

City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

Meeting Minutes COMMON COUNCIL

Tuesday, February 26, 2008

9:00 AM

Common Council Chambers

The meeting was called to order at 9:28 a.m.

The roll was called.

Present: 14 -

Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski, Hines Jr.

Excused: 1 -

McGee Jr.

The Pledge of Allegiance was said followed by a moment of silent meditation.

The question was put: Are there any corrections to the Common Council Journal of Proceedings for the regular meeting of February 5, 2008?

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

Various commendatory and condolatory resolutions were read and ordered on file without objection.

THE LICENSES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

 071188 Motion relating to the recommendations of the Licenses Committee relative to various licenses

Sponsors: THE CHAIR

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

All members indicated they had done so.

Class "A" Liquor and Malt license application of Surinder Singh for "Lubana, Inc." be returned to committee.

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

As amended

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

PLACING ON FILE THE FOLLOWING:

2. 070913 Substitute motion suspending the Class "B" Tavern license of Frank Dobert for "Chaser's Pub" at 2155 S. Kinnickinnic Ave. for 30 days.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

 071387 Motion relating to the recommendations of the Public Safety Committee relative to various licenses.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

Detailed information relating to the contents of this file may be found by searching under this number at http://legistar.milwaukee.gov/mattersearch.

Alternatively, the complete file including detailed information identifying the specific subject matters to be discussed at the meeting may be inspected at the office of the License Division, Room 105, City Hall, 200 E. Wells St., Milwaukee, 53202, Monday through Friday, between the hours of 8 a.m. and 4:30 p.m.

PASSAGE OF THE FOLLOWING:

2. 071225 A substitute ordinance relating to the control of noise created by trash collection.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

3. <u>071287</u> A substitute ordinance relating to parking controls in various Aldermanic Districts.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

4. 071288 A substitute ordinance relating to traffic controls in various Aldermanic Districts.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

ADOPTION OF THE FOLLOWING:

Fesolution relative to the application, acceptance and funding of the U. S. Department of Justice Weed and Seed Grant - Historic Clarke Square for \$150,000.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

PLACING ON FILE THE FOLLOWING:

6. O71414 Communication from the City of Milwaukee Health Department relating to the proposed departmental reorganization.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. <u>071280</u> A substitute ordinance to further amend the 2008 rates of pay of offices and positions in the City Service under control of the Common Council.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Wade, Donovan, Puente, Murphy,

Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Bohl

Excused: 1 - McGee Jr.

 O71281 A substitute ordinance to further amend the 2008 offices and positions in the City Service under control of the Common Council.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Wade, Donovan, Puente, Murphy,

Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Bohl

Excused: 1 - McGee Jr.

ADOPTION OF THE FOLLOWING:

3. <u>071362</u> Resolution authorizing the Commissioners of the Public Debt to market general obligation "corporate purpose bonds".

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

PLACING ON FILE THE FOLLOWING:

4. Och Munication from the Police Department transmitting 2007 quarterly reports relative to the status of overtime expenditures.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

5. <u>071282</u>

Communication from the Department of Administration - Budget and Management Analysis Division transmitting various vacancy requests, fund transfers and equipment requests.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

6. 071427

Communication from the Department of Employee Relations relative to classification studies scheduled for City Service Commission action.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

071284 Substitute resolution to settle claim of Cermele & Associates for defense of various police
officers.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

2. 071367 Resolution authorizing payment of the claim of Rupert Reilly, in the amount of \$25,000.00

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

O71383 Substitute resolution relative to various legislative bills.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

4. O71428 Substitute resolution authorizing settlement of a sec. 74.37 lawsuit, Frontage LLC v. City, Case No. 07CV12956, an action for allegedly excessive assessment in the amount of \$17,178.04 plus simple interest at 0.8% per month since May 9, 2007.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

5. <u>071434</u>

Resolution authorizing settlement of the lawsuit entitled Church Mutual Insurance Company (Antioch Missionary Baptist Church) v. City of Milwaukee, American Sewer Services, Inc., General Casualty Company of Wisconsin.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

PLACING ON FILE THE FOLLOWING:

