City Share ST320000000 (Fund 0333) \$63,300
Grantor Share SP032000100 (Fund 0306) \$213,700

TOTAL \$277,000

Further Resolved, That the City Comptroller is hereby authorized and directed to transfer additional amounts to any of these project grant value the amount required under the grant agreements and City Accounting Policy but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 10) [000310](#) Substitute resolution granting permission to Milwaukee County to install and use for an interim period an overhead cable to security cameras across North 28th Street, between West Wells Street and West Wisconsin Avenue, serving the building at 2711 West Wells Street, in the 4th Aldermanic District.
- Whereas, Milwaukee County proposes to undertake some environmental cleanup and remodeling of their facilities presently located in the Courthouse Annex and it will be necessary to relocate the employees in that building during this work; and
- Whereas, They propose to relocate those employees to their building located at 2711 West Wells Street; and
- Whereas, That building is supported by a parking lot located on the west side of North 28th Street, being directly west of the building; and
- Whereas, It has been determined that the present radio/microwave methodology to carry the security camera signals across North 28th Street is not able to provide for continuous viewing/recording of all cameras and the methodology to provide this is a "hard-wire" connection; and

Whereas, Since there are no other overhead lines in this vicinity, an underground connection would be required; and

Whereas, Since their period of occupancy, based upon present estimates, is short-term from August of 2000 to March of 2004, we have determined that it is in the public's interest to allow for an interim overhead connection; and

Whereas, Any occupancy of this type of public right-of-way usage requires that permission be sought and obtained from the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Milwaukee County through its Department of Public Works is hereby allowed to install and use an aerial cable to provide an interim "hard-wire" connection for its security cameras located as follows:

Crossing the west curblineline of North 28th Street, approximately 31.5 feet south of the south curblineline of West Wells Street, and the east curblineline of North 28th Street, approximately 47 feet south of the south curblineline of West Wells Street, and providing a minimum of 22 feet of vertical clearance above the roadway (estimated to be at the west curblineline);

and, be it

Further Resolved, That this permission is granted only on condition that Milwaukee County shall:

1. Hold the City of Milwaukee or its agents harmless and accept responsibility for any and all liabilities that may arise through installation, usage and removal of the permission granted herein.
2. Obtain any City of Milwaukee DPW or DCD permits necessary for the interim overhead cable.
3. Install the cable as proposed and herein described.
4. Maintain the cable from creating a hazardous condition, to the satisfaction of the Commissioner of Public Works.
5. Remove the cable at the end of the interim period, presently estimated to occur in March/April of 2004.
6. Notify the City Engineer in writing, when the cable has been removed.

7. Agree to seek further approval, if the interim period is to extend beyond April 15, 2004.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 11) [000311](#) Resolution approving the new Lease Agreement with Minergy Products, LLC for 4.25 acres. (Port of Milwaukee)

Resolved, By the Common Council of the City of Milwaukee that said Common Council hereby ratifies and approves the Lease Agreement between the City, by and through its Board of Harbor Commissioners, and Minergy Products, LLC, to lease 4.25 acres on South Carferry Drive at East Bay Street for the initial period between June 1, 2000 and May 31, 2015; now, therefore, be it

Further Resolved, That the designated officers of said government and of said Board of Harbor Commissioners are hereby authorized and directed to execute an agreement to carry out this purpose, with the agreement as prepared by the City Attorney's office.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 12) [000312](#) Resolution determining it necessary to make various assessable public improvements at various locations. (Infrastructure Services Division)

Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of

Ordinances:

8th Aldermanic District

Alley between W. Becher St., W. Rogers St., S. 33rd St. and S. 34th St.
(ST212010146): Paving the alley with concrete. Doing all the necessary grading
pertaining to said work. (Nonassessable Alley Paving Fund -- \$1,000) (2001
Program)

