



City of Milwaukee
Longform Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, September 27, 2005

9:00 AM

Common Council Chambers

The meeting was called to order at 9:08 a.m.

Present: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski, Hines Jr.

The Pledge of Allegiance was said followed by an invocation offered by Pastor Christian Winkel of Redemption Lutheran Church.

The question was put: Are there any corrections to the minutes of either the regular Common Council meeting of September 7, 2005 or the special Common Council meeting of September 12, 2005? There being none, these minutes were approved as printed.

Ald. Murphy moved that the Common Council enter the Committee of the Whole for the purpose of hearing from His Honor, Mayor Tom Barrett concerning the 2006 budget for the City of Milwaukee. There was no objection.

His Honor, Mayor Tom Barrett, addressed the Common Council concerning the 2006 budget for the City of Milwaukee.

Mayor Barrett's 2006 Budget Address

Good morning.

Council President Hines, Members of the Common Council, Cabinet members and fellow elected officials,

It is an honor to be here to present my 2006 City Budget.

It's no secret to anyone here this morning that these are difficult fiscal times.

State aids have not kept pace with the costs of providing local services. Federal funds have been cut and rising fuel and energy bills are pushing the limits of our operating budgets.

Despite these fiscal challenges, Milwaukeeans can be proud that when Katrina hit the Gulf Coast, Milwaukee accepted the challenge of meeting the common good and met the responsibility that comes with citizenship.

People across the City contributed time and money. Our firefighters volunteered for relief duty. Our Health Department continues to staff the clinic at State Fair Park.

Our Housing Authority is working to find housing for our neighbors from New Orleans and City Hall employees are raising funds for Habitat for Humanity.

These efforts speak volumes about Milwaukee's heart and soul. Please join me in recognizing Health Commissioner Bevan Baker, Housing Authority Director Tony Perez and our Fire Department for their outstanding efforts in meeting the needs of the victims of Katrina.

And though he is working and not able to be here today, I would also like to acknowledge the terrific work Mayor Marvin Pratt is doing in this effort.

Last year, in a strategy to fight off cuts to state shared revenue, you joined me in meeting the legislative levy freeze. I thank you for that support.

This year, our task is more difficult.

I believe, however, the same four basic principles that guided us through last year's budget deliberations will help us again this year:

Protecting and maintaining essential services,

Producing a budget that meets the legislative levy limit,
Working to keep Milwaukee safe and secure, and
Improving the fiscal accountability of our City.

The budget I present to you today meets those four benchmarks. My proposed 2006 budget meets the newly imposed state levy limit and does NOT jeopardize our Expenditure Restraint Payment.

Despite the fiscal constraints, my proposed budget improves our fiscal stability and sustainability; enhances our management and accountability; and, provides the resources to secure a prosperous future.

Accomplishing these objectives was no easy task. Here are the financial realities we're all up against: Projected Shared Revenue payments for 2006 are almost \$65 million below their 1995 inflation-adjusted level.

Higher prices for fuel and electricity—which affect important City services such as police patrols, fire and emergency response, garbage collection, street lighting, and clean drinking water—will consume more than 80% of our increase permitted under State levy limits.

Borrowing decisions from 1995 thru 2004 result in 25% of our tax levy going toward debt service. In 2006, that will require almost \$6 million of additional tax levy for debt service.

Milwaukee's federally funded Community Development Block Grant funds have been reduced by \$2 million - a shortfall that impacts our capacity to serve neighborhoods.

Despite all these challenges, I remain confident that we will move Milwaukee forward.

This summer, I hosted a series of hands-on budget workshops. Several of you attended these sessions. Residents participating in the workshops sent one loud and clear message:

Milwaukeeans value what City government does for them.

Whether it's a paramedic performing a life saving response,
a librarian opening the doors to knowledge,
a forestry worker preserving our green space,
a police officer patrolling a neighborhood
or a sanitation worker keeping our neighborhoods clean---
our citizens know that City government delivers a lot for their money.

PLEASE JOIN ME IN A ROUND OF APPLAUSE FOR OUR CITY WORKERS, WHO
HAVE HELPED MAKE MILWAUKEE THE MOST LIVABLE, LARGE CITY IN AMERICA.

Our residents demand value for their tax dollar, and we must do everything we can to insure that. Today I want to update you on my directive to reduce the Department of Public Works Vehicle Fleet. We have sold at auction 104 pieces of equipment with the remaining 40 to be sold this fall. We have reduced the cars taken home by personnel from 75 to 9.

I'm pleased with our progress, but we won't stop looking.

Insuring that taxpayers get the most bang for their buck is not just a short term goal. That's why I am submitting, with my 2006 Proposed Budget, a 3-year Budget Plan that identifies our fiscal challenges and proposes ways to meet them.

My Plan identifies expected revenues; establishes my expenditure priorities over the next three years, and the funding commitments associated with those priorities;

It proposes strategies to improve the City's fiscal stability. This budget represents a step toward a sustainable fiscal future and moves Milwaukee forward.

My Proposed 2006-2011 Capital Improvements Plan reduces tax levy borrowing from \$71.5 million in 2004, the year I took office, to \$56.5 million in 2008. If you support me, this action can stabilize our debt service by 2010.

I am proud that our strategy of budget stabilization has been recognized by Moody's ratings which has moved our outlook from "negative" to "stable," and allowed us to be rated better than the state and county at AA+.

This Budget reflects the increase to the Solid Waste fee which allows us to fund a second police recruit class and avoids the need to close any libraries or lay off firefighters.

I want to thank those members who supported this. It was a tough vote. I appreciate the fact that you realize the importance of balancing the budget and maintaining services.

I know our constituents will pay this fee and they deserve assurance that they are getting what they pay for.

Therefore, I will initiate late this year my Accountability in Management Initiative or AIM for short, modeled after Baltimore's Citi-Stat.

AIM will be my primary management tool to oversee City operations, manage for results and deliver excellent customer services for the citizens of Milwaukee. At regular AIM meetings, I will demand that City departments meet defined performance targets and hold City managers accountable for achieving results.

To generate more revenues, my budget proposes reorganization within the Department of

Administration Community Block Grant Division. This division will still be the recipient of HUD funding, but it will also be responsible for aggressively pursuing and coordinating the City's grants.

In this budget, I also propose the creation of the Office of Sustainability at the recommendation of the Mayor's Green Team that I established this year. This office will steer citywide environmental policy, help set departmental goals and strategies and track their performance.

Public Safety remains my top priority. I have committed funding to allow the Police Department to add two full recruit classes, in addition to the class starting this November. This will result in three police classes over a 13 month period. In addition, I have increased tax levy funding for the Police overtime budget by \$1.5 million over the 2005 level.

I have also added funding for a 12th MED unit in the Fire Department, a continued commitment to making our fire department a first rate responder in fire suppression, emergency care, and medical services.

I have to tell you that I was very pleased with the results of this year's city internship program. Thank you Alderman Davis for your work on this. This budget will again provide sufficient CDBG funding to allow the City to continue the Summer Youth Internship program at the same participation level as we provided in 2005.

My 2006 Budget preserves our current level of locally-funded maternal and child health services, and I have maintained City support for our award-winning Lead Poisoning Prevention program.

Thanks to the leadership of Health Commissioner Bevan Baker, the City will initiate a new Milwaukee Comprehensive Home Visitation program. This program will serve families in targeted areas to:

- Improve prenatal care
- Prevent child abuse and neglect,
- And assure child readiness for school.

In 2006, we will step up our efforts to find a funding source for the Housing Trust Fund. I want to thank Alderman Mike Murphy for his work on the Housing Trust Fund and look forward to working with all of you on the effort to create more affordable housing where it is needed.

I'm also pleased to announce that the capital budget will appropriate \$2 million for the Bradley School Tech Project. This will finance the demolition of the old Boys & Girls Tech and will allow Bradley Tech to provide the needed recreational facilities that have been absent from the campus.

Job creation remains at the top of my agenda. The Department of City Development will continue its aggressive pursuit of economic development that benefits neighborhoods throughout the City. I will continue to use all the financial tools we have available in order to entice and keep businesses

here.

We have a lot to accomplish in 2006 -
The continuing work in the Menomonee Valley,
Tower Automotive,
The Veterans Administration Grounds re-development plan
and the Amtrak /Milwaukee Intermodal Station.

The resources necessary to keep these projects rolling are in the budget.

We must also work with our neighbors to make our region stronger. For this reason, I have included \$100,000 in my Proposed Budget for the City's participation in a regional marketing initiative.

I know that there are reservations about efforts to market Milwaukee as a region. In the past, our relationship with the suburbs was like two guys standing in the corner in the bus station arguing over who gets the window seat while the bus leaves the station. We all need to be on that bus.

I will ensure that these efforts make us stronger and greater. Milwaukee is the center of an important region and our success is directly linked to the region's growth and prosperity. Without other revenue options, growing our tax base is imperative. And without new employment opportunities our residents will have limited options.

I ask you to join me in promoting this city and region to keep Milwaukee moving forward.

CLOSING

Watching the media accounts of those who didn't have the means to leave New Orleans led me to compare Milwaukee's poverty rate to that of New Orleans. In 2002 New Orleans had the 13th highest poverty rate and Milwaukee had the 12th. In 2004 New Orleans still had the 13th highest poverty rate and Milwaukee had the 7th.

These staggering statistics underscore why we must be committed to job creation and economic development.

And, while City government cannot overcome negative factors on its own, it must change so that Milwaukee can move to a more secure future.

City government's role in that future includes

budgeting more wisely,
controlling our debt,
and managing for results.

We must use our limited Budget resources to

provide public safety,
invest in our young people,
strengthen our neighborhoods
and create family supporting jobs.

Finally, I want to speak to our Suburban neighbors and policymakers in Madison.

Our neighbors must recognize that Milwaukee's state shared revenue payments are as important to them as they are to us. Without increased state shared revenues, our ability to provide essential services for regional attractions will be compromised.

Without more shared revenues, our means to serve the state's largest concentration of poor and working poor households will suffer.

If the region is to grow, then the region has to step up and press for increased funding of the state's shared revenue program.

I know that every member of the Common Council shares my confidence in our ability to move Milwaukee forward and provide a prosperous future.

That's why I ask for your support of this budget proposal.

I pledge my cooperation in working with you on your ideas and recommendations.

Together I know we will keep Milwaukee moving forward.

Thank you very much.

Ald. Murphy moved that the Committee rise. There was no objection.

Ald. Murphy moved that the Mayor's Proposed Budget for 2006 be referred to the Finance & Personnel Committee for its review and consideration and, further, that its report on the budget be submitted at a meeting of the Common Council to be held on Friday, November 11, 2005, at 9:00 A.M. There was no objection.

Ald. Murphy moved, pursuant to the provisions of Chapter 18-04-6 of the Milwaukee City Charter, that a public hearing on the proposed budget for 2006 be held jointly by the Common Council and the Mayor on Monday, October 10, 2005, at 6:30 P.M. in the Common Council Chambers, third floor, City Hall, Milwaukee, Wisconsin. Ald. Murphy further moved that the City Clerk be directed to publish the time and place of said hearing in accordance with these same Charter provisions.

There were no items of unfinished business.

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

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [050071](#) A substitute ordinance relating to standards for the issuance of warning letters to new and renewal applicants for certain alcohol beverage licenses and requiring written objections for hearings on certain renewal applications.

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

Part 1. Section 90-5-8-a-1 and 2 of the code is amended to read:

90-5. Licensing.

8. COMMITTEE ACTION. a. Notice. a-1. Applications for Class "D" operator's licenses shall be referred to the chief of police for review. If the police chief files no written report summarizing the arrest and convictions of the applicant which could form a basis for denial, the license shall be forwarded to the common council for approval. If the chief of police files a written report summarizing the arrest and convictions of the applicant which could form a basis for denial, the application>>, except as provided in subd. 3,<< shall be forwarded to the proper licensing committee of the common council for its recommendation as to whether or not each license should be issued.

a-2. Applications for all new Class "A" or Class "B" retail licenses, Class "B" manager's licenses and Class "C" wholesale licenses shall>>, except as provided in subd. 3,<< be referred to the appropriate licensing committee of the common council for its recommendation as to whether or not each license should be issued. In addition, applicants for all new Class A or Class B retail licenses are required to appear before the licensing committee at the date, time and place specified in written notice provided to the applicant by the city [[clerks]]>>clerk's<< office. If the applicant is a corporation or limited liability corporation, a duly authorized agent or legal representative of the corporation is required to appear before the licensing committee. All applicants may be represented by a legal representative before the licensing committee.

Part 2. Section 90-5-8-a-3 to 5 of the code is renumbered 90-5-8-a-6 to 8.

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

a-3. If the chief of police files a written report summarizing the arrest and convictions of an applicant for a new operator's license, alcohol beverage wholesale establishment license or manager's license which could form the basis for denial of the application, the city clerk shall, in lieu of forwarding the application to the licensing committee for a hearing under subds. 1 and 2, refer the application to the common council for

approval and issue a warning letter to the applicant whenever all of the following are true:

a-3-a. The applicant has no more than one pending charge for a misdemeanor offense and the pending charge is related to a non-violent offense.

a-3-b. The applicant has not within 12 months of the date of application been convicted of any misdemeanor offense or municipal ordinance violation.

a-3-c. The applicant has not within 3 years of the date of application been convicted of more than one misdemeanor offense or municipal ordinance violation related to serving underage or intoxicated persons.

a-3-d. The applicant has not within 3 years of the date of application been convicted of more than 3 misdemeanor offenses and municipal ordinance violations.

a-3-e. The applicant has not within 5 years of the date of application been convicted of more than one felony offense and has not within 5 years of the date of application served probation or been imprisoned for any felony conviction.

a-3-f. The applicant has not within 10 years of the date of application been convicted of a second or subsequent offense related to operating a motor vehicle while intoxicated.

a-4. In determining the eligibility of the applicant to be issued a warning letter under subd. 3, the city clerk shall not consider either of the following:

a-4-a. Any pending charges or convictions of any misdemeanor or felony offenses related to failure to pay child support.

a-4-b. Any one conviction of a misdemeanor offense or municipal ordinance violation related to retail theft for which the applicant was not imprisoned.

a-5. Notwithstanding the provisions of subds. 3 and 4, an applicant who meets the criteria of those subdivisions shall have his or her application forwarded to the licensing committee if a written objection to the application is filed by any interested party.

Part 4. Section 90-11-1 of the code is repealed and recreated to read:

90-11. Renewal of Licenses.

1. PROCEDURE FOR RENEWAL. a. General. Applications for the renewal of alcohol beverage retail and wholesale establishment licenses and manager and operator licenses shall be made to the city clerk on forms provided therefor. The city clerk shall refer all applications for license renewal to the chief of police, and, excepting applications for manager's and operator's licenses, to the commissioner of neighborhood services and the commissioner of health for their review. If the chief of police and, when applicable, the commissioner of neighborhood services and commissioner of health indicate that the applicant still meets all of the licensing qualifications, the application shall be referred to the common council for approval. b. Objection. A written objection to the renewal of the license may be filed with the city clerk by any interested person provided that the objection is filed at least 30 days prior to the date on which the license expires and sets forth specific charges against an

applicant which could form a basis for nonrenewal of the license. If a written objection is filed, or if a determination is made that the applicant no longer meets the licensing qualifications, the application, except as provided in par. c, shall be forwarded to the licensing committee for a hearing on whether the application should be recommended for approval or denial to the common council.

c. Warning Letter. c-1. If the chief of police files a written report summarizing the arrest and convictions of an applicant for renewal of an operator's license, alcohol beverage wholesale establishment license or manager's license which could form a basis for nonrenewal of the application, and if no written objection has been filed under par. b, the city clerk shall, in lieu of forwarding the application to the licensing committee for a hearing under par. b, refer the application to the common council for approval and issue a warning letter to the applicant whenever all of the following are true:

c-1-a. The applicant has no more than one pending charge for a misdemeanor offense and the pending charge is related to a non-violent offense.

c-1-b. The applicant has not within 12 months of the date of application been convicted of any misdemeanor offense or municipal ordinance violation.

c-1-c. The applicant has not within 3 years of the date of application been convicted of more than one misdemeanor offense or municipal ordinance violation related to serving underage or intoxicated persons.

c-1-d. The applicant has not within 3 years of the date of application been convicted of more than 3 misdemeanor offenses and municipal ordinance violations.

c-1-e. The applicant has not within 5 years of the date of application been convicted of more than one felony offense and has not within 5 years of the date of application served probation or been imprisoned for any felony conviction.

c-1-f. The applicant has not within 10 years of the date of application been convicted of a second or subsequent offense related to operating a motor vehicle while intoxicated.

c-2. In determining the eligibility of the applicant to be issued a warning letter under this paragraph, the city clerk shall not consider either of the following:

c-2-a. Any pending charges or convictions of any misdemeanor or felony offenses related to failure to pay child support.

c-2-b. Any one conviction of a misdemeanor offense or municipal ordinance violation related to retail theft for which the applicant was not imprisoned.

d. Notwithstanding the provisions of subds. 1 and 2, an applicant who meets the criteria of those subdivisions shall have his or her application forwarded to the licensing committee for a hearing if a written objection to the renewal is filed by any interested party.

e. Nonoperating Premises. Any holder of an alcohol beverage retail establishment license who has ceased operations at the premises specified on the license shall only be permitted to apply for and obtain one renewal license for the premises, provided that the holder of the license is residentially and in all other respects qualified to make the application. The license shall not be renewed if the licensed premises shall have

been inoperative for more than one complete license year; however, the common council may waive this provision in unusual circumstances.

Part 5. Section 90-11-3, 5 and 6 of the code is repealed.

Part 6. Section 90-11-7 and 8 of the code is renumbered 90-11-2 and 3.

Sponsors: Ald. Hines Jr., Ald. Witkowiak and Ald. Bohl

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

2. [050292](#) A substitute ordinance relating to public passenger vehicle driver's license testing.

Sponsors: Ald. Bohl

This Ordinance was NOT APPROVED BY CITY ATTORNEY to the UTILITIES & LICENSES COMMITTEE

3. [050487](#) A substitute ordinance relating to notices regarding public hearings conducted for certain license applications.

Sponsors: Ald. Dudzik and Ald. Bohl

A motion was made by ALD. D'AMATO that this Ordinance be ASSIGNED TO to the UTILITIES & LICENSES COMMITTEE This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

4. [050505](#) A substitute ordinance relating to license requirements for ice cream peddlers.

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

Part 1. Section 60-48 of the code is created to read:

60-48. Ice Cream Peddler License.

1. The fee for each ice cream peddler license shall be \$50.

2. Each license shall be issued for the license period beginning July 1 and ending on June 30.

3. The fee for a duplicate license is \$6.

(See s. 74-2.)

Part 2. Section 74-2 of the code is created to read:

74-2. Ice Cream Peddler License.

1. FINDINGS. The common council finds that individuals involved in the business of ice cream peddling are placed in substantial contact with children. Additionally individuals peddling ice cream from an ice cream vending vehicle are also responsible for driving safely when operating a motor vehicle making frequent stops and dealing with customers congregating near the path of the vehicle. Therefore on that basis, the common council finds it necessary for the safety and welfare of the public to license individuals peddling ice cream.

2. DEFINITIONS. For the purposes of this section: a. "Ice cream peddler" means any person who physically operates an ice cream vending vehicle or any person who physically conducts ice cream vending from such a vehicle or from a carried container.

b. "Ice cream vending vehicle" means a vehicle from which the retail sale of ice cream or similar frozen confections for human consumption is conducted. An ice cream vending vehicle may be pushed, peddled, pulled or motorized.

3. LICENSE REQUIRED. No person shall operate or act as an ice cream peddler within the city without first having obtained an ice cream peddler license. The ice cream peddler license required by this section shall be in addition to the food peddler permit required in s. 74-1.

4. APPLICATION. Application for a new or renewal license shall be filed with the commissioner of health on a form provided therefore. The application shall state:

a. The applicant's name, date of birth, permanent address and telephone number.

b. A driver's license or some other proof of identity as may be reasonably required.

c. Submit with the application form a separate document bearing all 10 fingerprints of each applicant, or if the applicant has less than 10 fingers, the record shall so indicate.

d. Such other reasonable or pertinent information the commissioner of health or the chief of police may from time to time require.

5. DEPOSIT OF FEE. At the time of application, each applicant shall deposit with the health department the full amount of the fee required in s. 60-48. It shall be the duty of the health department to accept the deposit, issue a receipt therefore, and cause a record to be kept thereof.

6. INVESTIGATION. a. An application received by the commissioner of health shall be forwarded to the chief of police for review and criminal check.

b. Upon review and report of the chief of police and subject to the requirements of s. 111.335, Wis. Stats., the license shall be granted to an applicant who has not been required to register as a sex offender pursuant to s. 301.45, Wis. Stats.; or who has not been convicted of violating s. 940.22(2), 940.225(1), (2) or (3), 944.06, 948.02(1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.095, 948.11(2)(a) or (am), 948.12, 948.13, or 948.30, or of s. 940.30 or 940.31, Wis. Stats., if the victim was a minor; or who has not been convicted of operating a vehicle under the influence of an intoxicant or other drug pursuant to s. 346.63, Wis. Stats., in the past 3 years. These provisions shall also apply to the granting of this license to any applicant who has been convicted pursuant to similar statutes in foreign jurisdictions.

c. In the event an application for a new or renewal license is denied, the applicant may appeal the denial to the administrative review appeals board.