6. 071375 Resolution authorizing City entry into a settlement agreement with Kilbourn Tower, LLC regarding amounts owed under an Agreement for Sale and a Note concerning the parcel at 923 E. Kilbourn Street and a vacated right-turn bypass that the City sold to KT in 2003.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

7. 071429

Substitute resolution authorizing payment of a sec. 74.37 lawsuit judgment by U.S. Bank against the City (U.S. Bank v. City of Milwaukee, 02CV7447) for allegedly excessive assessments for 12 branch banks from 2001-2006 in the amount of \$440,430.03 plus simple interest at 0.8% from January 1-31, 2008, and simple interest at 1.0% thereafter until date of payment.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

8. Various claims against the city:

a. 071164 Resolution relating to an appeal from Deborah George for property damage. (15th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

b. <u>071270</u> Resolution relating to an appeal from Jason Craig for property damage. (11th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

c. <u>071417</u> Resolution relating to an appeal from Timothy and Edward Calvey for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 070963

Substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as Downer Avenue Redevelopment, Phase II, on land located generally on the East Side of North Downer Avenue and South of East Park Place and land located generally on the West Side of North Downer Avenue and the East Side of North Stowell Avenue, North of East Webster Place, in the 3rd Aldermanic District.

Sponsors: Ald. D'Amato

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

2. 071291

Substitute ordinance relating to the change in zoning from General Planned Development to Detailed Planned Development and relating to the First Amendment to a Detailed Planned Development, known as Park Place, Stage 16, for the Hilton Garden Inn located at 11600 West Park Place, in the 5th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

3. 071335

Substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development, known as Milwaukee Job Corps, on land located on the West Side of North 60th Street and South of West Briggs Avenue for a job training facility and dormitory, in the 9th Aldermanic District.

Sponsors: Ald. Puente

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

4. 071339

Resolution approving a final Certified Survey Map for property located at 2040 West Wisconsin Avenue and 2027 West Wells Street, for a future apartment building for student housing, in the 4th Aldermanic District.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

5. <u>071365</u>

Substitute resolution to ratify Common Council File No. 070964, being a resolution permitting a minor modification to the Detailed Planned Development known as Downer Avenue Redevelopment, Phase 1, on land located at 2574-2590 North Downer Avenue, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

6. 071394

Resolution approving a final Certified Survey Map for property located at 3757 West Milwaukee Road for the dedication of land for public alley purposes and construction of a light manufacturing building for Derse, Inc., in the 8th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

7. <u>071408</u>

Substitute resolution approving a Riverwalk Development Agreement for construction of a Riverwalk segment adjoining the property located at 1858 North Commerce Street, in the 6th Aldermanic District.

Sponsors: Ald. McGee Jr.

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

PLACING ON FILE THE FOLLOWING:

8. <u>040098</u>

Substitute ordinance relating to the change in zoning from Multi-Family Residential (RM4) to a Detailed Planned Development (DPD) known as Stowell/Webster Condominiums, on land located at the Northeast Corner of East Webster Place and North Stowell Avenue, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Ordinance be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

9. <u>060575</u>

Substitute ordinance relating to the change in zoning from General Planned Development to Detailed Planned Development, on land located on the North Side of East Webster Place and East of North Stowell Avenue, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Ordinance be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

 O71253 Substitute resolution approving the selection criteria for the Frank P. Zeidler public service award.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

2. <u>071400</u> Resolution relative to application, acceptance and funding of a Raising Readers Family Literacy Grant.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

3. Substitute resolution relative to changes in the 2008 HUD funding for Community

Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency

Shelter Grant (ESG), Housing Opportunities for Persons With AIDS (HOPWA) and

American Dream Downpayment Initiative (ADDI).

Sponsors: Ald. Davis

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

4. <u>071425</u> Resolution supporting the efforts of the Partnership for Working Toward Inclusive Communities and reaffirming the City of Milwaukee's commitment to inclusion as a fundamental aspect of the community.

Sponsors: Ald. Hamilton

A motion was made by ALD. DAVIS that this Resolution be ADOPTED. The motion

PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

CONFIRMATION OF THE FOLLOWING:

5. O71147 Reappointment of Joan Prince to the Main Street Milwaukee Partners Board by the Local Initiatives Support Corporation. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

PLACING ON FILE THE FOLLOWING:

6. <u>071382</u> Communication by Mr. Marc Levine, University of Wisconsin-Milwaukee Center for Economic Development relating to employment trends in the nation's largest cities.