;and, be it

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

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

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom,
Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez,
Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 13) Resolutions authorizing the Commissioner of Public Works to install necessary traffic control
facilities for various paving projects:
- a) [000313](#) Resolution relative to the cost participation and installation of traffic control devices in
conjunction with the Federal/State Aid paving of North 35th Street from West North
Avenue to West Townsend Street in the 7th, 10th, and 17th Aldermanic Districts.
(Infrastructure Services Division)
- Whereas, The Surface Transportation Program provides cost participation for traffic

control improvements in conjunction with the paving of highways located on the Federal/State Aid Highway System; and

Whereas, Common Council Resolution File Number 951218 adopted on December 19, 1995 authorized and directed the Commissioner of Public Works to execute an agreement for programming and construction of the improvement of North 35th Street from West North Avenue to West Townsend Street with Federal/State Aid under the Surface Transportation Program; and

Whereas, The total estimated cost of these projects is \$ 38,000 for the alteration and upgrading of traffic control signals and the upgrading of traffic control signs; and

Whereas, Twenty percent of the participating costs or \$ 7,600 is non-reimbursable and is included in the Division's 2000 Capital Purpose Project/Grant Number ST32090000; and

Whereas, Eighty percent of the participating project cost or \$ 30,400 is reimbursable from the Wisconsin Department of Transportation, and this amount is not included in Division accounts, and should be earmarked for this project in the 2000 Capital Grant and Aid Projects Fund Project/Grant Number SP03290100; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to execute a contract with the Wisconsin Department of Transportation pertaining to the cost participation for the installation and/or modification of traffic control facilities in conjunction with the improvements to North 35th Street from West North Avenue to West Townsend Street with agreed unit prices based on a predetermined estimate prepared under the Federal/State aided highway program; and, be it

Further Resolved, That upon approval of this contract, the Commissioner of Public Works is authorized and directed to install or modify the traffic control facilities necessary in conjunction with the paving of these Federal/State aided highway improvements; 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 Number for this project and transfer to this number the amounts required under the contract provisions but not to exceed a ten percent increase in those amounts set aside for the Grantor's Share and the City's Share as follows:

Location:

North 35th Street from West North Avenue to West Townsend Street, ID

#2100-08-90.

Transfer from Project/Grant Number SP03290100, Grantor's Share (WISDOT),
Estimated Cost - \$30,400.

Transfer from Project/Grant Number ST32090000, City's Share, Estimated Cost -
\$7,600.

Total to be transferred to Project/Grant Number ST30681815, \$38,000.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom,
Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez,
Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- b) [000314](#) Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of West Burleigh Street from North 60th Street to North Sherman Boulevard in the 2nd and 7th Aldermanic Districts. (Infrastructure Services Division)
- Whereas, The Surface Transportation Program provides cost participation for traffic control improvements in conjunction with the paving of highways located on the Federal/State Aid Highway System; and
- Whereas, Common Council Resolution File Number 961922 adopted on April 22, 1997 authorized and directed the Commissioner of Public Works to execute an agreement for programming and construction of the improvement of West Burleigh Street from North 60th Street to North Sherman Boulevard with Federal/State Aid under the Surface Transportation Program; and
- Whereas, The total estimated cost of these projects is \$54,000 for the alteration and upgrading of traffic control signals and the upgrading of traffic control signs; and
- Whereas, Twenty percent of the participating costs or \$10,800 is non-reimbursable and is included in the Division's 2000 Capital Purpose Project/Grant Number ST32090000; and
- Whereas, Eighty percent of the participating project cost or \$43,200 is reimbursable from the Wisconsin Department of Transportation, and this amount is not included in Division accounts, and should be earmarked for this project in the 2000 Capital Grant

and Aid Projects Fund Project/Grant Number SP03290100; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to execute a contract with the Wisconsin Department of Transportation pertaining to the cost participation for the installation and/or modification of traffic control facilities in conjunction with the improvements to West Burleigh Street from North 60th Street to North Sherman Boulevard with agreed unit prices based on a predetermined estimate prepared under the Federal/State aided highway program; and, be it

Further Resolved, That upon approval of this contract, the Commissioner of Public Works is authorized and directed to install or modify the traffic control facilities necessary in conjunction with the paving of these Federal/State aided highway improvements; 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 Number for this project and transfer to this number the amounts required under the contract provisions but not to exceed a ten percent increase in those amounts set aside for the Grantor's Share and the City's Share as follows:

Location:

West Burleigh Street from North 60th Street to North Sherman Boulevard, ID #2555-04-90.