7. REVOCATION. a. Any license issued under this section may be revoked by the health department upon conviction of a licensee for violation of any provision specified in sub. 6-b.

b. Any license revoked by the health department under this section may be appealed to the administrative review appeals board. If the commissioner of health has cause to seek revocation of a license under this section he or she shall give notice to the licensee of the intent to revoke with an opportunity to appeal the revocation to the administrative review appeals board.

8. PENALTY. a. Any person who violates sub. 3 shall be liable upon conviction to a Class I penalty under s. 61-15.

b. Any person licensed under s. 74-1, who employs a person required to obtain a license under sub. 3 and who is not licensed, shall be liable upon conviction to a Class I penalty under s. 61-15.

Sponsors: Ald. Murphy

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

5. [050636](#) A substitute ordinance relating to public passenger vehicle application and qualifications.

Sponsors: Ald. Bohl

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

[050636](#) A substitute ordinance relating to public passenger vehicle application and qualifications.

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

Part 1. Section 100-50-2-f and g of the code is renumbered 100-50-2-g and h.

Part 2. Section 100-50-2-f of the code is created to read:

100-50. Public Passenger Vehicle Permits.

2. NEW PERMIT.

f. Each applicant shall file with the application for a permit a sworn statement by the applicant stating that the permit may be subject to suspension, non-renewal or revocation if the permittee violates any rule or regulation provided in this chapter. The contents of the application shall be true, correct and complete, and show that the applicant has sworn to the truth of the same before a notary public authorized to give oaths in the state of Wisconsin.

Part 3. Section 100-54-2-j and k of the code is created to read:

100-54. Driver's License.

2. QUALIFICATIONS AND APPLICATION.

j. Submit with the application form a sworn statement by the applicant stating that the license may be subject to suspension, non-renewal or revocation if the licensee violates any rule or regulation provided in this section. The contents of the application shall be true, correct and complete, and show that the applicant has sworn to the truth of the same before a notary public authorized to give oaths in the state of Wisconsin.

k. Have retaken and passed defensive driving and safety courses approved by the police department if the driver had been convicted of more than 4 moving violations within one licensing period.

Sponsors: Ald. Bohl

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

6. [050637](#) An ordinance relating to public passenger vehicle affiliations.

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

Part 1. Section 100-50-13 of the code is repealed and recreated to read:

100-50. Public Passenger Vehicle Permits.

13. AFFILIATION. a. A vehicle owner shall file with the city clerk a certified copy of each affiliation agreement with a dispatch service or organization under which the vehicle is operated. If the affiliation changes, the vehicle owner shall file an amended affiliation agreement with the city clerk prior to a driver taking the road under the new affiliation.

b. Vehicle owners shall maintain records ensuring that drivers serving their affiliations are properly licensed by the state of Wisconsin and the city. These records shall be made available to random inspection by the city.

Sponsors: Ald. Bohl

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

7. [050638](#) An ordinance relating to public passenger vehicle regulations.

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

Part 1. Section 100-54-7-d-3 of the code is renumbered 100-54-7-d-4.

Part 2. Section 100-54-7-d-3 of the code is created to read:

100-54. Driver's License.

7. HEARING PROCEDURE.

d-3. Violations of rules or regulations of this chapter.

Part 3. Section 100-59-15 of the code is created to read:

100-59. Operating Regulations for all Public Passenger Vehicles.

15. SERVICE TO DISABLED PASSENGERS. No owner or driver of a public passenger vehicle or agent of an owner or driver of a public passenger vehicle shall decline service to those passengers who are disabled or those with service animals or

wheelchairs.

Part 4. Section 100-60-5 of the code is created to read:

100-60. Meter Fare Taxicabs.

5. MAXIMUM PERIOD. A driver of a taxicab shall respond to a service request within 30 minutes upon receiving the request.

Sponsors: Ald. Bohl

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

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

No: 1 - Dudzik

8. [050639](#) An ordinance relating to public passenger vehicle trip records.

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

Part 1. Section 100-59-13 of the code is repealed and recreated to read:

100-59. Operating Regulations for all Public Passenger Vehicles.

13. TRIP RECORDS. Every driver shall maintain daily trip records, approved by the police department as to format, which shall show the time, date and place each passenger was picked up and the time, date and place each passenger was discharged. Each daily record shall contain the driver's name and vehicle permit number. The permittee shall retain trip records for at least 6 months, and the records shall be readily available for inspection upon request by the police department.

Sponsors: Ald. Witkowiak

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

9. [050640](#) A substitute ordinance relating to the temporary taxicab fare surcharge.

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 repealed and recreated to read:

100-52. Rates Established.

3. METER FARE TAXICAB.

d. From July 1, 2005, up through and including 60 days from October 27, 2005, December 27, 2005, a surcharge not exceeding \$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 another 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.

..LRB:

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

Sponsors: Ald. Witkowiak

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

10. [050641](#)

An ordinance relating to a daily public passenger vehicle safety checklist.

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

Part 1. Section 100-50-2-a of the code is amended to read:

100-50. Public Passenger Vehicle Permits.

2. NEW PERMIT. a. Filing. Application for new luxury limousine, pedicab, shuttle, horse and surrey, motorcycle used for tours, motorcycle with a sidecar used for tours and handicapped-elderly vehicle permits shall be filed with the city clerk. The application shall be accompanied by the permit fee specified in ch. 81, the refundable portion of which shall be returned to the applicant if the application is not approved. The application shall contain the name and address of the applicant, the kind of vehicles the applicant intends to employ, the current state registration for each motor vehicle, naming the applicant as sole title holder and not as lien holder, evidence of financial responsibility as required by s. 100-53, issued to and covering the applicants, the name of the partnership or corporation, whether the applicant has a dispatch service, whether the applicant has been convicted of any felonies or misdemeanors, and such other information as may be required by the licensing committee. All individual applicants, partners of a partnership, agents and officers of a corporation shall be considered applicants under this section [[,and as applicants shall comply with s. 100-54-2-h-0, h-2 to h-4, k and L]]. If the applicant cannot satisfy the provisions of this paragraph at the time of filing, relative to vehicle ownership or financial responsibility, the applicant shall file, with the application, a letter addressed to the licensing committee outlining his or her intentions of satisfying all the requirements of this chapter prior to issuance of the applicable permit.

Part 2. Section 100-50-7-a-2 of the code is amended to read:

100-50. Public Passenger Vehicle Permits.

7. RENEWAL.

a-2. When the police department determines that a permittee, or any officer, agent, director or applicable stockholders of a corporation, or any partner of a partnership has failed to comply with [[any provision of s. 100-54-2-h-0, h-2 to h-4, k and L,]] >> the operating regulations specified in s. 100-59, << or there is an objection to the renewal of the permit by any interested person, the licensing committee shall conduct a hearing on the application and thereafter make a recommendation to the common council.

Part 3. Section 100-59-14 of the code is repealed and recreated to read:

100-59. Operating Regulations for all Public Passenger Vehicles.

14. DAILY SAFETY CHECKLIST. a. Every public passenger vehicle driver prior to the beginning of each shift shall inspect the vehicle to make sure that all equipment on the vehicle is operable and in good working condition and that the vehicle is maintained in a reasonably clean condition on the inside and outside. All vehicles shall be washed a minimum of once per week.

b. Every public passenger vehicle driver shall keep in the vehicle a daily safety checklist ensuring that the items listed in par. c have been inspected and are in good working order and by the public passenger vehicle permit holder properly placed in or on the vehicle. The checklist shall be kept for at least 14 days by the public passenger vehicle permit holder and be readily available for inspection upon request by the police department.

c. The daily safety checklist shall include the following items:

c-1. Meter seal.

c-2. Rate/complaint placard.

c-3. Clean interior/exterior.

c-4. Seat belts.

c-5. Horn.

c-6. Spare tire (inflated).

c-7. Heater/defroster/air conditioner.

c-8. Windshield (in compliance with s. Trans 305.34, Wis. Adm. Code, as amended).

c-9. Windshield wipers/blades.

c-10. Head lamps/tail, turn, brake, hazard lights.

c-11. Tires.

c-12. Wheels/rims.

c-13. Body of vehicle.

c-14. Upholstery.

Sponsors: Ald. Bohl

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

APPROVAL OF THE FOLLOWING:

11. [050140](#) Motion relating to the recommendations of the Utilities and Licenses Committee relative to various licenses.
- 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. WITKOWIAK that this Motion be APPROVED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

12. [990292](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to renewal, nonrenewal, suspension or revocation of licensed dwelling facilities.

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

No: 0

13. [990293](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to renewal, nonrenewal, suspension or revocation of licensed dwelling facilities.

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

No: 0

14. [031630](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of food dealer licenses.

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

No: 0

15. [031631](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of food dealer licenses.

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

No: 0

16. [031684](#) A substitute ordinance relating to procedures for denial, non-renewal and suspension of junk dealer and junk collector licenses.

Sponsors: Ald. Witkowski

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

17. [050645](#) Motion to approve the recommendation of the Utilities and Licenses Committee to revoke the Class B Tavern license and Tavern Dance license for Allyn J. Wasley, agent for Wolfgang's Pub, LLC, by a sworn written complaint as authorized under Chapter 90-12-4 of the City of Milwaukee Code of Ordinances.

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

No: 0

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

18. [050369](#) Motion relating to the recommendations of the Utilities and Licenses Committee relative to various licenses.
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. WITKOWIAK that this Motion be APPROVED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1. [050215](#) Substitute ordinance to further amend the 2005 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 3 of ordinance File Number 040458 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 20, 2005 - September 11, 2005):

Under Pay Range 205, add the title and footnote designation "Temporary Election Laborer 2/" and add the following footnote to read as follows: "2/ Incumbents are limited to the first step of the pay range."

Part 2. Section 6 of ordinance File Number 040458 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2003 - December 22, 2002):

Under Pay Range 480 delete the rates of pay and substitute therefor the following:

Pay Range 480

Official Rate - Biweekly

\$747.24	\$868.88	\$914.84	\$936.31	\$959.51	\$982.65
\$1,005.85	\$1,032.41				

Part 3. Section 6 of ordinance File Number 040458 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2004 - December 21, 2003):

Under Pay Range 480 delete the rates of pay and substitute therefor the following:

Pay Range 480

Official Rate - Biweekly

\$769.66	\$894.95	\$942.29	\$964.40	\$988.30	\$1,012.13
\$1,036.03	\$1,063.38				

Part 4. Section 6 of ordinance File Number 040458 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period

1, 2005 - December 19, 2004)

Under Pay Range 480 delete the rates of pay and substitute therefor the following:

Pay Range 480

Official Rate - Biweekly

\$792.75	\$921.80	\$970.56	\$993.33	\$1,017.95	\$1,042.49
\$1,067.11	\$1,095.28				

Part 5. Section 20 of ordinance File Number 040458 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2004 - December 21, 2003):

Delete Pay Range 851 in its entirety and delete the biweekly rates of pay shown for Pay Ranges 850 through 857 and substitute therefor the following biweekly rates of pay:

Pay Range 850

Official Rate - Biweekly

\$1,232.95	\$1,284.08	\$1,427.73	\$1,571.75	\$1,730.54	\$1,905.68
\$2,080.49					

Pay Range 853

Official Rate - Biweekly

\$1,554.61	\$1,588.96	\$1,962.59	\$2,040.64	\$2,203.19
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Pay Range 856

Official Rate - Biweekly

\$1,987.95	\$2,066.48	\$2,148.13	\$2,233.03	\$2,321.39
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Pay Range 857

Official Rate - Biweekly

\$2,233.03	\$2,321.39	\$2,413.23	\$2,508.74	\$2,607.96	\$2,711.28
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Part 6. Section 20 of ordinance File Number 040458 relative to rates of pay of offices

and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2005 - December 19, 2004):

Delete the biweekly rates of pay shown for Pay Ranges 850 through 857 and substitute therefor the following biweekly rates of pay:

Pay Range 850

Official Rate - Biweekly

\$1,269.94 \$1,322.60 \$1,470.56 \$1,618.90 \$1,782.46 \$1,962.85
\$2,142.90

Pay Range 853

Official Rate - Biweekly

\$1,601.25 \$1,636.63 \$2,021.47 \$2,101.86 \$2,269.29

Pay Range 856

Official Rate - Biweekly

\$2,047.59 \$2,128.47 \$2,212.57 \$2,300.02 \$2,391.03

Pay Range 857

Official Rate - Biweekly

\$2,300.02 \$2,391.03 \$2,485.63 \$2,584.00 \$2,686.20
\$2,792.62

Part 7. Section 23 of ordinance File Number 040458 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 20, 2005 - September 11, 2005):

Under Pay Range 918, add the title and footnote designation "Temporary Document Services Assistant 2/" and add the following footnote to read as follows: "2/ Recruitment may be at the first or second step of the pay range."

Part 8. Section 25 of ordinance File Number 040458 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 16, 2005 - July, 17 2005):

Delete the hourly rates of pay shown for Pay Ranges 981 through 993 and substitute therefor the following biweekly rates of pay:

Pay Range 981

Official Rate-Hourly
\$23.05

Pay Range 982

Official Rate-Hourly
\$23.00

Pay Range 983

Official Rate-Hourly
\$23.43

Pay Range 984

Official Rate-Hourly
\$23.75

Pay Range 985

Official Rate-Hourly
\$25.63

Pay Range 986

Official Rate-Hourly
\$24.49

Pay Range 987

Official Rate-Hourly
\$23.93

Pay Range 988

Official Rate-Hourly
\$26.33

Pay Range 989

Official Rate-Hourly
\$27.63

Pay Range 990

Official Rate-Hourly
\$25.22

Pay Range 991

Official Rate-Hourly
\$27.07

Pay Range 992

Official Rate-Hourly
\$27.08

Pay Range 993

Official Rate-Hourly
\$25.78

Part 9. Section 25 of ordinance File Number 040458 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2006 - January 1, 2006):

Delete the hourly rates of pay shown for Pay Ranges 981 through 993 and substitute therefor the following biweekly rates of pay:

Pay Range 981

Official Rate-Hourly
\$23.55

Pay Range 982

Official Rate-Hourly
\$24.76

Pay Range 983

Official Rate-Hourly
\$23.93

Pay Range 984

Official Rate-Hourly
\$24.26

Pay Range 985

Official Rate-Hourly
\$26.19

Pay Range 986

Official Rate-Hourly
\$25.01

Pay Range 987

Official Rate-Hourly
\$24.44

Pay Range 988

Official Rate-Hourly
\$26.90

Pay Range 989

Official Rate-Hourly
\$28.22

Pay Range 990

Official Rate-Hourly
\$25.76

Pay Range 991

Official Rate-Hourly
\$27.65

Pay Range 992

Official Rate-Hourly
\$27.66

Pay Range 993

Official Rate-Hourly
\$26.33

Part 10. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 11. The provisions of Parts 2 of this ordinance are deemed to have been in force and effect from and after Pay Period 1, 2003 (December 22, 2002).

The provisions of Parts 3 and 5 of this ordinance are deemed to have been in force and effect from and after Pay Period 1, 2004 (December 21, 2003).

The provisions of Parts 4 and 6 of this ordinance are deemed to have been in force and effect from and after Pay Period 1, 2005 (December 19, 2004).

The provisions of Part 8 of this ordinance are deemed to have been in force and effect from and after Pay Period 16, 2005 (July, 17 2005).

The provisions of Parts 1 and 7 of this ordinance are deemed to have been in force and effect from and after Pay Period 20, 2005 (September 11, 2005).

The provisions of Part 9 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 2006 (January 1, 2006).

Part 12. 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. MURPHY that this Ordinance be PASSED This motion PREVAILED by the following vote:

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

No: 1 - Bohl

2. [050216](#) Substitute ordinance to further amend the 2005 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 040459 relative to offices and positions in the City Service is hereby amended as follows:

Under "City Clerk's Office, Central Administration Division", delete one position of "Communications Assistant I" and add one position of "Accounting Assistant II."

Under "Fire Department, Supporting Services Decision Unit", amend footnote "(B)" to read as follows: "To expire 3/31/07, unless the Urban Areas Security Initiative Program Grant, available from the U.S. Department of Homeland Security is extended."

Under "Health Department, Congenital Disorders Grant (O)", delete one "Office Assistant II (O)"; under "Maternal and Child Health Division, Northwest Health Center", delete seventeen positions of "Public Health Nurse (X)(G)(O)(AA)(FF)" and add seventeen positions of "Public Health Nurse (X)(G)(AA)(FF)" and one position of "Office Assistant II" and amend footnote "(O)" to read as follows: "To expire 06/30/06 unless the Congenital Disorders Grant is extended. Also funds a .4 FTE of a Clinic Assistant position."

Under "Library, Central Library Services Decision Unit, Public Services Section Interlibrary Services Grant", delete one position of "Library Circulation Assistant I (0.5 FTE)(H)" and add one position of "Library Circulation Assistant I (0.25 FTE)(H)" and amend footnote "(H)" to read as follows: "To expire 06/30/06 unless the Interlibrary Services Grant, available from the Wisconsin Department of Public Instruction, is extended. Positions are authorized only as reflected in the grant agreements as approved by the Grantor Agencies."

Under "Mayor, Administration Decision Unit", add one position of "UASI Emergency Government Coordinator (B)" and add footnote "(B)" to read as follows: "To expire 3/31/07, unless the Urban Areas Security Initiative Program Grant, available from the U.S. Department of Homeland Security is extended."

Under "Police Department", amend footnote "(F)" to read as follows: "A Truancy Abatement Grant. Six positions to expire 6/30/06 unless grant funding from the Milwaukee Public Schools continues."

Under "Department of Public Works, Water Works, Business Organization, Municipal Building Control Center", delete one position "Water Communications Center Supervisor"; under "Commercial Services", delete three positions of "Program Assistant II" and add two positions of "Program Assistant I"; under "Engineering

Organization, Engineering Design”, add one position of “Engineering Technician II.”

Part 2. Section 1 of ordinance File Number 040459 relative to offices and positions in the City Service is hereby amended as follows (Effective Pay Period 20, 2005 - September 11, 2005):

Under “Election Commission, Registration Division”, delete eight positions of “Temporary Office Assistant II (0.11 FTE)” and add eight positions of “Temporary Election Laborer (0.11 FTE).”

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

Part 4. The provisions of part 2 of this ordinance are deemed to have been in force and effect from and after Pay Period 20, 2005 (September 11, 2005).

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

Part 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. MURPHY that this Ordinance be PASSED This motion PREVAILED by the following vote:

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

No: 1 - Bohl

3. [050475](#) A substitute charter ordinance relating to retirement benefits for certain city employees.

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

Part 1. Section 36-02-12-a of the city charter is amended to read:

36-02. Definitions.

12. EARNABLE COMPENSATION shall mean: a. the annual regular base salary that would be payable to a member if he or she worked the full normal working time for his or her position, provided, however, that where service is credited during periods of absences as provided in s. 36-04-1-b, the employe shall be considered to have an earnable compensation during such periods of absence equivalent to his or her earnable compensation as of his or her last month of employment prior to the beginning of such absences. In cases where compensation includes maintenance, the

board shall fix the value of that part of the compensation not payable in money. Policemen, excluding sergeant of police, detective lieutenant and ranks above same, retiring on a service retirement allowance on or after January 1, 1983, shall have longevity in rank pay, if any, payable at the close of the calendar year immediately preceding their retirement included as earnable compensation, except that policemen excluding sergeant of police, detective lieutenant and ranks above same, retiring on a service retirement allowance on or after January 1, 1998, who would have accrued 20 years of creditable service if they had remained in active service to the end of the calendar year in which they retire, shall have longevity in rank pay, if any, that would have been payable at the close of the calendar year of their retirement had they not retired included as earnable compensation, policemen of the rank of police sergeant and above (excluding the rank of commander and above) retiring on a service retirement allowance prior to January 1, 2000 shall have variable shift assignment pay, if any, to a maximum of \$1,410 per calendar year for police sergeant, administrative police sergeant, police sergeant (garage) and police identification supervisor, and \$1,400 per calendar year for all others payable for the calendar year immediately preceding the calendar year in which they retire included as earnable compensation except that such other policemen who retire during calendar year 1985 shall have variable shift assignment pay, if any, payable for calendar year 1985 included as earnable compensation. Policemen of the rank of police sergeant and above (excluding policemen of the rank of police commander and above) retiring on a service retirement on or after January 1, 2000 shall have variable shift assignment pay, if any, to a maximum of \$1,060 per calendar year for the ranks of police sergeant, police sergeant (garage) and police identification supervisor and \$1,050 per calendar year for all others payable for the calendar year immediately preceding the calendar year in which they retire included as earnable compensation. Policemen of the rank of police sergeant or administrative police sergeant retiring on a service retirement on or after January 1, 2003 shall have variable shift assignment pay, if any, to maximum of \$1,360 per calendar year included in the calculation of final average salary for computing an employe's normal service retirement allowance. Policemen of the rank of police commander or above retiring on a service retirement allowance prior to January 1, 2001 shall have variable shift assignment pay, if any, to a maximum of \$1,400 per calendar year for the year immediately prior to the calendar year in which they retire included as earnable compensation and policemen of the rank of police commander or above retiring on a service retirement on or after January 1, 2001 shall have variable shift assignment pay, if any, to a maximum of \$1,500 per calendar year for the year immediately prior to the calendar year in which they retire included as earnable compensation. Firemen retiring on a service retirement allowance on or after January 1, 1992, shall have up to a maximum of \$550 in special emergency medical technician pay, if any, payable at the close of the calendar year immediately preceding their retirement included as earnable compensation. Firemen retiring on a service retirement allowance on or after January 1, 2000, shall have longevity pay, payable at the close of the calendar year immediately preceding their retirement included as

earnable compensation. >>Firemen represented by Local 215 IAFF and retiring on a service retirement allowance in 2004 shall have training standards pay, if any, up to a maximum of \$400, that would have been payable at the close of calendar year 2004 had they not retired, included as earnable compensation. Firemen represented by Local 215 IAFF and retiring on a service retirement allowance on or after January 1, 2005 shall have training standards pay, if any, up to a maximum of \$400 received for the calendar year immediately preceding the calendar year of their retirement, included as earnable compensation. Firemen represented by Local 215 IAFF and retiring on a service retirement allowance on or after January 1, 2006 shall have EMT II premium pay, if any, up to a maximum of \$1000 received for the calendar year immediately preceding the calendar year of their retirement, included as earnable compensation.<< Members who are employees of the school board represented by Local 950, Operating Engineers International Union, who retire on or after March 4, 1990, shall have site differential pay if received on or after March 4, 1990, included as earnable compensation. Earnable compensation for any one year of creditable service shall not exceed \$150,000. If for any calendar year after 1994 the excess of \$150,000 increased by the cost of living adjustment prescribed by section 415(d), International Revenue Code, on a base period of the last quarter of calendar year 1993 exceeds \$150,000 by an amount in excess of \$10,000, the maximum for any subsequent calendar year shall be increased by the amount of the excess rounded to the next lowest multiple of \$10,000.