Sponsors: Ald. Davis

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. 071366 An ordinance relating to publicly accessible collection bins.

Sponsors: Ald. Bohl

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

ADOPTION OF THE FOLLOWING:

2. Various resolutions relating to special privileges:

a. 070900 Substitute resolution granting a special privilege to First Place Condo Owners
 Association Inc to construct and maintain a concrete curb retaining wall for the premises

at 106 West Seeboth Street, in the 12th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

b. Substitute resolution amending a special privilege for change of ownership to Wheaton Franciscan Healthcare - St. Joseph, Inc. to keep and maintain brick piers, seat walls, ornamental fencing, and an electrical control box in the public right-of-way for the

premises at 5000 West Burleigh Street, in the 10th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

c. 070999 Substitute resolution amending a special privilege for change of ownership to Wheaton Franciscan Healthcare - St. Joseph, Inc. for a stationary planter in the public right-of-way

for the premises at 5408 West Burleigh Street, in the 10th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

d. 071040

Substitute resolution granting a special privilege to Teutonia Gardens, LLC to construct and maintain two excess door swings in the public right-of-way for the premises at 2711 North Teutonia Avenue, in the 15th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

e. <u>071111</u>

Substitute resolution granting a special privilege to Arora's, LLC for three sets of concrete steps encroaching in the public right-of-way for the premises at 1700-1706 West Mitchell Street, in the 12th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

f. 071112

Substitute resolution to amending a special privilege to Wisconsin Scottish Rite Foundation, Inc. for addition of a covered walk for the premises at 790 North Van Buren Street, in the 4th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

3. <u>071313</u>

Resolution authorizing the renewal of the Agreement Between the City of Milwaukee and the Village of Menomonee Falls for the Purchase of Water at Wholesale.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

4. 071369

Resolution authorizing the proper City officers to execute two Release of Easements.

Sponsors: THE CHAIR

Ald. Bauman presented a revised Release of Easement to replace the Release of Easement that was approved by the Public Works and moved for its acceptance.

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

As amended

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

5. <u>071378</u>

Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$90,000 for a total estimated cost of these projects being \$6,135,000.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

6. <u>071379</u>

Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$6,196,000 for a total estimated cost of these projects being \$6,584,000.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

7. 071380

Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$44,000 for a total estimated cost of these projects being \$335,000.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

8. 071381

Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$6,980,000 for a total estimated cost of \$8,542,000.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

9. <u>071393</u>

Resolution directing the Department of City Development to prepare a resolution to vacate a portion of public frontage along the East Side of South 13th Street located on the North Side of West College Avenue, in the 13th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

10. 071398

Resolution directing the Department of City Development to prepare a resolution to vacate an abandoned street remnant in the block bounded by North 1st Street, West Townsend Street, North 2nd Street and West Randolph Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

11. 071401

Resolution relative to funding and construction of the Emmber Lane Water Quality Project with the Wisconsin Coastal Management Program grant, with a total cost of the project of \$250,000 with a grantor share of \$100,000 (40%) and a local share match of \$150,000 (60%).

Sponsors: THE CHAIR

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

Aye: 12 - Hamilton, Davis, D'Amato, Bauman, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 2 - Bohl Dudzik

Excused: 1 - McGee Jr.

12. 071402

Resolution relating to the funding and construction of Phase I of Hartung Park with a State of Wisconsin Stewardship Local Assistance Grant with a total project cost of \$500,000 with a grantor share of \$250,000 and a city match of \$250,000.