Transfer from Project/Grant Number SP03290100, Grantor's Share (WISDOT), Estimated Cost - \$43,200.

Transfer from Project/Grant Number ST32090000, City's Share, Estimated Cost - \$10,800.

Total to be transferred to Project/Grant Number ST30781415, \$54,000.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- c) [000316](#) Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of West Fond du Lac Avenue from West Capitol Drive to North 36th Street in the 10th Aldermanic District.
(Infrastructure Services Division)

Whereas, The Surface Transportation Program provides cost participation for traffic control improvements in conjunction with the paving of highways located on the Federal/State Aid Highway System; and

Whereas, Common Council Resolution File Number 971662 adopted on March 3, 1998 authorized and directed the Commissioner of Public Works to execute an agreement for programming and construction of the improvement of West Fond du Lac Avenue from West Capitol Drive to North 36th Street with Federal/State Aid under the Surface Transportation Program; and

Whereas, The total estimated cost of these projects is \$74,000 for the alteration and upgrading of traffic control signals and the upgrading of traffic control signs; and

Whereas, Twenty percent of the participating costs or \$14,800 is non-reimbursable and is included in the Division's 2000 Capital Purpose Project/Grant Number ST32090000; and

Whereas, Eighty percent of the participating project cost or \$59,200 is reimbursable from the Wisconsin Department of Transportation, and this amount is not included in Division accounts, and should be earmarked for this project in the 2000 Capital Grant and Aid Projects Fund Project/Grant Number SP03290100; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to execute a contract with the Wisconsin Department of Transportation pertaining to the cost participation for the installation and/or modification of traffic control facilities in conjunction with the improvements to West Fond du Lac Avenue from West Capitol Drive to North 36th Street with service and supply unit prices based on a predetermined estimate prepared under the Federal/State aided highway program; and, be it

Further Resolved, That upon approval of this contract, the Commissioner of Public Works is authorized and directed to install or modify the traffic control facilities necessary in conjunction with the paving of these Federal/State aided highway improvements; 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 Number for this project and transfer to this number the amounts required under the contract provisions but not to exceed a ten percent increase in

those amounts set aside for the Grantor's Share and the City's Share as follows:

Location:

West Fond du Lac Avenue from West Capitol Drive to North 36th Street, ID #1360-01-95.

Transfer from Project/Grant Number SP03290100, Grantor's Share (WISDOT), Estimated Cost - \$59,200.

Transfer from Project/Grant Number ST32090000, City's Share, Estimated Cost - \$14,800.

Total to be transferred to Project/Grant Number ST30381715, \$74,000.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 14) [000315](#) Substitute resolution authorizing and directing the Commissioner of Public Works to make the necessary water service connection alterations along West Burleigh Street from North 60th Street to North Sherman Boulevard.

Whereas, The improvement of West Burleigh Street from North 60th Street to North Sherman Boulevard with Federal/State Aid is proposed to be undertaken in 2000; and

Whereas, An island will be modified as part of the street improvement requiring alteration of the water service connection to the concealed irrigation system in the island; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works, upon approval of the West Burleigh Street Project, is hereby authorized and directed to make the necessary alteration to the water service connection to the island at the intersection of North 60th Street, West Burleigh Street and West Roosevelt Drive; and, be it

Further Resolved, That the City Comptroller is hereby authorized and directed to transfer, within the Capital Grant and Aids Project Fund, to the Water Service

Connection (Island) West Burleigh Street from North 60th Street to North Sherman Boulevard subaccount the amount of \$1,700.00 but not to exceed a 10 percent increase or whichever is greater, in the amount set aside as follows:

Account Number Cost

ST320000000 \$1,700

Fund 0333

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- 15) [000341](#) Substitute resolution approving proposed sidewalk removal and abandonment in the 13th Aldermanic District.