Part 2. Section 36-02-20 of the city charter is amended to read:

20. MEDICAL PANEL as it relates to policemen and firemen shall mean a panel of physicians consisting of one member to be selected by designation of the city; one member to be selected by the certified bargaining agent for the affected policeman or fireman; and the 3rd member to be selected by the other 2 members. In the case of a policeman represented by the Milwaukee Police Association who becomes a member of the retirement system after June 28, 2005 >>, or a fireman represented by Local 215, IAFF, who becomes a member of the retirement system after the effective date of this charter ordinance December 13, 2005<< and who applies for, or is granted, a duty disability retirement allowance based on a mental injury, "medical panel" shall mean the medical council. In the case of a policeman or fireman who is not represented by a certified bargaining agent, "medical panel" shall mean the medical council. All decisions of the medical panel shall be made by a majority vote.

Part 3. Section 36-05-3-c-1-a of the city charter is amended to read:

36-05. Benefits.

3. DUTY DISABILITY RETIREMENT ALLOWANCE.

c. Firemen and Policemen Duty Disability.

c-1. Medical Panel.

c-1-a. Recommendations. Except for policemen represented by the Milwaukee Police Association who become members after June 28, 2005, >>and firemen represented by Local 215, IAFF, who become members after the effective date of this charter ordinance December 13, 2005<< and apply for duty disability retirement allowance based on a mental injury, such member shall be examined by a medical panel and such medical panel shall make the examination, determination and certification required under this act in accordance with the form prescribed by the board. If the panel recommends that such person is entitled to duty disability retirement allowance provided for in this section, the board shall thereupon grant such allowance. For policemen represented by the Milwaukee Police Association who become members of the retirement system after June 28, 2005, >>and firemen represented by Local 215, IAFF, who become members of the retirement system after the effective date of this charter ordinance December 13, 2005<< and apply for a duty disability retirement allowance based on a mental injury, the application shall be referred to the medical council established under s. 36-15-12, in lieu of the medical panel, which medical council shall make the determination and certification required under this act. In any reexamination authorized by this act of such retired beneficiary, the beneficiary shall be referred to the medical council, in lieu of the medical panel, for reexamination and such medical council shall make the determination and certification required under this act. Except as otherwise provided in subd. 3-f, any fireman or policeman who shall become disabled as the direct result of injury incurred in the performance of one or more specific acts of duty shall have a right to receive duty disability benefit during the period of such disability of an amount equal to 75% of the current annual salary for such position which he held at the time of such injury. Except as otherwise provided in subd. 3-f, the surviving spouse of such member after his or her death but only during the period prior to remarriage shall receive 70% of the amount of the duty disability which the member received at the time of his or her death, and such percentage shall thereafter be based upon the salary of the position of such member at the time of his or her death. Prior to such person attaining the minimum service retirement age, periodic medical examinations of such person shall be made at least once each year but the heads of the respective departments may direct more frequent examinations. Effective January 1, 2000, the annual escalator payable under sub. 1-h-5 shall be extended to the allowance received by the surviving spouse of a retired fireman or policeman who retired on a duty disability retirement allowance under this subpar. prior to January 1, 1993 and died while receiving a duty disability retirement allowance if the member (or the surviving spouse of the member is deceased) participates in the combined fund. Effective January 1, 2000, the annual escalator payable under sub. 1-h-6 shall be extended to the allowance received by the surviving spouse of a retired fireman or policeman who retired on a duty disability allowance under this subpar. on or after January 1, 1993 and dies while receiving a duty disability retirement allowance if the member (or the surviving spouse of the member is deceased) participates in the combined fund. The annual escalator shall be payable to the surviving spouse at the same times and in the same percentages as the

increases the member would have received had the member retired on a service retirement allowance on the date of his or her death.

Part 4. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

4. [021158](#) Substitute resolution to ratify and confirm the final agreement between the City of Milwaukee and Local #21, Milwaukee Police Association, IUPA, AFL-CIO, (Police Aide Unit).

Whereas, The total agreements between the city negotiating team and Milwaukee Police Association (Police Aide Unit) for the periods commencing January 1, 2003, through December 31, 2003, and January 1, 2004, through December 31, 2006, have been reduced to writing; and

Whereas, The memoranda of understandings embodying the agreements reached by the parties to such negotiations, copies of which are attached to Common Council File No. 021158 and incorporated herein as though fully set forth at length, were executed subject to ratification by the Common Council; and

Whereas, The union membership has ratified the memoranda of understandings and a copy of a letter to that effect is attached to Common Council File No. 021158 and incorporated herein as though fully set forth at length; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the agreements between the city negotiating team and Milwaukee Police Association (Police Aide Unit) be approved; and, be it

Further Resolved, That the city negotiating team is hereby authorized and directed to reduce the agreements to formal contracts between the union and the city; and, be it

Further Resolved, That the proper city officials are hereby authorized and directed to execute formal contracts between the City of Milwaukee and Milwaukee Police

Association (Police Aide Unit) which reflect the terms of the agreements; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

5. [031030](#) Substitute resolution to ratify and confirm the final agreement between the City of Milwaukee and the Milwaukee Professional Fire Fighters' Association, Local #215, IAFF, AFL-CIO.

Whereas, The agreement between the city negotiating team and Local #215, Milwaukee Professional Fire Fighters' Association, International Association of Fire Fighters, AFL-CIO, for the time period commencing January 1, 2004, through December 31, 2006, has been reduced to writing; and

Whereas, The memorandum of understanding embodying the agreement reached by the parties to such agreement, copies of which are attached to Common Council File No. 031030 and incorporated herein as though fully set forth at length, was executed subject to ratification by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the agreement between the city negotiating team and Local #215, Milwaukee Professional Fire Fighters' Association, International Association of Fire Fighters, AFL-CIO, is approved; and, be it

Further Resolved, That the city negotiating team is hereby authorized and directed to reduce the agreement to a formal contract between the union and the city; and, be it

Further Resolved, That the proper city officials are directed to execute a formal labor contract embodying the terms and conditions of the attached memorandum of

understanding between the City of Milwaukee and Local #215, Milwaukee Professional Fire Fighters' Association, International Association of Fire Fighters, AFL-CIO; and, be it

Further Resolved, That the city negotiating team is directed to prepare any ordinance changes or resolutions to effectuate the agreement; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

6. [041590](#) Substitute resolution authorizing attendance at conventions, seminars and other travel.

Resolved, By the Common Council of the City of Milwaukee, that attendance of the following person(s) at the following convention(s) and/or seminar(s) is approved, to be paid from departmental budgeted funds, such travel and reimbursement to be in accordance with policy guidelines set forth in 350-181 of the Milwaukee Code of Ordinances:

Two Aldermen (CC-CC); League of Wisconsin Municipalities, 2005 Annual Conference; Green Bay, WI; October 26-29, 2005; 1,360.00.

;and, be it

Further Resolved, That the dollar amount shown for each authorized convention, seminar and other travel listed above is simply an ESTIMATE of the convention, seminar and other travel 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 convention,

seminar and other travel 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. MURPHY that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

7. [050375](#) Substitute resolution approving the Memorandum of Understanding between the City of Milwaukee negotiating team and Milwaukee District Council 48, AFSCME, AFL-CIO relative to a grievance settlement.

Whereas, On June 20, 2005, the City and Milwaukee District Council 48, AFSCME, AFL-CIO were scheduled to conduct a grievance arbitration hearing before Arbitrator William Petrie; and

Whereas, Prior to the scheduled arbitration hearing, the parties reached a settlement, the terms of which are set forth in a Memorandum of Understanding attached to this file and incorporated herein as though fully set forth at length; and

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

Resolved, By the Common Council of the City of Milwaukee, that the settlement among the City, Milwaukee District Council 48, AFSCME, AFL-CIO, and Anthony Lockly, the terms of which are set forth in a document annexed to this file, be and the same hereby is approved; and, be it

Further Resolved, That the proper City officers be and hereby are authorized and directed to issue a City check in an amount consistent with the approved settlement and that the payment required by said settlement be charged to the Salary and Wages Account of the Assessor's Office; and, be it

Further Resolved, That payments under the settlement are authorized and directed to be issued, upon a receipt of a Release of Claim, approved as to form and execution to the satisfaction of the City Attorney.

Sponsors: THE CHAIR

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

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

No: 1 - Davis

8. [050529](#) Resolution authorizing the Office of the City Attorney to resolve various Municipal Court cases through permanent stay of the forfeiture or dismissal.

Whereas, The City of Milwaukee has obtained judgment in a number of Milwaukee Municipal Court cases, as identified by case number, defendant's name, offense and amount of judgment in Appendix A attached to Common Council File Number 050529 and incorporated herein by references; and

Whereas, The City of Milwaukee, through the Office of the City Attorney, has been unable to enforce collection of said judgments and recommends no further action at this time; and

Whereas, The City of Milwaukee has, in addition, a number of other pending Milwaukee Municipal Court cases, as identified by case number, defendant's name, and offense in Appendix B, incorporated herein by reference, wherein no judgments have been obtained and warrants have been issued for said defendants; and

Whereas, With respect to such cases listed in Appendix B, the Office of the City Attorney recommends no further prosecution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Office of the City Attorney, be and hereby is authorized to move the Milwaukee Municipal Court to permanently stay the forfeiture portion of the judgments in all of those cases listed in Appendix A; and, be it

Further Resolved, That the Office of the City Attorney be and hereby is further authorized to move the Milwaukee Municipal Court to dismiss all of those cases listed in Appendix B.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

9. [050548](#) Resolution appropriating \$250,000 to the Department of Neighborhood Services from the 2005 Special Purpose Account - Reimbursable Services Advance Fund. Resolved, By the Common Council of the City of Milwaukee, that \$250,000 be and hereby is appropriated from the 2005 Reimbursable Services Advance Fund to the Department of Neighborhood Services to provide funding for the Cross Connection Control Program approved in the 2005 Adopted Budget; and, be it
- Further Resolved, That the City Comptroller is authorized and directed to establish the necessary accounts and accounting procedures to carry out the intent of this resolution; and, be it
- Further Resolved, That the procedures for handling and advancing funds in anticipation of reimbursable revenue be in accordance with those set forth in Common Council File 80-1513.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

10. [050561](#) Resolution relative to acceptance and funding of a Shipshape Grant.
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin for the purpose of converting Great Lakes vessel files from paper format to a computerized database; and
- Whereas, The operation of this grant from 07/01/05 to 06/30/06 would cost \$111,221 of which \$66,391 (60%) would be provided by the city and \$44,830 (40%) would be provided by the grantor; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Public Library shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 030712 (Grant Ordinance); and, be it
- Further Resolved, That the City Comptroller is authorized to:
1. Commit funds within the Project/Grant Parent of the 2005 Special Revenue--Grant and Aid Projects Fund, the following amounts for the project titled Shipshape Grant::

Proj/Grant	Fund	Org	Program	BuYr
GR0000500000	0150	9990	0001	0000

Subclass	Acct	Project	Amount
R999	000600	Grantor Share	\$44,830

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

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

Further Resolved, That these funds are budgeted for Milwaukee Public Library which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2005 grant budget funds for specific items of equipment;
3. Enter into subcontracts and leases as detailed in the grant budget.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

11. [050570](#) Resolution relative to application for a Library ala Carte - Homebound Service for Seniors Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Department of Public Instruction to provide Milwaukee's homebound senior citizens with access to the Library and its vast resources through a home-delivery program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the State of Wisconsin Department of Public Instruction is authorized.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

12. [050573](#) Substitute resolution transferring \$800,000 from the 2005 Common Council Contingent Fund to the Worker's Compensation Special Purpose Account. Whereas, The Department of Employee Relations - Worker's Compensation Special Purpose Account was funded in 2005 at \$8,850,000; and

Whereas, The Employee Benefits Division and the Budget Office agree that the projected expenditures in 2005 for Worker's Compensation and medical claims will be at least \$9,764,491; and

Whereas, The Employee Benefits Division and the Budget Office agree that the projected revenue in 2005 for Worker's Compensation and medical claims will be at least \$122,000; and

Whereas, These expenditures are non-discretionary; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that an amount not to exceed \$800,000 be transferred from the Common Council Contingent Fund (0001-9990-001-D001-006300-2005) to the Worker's Compensation Special Purpose Account (612001-001-1654-1614-S176-2005); and, be it

Further Resolved, That the appropriate City officials are authorized and directed to take whatever steps are necessary to fulfill the intent of this resolution.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

13. [050596](#) Resolution appropriating \$500,000 from the 2005 Common Council Contingent Fund (0001-9990-C001-0066300) for expenditure through the SPA Remission of Taxes fund Account (0001-9990-S163-006300) to provide funding for remitted taxes.

Whereas, The City of Milwaukee is required to pay the remitted taxes by January 31st; and

Whereas, There is no funding remaining in the special purpose account remission of

taxes; and; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that up to \$500,000 be appropriated from the 2004 Common Council Contingent Fund (0001-9990-C001-0066300) to the remission of taxes account (0001-9990-S163-006300).

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

14. [050600](#) Substitute resolution relating to the application for, acceptance and expenditure of FY 2005 Urban Areas Security Initiative Program Grant.

Whereas, The U. S. Department of Homeland Security, Office of Domestic Preparedness has awarded an Urban Areas Security Initiative (UASI) grant to the state Office of Justice Assistance for disbursement to various jurisdictions within the Milwaukee Urban Areas; and

Whereas, The Milwaukee Urban Area identified by the federal government for the UASI grant includes Milwaukee, Waukesha and Washington Counties; with funds distributed directly to those entities as well as the City of Milwaukee by the state Office of Justice Assistance; and

Whereas, The state Office of Justice Assistance has notified the City of Milwaukee that the City is eligible to receive an award of \$2,432,772, of which \$160,000 will be used by the Mayor's Office, \$853,428 by the Fire Department, \$793,855 by the Police Department, and \$625,489 by the Health Department; and

Whereas, The grant funds will be used by the various jurisdictions within the Milwaukee Urban Area to address the goals of the Urban Area strategy to enhance the security and overall preparedness to prevent, respond to and recover from acts of terrorism and other critical incidents in a multi-jurisdictional, multi-disciplinary manner; and

Whereas, The operation of this grant project is from 10/01/04 to 3/31/07, and no state or local matching funds are required; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Mayor's Office, Fire Department, Police Department and Health Department are authorized to

accept grant funds of \$2,432,772 from the U.S. Department of Homeland Security, Office of Domestic Preparedness FY 2005 Urban Areas Security Initiative (USAI) Program Grant, in accordance with established City policies; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Grant Parent Account of the 2005 Special Revenue Grant and Aid Projects Fund the following amounts for the project/program entitled FY 2005 Urban Areas Security Initiative Program Grant:

Project/Grant Fund	GR0000400000
Org	0150
Program	9990
BudgetYear	0001
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$160,000 (Mayor's Office)

Project/Grant Fund	GR0000400000
Org	0150
Program	9990
Budget Year	0001
SubClass	R999
Account	000600
Project	Grantor Share
Amount	\$853,428 (Fire)

Project/Grant Fund	GR000400000
Org	0150
Program	9990
Budget Year	0001
SubClass	R999
Account	000600
Project	Grantor Share
Amount	\$793,855 (Police)

Porject/Grant Fund	GR000400000
Org	0150
Program	9990
Budget Year	0001
SubClass	R999
Account	000600

Project	Grantor Share
Amount	\$625,489 (Health)

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

; and, be it

Further Resolved, That these funds are budgeted for the Mayor's Office, Fire Department, Police Department and Health Department, which are authorized to:

1. Expend from the amount budgeted sums for the specified purposes, as indicated in the grant budget, and incur costs consistent with the award date.
2. Expend from the 2005 grant budget funds for specific items of equipment.
3. Enter into subgrants and subcontracts as detailed in the grant budget.

; and, be it

Further Resolved, That Common Council File Number 040459, relative to offices and positions in the City Service, is amended as follows:

Under "Fire Department, Supporting Services Decision Unit", amend footnote "(B)" to read: "To expire 3/31/07, unless the Urban Areas Security Initiative Program Grant, available from the U.S. Department of Homeland Security is extended."

Under "Mayor, Administration Decision Unit", add one position of "UASI Emergency Government Coordinator (B)", and add footnote "(B)" to read: "To expire 3/31/07, unless the Urban Areas Security Initiative Program Grant, available from the U.S. Department of Homeland Security is extended."

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

15. [050603](#) Resolution relative to acceptance and funding of an Interlibrary Services Grant.
Whereas, The City of Milwaukee appears to be eligible for grant funds from the

Wisconsin Department of Public Instruction and MCFLS for the loan of library materials and information to other libraries in the State of Wisconsin in answer to specific requests; and

Whereas, The operation of this grant from 07/01/05 to 06/30/06 would cost \$72,000 of which \$72,000 (100%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Public Library shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 030712 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2005 Special Revenue--Grant and Aid Projects Fund, the following amounts for the project titled Interlibrary Services Grant:

Proj/Grant	Fund	Org	Program	BuYr
GR0000500000	0150	9990	0001	0000

Subclass	Acct	Project	Amount
R999	000600	Grantor Share	\$72,000

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

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

Further Resolved, That these funds are budgeted for Milwaukee Public Library which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2005 grant budget funds for specific items of equipment;
3. Expend from the 2005 grant budget funds for training and out-of-town travel by departmental staff.