Sponsors: Ald. Bohl

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

13. 071403

Resolution authorizing the Commissioner of Public Works to shut down and cover an unwarranted traffic control signal at the intersection of West Bolivar Avenue and South 6th Street in the 13th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

14. <u>071404</u>

Resolution authorizing the City Engineer to grant permission to Milwaukee County for the construction and maintenance of an off-road bicycle trail in the public right-of-way of North Riverboat Road.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

15. 071405

Resolution authorizing the City Engineer of the City of Milwaukee to apply for a Municipal Flood Control Grant project titled Repairs of the Bank Stabilization of the Milwaukee River.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

16. <u>071410</u>

Resolution approving a Three-Year Harbor Statement of Intentions for the Port of Milwaukee.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

17. 071411

Resolution relative to the application, acceptance and funding of a Wisconsin Department of Transportation Harbor Assistance Grant for a Demonstration project for ship ballast

water collection and onshore treatment and related work.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

18. <u>071418</u>

Resolution directing the Commissioner of Public Works to award a contract for professional services related to the stabilization of eroded slope adjacent to the Riverside Pumping Station to the firm of Giles Engineering Associates, Inc.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

19. 071419

Resolution directing the Commissioner of Public Works to issue a Request for Proposals and award a contract for the analysis, recommendation and development of plans and specifications for the eventual mitigation of the structural deficiencies of the Meter Shop Building.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

20. 071420

Resolution directing the Commissioner of Public Works to issue a Request for Proposals and award a contract for the analysis of energy efficient Heating, Ventilation, and Air Condition (HVAC) strategies for various Milwaukee Water Works facilities.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

21. <u>071421</u>

Resolution directing the Commissioner of Public Works to award a contract for professional services for Backup Power Generation for the Riverside Pumping Station to Black & Veatch Corporation.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

22. 071430 Resolution approving the Third Amendment to Indenture with Specialty Restaurants, Inc.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

23. <u>071431</u> Resolution approving an assignment of a lease agreement & consent with Support Terminals Operating Partnership, L.P to Tanco-Milwaukee, LLC.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

24. Resolution approving an assignment and amendment of a lease agreement & consent to assignment with North American Biodiesel, LLC to Innovation Fuels, Inc.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

CONFIRMATION OF THE FOLLOWING:

25. O71435 Reappointment of Timothy Hoelter to the Harbor Commission by the Mayor. (12th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

PLACING ON FILE THE FOLLOWING:

26. 071263 Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

27. O71267 Resolution to grant a special privilege to Kentucky Data Link, Inc. to construct and maintain conduit, fiber cable and appurtenant facilities for the premises at 826 W. Michigan St., in the 4th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

28. 071440 Resolution approving an exception to City requirement that sidewalks be developed in conjunction with the improvement of streets.

Sponsors: Ald. Bohl

Ald. Bohl moved to amend this file by deleting the text of the "Resolved" clause and

insert in lieu thereof:

"Resolved, By the Common Council of the City of Milwaukee, that the sidewalk-installation requirement of s. 113-12.5 of the Code of Ordinances is waived with respect to the rehabilitation of both sides of W. Good Hope Rd. from N. 97st St. to N. 107th St., the north side of W. Good Hope Rd from N. 91st St. to N. 97th St., and the south side of W. Good Hope Rd. from N. 82nd St. to N. 91st St."

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

071440

Substitute resolution approving an exception to City requirement that sidewalks be developed in conjunction with the improvement of streets.

Sponsors: Ald. Bohl

As amended, not withstanding the recommendation of the committee.

Ald. Witkowiak called for the previous question.

There was no objection.

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

Aye: 12 - Hamilton, Davis, D'Amato, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Zielinski Hines Jr.

No: 2 - Bauman Witkowski

Excused: 1 - McGee Jr.

29. <u>071441</u>

Communication from the Commissioner of Public Works relating to the policies and procedures for snow emergencies.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE STEERING & RULES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. Substitute motion renewing charter school contracts for Central City Cyberschool and Downtown Montessori Academy, Inc., for an additional 5-year term.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

PLACING ON FILE THE FOLLOWING:

2. <u>071154</u> Communication from the Charter School Review Committee transmitting the findings of the Annual Report.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

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

RESOLUTIONS FOR IMMEDIATE ADOPTION:

071464 Resolution approving various final certified survey maps.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

071477 Resolution approving an Affidavit of Correction relative to an error contained in Line 21 of the Surveyor's Certificate for Certified Survey Map No. 8010, for property located at 918,

933 and 1004 West Somers Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente,

Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

Various announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 10:54 a.m.

-- Jim Owczarski, Deputy City Clerk