Whereas, The Infrastructure Services Division has received a request from the property owners at 5410, 5418, 5426 and 5434 South 7th Street to eliminate a portion of the public sidewalk abutting their properties; and

Whereas, The existing public sidewalk at 5410, 5418, 5426 and 5434 South 7th Street serves only those properties and it is not required to accommodate pedestrian traffic; and

Whereas, The Infrastructure Services Division will landscape the sidewalk area along with the removal of the sidewalk and the property owners have agreed to accept all future maintenance responsibility for the abandoned sidewalk area; now, therefore, be it

Resolved, By the Common Council for the City of Milwaukee that the Infrastructure Services Division be authorized to remove and not replace a portion of the public sidewalk at 5410, 5418, 5426 and 5434 South 7th Street; and, be it

Further Resolved, That necessary funds for this project be taken from funds previously approved for walk repairs at these addresses by Common Council Resolution File 991659, adopted March 9, 2000; and, be it

Further Resolved, That the proper City departments take such action as is required of them to assess the abutting property owners and collect such assessments in the

manner directed by Sections 11.25 and 11.26 of the Milwaukee City Charter.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

CONFIRMATION OF THE FOLLOWING:

16) Various Appointments or Reappointments:

a) [000304](#) Reappointment of Ald. Michael Murphy to the Milwaukee Metropolitan Sewerage District Commission by the Mayor.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

b) [000328](#) Reappointment of State Representative Antonio Riley to the Milwaukee Metropolitan Sewerage District Commission by the Mayor. (17th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

c) [000329](#) Appointment of State Senator Brian Burke to the Milwaukee Metropolitan Sewerage District Commission by the Mayor. (16th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

- d) [000330](#) Reappointment of Dennis Grzezinski to the Milwaukee Metropolitan Sewerage District Commission by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 1 - Hines Jr.

RESOLUTION PRESENTED FOR IMMEDIATE ADOPTION:

[000376](#) Resolution restricting construction in the East Kane Place - North Water Street Redevelopment Project Sub-Area 1 in the 3rd Aldermanic District (Redevelopment Authority).

Whereas, On May 19, 2000, the Common Council of the City of Milwaukee ("Council") adopted File No. 991687 that approved the Redevelopment Plan for the East Kane Place - North Water Street Redevelopment Project Sub-Area 1 ("Plan"); and

Whereas, In the communication, which is part of this Common Council File, the Redevelopment Authority of the City of Milwaukee certified the attached Plan as a true and correct copy pursuant to Subsection 66.431(6)(e), Wisconsin Statutes, and requested that all new construction within the Project Area not consistent with the Plan be permanently restricted as mandated by Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that no new construction (including substantial remodeling, conversion, rebuilding, enlargement, extension, or major structural improvements on existing buildings, but not including ordinary maintenance, remodeling, or changes necessary to continue occupancy) in the East Kane Place - North Water Street Redevelopment Project Sub-Area 1 shall be permitted or authorized by any agencies, boards, or commissions of the City of

Milwaukee under local codes or ordinances without the prior approval of the Redevelopment Authority of the City of Milwaukee; and, be it

Further Resolved, That the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Commissioner of Neighborhood Services, the Commissioner of the Department of City Development, the Commissioner of Health, and to such other agencies, boards, and commissions of the City of Milwaukee having administrative jurisdiction in the premises described in the approved Plan.

Sponsors: Ald. D'Amato

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

Aye: 14 - Pratt, Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Sanchez, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 3 - Henningsen, Scherbert Hines Jr.

CLOSED SESSION

ALD. PAWLINSKI moved to recess the Common Council meeting for the purpose of reconvening in Room 301-B, City Hall, in order to entertain a motion to go into Closed Session.

The motion prevailed.

Recess: 12:12 P.M.

Reconvened: 12:20 P.M.

ALD. BREIER moved to reconvene the session of the Council.

Roll Call Vote:

Ayes: 13 - Ald. Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron-Rollins, Scherbert, Sanchez, Breier, Murphy and President Pratt.

Noes: 0.

Excused: 4 - Ald. Henningsen, Pawlinski, Nardelli and Hines.

There being no further business the Council thereupon adjourned 12:51 P.M.

Ronald D. Leonhardt

City Clerk