; and, be it

Further Resolved, That the Common Council directs that the 2005 Positions Ordinance, C.C. File 040459 should be amended as follows:

LIBRARY BOARD
CENTRAL LIBRARY SERVICES DECISION UNIT
Interlibrary Services Grant

Add:

(1) Library Circulation Assistant I (0.25 FTE) (H)

Delete:

(1) Library Circulation Assistant I (0.5 FTE) (H)

and, amend footnote (H) as follows:

To expire 06/30/06 unless the Interlibrary Services Grant, available from the Wisconsin Department of Public Instruction, is extended. Positions are authorized only as reflected in the grant agreements as approved by the Grantor Agencies.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

16. [050604](#) Resolution relative to acceptance and funding of a Regional Library for the Blind and Physically Handicapped Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Public Instruction to serve the blind and physically handicapped of the state by providing reading material on phonodiscs, cassette tapes, and braille books; and

Whereas, The operation of this grant from 07/01/05 to 06/30/06 would cost \$746,000 of which \$746,000 (100%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Public Library shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 030712 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2005 Special Revenue--Grant and Aid Projects Fund, the following amounts for the project titled Regional Library for the Blind and Physically Handicapped:

Proj/Grant	Fund	Org	Program	BuYr
GR0000500000	0150	9990	0001	0000

Subclass	Acct	Project	Amount
R999	000600	Grantor Share	\$746,000

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

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

Further Resolved, That these funds are budgeted for Milwaukee Public Library which is authorized to:

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

2. Expend from the 2005 grant budget funds for specific items of equipment;

3. Expend from the 2005 grant budget funds for training and out-of-town travel by departmental staff.

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

17. [050609](#) Substitute resolution authorizing the Commissioners of the Public Debt to market general obligation notes, in the amount not to exceed \$15,000,000, pursuant to the provisions of Chapter 67, Wisconsin Statutes, for purchase by the Public Debt Amortization Fund.
- Whereas, Section 67.12(12), Wisconsin Statutes permits the issuance of General Obligation Notes for any public purpose; and
- Whereas, The 2005 municipal budget authorizes \$50,000,000 of General Obligation bonds and notes in contingent borrowing for purposes not contemplated at the time the budget was adopted; and
- Whereas, The Common Council desires to use up to \$15,000,000 of the contingent borrowing for the public purpose of supplementing the balance of the Debt Service Account; and
- Whereas, The Public Debt Commission approved resolution number 050914-1 establishing a draw on the Public Debt Amortization Fund (PDAF) for 2006 purposes in the amount of \$8,551,000; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee in accordance with sec. 67.12(12), Stats., that the Commissioners of the Public Debt are authorized and requested to issue and sell general obligation notes in the aggregate amount of \$15,000,000 for the public purpose of supplementing the balance of the Debt Service Account (the "Notes"); and, be it
- Further Resolved, That the Notes shall be sold by the Commissioners of the Public Debt at private sale directly to the Public Debt Amortization Fund, and at such time or times as the Commissioners shall determine to be prudent and appropriate; and, be it
- Further Resolved, That the Notes shall be issued on or before December 31, 2005; and, be it
- Further Resolved, That the Commissioners of the Public Debt are authorized to prepare the forms and establish the procedures required in the issuance and sale of the Notes in accordance with the provisions of Ch. 67, Stats., and the provisions of the City of Milwaukee ordinances, such notes to be in a form approved by the City

Attorney and to be executed by those officers of the City whose signatures are required by law; and, be it

Further Resolved, That the Notes shall be sold at a price of not less par and accrued interest thereon; and, be it

Further Resolved, That the Notes shall be dated as of the date of delivery, or the first or fifteenth day of the month in which they are issued, bear interest, payable semi-annually, at coupon rates as determined by the Commissioners of the Public Debt, not to exceed 9.5%; with an issue True Interest Cost Rate not to exceed 7.5%; that the Notes shall not be subject to optional redemption prior to maturity; that the Commissioners of the Public Debt shall specify the due dates for, and the amounts of, the payment of principal of said notes, not to exceed 10 years, and interest thereon, and that such payment schedule shall be entered upon the permanent record of the Commissioners of the Public Debt and formally communicated to the City Clerk; and, be it

Further Resolved, That a direct annual irrepealable tax shall be levied in each year that the Notes are outstanding, in an amount sufficient to pay and for the express purpose of paying the interest on the Notes, as it falls due, and also to pay and discharge the principal thereof at maturity, and shall be extended upon the tax roll of the City of Milwaukee and shall be collected by the officers of the City in the same manner and at the same time as taxes for general City purposes for such years are extended and collected, and when so collected, the proceeds of said taxes shall be used solely for paying the principal and interest on such notes so long as any bonds of said issue remain outstanding; and, be it

Further Resolved, That interest on or principal of the Notes falling due at any time when there shall be on hand insufficient funds from proceeds of the tax levy for the payment of such interest or principal shall be paid promptly when due from other funds of the City, which funds shall be reimbursed thereof out of the proceeds of the taxes above levied when such taxes shall have been collected; and, be it

Further Resolved, That a global certificate shall be issued for each stated maturity date and registered only in the name of CEDE & Co. as nominee of the Depository Trust Company, New York, New York, for delivery and immobilization by the Depository Trust Company following the closing. The Depository Trust Company will act as securities depository of the notes. The City will make payment of principal, redemption premium if any, and interest on the notes on the due dates to the Depository Trust Company, or its nominee, as registered owner of the Notes, in same-day funds. Notices, if any, given by the City to the registered owner of the Notes will be given to the Depository Trust Company. In the event that the securities depository relationship with the Depository Trust Company for the notes is terminated

and the City does not appoint a successor securities depository, the City will prepare, authenticate and deliver at its expense fully-registered certificated notes in the denominations of \$1,000 or in the integral multiple thereof in the aggregate principal amount by maturity then outstanding to the beneficial owners of the notes; provided however, that should any Notes be owned by the Public Debt Amortization Fund, such Note may be registered in the name of the Public Debt Amortization Fund; and, be it

Further Resolved, That the proceeds of the sale of the Notes shall be deposited to the Debt Service Account, and that the cost of issuing the Notes and marketing same shall be paid from amounts appropriated for said purpose, or the proceeds of the note sale, or deducted from same, and the project account or accounts credited with the net proceeds of the sale or sales.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

18. [050617](#) Resolution relative to application, acceptance and funding of the Congenital Disorders Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services to screen newborns for over 26 rare disorders; and

Whereas, The operation of this grant program from 07/01/05 to 06/30/06 would cost \$121,627 entirely provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the State of Wisconsin Division of Health and Family Services is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 030712 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent account of the 2005 Special Revenue-Grant and Aid Projects Fund, the following amounts for the project titled Congenital Disorders Grant:

Project/Grant	GR0000500000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$121,627

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

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

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date; and
2. Expend from the 2005 grant budget funds for training and out-of-town travel by departmental staff; and, be it

Further Resolved, That the Common Council directs that the 2005 Positions Ordinance C.C. File Number 040459, should be amended as follows:

Health Department
Congenital Disorders Grant (O)

Delete:

(1) Office Assistant II (O)

Under the

Maternal and Child Health Division
Northwest Health Center

Delete:

(17) Public Health Nurse (X)(G)(O)(AA)(FF)

Add:

(17) Public Health Nurse (X)(G)(AA)(FF)

(1) Office Assistant II

Amend footnote (O) as follows:

(O) To expire 06/30/06 unless the Congenital Disorders Grant is extended. Also funds a .4 of a Clinic Assistant position.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

19. [050620](#) Resolution establishing a storm water management charge adjustment policy.

Whereas, Section 309-54 of the Milwaukee Code of Ordinances imposes a storm water management charge on owners of all developed property and vacant, improved property in the City; and

Whereas, The Common Council finds that, in certain situations, the unique characteristics of a property may entitle the property owner to an adjustment of the storm water management charge, provided the property characteristics reduce storm water management costs to the city and the charge reduction reflects those costs savings; and

Whereas, The Common Council finds that, in general, actions or property improvements which result in costs savings for construction, operation or maintenance of the City's storm water management system should be eligible for storm water management charge adjustments of up to 60% of the total charge, and an even higher percentage if the property owner is contesting the actual amount of impervious surface on the premises; and

Whereas, Section 309-54 authorizes the commissioner of public works to adjust the storm water management charge for a particular nonresidential property in accordance with certain provisions of the ordinance and with a charge adjustment policy to be adopted by resolution of the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the "Storm Water Management Charge Adjustment Policy" attached to this resolution as Exhibit "A" is adopted.

Sponsors: THE CHAIR

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

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

No: 1 - Dudzik

20. [050628](#) Resolution to ratify and confirm the Memorandum of Understanding between the City of Milwaukee and Milwaukee District Council 48, AFSCME, AFL-CIO, relative to the settlement of a grievance.

Whereas, The City negotiating team and Milwaukee District Council 48, AFSCME, AFL-CIO, reached a settlement on the grievance of Douglas Johnson prior to a grievance arbitration hearing; and

Whereas, This Memorandum of Understanding constitutes the full and complete settlement of the grievance and a copy of this memorandum is attached to this file and incorporated herein as though fully set forth at length; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Memorandum of Understanding between the City negotiating team and Milwaukee District Council 48, AFSCME, AFL-CIO, the terms of which are set forth in a document annexed to this file, be approved; and, be it

Further Resolved, That the proper City officers be and hereby are authorized and directed to take the necessary action to implement the terms of this Memorandum of Understanding; and, be it

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

21. [050652](#) Resolution releasing portions of the 2002 capital project appropriations held by prior Common Council Resolution. (Budget and Management)

Whereas, The Common Council deferred certain 2002 Capital Improvement Projects and Programs by Resolution 011615 adopted on April 23, 2002 in light of proposed reductions in state shared revenue payments; and

Whereas, The 2002 State Shared Revenue issue was favorably resolved by state legislative action which retained the City of Milwaukee's 2002 shared revenue payments; and

Whereas, The remaining deferred project's appropriation includes \$1,040,000 of the \$2,000,000 appropriation for Police District Station #2 Renovation (0318-3310-R999-PL120020200); and

Whereas, The release of \$250,000 of the \$1,040,000 deferred capital appropriation for Police District #2 Renovation will provide for renovations such as window replacement, roof replacement, HVAC replacement, asbestos abatement, ADA entrance remodeling, and other necessary improvements; and

Whereas, Common Council Resolution 011615 required that the Finance and Personnel Committee and the Common Council act to reinstate funding of any deferred projects and programs to active status; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that \$250,000 of the deferred \$1,040,000 appropriation for the Police District Station #2 Renovation (0318-3310-R999-PL120020200) is also hereby reinstated; and, be it

Further Resolved, That the City Comptroller and other appropriate City officers are authorized and directed to take necessary actions to release these portions of said projects to active status.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

22. [050655](#) Substitute resolution relative to application, acceptance, and funding of a Truancy Abatement and Burglary Suppression Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Milwaukee Public Schools for a TABS Grant; and

Whereas, The City of Milwaukee may enter into an intergovernmental cooperation

agreement with the Milwaukee Public Schools; and

Whereas, The operation of this grant from 07/01/05 to 06/30/06 would cost \$527,213 of which \$182,213 (35%) would be provided by the city, and \$345,000 (65%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the application to the Milwaukee Public Schools is authorized, and the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File No. 040921; and, be it

Further Resolved, That the appropriate City officials are authorized to renew the expiring intergovernmental cooperation agreement with the Milwaukee Public Schools for TABS services; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2005 Special Revenue-Grant and Aid Projects, the following amounts for the titled: A Truancy Abatement and Burglary Suppression (TABS) Grant:

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000500000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$345,000

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; and

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

Further Resolved, That these funds are budgeted for the Milwaukee Police Department which is authorized to:

1. Expand the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date; and, be it

Further Resolved, That the Common Council directs that the 2005 Position Ordinance, C. C. File 040459 should be amended as follows:

POLICE DEPARTMENT

Amend footnote (F) to read as follows: A Truancy Abatement Grant Six positions to expire 6/30/2006 unless grant funding from the Milwaukee Public Schools continues.

Sponsors: Ald. Puente

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

23. [041338](#) Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for Fire and Police Commission action.
- Sponsors:** THE CHAIR
- A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE This motion PREVAILED by the following vote:**
- Aye:** 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
24. [050083](#) Communication from the Commissioner of Public Works updating the City's Prevailing Wage Schedule.
- Sponsors:** THE CHAIR
- A motion was made by ALD. MURPHY that this Communication-Report be PLACED ON FILE This motion PREVAILED by the following vote:**
- Aye:** 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
25. [050334](#) Communication from the Wisconsin Health Project relative to a comprehensive health care plan for Wisconsin residents.
- Sponsors:** THE CHAIR
- A motion was made by ALD. MURPHY that this Communication-Report be PLACED ON FILE This motion PREVAILED by the following vote:**

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

26. [050335](#) 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. MURPHY that this Communication-Report be PLACED ON FILE This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

27. [050440](#) Communication from the Department of Employee Relations relative to amending the wage rates for employees represented by the Milwaukee Building and Construction Trades Council.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

28. [050474](#) Communication from the Comptroller's office transmitting a report entitled Audit of Contracts With Former City Employees.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

29. [050480](#) 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-Report be PLACED ON FILE This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

30. [050595](#) Communication from the Comptroller's office transmitting the Audit of City of Milwaukee Tax Incremental District 48.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

31. [050649](#) Communication from the Policemen's Annuity and Benefit Fund relative to the tax levy resolution.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

32. [050661](#) Communication from the City Clerk's office relative to amending the Positions Ordinance.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [050327](#) Resolution authorizing settlement of the lawsuit entitled Phil Tolkan Leasing Co., Inc. v. City of Milwaukee, Milwaukee County Circuit Court Case No. 04CV007572. (City Attorney)

Whereas, The plaintiff sustained damages in an incident involving the theft and subsequent recovery of a 2000 Land Rover automobile; and

Whereas, A settlement favorable to all parties has been reached; 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 City check in the amount of \$45,000.00, payable to the order of Phil Tolkan Leasing Company, Inc., in full and final settlement of the plaintiff's claims against the City of Milwaukee, upon receipt of a release and stipulation of dismissal, approved as to form and execution by the City Attorney; said amount to be charged to the Damages and Claims Fund No. 0001 1490 0001 S118 006300.

Sponsors: THE CHAIR

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

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

No: 1 - Bohl

2. [050329](#) Resolution authorizing settlement of the lawsuit entitled Tower Automotive Products Co., Inc. v. City of Milwaukee, Milwaukee County Circuit Court Case No. 04CV004983. (City Attorney)

Whereas, The plaintiff sustained damages in an incident involving City work crew repair activity in the immediate vicinity of the plaintiff's manufacturing plant; and

Whereas, A settlement favorable to all parties has been reached; 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 City check in the amount of \$50,000.00, payable to the order of Tower Automotive Products Company, Inc., in full and final settlement of the plaintiff's claims against the City of Milwaukee, upon receipt of a release and stipulation of dismissal, approved as to form and execution by the City attorney; said amount to be charged to the Department of Water Works Fund Account No. 410-6411 636506-2631-R643, and that Tower Automotive

Products Company, Inc. will receive a credit in the amount of \$30,344.82 against its outstanding balance owed for its water bill.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

3. [050330](#) Substitute resolution relating to the appeal of Johnnie Johnson, Jr. relative to a claim for loss of dog.

Whereas, Members of the Judiciary and Legislation Committee have reviewed the records relating to this claim in the amount of \$5000.00, relating to a Milwaukee Police officer entering the wrong address where a dog was shot and killed on April 29, 2005 at the property located at 2355 N 8th Street, Milwaukee WI 53206. Members of the Committee, recommends that the claimant be reimbursed \$1,000.00.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$1000.00 payable to Johnnie Johnson, Jr. 2355 N 8th Street, Milwaukee WI 53206, to reimburse for the loss; and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to Account No. 636505, Fund - 0001, Organization - 1490, Program - 2631, Sub Class - S118. This resolution would release the City from any further liability arising from this incident.

Sponsors: THE CHAIR

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

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

No: 1 - Dudzik

4. [050333](#) Substitute resolution relating to the claim of Josephine Morris relative to a claim for property damage.

Whereas, Members of the Judiciary and Legislation Committee have reviewed the

records relating to this claim in the amount of \$72,231.23, relating to the removal of a 1975 Mercedes automobile from private property and destroyed by the Department of Neighborhood Services on February 3, 2005. Members of the Committee recommend that the claimant be reimbursed \$3,250.00,

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$3,250.00 payable to Josephine Morris, 3319 North 20th Street, Milwaukee, WI 53206, to reimburse her for the loss; and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to Account No. 636505, Fund - 0001, Organization - 1490, Program - 2631, Sub Class - S118. This resolution would release the City from any further liability arising from this incident.

Sponsors: THE CHAIR

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

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

No: 1 - Dudzik

5. [050460](#) Substitute resolution relative to various legislative bills.

Whereas, The Judiciary and Legislation Committee of the Common Council has recommended the following positions on the bills hereinafter listed and the Common Council being advised of said matters; now, therefore, be it

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

AB - 211 Collection of fees, fines, forfeitures, and surcharges by credit card; setoffs against tax refunds; disclosing information obtained by the DOT to the DOR; and creation of a fine or forfeiture service fee and a payment plan fee.

AB - 648/ SB - 315 Retention and testing of evidence that includes biological material, time limits for prosecuting a crime that is related to a sexual assault, law enforcement procedures for using an eyewitness to identify a person suspected of

committing a crime, making audio or audio and visual recordings of custodial interrogations, limitations on admitting unrecorded statements into evidence in juvenile delinquency and criminal proceedings, and creating a grant program for digital recording equipment and training for digital recording of custodial interrogations.

; and, be it

Further Resolved, That the Common Council of the City of Milwaukee is opposed to the following legislative bills and hereby instructs the Budget and Policy Division to appear before the proper committees in opposition to said bills and use its best endeavors in opposition to the same viz:

AB - 573 Revision and elimination of the exemption from the property tax for certain property and the use of income from certain tax-exempt leased property. (Columbus Park)

AB - 543 Collection of information regarding motor vehicle stops, law enforcement training standards, and granting rule-making authority. (similar to AB-216)

AB - 216 Collection of data concerning motor vehicle stops, law enforcement training standards, and granting rule-making authority. (similar to AB-543)

2003 Assembly Joint Resolution 66 or any subsequent resolution containing identical language - To create section 13 of article XIII of the constitution: relating to: providing that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state (2 members abstaining).

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 2 - Bohl Dudzik

6. [050510](#) Substitute resolution directing the Intergovernmental Relations Division - Department of Administration to seek introduction of state legislation necessary for implementing various recommendations of the City Election Task Force.

Whereas, The Election Commission conducts all aspects of elections in the City of Milwaukee; and

Whereas, In November 2004, the City's election process was tested by the sheer size of the election and challenges resulting from the political dynamics surrounding the

presidential race; and

Whereas, It is of utmost importance to conduct elections that build public trust in the democratic process and encourage registration and voting by eligible residents; and

Whereas, The City Election Task Force, formed by the Mayor, issued a report on June 27, 2005, containing a number of recommendations for improving the election system in ways that would ensure efficient, well-run elections and restore pride and confidence in the system; and

Whereas, Some of these recommendations require changes in state statutory provisions; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration - Intergovernmental Relations Division is authorized to seek introduction and passage of state legislation to:

1. Prohibit the compensation of deputy registrars based on the number of registration cards completed.
2. Establish an earlier "cut-off" date for voter pre-registration of 21 to 29 days prior to an election, in lieu of the current 13-day deadline.
3. Allow electors to vote by absentee ballot at a "satellite" location.
4. Allow for the processing of absentee ballots at a "satellite" location rather than at the polls.
5. Advance the statutory deadline for voter submittal of absentee ballot request applications to at least 7 days prior to the election, in lieu of the current deadline of 5 p.m. on the Friday prior to an election.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

7. Substitute resolutions authorizing the return of real estate upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalties thereon and all costs sustained by the city:
 - a. [050517](#) Substitute resolution authorizing the return of real estate located at 9050C N. 95th St., in the 9th 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. (Maria Obando)

Whereas, The property located at 9050C N. 95th St., previously owned by Maria Obando, has delinquent taxes for 2002-2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Maria Obando would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Maria Obando has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 9050C N. 95th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 4, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- b. [050518](#) Substitute resolution authorizing the return of real estate located at 1339 S. 7th St., in the 12th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all

interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Simon Ocampo)

Whereas, The property located at 1339 S. 7th St., previously owned by Simon Ocampo, has delinquent taxes for 2002-2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Simon Ocampo would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Simon Ocampo has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 1339 S. 7th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 519, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- c. [050519](#) Substitute resolution authorizing the return of real estate located at 3980 N. 29th St., in the 7th Aldermanic District of the City of Milwaukee to its former owner upon

payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (James Harrell)

Whereas, The property located at 3980 N. 29th St., previously owned by James Harrell, has delinquent taxes for 2000, 2001 and 2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, James Harrell would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, James Harrell has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 3980 N. 29th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 106, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- d. [050521](#) Substitute resolution authorizing the return of real estate located at 3423-25 N. 15th

St., in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Mary Jean Price)

Whereas, The property located at 3423-25 N. 15th St., previously owned by Mary Jean Price, has delinquent taxes for 2002-2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Mary Jean Price would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Mary Jean Price has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 3423-25 N. 15th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 175, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- e. [050523](#) Substitute resolution authorizing the return of real estate located at 4727 W. Custer Ave., in the 9th 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. (Daniel and Joanne Scott)

Whereas, The property located at 4727 W. Custer Ave., previously owned by Daniel and Joanne Scott, has delinquent taxes for 1998 and 2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Daniel and Joanne Scott would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Daniel and Joanne Scott has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 4727 W. Custer Ave., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 42, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

f. [050524](#) Substitute resolution authorizing the return of real estate located at 939 W. Burleigh St., in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Francis Johnson-Howell)

Whereas, The property located at 939 W. Burleigh St., previously owned by Francis Johnson-Howell, has delinquent taxes for 2002 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Francis Johnson-Howell would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Francis Johnson-Howell has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 939 W. Burleigh St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 271, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- g. [050525](#) Substitute resolution authorizing the return of real estate located at 4146 N. 25th St., in the 1st 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. (Irene Douglas and Austrilia Ragland)

Whereas, The property located at 4146 N. 25th St., previously owned by Irene Douglas and Austrilia Ragland, has delinquent taxes for 2002-2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Irene Douglas and Austrilia Ragland would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Irene Douglas and Austrilia Ragland has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 4146 N. 25th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 91, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- h. [050537](#) Substitute resolution authorizing the return of real estate located at 4936 N. 57th St., in the 7th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Steven and Jacki Campbell)

Whereas, The property located at 4936 N. 57th St., previously owned by Steven and Jacki Campbell, has delinquent taxes for 2001-2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Steven and Jacki Campbell would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Steven and Jacki Campbell has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 4936 N. 57th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 59, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- i. [050539](#) Substitute resolution authorizing the return of real estate located at 2911 N. 11th St., in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Anthony and Dana McCalla)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be ASSIGNED TO to the JUDICIARY & LEGISLATION COMMITTEE This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- j. [050540](#) Substitute resolution authorizing the return of real estate located at 2935-37 N. 35th St., in the 7th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Katie Henry)

Whereas, The property located at 2935-37 N. 35th St., previously owned by Katie Henry, has delinquent taxes for 2003-2004 and Special Improvement Bond EF 7284 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Katie Henry would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Katie Henry has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2935-37 N. 35th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 223, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- k. [050542](#) Substitute resolution authorizing the return of real estate located at 2562 N. Richards St., in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Florita Quionones)

Whereas, The property located at 2562 N. Richards St., previously owned by Florita Quionones, has delinquent taxes for 2002-2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Florita Quionones would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Florita Quionones has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2562 N. Richards St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 317, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

1. [050543](#) Substitute resolution authorizing the return of real estate located at 2751 N. 12th St., in the 15th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (George Jordan)

Whereas, The property located at 2751 N. 12th St., previously owned by George Jordan, has delinquent taxes for 2001-2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, George Jordan would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, George Jordan has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set

forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2751 N. 12th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 286, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- m. [050544](#) Substitute resolution authorizing the return of real estate located at 1545 S. 20th St., in the 8th 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. (Ericka Hinz)

Whereas, The property located at 1545 S. 20th St., previously owned by Ericka Hinz, has delinquent taxes for 2002-2004 and Special Improvement Bond KF 2017 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Ericka Hinz would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Ericka Hinz has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City

Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 1545 S. 20th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 538, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- n. [050546](#) Substitute resolution authorizing the return of real estate located at 2040 W. Vilter Lane, in the 8th 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. (Lucille Hoeft)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be ASSIGNED TO to the JUDICIARY & LEGISLATION COMMITTEE This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- o. [050601](#) Substitute resolution authorizing the return of real estate located at 2617-19 N. 44th St., in the 7th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all

interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Chatelah Brown)

Whereas, The property located at 2617-19 N. 44th St., previously owned by Chatelah Brown, has delinquent taxes for 2002-2003 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Chatelah Brown would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Chatelah Brown has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2617-19 N. 44th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 404, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

p. [050602](#) Substitute resolution authorizing the return of real estate located at 4485 N. 20th St., in the 1st 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. (Eustacia Gee)

Whereas, The property located at 4485 N. 20th St., previously owned by Eustacia Gee, has delinquent taxes for 2001-2004 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Eustacia Gee would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Eustacia Gee has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 4485 N. 20th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 84, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

q. [050605](#) Substitute resolution authorizing the return of real estate located at 3136 N. 26th St.,

in the 7th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Curtis and Ethel Brown)

Whereas, The property located at 3136 N. 26th St., previously owned by Curtis and Ethel Brown, has delinquent taxes for 2002-2004 and Special Improvement Bond DK 5958 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 25, 2005; and

Whereas, Curtis and Ethel Brown would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 25, 2005; and

Whereas, Curtis and Ethel Brown has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 3136 N. 26th St., a cashier's check must be submitted in the amount indicated by 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. 05-CV-002643 known as the 2005-01 In Rem Parcel 184, 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: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

8. [050646](#) Resolution approving and authorizing compromise of in personam judgment against Theresa Slyman for in personam liability for 1992-2004 taxes for the property located at 4132 North Holton Street, Milwaukee, Wisconsin.
- Whereas, The City of Milwaukee (“the City”) filed suit against Theresa Slyman (“Slyman”) on February 26, 2004, for in personam liability in the amount of \$469,683.58 for tax years 1992 through 2002, for property taxes, special taxes, special charges and special assessment for the property located at 4132 North Holton Street, Milwaukee, Wisconsin (“the Property”); and
- Whereas, Slyman is an adult resident of the State of Ohio, residing at 20544 Morewood Pkwy, Rocky River, Ohio; and
- Whereas, Slyman asserted certain defenses to the City’s claims, including a prior bankruptcy filing; and
- Whereas, Slyman’s personal liability for taxes and associated claims by the City for the years 1992 through 1998 in the amount of \$330,419.80 have been discharged through the bankruptcy filed March 2, 1998; and
- Whereas, The Property has environmental contaminants with potential cost of remediation ranging between \$3,882,000.00 and \$11,247,000.00; and
- Whereas, The Property is on the Do-Not- Acquire List; and
- Whereas, The Assessor’s Office has reduced the assessment to \$200 for the 2005 tax year; and
- Whereas, Judgment was entered on behalf of the City against Slyman in the amount of \$207,595.68 on July 29, 2005 for all property taxes, special taxes, special charges and special assessment for the tax years 1997 through and including 2004 pursuant to a stipulation signed by the parties’ attorneys; and
- Whereas, The stipulation and order provided that the judgment in the full amount be satisfied by a settlement payment of \$135,829.41 pursuant to the terms of the “Payment Agreement” entered between the parties on July 22, 2005, contingent upon approval of such settlement agreement by the Milwaukee Common Council (“Council”); and
- Whereas, Slyman shall pay to the City the sum of \$135,829.41, which represents the principal amount of property taxes, special taxes, special charges and special assessments related to the Property and outstanding for the years 1997 through 2004, as follows:

- a. \$4,000.00 within thirty (30) days of the City's Common Council's approval of this Payment Agreement; and

- b. The balance of \$131,829.41 in monthly payments of \$1,800.00 each month, commencing on the first of the month following the payment set forth in Paragraph 1(a) above, except in the event that the first of the following month is less than twenty-one (21) days from such initial payment, monthly payments shall commence on the first of the second month following said initial payment. The balance may be prepaid at any time without penalty.

Whereas, The parties acknowledge that a portion of the Property is currently occupied by Turner Box Company as tenant. In the event Turner Box Company fails to pay rent to Slyman, Slyman may suspend payment to the City. Said suspension of payments may continue, at Slyman's election, but for only so long as the conditions specified herein remain. However, in no event shall such suspension of payments exceed twelve (12) months in the aggregate, over the course of the payments called for herein. In the event the conditions exist which allow for a suspension of payments, Slyman shall give notice to the City as provided herein; and

Whereas, Provided Slyman is not in default of the terms of the Payment Agreement, the City will forebear from exercising its in rem remedies with respect to the Property, the collection of the property taxes, special taxes, special charges and/or special assessments related to the Property for levy years 1992 through and including 2004; and

Whereas, In the event the City has not received a payment as provided herein, the City shall provide notice to Slyman, Slyman shall have twenty-one (21) days from the date of the City's notice to cure such late payment. In the event Slyman fails to cure such late payment within twenty-one (21) days, Slyman shall be in default of this Payment Agreement. In the event of such default, the City may proceed with the entry and docketing of the judgment ordered pursuant to the Stipulation entered into between the parties; and

Whereas, Upon the conclusion of the payments, the judgment ordered pursuant to the Stipulation of the parties shall be vacated, the suit dismissed with prejudice, and the City shall satisfy all obligations related to property taxes, special taxes, special charges and/or special assessments for the years 1992 through and including 2004; and

Whereas, If the Council approves such settlement agreement, Slyman's first payment shall be due within thirty days of the date of the resolution; and

Whereas, The settlement of the judgment is in the best interests of the City; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Judgment against Slyman be settled for \$135,829.41 and that \$71,766.27 of said Judgment, interest and penalties, be and is hereby cancelled.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

9. [050647](#) Resolution approving and authorizing the settlement of in personam judgment against Stout Bros. Public House LLC for in personam liability for personal property taxes, in the amount of \$25,109.64 for tax year 2001 and \$33,555.72 for tax year 2002 in exchange for the lesser amount of \$13,935.10

Whereas, The City of Milwaukee ("the City") through The Kohn Law Firm ("Kohn") filed suit against Stout Bros. Public House LLC., ("Stout Bros.") for personal property taxes for the tax years 2001 and 2002; and

Whereas, Stout Bros., asserted certain defenses to the City's claims, including that the assessment was much higher than the value of the personal property however, Stout Bros., did not timely file an objection to the assessment; and

Whereas, The Assessor's Office has reduced the assessment of the personal property resulting in a tax levy of \$11,600.11 for tax year 2003 and \$3,745 for tax year 2004; and

Whereas, Kohn obtained judgment in the amount of \$25,109.64 for in personam liability for tax year 2001 and \$33,555.72 for tax year 2002 on February 4, 2003 and July 21, 2005, respectively; and

Whereas, Stout Bros., has been out of business for some time and the real property that housed the restaurant (which was owned by a separate entity) was recently sold, necessitating the removal of the personal property to a storage facility; and

Whereas, Stout Bros. recognizes that the City has a lien on that personal property, so it cannot sell it without the City removing the lien; and

Whereas, Kohn has negotiated a proposed settlement of the two judgments for a total of \$13,935.10 and that figure represents what the taxes would have been for 2001 and 2002, if Stout Bros. had properly filed and documented personal property tax

returns for those years, including the full 18% annual interest and penalty from the dates of delinquency; now, therefore, be it

Resolved, by the Common Council of the City of Milwaukee, that the Judgment against Stout Bros be settled for \$13,935.10 and that \$44,730.26 of said Judgment, interest and penalties, be and is hereby cancelled.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

10. [050648](#) Resolution authorizing and approving the settlement agreement between the City of Milwaukee ("City") and Kmart Corporation for \$44,722.15 in exchange for the amount of \$31,305.51 as full settlement regarding personal property taxes, account numbers 8471-0009 and 8471-0040 for tax year 2001, pursuant to an Amended Order Disallowing and Expunging or Otherwise Reducing or Reclassifying Certain Claims Set Forth in the Nineteenth Omnibus entered on April 12, 2004, by the United States Bankruptcy Court, for the Northern District of Illinois, Case No. 02-02474, the Hon. Susan Pierson Sonderby, presiding.
- Whereas, On January 22, 2002 ("Petition Date"), Kmart and certain of its subsidiaries and affiliates (collectively "Kmart") filed a voluntary petition in the United States Bankruptcy Court for the Northern District of Illinois (Eastern Division) (the "Bankruptcy Court") for reorganization relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. Sections 101, et seq., as amended (the "Bankruptcy Code"). Since that time Kmart has remained in possession of its property and has continued to operate its business pursuant to Sections 1107 and 1108 of the Bankruptcy Code, eventually emerging from bankruptcy pursuant to a confirmed Plan of Reorganization which became effective May 6, 2003; and
- Whereas, The City of Milwaukee ("the City") filed Proof of Claim #4107 ("Claim") in the Kmart's chapter 11 cases (Case No. 02-B02474) for account numbers 8471-0009 and 8471-0040 for tax year 2001 in the amount of \$44,722.15; and
- Whereas, On April 12, 2004, the Hon. Susan Pierson Sonderby signed an Amended Order Disallowing and Expunging or Otherwise Reducing or Reclassifying Certain Claims Set Forth in the Nineteenth Omnibus, reducing the claim amount to \$31,305.51; and
- Whereas, Kmart and the City agree to allowance by Kmart of a non-contingent,

undisputed, liquidated amount of \$31,305.51 (the "Claim Amount"), to be paid in final satisfaction of the Claim and Kmart's pre-petition liability of any kind to the City generally; and

Whereas, Kmart and The City further agree that this amount shall be remitted by Kmart in full settlement of Kmart's pre-petition indebtedness to the City by not later than the 60th day after the City delivers to Kmart a fully executed and notarized copy of this agreement, which delivery shall constitute conclusive evidence of authority to enter into this settlement on behalf of The City; and

Whereas, In exchange for payment of the Claim Amount pursuant to this Agreement, the City will promptly withdraw any proofs of claim with respect to the Kmart filed with the Bankruptcy Court, including, but not limited to, the Claim; and

Whereas, The City and Kmart agree that payment of the Claim Amount constitutes full and final payment of all pre-petition liabilities of Kmart to the City, whether previously claimed or not; and

Whereas, The City further agrees that its sole remedy for such liabilities is payment of the Claim Amount pursuant to this Agreement; and

Whereas, The City agrees to promptly update its records following receipt of payment of the Claim Amount to confirm application of the Claim Amount, in full, to Kmart's pre-petition obligations, and that pursuant to this Agreement, those obligations are, by this compromise and settlement, deemed paid in full, whether or not formally claimed; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, to discharge the in personam liability against Kmart for \$44,722.15 and accept the settlement payment of \$31,305.51 in which Kmart shall pay on/within sixty (60) days of said approval.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

11. [050534](#) Resolution canceling various City invoices.

Whereas, The City of Milwaukee has referred various invoices to the Kohn Law Firm for collection; and

Whereas, The Kohn Law Firm has attempted legal process to collect those City claims against various persons and entities; and

Whereas, For reasons stated herein, the City has not been able to collect the amounts due; and

Whereas, The Kohn Law Firm has exhausted all legal remedies in regard to the collection of these claims and has closed these accounts and returned them to the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the following claims are cancelled and that any judgments shall remain and be a matter of record:

Judgments to remain of record:

Department	Invoice No.	Amount of Judg.	Defendant
DPW	88511	6,068.70	Isaac L. Williams
DPW	89359	9,103.70	Alvin O. Torres
DPW	87501	6,240.30	Dominic O. Brown

Claims discharged in bankruptcy:

Department	Invoice No.	Amount of Judg.	Defendant
DPW	88547	6,379.21	Bruce Bower

Billed in error

1998-99 labor agreement specified that all hours used for association activities from January 1, 1998 shall be paid - full by the parties.

Department	Invoice No.	Amount of Judg.	Defendant
MFD	48502	5,769.72	Milwaukee Professional Firefighters Local #215

Invoice to be cancelled. No known job or assets. Judgment to remain.

Department	Invoice No.	Amount of Judg.	Defendant
DPW	88429	7,237.10	Domingo J. DeJesus

Gonzalez			
DPW	87313	7,196.38	Kendrick L. Miller
DPW	88221	5,304.26	Marlon D. Bates

Defendant incarcerated. Judgment to remain of record.

Department	Invoice No.	Amount of Judg.	Defendant
DPW	87989	14,440.00	Ralph Wells

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

12. [050571](#) Resolution authorizing payment of the claim of Matthew Seitz, C.I. File No. 04-L-9.

Whereas, The claimant, Matthew Seitz, through his attorneys, Eggert & Cermele, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 66.189, for injuries and damages incurred on May 21, 2003, as a result of a vehicle accident with 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, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

Whereas, The law firm of Crivello, Carlson & Mentkowski, 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 Matthew Seitz and Eggert & Cermele, 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, 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 Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

13. [050597](#) Substitute resolution relating to the appeal of Rosie Hamilton relative to a claim for property damage.

Whereas, Members of the Judiciary and Legislation Committee have reviewed the records relating to this claim in the amount of \$4,873.83, relating to damage sustained to a property by a City tree on May 19, 2005 located at 4891 N 25th Street. Members of the Committee recommend that the claimant be reimbursed \$1,000.00.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$1,000.00 payable Rosie H. Hamilton at 4891 N 25th Street, Milwaukee WI 53209, to reimburse the damages; and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to Account No. 636505, Fund - 0001, Organization - 1490, Program - 2631, Sub Class - S118. This resolution would release the City from any further liability arising from this incident.

Sponsors: THE CHAIR

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

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

No: 1 - Dudzik

14. [050554](#) Resolution to cancel personal property taxes levied against 5 - 12 Group LTD dba Fivetwelve Group LTD, 1661 N. Water Street, Account No. 9303-0649, for the

year 2004, plus interest applicable to date of repayment, if appropriate.

Whereas, An original equated value assessment in the amount of \$48,420 (Furniture & Fixtures: \$5,810, All Other: \$42,610) was made against the personal property known as Account No. 9303-0649 for the year 2004; resulting in a net total tax of \$1,252.15; and

Whereas, The Board of Review has decreased this assessment to \$12,090, (Furniture & Fixtures: \$8,230, Supplies: \$150, All Other: \$3,710) for a reduction of \$36,330 resulting in a revised net total tax of \$312.69; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue a city check in the amount of \$939.46, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate of 9.6% applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and said checks to be delivered to the Customer Services Unit of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as follows:

Section 79.10 (2) \$44.76 (City: \$34.02 County: \$10.74)

by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

15. [050555](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2001 and 2004 tax rolls, plus interest applicable to date of repayment, if appropriate.

Whereas, Assessments were made against certain parcels of real estate for the years

2001 and 2004 as contained in Common Council Resolution File No. 050555; and

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

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

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

Further Resolved, That interest for Key No. 074-0104-000-X shall be applicable from date of payment to November 29, 2004 for the year 2004, and, that interest for Key No. 289-1097-000-5 shall be applicable from date of payment to January 24, 2005 for the year 2004, and, that interest for Key No. 561-1851-000-9 shall be applicable from date of payment to February 24, 2005 for the year 2004 and, that interest for Key No. 561-1853-000-X shall be applicable from date of payment to February 24, 2005 for the year 2004; and, be it

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

16. [050556](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2004 tax roll, plus interest applicable to date of repayment, if appropriate.

Whereas, Assessments were made against certain parcels of real estate for the year 2004 as contained in Common Council Resolution File No. 050556; and

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

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

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

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

17. [050421](#) Appointment of Annie Wacker to the Ethics Board by the Mayor. (9th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

18. [050522](#) Substitute resolution authorizing the return of real estate located at 1324 W. Reservoir Ave., in the 15th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (John Clinton)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

DISALLOW AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

19. Various claims against the City:

- a. [050202](#) Resolution relating to the appeal of Johnny Bryant relative to a claim for personal injuries. (15th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- b. [050237](#) Resolution relating to the appeal of Manojlo Verzicht relative to a claim for property damage. (12th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- c. [050444](#) Resolution relating to the appeal of Anthony York relative to a claim for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- d. [050445](#) Resolution relating to the appeal of Jeff Baum relative to a claim for property damage.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- e. [050446](#) Resolution relating to the appeal of Joan Cobb relative to a claim for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- f. [050447](#) Resolution relating to a claim from attorneys Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C. on behalf of Lottisha Williams for personal injuries.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- g. [050491](#) Resolution relating to a claim from Dennis Civers for personal injuries.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- h. [050526](#) Resolution relating to the appeal of 1225 Properties LLC relative to a claim for property damage. (12th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- i. [050533](#) Resolution relating to the appeal of James Crouse relative to a claim for property damage. (11th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- j. [050551](#) Resolution relating to the appeal of Michael McCord relative to a claim for property damage. (13th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- k. [050598](#) Resolution relating to the appeal of Corey Kmichik relative to a claim for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- l. [050631](#) Substitute resolution relating to the appeal of Ida Smith relative to a claim for property damage.

Sponsors: THE CHAIR

Notwithstanding the recommendation of the Committee.

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

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

No: 3 - Donovan, Dudzik Witkowski

- m. [050632](#) Resolution relating to the appeal of American Family Insurance, Jeff Lang, Casualty Claims Examiner, relative to a claim for property damage. (12th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [041631](#) A substitute ordinance relating to the sale of vehicles on public property.

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

Part 1. Section 81-131.3 of the code is created to read:

81-131.3. Vehicle for Sale on Public Property. 1. The fee for each certificate required for vehicles that are for sale in the public way shall be \$40.

2. Certificates shall be valid for a period of 6 months from the date of issuance.

(See s. 101-29)

Part 2. Section 93-26 of the code is created to read:

93-26. Use of Vehicle For Sale Certificates. No secondhand motor vehicle dealer licensed under this chapter may apply for a certificate issued pursuant to s. 101-29 to leave a vehicle that is for sale on the public way.

Part 3. Section 101-25-1 of the code is amended to read:

101-25. Towing Away of Vehicles.

1. AUTHORITY. Whenever any police officer, or the commissioner of public works or any of the commissioner's designees finds a vehicle standing upon any highway in violation of ss. 101-3, 101-22.5, 101-23, 101-24, 101-24.1, 101-24.2, 101-26, 101-26.5, 101-26.7, 101-27 >>, 101-29<< and 101-32, the officer, or commissioner of public works or the commissioner's designee is authorized to remove the vehicle to either private or public parking or storage premises. The removal may be performed by or under the direction the officer, or the commissioner of public works or the commissioner's designee, or a towing contractor under contract with the city. The vehicle reclamation charge that is imposed in order to reclaim a vehicle under this section shall be \$95 per vehicle and \$20 for each day of storage. The vehicle reclamation charge shall be paid to the commissioner of public works at the storage facility and the vehicle may be released from storage upon payment of all vehicle reclamation charges and presentation of proper identification. A notice informing the owner of the location of the vehicle, the procedure for reclaiming the vehicle and the availability of a review before the city attorney shall be mailed to the last known address within 24 hours after removal.

Part 4. Section 101-29 of the code is created to read:

101-29. Vehicles for Sale on Public Property.

1. FINDINGS. The common council finds that a disproportionate number of vehicles that are for sale on public property are unlicensed, unregistered or are offered for sale by individuals who have no legal authority to do so, and that, further, the sale

of stolen vehicles to unsuspecting individuals victimizes not only those from whom the vehicles are stolen but those who purchase them. This section is established pursuant to the authority of the common council to legislate for the protection of the health, safety and welfare of the people of the city of Milwaukee.

2. DEFINITION. For the purpose of this section "motor vehicle" means a vehicle as defined in s. 340.01(35), Wis. Stats.

3. CERTIFICATE REQUIRED. No person shall leave any motor vehicle that is for sale on public property without first applying for and receiving a certificate from the department of public works. Each vehicle that is for sale shall require a separate certificate.

4. APPLICATION. a. Certificates shall be obtained from the department of public works or other facilities authorized by the common council.

b. Applicants for certificates shall fill out the appropriate application and pay the fee set forth in ch. 81.

c. Vehicles for which certificates are sought shall be inspected by the commissioner of public works or his or her designee. No certificate shall be issued for a vehicle that does not meet all of the following criteria:

c-1. The vehicle shall be the property of the person applying for the certificate as demonstrated by title or the applicant shall present the vehicle's title as well as a signed affidavit from the vehicle's owner authorizing the vehicle's sale by the applicant.

c-2. The vehicle's vehicle identification number shall not have been altered in such a way as to render it illegible.

c-3. While a motor vehicle that is for sale is on public property, the certificate shall be displayed in the manner designated by the department of public works.

5. VEHICLES TO BE LEGALLY PARKED. A certificate issued pursuant to this section shall not permit the vehicle for which it is issued to be parked in a manner contrary to any other provision of the code.

6. APPLICABILITY. The provisions of this section shall apply to:

a. That area of the city bounded by West Pierce Street on the north, South 20th Street on the east, West Cleveland Avenue on the south, and South 38th Street on the west.

b. The area bounded by West Greenfield Avenue on the north, South 6th Street on the east, West Lincoln Avenue on the south and South 16th Street, and South Cesar E. Chavez Drive on the west.

c. The area bounded by West Cleveland Avenue on the north, South 6th Street on the east, West Oklahoma Avenue on the south, and South 9th Place on the west.

Part 5. Section 101-34-2-d of the code is amended to read:

101-34. Stipulation Procedure; Nonmoving Traffic Violations.

2. FORFEITURE SCHEDULE.

d. Citations issued for violation of ss. 101-26.5, 101-26.7 [[and]] >>, << 101-27-4 >>and 101-29<<: \$30.

Part 6. Section 101-34-7-d of the code is amended to read:

7. PENALTY.

d. Violation of ss. 101-26.5, 101-26.7 [[and]] >>, << 101-27-4 >>and 101-29<<:
\$30 to \$50.

Part 7. Section 320-29-3-e of the code is created to read:

320-29. Parking Fund.

3. PARKING REVENUE.

e. Revenue from the sale of certificates issued for vehicles that are for sale on public property.

Sponsors: Ald. Donovan

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

2. [041646](#)

A substitute ordinance prescribing enhanced forfeitures for violations committed against certain people or property.

Whereas, Both s. 62.11(5), Wis. Stats., and s. 4-10, Milwaukee city charter, provide that the Common Council may enact legislation for the government and good order of the city, and the prevention of crime; and

Whereas, The Common Council, pursuant to statutory and charter authority, finds that it is desirable to enhance forfeitures imposed for ordinance violations relating to bias-inspired conduct in that such conduct inflicts greater individual and societal harm, that bias-motivated conduct is more likely to provoke retaliatory action, inflict emotional harms on their victims, and incite community unrest; and that it is reasonable to enhance forfeitures for conduct that is most destructive of the public safety; and

Whereas, Legislation proposed in this file is modeled closely after s. 939.645, Wis. Stats., which was upheld by the United States Supreme Court in 508 U.S. 476; now, therefore, be it

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

Part 1. Sections 50-15 to 50-17 of the code are renumbered 50-16 to 50-18.

Part 2. Section 50-15 of the code is created to read:

50-15. Violations Committed Against Certain People or Property.

1. If a person does all of the following, the forfeiture for the underlying code violation is increased as provided in sub. 2:
 - a. Commits a code violation under chs. 105, 106, or 110.
 - b. Intentionally selects the person against whom the violation under par. a. is committed or selects the property that is damaged or otherwise affected by the violation under par. a. in whole or in part because of the actor's belief or perception regarding the race, religion, color, disability, sexual orientation, national origin or ancestry of that person or the owner or occupant of that property, whether or not the actor's belief or perception was correct.
2. If a person commits a violation under sub. 1, the maximum forfeiture may be increased by not more than \$2,500.
3. This section provides for the enhancement of the forfeiture applicable for the underlying code violation. This section shall not apply except upon proof of all the issues specified in sub 1.
4. This section does not apply to any code violation if proof of race, religion, color, disability, sexual orientation, national origin or ancestry or proof of any person's perception or belief regarding another's race, religion, color, disability, sexual orientation, national origin or ancestry is required for a conviction for that code violation.

Sponsors: Ald. McGee Jr.

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

3. [050339](#) 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 101-23-2 of the Code relating to No Stopping is amended by striking the following:

“On West Burnham Street from South 13th Street to South 15th Street from 7:00 AM to 7:00 PM Friday, Saturday and Sunday”

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

On West Burnham Street from South 14th Street to South 15th Street from 7:00 AM

to 7:00 PM Friday, Saturday and Sunday”

On West Waterford Avenue from a point 200 feet east of South 13th Street to a point 400 east thereof

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

On the west side of South 6th Street from a point 200 feet north of West Abbott Avenue to a point 80 feet north thereof

On the east side of North James Lovell Drive from West State Street to a point 400 feet south

On the east side of South 6th Street from West Manitoba Street to West Rosedale Avenue

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

On West Burnham Street from South 13th Street to South 14th Street from 8:00 AM to 6:00 PM Saturday

Part 5. Section 101-23-4-d of the Code relating to Two-Hour Parking is amended by striking the following:

“On the west side of South 70th Street between West Main Street and West Dickinson from 9:00 AM to 9:00 PM”

Part 6. Section 101-23-4-d of the Code relating to Two-Hour Parking is amended by adding the following:

On the east side of North James Lovell Drive from West Wells Street to a point 500 feet north from 8:00 AM to 6:00 PM Saturday

Part 7. Section 101-23-4-e of the Code relating to Three-Hour Parking is amended by adding the following:

On the east side of North 80th Street from West Fairview Avenue to West Mt. Vernon Avenue

Part 8. Section 101-24-2 of the Code relating to Tow Away Zone is amended by striking the following:

“On West Burnham Street from South 13th Street to South 15th Street from 7:00 AM to 7:00 PM Friday, Saturday & Sunday”

Part 9. Section 101-24-2 of the Code relating to Tow Away Zone is amended by adding the following:

On West Burnham Street from South 14th Street to South 15th Street from 7:00 AM to 7:00 PM Friday, Saturday & Sunday

Part 10. Section 101-26.7 of the Code relating to Street Sweeping is amended by adding the following:

On the east side of South 7th Street from West Washington Street to West Greenfield Avenue from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to December 1

On the east side of South 8th Street from West Washington Street to West Greenfield Avenue from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to December 1

On the east side of South 9th Street from West National Avenue to a point 150 feet south from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to December 1

On the east side of South 10th Street from West National Avenue to West Greenfield Avenue from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to December 1

On the north side of West Walker Street from South 9th Street to South 10th Street from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to December 1

On the north side of West Mineral Street from South 9th Street to South 10th Street from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to December 1

On the north side of West Washington Street from South 7th Street to South 10th Street from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to December 1

On the north side of West Scott Street from South 7th Street to South 10th Street from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to

December 1

On the north side of West Madison Street from South 7th Street to South 10th Street from 8:00 AM to 12:00 PM on the 2nd Tuesday of each month from April 1 to December 1

On the west side of South 9th Street from West National Avenue to West Greenfield Avenue from 8:00 AM to 12:00 PM on the 4th Tuesday of each month from April 1 to December 1

On the west side of South 10th Street from West National Avenue to West Walker Street from 8:00 AM to 12:00 PM on the 4th Tuesday of each month from April 1 to December 1

On the south side of West Walker Street from South 9th Street to South 10th Street from 8:00 AM to 12:00 PM on the 4th Tuesday of each month from April 1 to December 1

On the south side of West Mineral Street from South 9th Street to South 10th Street from 8:00 AM to 12:00 PM on the 4th Tuesday of each month from April 1 to December 1

On the south side of West Washington Street from South 7th Street to South 10th Street from 8:00 AM to 12:00 PM on the 4th Tuesday of each month from April 1 to December 1

On the south side of West Scott Street from South 7th Street to South 10th Street from 8:00 AM to 12:00 PM on the 4th Tuesday of each month from April 1 to December 1

On the south side of West Madison Street from South 7th Street to South 10th Street from 8:00 AM to 12:00 PM on the 4th Tuesday of each month from April 1 to December 1

Part 11. Section 101-27-3-b-1 of the Code relating to Alternate Side Night Parking is amended by adding the following:

On South 30th Street from West Burnham Street to West Rodgers Street

Part 12. Section 101-32-3-c-2 of the Code relating to One-Hour Meter Parking is amended by adding the following:

On West Burnham Street from South 13th Street to South 14th Street from 8:00 AM

to 6:00 PM Monday through Friday

Part 13. Section 101-32-3-d-4 of the Code relating to Two-Hour Meter Parking is amended by striking the following:

“On the east side of North 7th Street from West Wells Street to West State Street from 8:00 AM to 6:00 PM except Sunday”

Part 14. Section 101-32-3-d-4 of the Code relating to Two-Hour Meter Parking is amended by adding the following:

On the east side of North James Lovell Drive from West Wells Street to a point 500 feet north from 8:00 AM to 6:00 PM Monday through Friday

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

4. [050340](#) A substitute ordinance relating to traffic controls in various Aldermanic Districts.

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

Part 1. Section 101-11-1 of the Code relating to No Left Turns is amended by adding the following:

On South 9th Street south of West Grange Avenue for eastbound traffic exiting the driveway of Airoidi Trucking located at 5467 South 9th Street

Part 2. Section 101-12-4-a of the Code relating to Mandatory Turns is amended by striking the following:

“On North Oakland Avenue at East Locust Street southbound right lane traffic must turn right”

“Eastbound traffic on East State Street right turn onto North Prospect Avenue”

Part 3. Section 101-13-8 of the code relation to School Speed 20 MPH is amended by adding the following:

On West Capitol Drive from North 62nd Street to North 67th Street

Part 4. Section 101-15 of the Code relating to Yield signs is amended by striking the following:

“On West Kiehnau Avenue at North Bourbon Street”

Part 5. Section 101-15 of the Code relating to Yield signs is amended by adding the following:

On West Lancaster Avenue at North 32nd Street

On North Astor Street at East Land Place

On West Jonan Street at North 101st Street

On North 85th Street at West Fiebrantz Avenue

On South 9th Street at West Holt Avenue

On West Ohio Avenue at South 9th Street

Part 6. Section 101-16-1 of the Code relating to Stop signs is amended by striking the following:

“On East Montana Street at South Quincy Avenue”

Part 7. Section 101-16-1 of the Code relating to Stop signs is amended by adding the following:

On North 30th Street at West Congress Street

On West Jonan Street at North 106th Street

On South Williams Street at East Linus Street

On West Kiehnau Avenue and North Bourbon Street in all directions

Part 8. Section 101-18-1 of the Code relating to No Heavy Traffic of 3 Tons and over is amended by adding the following:

On West Ruskin Street from South 35th Street to West Lakefield Drive

Part 9. Section 101-21.5-1 of the Code relating to Designation of Bicycle Lane is

amended by adding the following:

On West Center Street from North Dr. Martin L. King Jr. Drive to North 76th Street

On West Center Street from North 92nd Street to North Menomonee River Parkway

On North Oakland Avenue from East North Avenue to East Edgewood Avenue

On West Forest Home avenue from West Mitchell Street to West Morgan Avenue

On East/West Lincoln Avenue from South Kinnickinnic Avenue to South 29th Street

On East Chicago Street from North Harbor Drive to North Milwaukee Street

On North Milwaukee Street from East Chicago Street to North Young Street

On North Young Street from North Milwaukee Street to North Water Street

On West Pittsburgh Avenue from South 1st Street to South 3rd Street

On West Highland Avenue from North 6th Street to West Vliet Street

On North Humboldt Avenue/Boulevard from East North Avenue to East Capitol Drive

West Lisbon Avenue from West Walnut Street to North 40th Street

On West Walnut Street from North 6th Street to North 24th Street

On West Vliet Street from North 40th Street to North 60th Street

On East Ogden Avenue from North Jackson Street to North Farwell Avenue

On East Kenwood Boulevard from North Downer Avenue to North Lake drive

On South 6th Street from West Rosedale Avenue to West Manitoba Street

On West Silver Spring Drive from North 32nd Street to North 43rd Street

East Erie Street from North Young Street to a point 360 feet east of North Jackson Street

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

5. [050492](#) A substitute ordinance relating to ambulance conveyance rates.

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

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

75-15. Ambulance Certification Regulations.

14. AMBULANCE RATE.

c-1. For patients who are residents of the city of Milwaukee, for Basic Life Support, ~~[[\$370]]~~ >>\$376<< and, for Basic Life Support - Emergency, ~~[[\$370]]~~ >>\$376<<. In addition, for Advanced Life Support for patients who are residents of the city of Milwaukee conveyed under the terms of the Private Provider Interfacility Unit protocol, ~~[[\$544]]~~ >>\$553<<. This charge shall in no way be construed so as to circumvent the role of the fire department as the designated responder to Advanced Life Support service calls.

c-2. For patients who are not residents of the city of Milwaukee, for Basic Life Support, ~~[[\$428]]~~ >>\$435<< and, for Basic Life Support - Emergency, ~~[[\$428]]~~ >>\$435<<. In addition, for Advanced Life Support for patients who are not residents of the city of Milwaukee conveyed under the terms of the Private Provider Interfacility Unit protocol, ~~[[\$544]]~~ >>\$553<<. This change shall in no way be construed so as to circumvent the role of the fire department as the designated responder to Advanced Life Support service calls.

c-3. In addition to the charges provided in subds. c-1 and 2, a charge of ~~[[\$9.35]]~~ >>\$10.39<< per mile shall be assessed for mileage, mileage to be defined as the distance traveled with the patient in the ambulance from the point of patient origin to destination.

LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

6. [050642](#) An ordinance prohibiting cruising on Burleigh Street from West Fond du Lac Avenue to the Milwaukee city limits.

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

Part 1. Section 101-20.5-1-b-16 of the code is repealed and recreated to read:

101-20.5 Cruising Prohibited.

1. DEFINITIONS.

b-16. All that portion of West Burleigh Street bounded by West Fond du Lac Avenue on the east and the Milwaukee city limits on the west.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

Sponsors: Ald. Bohl and Ald. Murphy

A motion was made by ALD. PUENTE that this Ordinance be PASSED 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: 1 - McGee Jr.

ADOPTION OF THE FOLLOWING:

7. [050547](#) Resolution relating to cost estimates for the conversion of Wells and State Streets into 2-way streets.

Resolved, By the Common Council of the City of Milwaukee, the Department of Public Works is directed to prepare cost estimates for converting Wells Street between I-43 and Prospect Avenue, and State Street between I-43 and Van Buren Street, into 2-way streets; and, be it

Further Resolved, That the cost estimates shall include, labor, material and engineering costs (broken down by the cost for city forces and for outside contractors); material costs (broken down by materials taken from existing inventories and by newly purchased materials) and labor costs (broken down by the cost for city forces and for outside contractors); and, be it

Further Resolved, That the Department of Public Works shall submit a report to the Common Council relating to these cost estimates within 60 days of the adoption of this resolution.

Sponsors: Ald. Bauman

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

8. [050557](#) Resolution relative to acceptance and funding of a Juvenile Accountability Block Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin, Office of Justice Assistance for the Juvenile Accountability Block Grant to operate the School Safety Program; and

Whereas, The operation of this grant from 07/01/2005 to 06/30/2006 would cost \$101,875 of which \$10,187 would be provided by the city and \$91,688 would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that 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 030712; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2005 Special Revenue-Grant and Aid Projects, the following amounts for the program titled: "Juvenile Accountability Block Grant - School Safety Program":

Project/Grt	Fund	Org	Program	BY	Subclass	Account
GR0000500000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$91,688

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

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

Further Resolved, That these funds are budgeted 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. Expend from the 2005 grant budget funds for specific items of equipment.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

9. [050616](#) Resolution relative to application, acceptance and funding of the Student Nurses Mentoring Pregnant Teens Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the United Way to have student nurses mentor teen moms; and

Whereas, The operation of this grant project from 08/15/05 to 11/30/06 would cost \$40,000 provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the United Way is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 030712 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2005 Special Revenue Grant and Aid Projects Fund, the following amount for the project titled Student Nurses Mentoring Pregnant Teens Grant:

Project/Grant GR0000500000

Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$40,000

2. Create the necessary 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;

; and, be it

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

1. Expend from the amount budgeted sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date; and
2. Enter into subcontracts and leases as detailed in the grant budget; and
3. Expend from the 2005 grant budget funds for training and travel for departmental staff.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

10. [050623](#) Resolution amending Common Council File 041260 relative to application, acceptance, and funding of an ATF/Milwaukee Firearms Trafficking Task Force. Whereas, Common Council File 041260 authorized the Milwaukee Police Department to apply for, accept and fund an ATF/Milwaukee Firearms Trafficking Task Force grant from the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This grant provided for a grantor share of total of \$28,000 and a city share of \$19,409; and

Whereas, The grantor share of this program is increased by \$14,000 and the city

share is increased by \$7,974; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Police Department shall accept this grant without further approval unless the terms of this grant change as indicated in Common Council File 030712; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2005 Special Revenue-Grant and Aid Projects, the following amounts for the project titled: ATF/Milwaukee Firearms Trafficking Task Force:

Proj/Grt	Fund	Org	Program	BY	Subclass	ACCT
GR0000500000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$14,000

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 Milwaukee Police Department which is authorized to:

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

11. [050657](#) Resolution relative to application for, and acceptance and expenditure of, 2006 State of Wisconsin recycling grants (Department of Public Works).

Whereas, The City of Milwaukee appears to be eligible for 2006 Recycling Grant funds from the Wisconsin Department of Natural Resources for continuation of the City's recycling program; and

Whereas, The operation of this grant-supported recycling program from January 1, 2006, through December 31, 2006, will cost \$11,240,500 of which \$8,440,640 (75%) will be provided by the City and \$2,799,860 (25%) will be provided by the grantor; and

Whereas, The State of Wisconsin also makes available Recycling Efficiency Grants to reward those communities that have demonstrated recycling program efficiencies by entering into cooperative agreements with other communities; and

Whereas, The amount of each Recycling Efficiency Grant is based on community population and will be approximately \$0.38 per capita for 2006; and

Whereas, There is no local/City share or position authority associated with the Recycling Efficiency Grant program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is authorized to apply for and accept a 2006 Recycling Grant from the Wisconsin Department of Natural Resources per s. 287.23, Wis. Stats. and Chapters NR 542,544 and 549, of the Wisconsin Administrative Code without further Common Council approval, unless the terms of the grant change in a manner described in Common Council File Number 030712 (Grant and Aid Guidelines); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Encumber in the parent accounts of the 2006 Special Revenue Accounts-Grant and Aid Projects the following amounts for the project entitled Recycling Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Sub Class	R999
Account	000600
Project	Grantor Share
Amount	\$2,799,860

2. Create a Special Revenue Fund-Grant and Aid Projects and the necessary expenditure and revenue accounts, appropriate to these accounts the amounts required under the Grant Agreement, and transfer the corresponding offsetting estimated revenue; and

3. Establish the necessary Grant and Aid performance submeasures; and, be it

Further Resolved, That these funds are appropriated to the Commissioner of Public Works, who is authorized to:

1. Make expenditures from these funds for specified purposes, as indicated in the program budget.
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% or more.
3. Make expenditures from the 2006 project budget for specific items of equipment, as indicated in the program budget; and
4. Enter into subcontracts and leases as detailed in the project budget.

; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to apply for a 2006 State of Wisconsin Recycling Efficiency Grant and to accept this grant without further Common Council approval, unless the terms of the grant change in a manner described in Common Council File 030712 (Grant and Aid Guidelines); and, be it

Further Resolved, That the Commissioner of Public Works is authorized and directed to pursue new cooperation agreements with other communities for recycling initiatives that will lead to the efficient diversion of solid waste from landfills and fulfill the requirements of the Recycling Efficiency Grant program; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2006 Special Revenue-Grant and Aid Projects fund, the following amount for the project titled "Recycling Efficiency Grant":

Project/Grant	GR0000300000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share

Amount \$226,840

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

Further Resolved, That these funds are appropriated to the Commissioner of Public Works, who is authorized to:

1. Make expenditures from these funds for specified purposes, as indicated in the grant budget, and incur costs consistent with the award date.

2. Make expenditures from the 2006 project budget for equipment relating to the City's recycling program.

Sponsors: Ald. Puente

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

12. [050536](#) Appointment of Captain Debra Davidoski to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Police Chief.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

13. [050654](#) Reappointment of Priyanka Kashyap to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

14. [050438](#) Communication from the Milwaukee Police Department regarding the violation of various ordinances pertaining to fireworks on and about July 4th, 2005.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [050242](#) Substitute ordinance relating to the change in zoning from Two-Family Residential (RT1) to Two-Family Residential (RT3), on land located generally South of West Silver Spring Drive and East of North Hopkins Street, in the 1st Aldermanic District. Resolved, That 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 295-501(2)(b).0004. The zoning map is amended to change the zoning for the area described and bounded by the zoning line within the right-of-way of West Silver Spring Drive, the zoning line within the right-of-way of North 42nd Street, a line 101 feet South and parallel to the south line of West Silver Spring Drive, a line 120 feet East and parallel to the east line of North Hopkins Street, a line 120 feet South and parallel to the south line of West Silver Spring Drive, the zoning line within the right-of-way of North Hopkins Street, a line 118.71 feet South and parallel to the south line of West Sheridan Avenue, the zoning line within the right-of-way along North 42nd Street, the zoning line within the right-of-way of West Custer Avenue, a line 127.5 feet West and parallel to the west line of North 39th Street, the zoning line within the right-of-way of West Rohr Avenue, a line 135 feet West and parallel to the west line of North 38th Street, a line 120 feet North and parallel to the north line of West Villard Avenue, the zoning line within the right-of-way of North 38th Street, a line 165 feet North and parallel to the north line of West Villard Avenue, the zoning line within the right-of-way of North 37th Street, a line 202 feet North and parallel to the north line of West Villard Avenue, the zoning line within the right-of-way of North 36th Street, a line 127.5 feet North and parallel to the north line of West Villard Avenue, a line 127.5 feet West and parallel to the west line of North 35th Street, the zoning line within West Rohr Avenue, a line 127.5 feet East and parallel to the east line of North 35th Street, a line 127.5 feet North and parallel to the north line of West Villard Avenue, the zoning line within the right-of-way of North 34th Street, a line 172 feet North and parallel to the north line of West Villard Avenue, a line 135 feet East and parallel to the east line of North 34th Street, a line 202 feet North and parallel to the north line of West Villard Avenue, the zoning line within the right-of-way of North 33rd Street, the zoning line within the right-of-way of West Custer Avenue, the zoning line within the right-of-way of North 35th Street, the zoning line within the right-of-way of West Sheridan Avenue, the zoning line within the right-of-way of North 31st Street, the zoning line within the right-of-way of West Silver Spring Drive, the zoning line within the right-of-way of North 34th Street, a line 135 feet South and parallel to the south line of West Silver Spring Drive, a line 127.5 feet West and

parallel to the west line of North 34th Street, a line 96 feet South and parallel to the south line of West Silver Spring Drive, the zoning line within the right-of-way of North 35th Street, a line 85 feet South and parallel to the south line of West Silver Spring Drive, a line 127.5 feet West and parallel to the west line of North 35th Street, a line 60 feet South and parallel to the south line of West Silver Spring Drive and the zoning line within the right-of-way of North 36th Street, from Two-Family Residential (RT1) to Two-Family Residential (RT3).

Sponsors: Ald. Hamilton

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

2. [050353](#) Substitute ordinance to establish a Master Sign Program Overlay Zone for land located on the West Side of South 27th Street and South of West Parnell Avenue, in the 13th 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 295-1017.0002. The zoning map is amended to establish a Master Sign Program Overlay Zone (MSP) for the area bounded and described by the zoning line within the right-of-way of South 27th Street, a line 500 feet South and parallel to the south line of West Parnell Avenue, a line 181.86 feet West and parallel to the west line of South 27th Street, a line 480 feet South and parallel to the south line of West Parnell Avenue, a line 523 feet West and parallel to the centerline of South 27th Street and the zoning line within the right-of-way of West Parnell Avenue.

Part 2. In accordance with the provisions of Section 295-1017(2)(a) of the Code relating to the establishment of Master Sign Program Overlay Zones, the Common Council approves the sign program, 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 thereof as though fully set forth herein.

Sponsors: Ald. Witkowski

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

3. [050468](#) Ordinance relating to the change in zoning from a General Planned Development (GPD) to a Detailed Planned Development known as Forest County Potawatomi Legacy District, Phase 1, on land located on the South Side of West Canal Street and West of South 16th Street, in the 8th Aldermanic District.

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

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

Section 295-907(2)(b).0087.

(1) In accordance with the provisions of Section 295-907 of the Code relating to the establishment of planned development districts, the Common Council approves the subject Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is revised to change the zoning for the area bounded and described by a parcel of land lying in the Northeast 1/4 and the Northwest 1/4 of Section 31, Township 7 North, Range 22 East in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northeast Corner of the Northwest 1/4 of Section 31, Township 7 North, Range 22 East; thence South 01 deg. 18 min. 41 sec. East along the east line of said Northwest 1/4, 636.11 feet to the point of beginning; thence Easterly 373.66 feet along the arc of a curve concave to the South with a radius of 692.59 feet, through a central angle of 30 deg. 54 min. 41 sec., and whose chord bears North 86 deg. 38 min. 28 sec. East, 369.14 feet; thence North 00 deg. 13 min. 29 sec. East, 50.99 feet; thence North 01 deg. 01 min. 12 sec. West, 46.90 feet to a point of curvature; thence Northeasterly 73.05 feet along the arc of a curve concave to the Southeast with a radius of 60.00 feet, through a central angle of 69 deg. 45 min. 30 sec., and whose chord bears North 33 deg. 53 min. 05 sec. East, 68.62 feet; thence North 68 deg. 45 min. 49 sec. East, 118.00 feet to a point on the west line of Parcel 2 of Certified Survey Map No. 5100; thence North 01 deg. 01 min. 12 sec. West along said west line 428.73 feet to the north line of the Northeast 1/4 of Section 31, Township 7 North, Range 22 East; thence North 88 deg. 41 min. 31 sec. East along said north line, 431.13 feet; thence South 01 deg. 13 min. 29 sec. East along the east

line of said Parcel 2 of Certified Survey Map No. 5100, 305.00 feet; thence North 88 deg. 41 min. 31 sec. East along the north line of said Parcel 2, 365.47 feet to the east line of the Northwest 1/4 of the Northeast 1/4 of said Section 31; thence South 01 deg. 16 min. 17 sec. East along said east line, 895.00 feet; thence South 88 deg. 41 min. 31 sec. West, 279.62 feet; thence North 01 deg. 17 min. 46 sec. West, 5.00 feet to a non-tangential point of curvature; thence Westerly 219.51 feet along the arc of a curve concave to the North with a radius of 985.15 feet, through a central angle of 12 deg. 46 min. 00 sec., and whose chord bears North 85 deg. 04 min. 04 sec. West, 219.06 feet; thence North 78 deg. 42 min. 22 sec. West, 106.06 feet to a point of curvature; thence Westerly 98.17 feet along the arc of a curve concave to the North with a radius of 881.58 feet, through a central angle of 6 deg. 22 min. 49 sec., and whose chord bears North 75 deg. 30 min. 58 sec. West, 98.12 feet; thence North 72 deg. 19 min. 33 sec. West, 62.05 feet; thence North 68 deg. 47 min. 35 sec. West, 83.30 feet; thence North 76 deg. 45 min. 32 sec. West, 18.03 feet; thence North 60 deg. 21 min. 41 sec. West, 60.70 feet; thence North 01 deg. 13 min. 22 sec. West, 42.24 feet; thence South 88 deg. 46 min. 38 sec. West, 50.00 feet; thence South 01 deg. 13 min. 22 sec. East, 51.20 feet; thence North 71 deg. 20 min. 03 sec. West, 391.83 feet to the east line of said Northwest 1/4; thence South 01 deg. 18 min. 41 sec. East along said east line, 8.70 feet; thence North 71 deg. 18 min. 37 sec. West, 80.88 feet; thence North 01 deg. 18 min. 41 sec. West, 253.42 feet; thence North 88 deg. 41 min. 19 sec. East, 76.00 feet to said east line; thence North 01 deg. 18 min. 41 sec. West along said east line, 0.06 feet to the point of beginning.

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

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

Part 3. In accordance with the provisions of Section 295-907 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

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

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

Sponsors: Ald. Donovan

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

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

No: 1 - Murphy

4. [050469](#) Substitute ordinance relating to the change in zoning from Industrial Heavy (IH) to a General Planned Development (GPD) known as the Forest County Potawatomi Legacy District, on land located on the South Side of West Canal Street and West of South 16th Street, in the 8th Aldermanic District.

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

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

Section 295-907(2)(a).0020.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and 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 area bounded and described by a parcel of land lying in the Northeast 1/4 and the Northwest 1/4 of Section 31, Township 7 North, Range 22 East in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northeast Corner of the Northwest 1/4 of Section 31, Township 7 North, Range 22 East; thence South 01 deg. 18 min. 41 sec. East along the east line of said Northwest 1/4, 636.11 feet to the point of beginning; thence Easterly 373.66 feet along the arc of a curve concave to the South with a radius of 692.59 feet,

through a central angle of 30 deg. 54 min. 41 sec., and whose chord bears North 86 deg. 38 min. 28 sec. East, 369.14 feet; thence North 00 deg. 13 min. 29 sec. East, 50.99 feet; thence North 01 deg. 01 min. 12 sec. West, 46.90 feet to a point of curvature; thence Northeasterly 73.05 feet along the arc of a curve concave to the Southeast with a radius of 60.00 feet, through a central angle of 69 deg. 45 min. 30 sec., and whose chord bears North 33 deg. 53 min. 05 sec. East, 68.62 feet; thence North 68 deg. 45 min. 49 sec. East, 118.00 feet to a point on the west line of Parcel 2 of Certified Survey Map No. 5100; thence North 01 deg. 01 min. 12 sec. West along said west line 428.73 feet to the north line of the Northeast 1/4 of Section 31, Township 7 North, Range 22 East; thence North 88 deg. 41 min. 31 sec. East along said north line, 431.13 feet; thence South 01 deg. 13 min. 29 sec. East along the east line of said Parcel 2 of Certified Survey Map No. 5100, 305.00 feet; thence North 88 deg. 41 min. 31 sec. East along the north line of said Parcel 2, 365.47 feet to the east line of the Northwest 1/4 of the Northeast 1/4 of said Section 31; thence South 01 deg. 16 min. 17 sec. East along said east line, 895.00 feet; thence South 88 deg. 41 min. 31 sec. West, 279.62 feet; thence North 01 deg. 17 min. 46 sec. West, 5.00 feet to a non-tangential point of curvature; thence Westerly 219.51 feet along the arc of a curve concave to the North with a radius of 985.15 feet, through a central angle of 12 deg. 46 min. 00 sec., and whose chord bears North 85 deg. 04 min. 04 sec. West, 219.06 feet; thence North 78 deg. 42 min. 22 sec. West, 106.06 feet to a point of curvature; thence Westerly 98.17 feet along the arc of a curve concave to the North with a radius of 881.58 feet, through a central angle of 6 deg. 22 min. 49 sec., and whose chord bears North 75 deg. 30 min. 58 sec. West, 98.12 feet; thence North 72 deg. 19 min. 33 sec. West, 62.05 feet; thence North 68 deg. 47 min. 35 sec. West, 83.30 feet; thence North 76 deg. 45 min. 32 sec. West, 18.03 feet; thence North 60 deg. 21 min. 41 sec. West, 60.70 feet; thence North 01 deg. 13 min. 22 sec. West, 42.24 feet; thence South 88 deg. 46 min. 38 sec. West, 50.00 feet; thence South 01 deg. 13 min. 22 sec. East, 51.20 feet; thence North 71 deg. 20 min. 03 sec. West, 391.83 feet to the east line of said Northwest 1/4; thence South 01 deg. 18 min. 41 sec. East along said east line, 8.70 feet; thence North 71 deg. 18 min. 37 sec. West, 173.17 feet to a point of curvature; thence Westerly 169.65 feet along the arc of a curve concave to the South with a radius of 1082.71 feet, through a central angle of 8 deg. 58 min. 40 sec., whose chord bears North 75 deg. 47 min. 57 sec. West, 169.48 feet; thence North 80 deg. 17 min. 17 sec. West, 640.66 feet; thence North 82 deg. 32 min. 27 sec. West, 248.03 feet; thence North 01 deg. 18 min. 41 sec. West, 93.60 feet to a point of non-tangential curvature; thence Easterly 243.63 feet along the arc of a curve concave to the North with a radius of 1262.73 feet, through a central angle of 11 deg. 03 min. 16 sec., and whose chord bears North 70 deg. 53 min. 43 sec. East, 243.25 feet; thence North 65 deg. 17 min. 05 sec. East, 604.26 feet; thence Easterly 54.85 feet along the arc of a curve concave to the North with a radius of 570.19 feet, through a central angle of 5 deg. 30 min. 43 sec., and whose chord bears North 62 deg. 31 min. 43 sec. East, 54.83 feet; thence North 88 deg. 41 min. 19 sec. East, 326.63 feet to the centerline of Potawatomi Circle; thence South 01

deg. 18 min. 41 sec. East along said centerline, 415.92 feet; thence North 88 deg. 41 min. 19 sec. East, 38.00 feet to the east line of said Northwest 1/4; thence North 01 deg. 18 min. 41 sec. West along said east line; 0.06 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 295-907(2) of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

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

Sponsors: Ald. Donovan

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

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

No: 1 - Murphy

5. [050476](#) An ordinance relating to building code requirements applicable to additions and alterations to one and 2-family structures erected prior to June 1, 1980.

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

Part 1. Section 240-3 of the code is amended to read:

240-3. Pre-existing Structures. Although the uniform state one and 2-family dwelling code does not apply to additions or alterations to buildings erected prior to June 1, 1980, it is the intent of the city not to have a separate code in these instances. Should an owner, in the construction of an addition or alteration to a one or 2-family structure erected prior to June 1, 1980, find undue hardship in complying with any provisions of this chapter which are more restrictive than the former city one and 2-family code, the owner may petition the commissioner >>of city development<< for relief to build in accordance with ch. 33 of the Milwaukee building code of 1977 >>or the construction requirements of the "Southeast Wisconsin Alterations and Remodeling Guidelines" found in s. 30.55 of the Wisconsin uniform building code<< .

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

6. [050530](#) Ordinance relating to the change in zoning from Industrial Heavy (IH) to Downtown Mixed Activity (C9G) on land located on the South Side of West St. Paul Avenue and East of South 8th Street, in the 4th Aldermanic District.
- Resolved, That 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 295-701(7).0003. The zoning map is amended to change the zoning for the area described and bounded by the zoning line within the right-of-way of West St. Paul Avenue, the zoning line within the right-of-way of South 8th Street, the zoning line within the Menomonee River and the zoning line within the right-of-way of former South 6th Street, from Industrial Heavy (IH) to Downtown Mixed Activity (C9G).

Sponsors: Ald. Bauman

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

7. [041698](#) Substitute resolution approving the final plat for Reservoir Heights located on the North Side of East Meinecke Avenue and West of North Hubbard Street, in the 6th Aldermanic District.
- Resolved, By the Common Council of the City of Milwaukee, that the final plat for Reservoir Heights, being a redivision of Lots 6 through 11, inclusive, Block 220, "John B. A. Kerns Subdivision," being a subdivision of a part of the Southeast 1/4 of the Southeast 1/4 of Section 17, Town 7 North, Range 22 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:** Ald. McGee Jr.
- A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
8. [050395](#) Substitute resolution approving a Project Plan and creating Tax Incremental District No. 59 (Bronzeville Cultural and Entertainment District) and approving the terms of a Cooperation Agreement to implement the Project Plan, in the 6th Aldermanic District.
- Whereas, Chapter 105 of the Laws of 1975 of the State of Wisconsin, with amendments from other chapters of said Laws, created Section 66.1105, Wisconsin Statute titled "Tax Increment Law," and
- Whereas, Section 66.1105(4) of the Tax Increment Law sets forth certain criteria that the Common Council of the City of Milwaukee ("Common Council") and the Redevelopment Authority of the City of Milwaukee ("Redevelopment Authority") must follow to create a Tax Incremental District ("TID") and approve a Project Plan for the TID; and
- Whereas, Pursuant to Section 66.1105(4)(a) through (gm), Wisconsin Statutes, the Redevelopment Authority conducted a public hearing on the Project Plan for the Bronzeville Cultural and Entertainment District Tax Incremental District ("District"), designated the boundaries of the District, recommended that the District be created and submitted such recommendation to the Common Council for approval with a proposed Project Plan for the District ("Plan"), a copy of which is attached to the Common Council File; and

Whereas, Under the provisions of Section 66.1105(4)(gm)4.a., Wisconsin Statutes, not less than 50 percent, by area, of the real property within a proposed TID must qualify as either a “blighted area” within the meaning of Section 66.1105(2)(a), Wisconsin Statutes; an area “in need of rehabilitation or conservation work” within the meaning of Section 66.1337(2m)(b), Wisconsin Statutes; or must be suitable for “industrial sites” within the meaning of Section 66.1101, Wisconsin Statutes, and be zoned for industrial use; and

Whereas, Based upon field survey and available public information and records, more than 50 percent, by area, of the real property located within the proposed District, as identified in Map 1 - Exhibit 1 of the above referenced Plan, consists of properties, which in the aggregate, are blighted or in need of rehabilitation or conservation work and, therefore, meets one of the criteria essential to creation of a TID as set forth in Section 66.1105(4)(gm)4.a., Wisconsin Statutes; and

Whereas, Based upon field survey and available public information and records, 21 percent, of the real property located within the proposed District, as identified in Map 3 - Exhibit 3 of the above-referenced Plan, consists of properties that are “vacant” within the meaning of Section 66.1105, Wisconsin Statutes; and

Whereas, The Plan contains statements and other factual information indicating that the improvement of the area is likely to enhance significantly the value of real property in the District, that project costs directly serve to promote the development of the District consistent with the purposes for which the District is created under Section 66.1105(4)(gm)4.a., Wisconsin Statutes, and that the aggregate value of equalized taxable property in the District plus the incremental value of all existing TID’s has been determined to be less than 12 percent of the total value of equalized taxable property within the City of Milwaukee (“City”); and

Whereas, To implement the Plan, a Cooperation Agreement between the City and the Redevelopment Authority is required and should be prepared consistent with the Term Sheet for said Agreement, a copy of which is attached to this Common Council File; now, therefore, be it

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

1. The District is a “blighted area” within the meaning of Section 66.1105(4)(gm)4.a., Wisconsin Statutes.
2. The improvement and/or redevelopment of such area, as herein after provided, is likely to enhance significantly the value of substantially all of the other real property in such District.

3. Project costs relate directly to promoting development consistent with the City's Master Plan and with the purposes for which the District is created under Section 66.1105(4)(gm)4.a., Wisconsin Statutes.

4. The percentage of the aggregate value of the equalized taxable property of the District plus the incremental value of all existing TID's does not exceed the statutory maximum 12 percent of the aggregate value of total equalized value of taxable property within the City; and, be it

Further Resolved, That to implement and facilitate this acquisition, certain official action to support the new land use after redevelopment may be taken with general references, among other things, to changes in zoning; the vacation and removal of streets, alleys and other public ways; the location and relocation of sewer and water mains and other public facilities; and other public actions deemed necessary to effectuate the purpose of this acquisition including the prohibition of any new construction in the proposed easement area, and accordingly, the Common Council pledges its cooperation to carry out this acquisition; and, be it

Further Resolved, That the District is created as of January 1, 2005 and that the boundaries of said District are approved as described in the Plan; and, be it

Further Resolved, That the Plan is approved as the Project Plan for said District and that the Plan is feasible, in conformity with the Master Plan for the City and will promote the orderly development of the City; and, be it

Further Resolved, That the proper City officials are authorized and directed to enter into a Cooperation Agreement with the Redevelopment Authority to implement the Plan; and, be it

Further Resolved, That:

1. The City Clerk is authorized and directed to apply in writing to the Wisconsin Department of Revenue for a "Determination of Tax Increments and Tax Incremental Base" for the District, pursuant to the provisions of Section 66.1105(5), Wisconsin Statutes.

2. Pursuant to the provisions of Section 66.1105(5)(f), Wisconsin Statutes:

a. The Assessment Commissioner is authorized and directed to identify upon the assessment roll, returned and examined under Section 70.45, Wisconsin Statutes, those parcels of property which are within the District, specifying thereon the name of the District.

b. The City Clerk is authorized and directed to make notations on the tax roll for the District similar to those required to be made under Section 70.65, Wisconsin Statutes.

c. The Commissioner of the Department of City Development is authorized and directed to act on behalf of the Common Council as coordinator of all Plan activities, which in his judgment are necessary to carry out the Plan and the intent of this resolution.

d. The City Comptroller is authorized and directed to transfer the sum of \$3,288,500, plus capitalized interest (estimated at \$143,000), from the Parent TID Account to the Project Account for the purpose of providing funds necessary to implement the Plan.

e. The City Comptroller, in conjunction with the Commissioner of the Department of City Development, is authorized and directed to perform such acts and to create such accounts and subaccounts and make appropriate transfers upon written request by the Department of City Development for all revenue or expenditure activity under this resolution.

f. The City Clerk is directed to transmit a certified copy of this Common Council resolution, along with a copy of the Plan, to the Commissioner of the Department of Public Works, the Commissioner of the Department of Neighborhood Services, the Commissioner of the Department of City Development, the Assessment Commissioner and the City Engineer, for administrative and/or informational purposes, respectively, and to the Joint Review Board established for the District.

Sponsors: Ald. McGee Jr.

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

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

No: 1 - Dudzik

9. [050404](#) Substitute resolution approving the Land Disposition Report for the properties at 1940-48 North Dr. Martin Luther King Jr. Drive and 227R West Brown Street for a mixed-use development, in the 6th Aldermanic District. (Redevelopment Authority) Whereas, The Redevelopment Authority of the City of Milwaukee (“Authority”) advertised a Request for Proposals for the purchase and development of property in the 1900 Block of King Drive in the North Dr. Martin Luther King Jr. Drive and West Reservoir Avenue Redevelopment Project Area; and

Whereas, The Authority recommended acceptance of the proposal from The Readers

Group on a primary basis and the proposal from Cross Development Group, Inc., on a secondary basis as summarized in a Land Disposition Report; and

Whereas, On July 12, 2005, the 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 July 12, 2005, with respect to the proposed sale of the following properties is approved.

REDEVELOPMENT PROJECT AREA

North Dr. Martin Luther King Jr. Drive - West Reservoir Avenue

PARCEL ADDRESSES

1940 North Dr. Martin Luther King Jr. Drive

1944 North Dr. Martin Luther King Jr. Drive

1948 North Dr. Martin Luther King Jr. Drive

227R West Brown Street

REDEVELOPER

The Readers Group - Primary Offer

Cross Development Group, Inc. - Secondary Offer

Sponsors: Ald. McGee Jr.

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

Aye: 13 - Hamilton, Davis, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 2 - D'Amato Murphy

10. [050464](#) Substitute resolution authorizing extension to term of Cooperation and Development Agreement for Tax Incremental District No. 38 (500 West Grange Avenue), in the 13th Aldermanic District.

Whereas, The City of Milwaukee, the Redevelopment Authority of the City of Milwaukee, Billy Mitchell LLC and the Milwaukee Economic Development Corporation are parties to a Cooperation and Development Agreement dated December 6, 2000 under which they have agreed to the basic terms for remediation and development of approximately 6.6 acres located generally at 500 West Grange Avenue, Milwaukee, Wisconsin; and

Whereas, Under the terms of that Agreement, the Developer was to have pre-leased 30,000 square feet in a proposed 100,000 square foot facility to be constructed on the site and obtain a financing commitment for such facility on or before December 1, 2004; and

Whereas, The parties to the Agreement wish to extend the above deadline from December 1, 2004 to December 1, 2008; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are authorized to enter into an Amendment to Cooperation and Development Agreement, a copy of which is attached to this Common Council File, for the purpose of extending the above deadline to December 1, 2008.

Sponsors: Ald. Witkowski

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

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

No: 1 - Dudzik

11. [050578](#) Resolution permitting a minor modification to the Detailed Planned Development (DPD) known as Lake View Village, located at 8910 North Michele Street, in the 9th Aldermanic District.

Whereas, Section 295-907(i) of the Milwaukee Code of Ordinances permits modifications to planned developments after approval of the Common Council; and

Whereas, The second phase of the Detailed Planned Development (DPD) known as Lake View Village was approved by the Common Council in 2001 under File No. 010640 for construction of a multi-family residential project; and

Whereas, The Pastor of Shekinah Rain Ministries is requesting a minor modification to the previously approved planned development to allow for temporary occupancy within one of the buildings for a religious assembly which meets Sundays between the hours of 11:30 a.m. and 1:30 p.m. with 45 members; and

Whereas, Shekinah Rain Ministries is in the process of finding a permanent location and is requesting temporary occupancy; and

Whereas, The modification to the permitted uses is generally consistent with the spirit and intent of the approved detailed 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 allowing temporary occupancy of a religious assembly with 45 members for weekly Sunday morning services until the end of December 2005 is approved.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

12. [050582](#) Resolution declaring improved, tax-deed properties surplus to municipal needs and authorizing sales in the 3rd, 6th, 7th, 8th, 12th and 15th aldermanic districts.

Whereas, Chapter 304-49 of the Milwaukee Code of Ordinances ("Code") specifies the disposition process for surplus, City-owned real estate; and

Whereas, The Common Council of the City of Milwaukee ("Common Council") has, by adoption of resolution and other policy direction, supplemented the Code with procedural steps designed to streamline the process for returning property to the tax roll and into the hands of responsible parties; and

Whereas, Those steps in the surplus property disposition process can be summarized as follows:

After the City Plan Commission declares property surplus to municipal needs and the Common Council approves an asking price, the Department of City Development ("DCD") shall market property in the following preferential order:

1. To qualified nonprofit organizations who can purchase property prior to being placed on the market either at the specified asking price if over \$10,000, or for \$750 if valued at \$10,000 or less, provided that the proposed use and the contemplated improvements are deemed to be compatible with neighborhood context in all respects. (Whenever a nonprofit organization is acting as a facilitator of a transaction for a

homebuyer/owner-occupant, DCD may convey property directly to a third party deemed qualified by the nonprofit organization.)

2. If there is no nonprofit organization interest, area residents may be given an exclusive opportunity to purchase property for 30 days prior to property being exposed to the open market.
3. If no acceptable area resident offers are received, property shall be advertised to the general public with stipulated bid due dates via an open listing method.
4. If no acceptable offers are received after initial open listing, property then goes on an extended listing and offers can be accepted at any time on a first-come basis.

; and

Whereas, The City Plan Commission and the Public Improvements Committee have determined that the following properties have no possible municipal use:

PROPERTY ADDRESS, TAX KEY NUMBER, LISTING PRICE,
ALDERMANIC DISTRICT

2823-25 North 2nd Street, TK #313-0309-000-5, \$10,000.00, 6th

2857-59 North 2nd Street, TK #313-1377-000-4, \$10,000.00, 6th

2911 North 11th Street, TK #312-0175-000-0, \$12,800.00, 6th

2751 North 12th Street, TK #312-3244-100-6, \$20,900.00, 15th

2941-43 North 12th Street, TK #312-2506-100-1, \$26,600.00, 6th

2740 North 13th Street, TK #312-2717-000-2, \$7,000.00, 15th

2857 North 13th Street, TK #311-3106-100-8, \$17,100.00, 6th

2423 North 15th Street, TK #324-1308-000-1, \$7,600.00, 15th

2829 North 16th Street, TK #311-2048-000-9, \$9,200.00, 6th

2817 North 19th Street, TK #311-1796-100-4, \$10,600.00, 6th

2753 North 20th Street, TK #310-0267-000-6, \$13,500.00, 15th

2975 North 21st Street, TK #310-9946-000-0, \$7,800.00, 7th

2866 North 23rd Street, TK #310-1357-000-3, \$9,000.00, 15th

2917 North 23rd Street, TK #310-1016-100-5, \$18,200.00, 7th

2049 North 24th Place, TK #350-2383-000-9, \$6,500.00, 15th

2768 North 27th Street, TK #310-1916-000-1, \$9,200.00, 7th

1627 North 28th Street, TK #365-0668-100-0, \$11,100.00, 15th

2062-64 North 28th Street, TK #349-1143-000-4, \$38,900.00, 15th

2149-51 North 28th Street, TK #349-1819-000-9, \$50,200.00, 15th

2225 North 28th Street, TK #349-1808-100-5, \$6,600.00, 15th

3209 North 29th Street, TK #286-1061-000-7, \$7,300.00, 7th

1834-A North 31st Street, TK #349-0729-100-8, \$6,400.00, 15th

1650 North 32nd Street, TK #365-0948-000-6, \$29,500.00, 15th

1415 North 35th Street, TK #366-1513-100-2, \$7,400.00, 15th

3524 West Brown Street, TK #348-0212-000-3, \$9,700.00, 15th

2506 North Buffum Street, TK #321-1543-000-8, \$39,100.00, 6th

3341-43 North Buffum Street, TK #281-1617-000-2, \$14,500.00, 6th

1648 South Cesar E. Chavez Drive, TK #460-1021-000-3, \$16,600.00, 12th

1219-21 West Clarke Street, TK #323-1132-000-8, \$17,100.00, 15th

2543 North Gordon Place, TK #320-0231-000-6, \$38,200.00, 3rd

2454-56 West Keefe Avenue, TK #270-1140-000-6, \$63,100.00, 6th

1039 West Maple Street, TK #461-0677-000-X, \$18,500.00, 12th

1929 South Muskego Avenue, TK #470-2704-000-0, \$17,900.00, 8th

2961 North Palmer Street, TK #313-0554-000-8, \$19,300.00, 6th

3113-15 West Walnut Street, TK #365-0944-000-4, \$9,300.00, 15th

1422 West Wright Street, TK #324-9995-100-X, \$9,800.00, 15th

; and

Whereas, The Zoning, Neighborhoods and Development Committee recommends selling said properties, authorizing the Commissioner of DCD, or designee, to accept offers to purchase on behalf of the City and directing the Commissioner of DCD to close those transactions provided that:

1. Offers conform in all respects to procedural guidelines.
2. Offers, net of commissions, are greater than 75 percent of list price.
3. Buyers are not delinquent on the payment of real estate taxes, special assessments or any other municipal charges for any property a buyer may own in the City of Milwaukee, whether such property is owned individually or in partnership with others and/or under any other name.
4. Buyers do not have outstanding orders to correct code or other violations issued by any enforcement agency for any property a buyer may own in the City of Milwaukee, or have a history of non-compliance with any such agencies, whether such property is owned individually or in partnership with others and/or under any other name.
5. Buyers are not known to have been convicted of crimes the nature of which can be reasonably assumed to be detrimental to the health and quality of life in neighborhoods including, but not by way of limitation, mortgage fraud, property flipping, drug trafficking, sexual assault and other violent crime.
6. Buyers agree to bring property into code compliance within the time specified by the Department of Neighborhood Services.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said properties are declared surplus; and, be it

Further Resolved, That the Commissioner of DCD is authorized and directed to dispose of the property in accordance with the procedures described herein; and, be it

Further Resolved, That the Commissioner of DCD is authorized and directed to market unbuildable adjoining vacant lots with said property, said vacant lots being declared surplus as if fully set forth herein; and, be it

Further Resolved, That the Commissioner of DCD is authorized and directed to make price reductions of up to 25 percent if and when property attracts no offers to purchase after being exposed to the market on at least two occasions; and, be it

Further Resolved, That the Commissioner of DCD shall deposit the proceeds from all sales, net of commissions, closing related expenses and a 20 percent disposition cost reimbursement to the Redevelopment Authority of the City of Milwaukee, into the Reserve for Tax Deficit Fund Account No. 0001-334106.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

13. [050586](#) Resolution approving the Land Disposition Report for FB Properties Joint Venture for the properties at 738 and 744 North Old World Third Street for redevelopment purposes, in the 4th Aldermanic District. (Redevelopment Authority)
- Whereas, The Redevelopment Authority of the City of Milwaukee (“Authority”) recommended acceptance of a Lease-Option Agreement with FB Properties Joint Venture; and
- Whereas, On September 13, 2005, the Authority held a Public Hearing on the proposed Lease-Option Agreement as required by Wisconsin Statutes; and
- Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed Lease-Option Agreement; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Land Disposition Report dated September 13, 2005, with respect to the proposed Lease-Option Agreement for the following properties is approved.

REDEVELOPMENT PROJECT AREA

Wisconsin - 4th Redevelopment Project Area

PARCEL ADDRESSES

738 and 744 North Old World Third Street

REDEVELOPER

FB Properties Joint Venture

Sponsors: Ald. Bauman

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- 14. [050589](#) Resolution approving the Land Disposition Report for the properties at 1330 West Center Street and 1323 West Hopkins Street for sale to Way of the Cross Housing Development Corporation for residential development, in the 15th Aldermanic District. (Redevelopment Authority)

Whereas, The Redevelopment Authority of the City of Milwaukee (“Authority”) recommended acceptance of a proposal from Way of the Cross Housing Development Corporation; and

Whereas, On September 13, 2005, the 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 September 13, 2005, with respect to the proposed sale of the following properties is approved.

REDEVELOPMENT PROJECT AREA

West Hopkins - West Center Redevelopment Project Area

PARCEL ADDRESSES

1330 West Center Street and 1323 West Hopkins Street

REDEVELOPER

Way of the Cross Housing Development Corporation

Sponsors: Ald. Hines Jr.

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

15. [050592](#) Substitute resolution approving a Project Plan and creating a Tax Incremental District (Milwaukee Intermodal Passenger Station Project) in the 4th Aldermanic District.

Whereas, Chapter 105 of the Laws of 1975 of the State of Wisconsin, with amendments from other chapters of said Laws, created Section 66.1105, Wisconsin Statutes, titled "Tax Increment Law;" and

Whereas, Section 66.1105(4) of the Tax Increment Law sets forth certain criteria that the Common Council of the City of Milwaukee ("Common Council") and the Redevelopment Authority of the City of Milwaukee ("Redevelopment Authority") must follow to create a Tax Incremental District ("TID") and approve a Project Plan for the TID; and

Whereas, Pursuant to Section 66.1105(4)(a) through (gm), Wisconsin Statutes, the Redevelopment Authority conducted a public hearing on the Project Plan for the Milwaukee Intermodal Passenger Station Project Tax Incremental District ("District"), designated the boundaries of the District, recommended that the District be created and submitted such recommendation to the Common Council for approval with a proposed Project Plan for the District ("Plan"), a copy of which is attached to this Common Council File; and

Whereas, Under the provisions of Section 66.1105(4)(gm)4.a., Wisconsin Statutes, not less than 50 percent, by area, of the real property within a proposed TID must qualify as either a "blighted area" within the meaning of Section 66.1105(2)(a), Wisconsin Statutes; an area "in need of rehabilitation or conservation work" within the meaning of Section 66.1337(2m)(b), Wisconsin Statutes; or must be suitable for "industrial sites" within the meaning of Section 66.1101, Wisconsin Statutes, and be zoned for industrial use; and

Whereas, Property standing vacant for an entire 7-year period immediately preceding

adoption of this resolution and not suitable for “industrial sites” shall not exceed 25 percent, by area, of the District; and

Whereas, Based upon field survey and available public information and records, more than 50 percent, by area, of the real property in the District, as identified in Map 2 and Exhibit 1 of the Plan, consists of properties, which in the aggregate, are a “blighted area” within the meaning of Section 66.1101 and, therefore, satisfies the requirements of Section 66.1105(4)(gm)4.a., Wisconsin Statutes; and

Whereas, Based upon available public information and records, zero percent of the real property in the District, as identified in Exhibit 1 of the Plan, consists of property that is “vacant” within the meaning of Section 66.1105; and

Whereas, The Plan contains statements and other factual information indicating that the improvement of such area is likely to enhance significantly the value of real property in the District; that project costs directly serve to promote development of the District consistent with the purpose(s) for which the District is created under Section 66.1105(4)(gm)4.a., Wisconsin Statutes, and that the aggregate value of equalized taxable property of the District plus the incremental value of all other existing TID’s in the City of Milwaukee (“City”) has been determined to be less than 12 percent of the total value of equalized taxable property within the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it finds and determines as follows:

1. The District is a “blighted area” within the meaning of Section 66.1105(4)(gm)4.a., Wisconsin Statutes.
2. The improvement and/or redevelopment of such area, as hereinafter provided, is likely to enhance significantly the value of substantially all of the other real property in such District.
3. Project costs relate directly to promoting development consistent with the City's Master Plan and with the purpose(s) for which the District is created under Section 66.1105(4)(gm)4.a., Wisconsin Statutes.
4. The percentage of the aggregate value of the equalized taxable property of the District plus the incremental value of all other existing TID’s does not exceed the statutory maximum 12 percent of the aggregate value of total equalized value of taxable property within the City; and, be it

Further Resolved, That the District is created as of January 1, 2005 and that the boundaries of the District recommended by the Redevelopment Authority are

approved as described and more precisely set forth in the Plan; and, be it

Further Resolved, That the Plan is approved as the Project Plan for said District and that the Plan is feasible, in conformity with the Master Plan for the City and will promote the orderly development of the City; and, be it

Further Resolved, That:

1. The City Clerk is authorized and directed to apply to the Wisconsin Department of Revenue for a "Determination of Tax Increments and Tax Incremental Base," for the District pursuant to the provisions of Section 66.1105(5), Wisconsin Statutes.

2. Pursuant to the provisions of Section 66.1105(5)(f), Wisconsin Statutes:

a. The Assessment Commissioner is authorized and directed to identify upon the assessment roll, returned and examined under Section 70.45, Wisconsin Statutes, those parcels of property which are within the District, specifying thereon the name of the District.

b. The City Clerk is authorized and directed to make notations on the tax roll for the District similar to those required to be made under Section 70.65, Wisconsin Statutes.

3. The Milwaukee Intermodal Passenger Station Project Tax Incremental District shall be designated Tax Incremental District No. 60.

Sponsors: Ald. Bauman

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

16. [050593](#) Substitute resolution approving a Project Plan and creating a Tax Incremental District (Chase Commerce Center Project) in the 14th Aldermanic District.

Whereas, Chapter 105 of the Laws of 1975 of the State of Wisconsin with amendments from other chapters of said Laws, created Section 66.1105, Wisconsin Statutes, titled "Tax Increment Law;" and

Whereas, Section 66.1105(4) of the Tax Increment Law sets forth certain criteria that the Common Council of the City of Milwaukee ("Common Council") and the Redevelopment Authority of the City of Milwaukee ("Redevelopment Authority") must follow to create a Tax Incremental District ("TID") and approve a Project Plan

for the TID; and

Whereas, Pursuant to Section 66.1105(4)(a) through (gm), Wisconsin Statutes, the Redevelopment Authority conducted a public hearing on the Project Plan for the Chase Commerce Center Project Tax Incremental District (“District”), designated the boundaries of the District, recommended that the District be created and submitted such recommendation to the Common Council for approval with a proposed Project Plan for the District (“Plan”), a copy of which is attached to this Common Council File; and

Whereas, Under the provisions of Section 66.1105(4)(gm)4.a., Wisconsin Statutes, not less than 50 percent, by area, of the real property within a proposed TID must qualify as either a “blighted area” within the meaning of Section 66.1105(2)(a), Wisconsin Statutes; an area “in need of rehabilitation or conservation work” within the meaning of Section 66.1337(2m)(b), Wisconsin Statutes; or must be suitable for “industrial sites” within the meaning of Section 66.1101, Wisconsin Statutes, and be zoned for industrial use; and

Whereas, Property standing vacant for an entire 7-year period immediately preceding adoption of this resolution and not suitable for “industrial sites” shall not exceed 25 percent, by area, of the District; and

Whereas, Based upon field survey and available public information and records, more than 50 percent, by area, of the real property in the District, as identified in Map 2 and Exhibit 1 of the Plan, consists of properties, which in the aggregate, are a “blighted area” within the meaning of Section 66.1101 and, therefore, satisfies the requirements of Section 66.1105(4)(gm)4.a., Wisconsin Statutes; and

Whereas, Based upon available public information and records, zero percent of the real property in the District, as identified in Exhibit 1 of the Plan, consists of property that is “vacant” within the meaning of Section 66.1105; and

Whereas, The Plan contains statements and other factual information indicating that the improvement of such area is likely to enhance significantly the value of real property in the District; that project costs directly serve to promote development of the District consistent with the purpose(s) for which the District is created under Section 66.1105(4)(gm)4.a., Wisconsin Statutes, and that the aggregate value of equalized taxable property of the District plus the incremental value of all other existing TID’s in the City of Milwaukee (“City”) has been determined to be less than 12 percent of the total value of equalized taxable property within the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it finds and determines as follows:

1. The District is a “blighted area” within the meaning of Section 66.1105(4)(gm)4.a., Wisconsin Statutes.
2. The improvement and/or redevelopment of such area, as hereinafter provided, is likely to enhance significantly the value of substantially all of the other real property in such District.
3. Project costs relate directly to promoting development consistent with the City's Master Plan and with the purpose(s) for which the District is created under Section 66.1105(4)(gm)4.a., Wisconsin Statutes.
4. The percentage of the aggregate value of the equalized taxable property of the District plus the incremental value of all other existing TID’s does not exceed the statutory maximum 12 percent of the aggregate value of total equalized value of taxable property within the City; and, be it

Further Resolved, That the District is created as of January 1, 2005 and that the boundaries of the District recommended by the Redevelopment Authority are approved as described and more precisely set forth in the Plan; and, be it

Further Resolved, That the Plan is approved as the Project Plan for said District and that the Plan is feasible, in conformity with the Master Plan for the City and will promote the orderly development of the City; and, be it

Further Resolved, That:

1. The City Clerk is authorized and directed to apply to the Wisconsin Department of Revenue for a “Determination of Tax Increments and Tax Incremental Base,” for the District pursuant to the provisions of Section 66.1105(5), Wisconsin Statutes.
2. Pursuant to the provisions of Section 66.1105(5)(f), Wisconsin Statutes:
 - a. The Assessment Commissioner is authorized and directed to identify upon the assessment roll, returned and examined under Section 70.45, Wisconsin Statutes, those parcels of property which are within the District, specifying thereon the name of the District.
 - b. The City Clerk is authorized and directed to make notations on the tax roll for the District similar to those required to be made under Section 70.65, Wisconsin Statutes.
3. The Chase Commerce Center Project Tax Incremental District shall be designated Tax Incremental District No. 61.

Sponsors: Ald. Zielinski

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

17. [050507](#) Appointment of Barbara Armstrong to the Standards and Appeals Commission by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

18. [050072](#) An ordinance relating to the imposition of negative use restrictions upon real property.

Sponsors: Ald. Zielinski

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [050558](#) Substitute resolution relative to the establishment of the Year 2006 Funding Allocation Plan.

Whereas, The Community and Economic Development Committee recommends approval of the amended Funding Allocation Plan of activities and funding recommendation for funding year 2006 as attached; and

Whereas, The City of Milwaukee appears to be eligible for community development entitlement funding for year 2006 estimated at \$26,754,655 (CDBG funds \$18,500,000; HOME funds, \$6,800,000; ESG funds, \$757,655; HOPWA funds \$487,000; and ADDI funds \$210,000); now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the amended 2006 Funding Allocation Plan is approved as attached; and, be it

Further Resolved, That the authorization for the funding listed in the resolution is subject to the availability of the Year 2006 community development funding and the release of funds for this purpose by HUD; and, be it

Further Resolved, That the Community Block Grant Administration is authorized to prepare and submit the Annual Action Plan for community development funding to the United States Department of Housing and Urban Development (HUD) in accordance with the City's Strategic Plan.

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

2. [050559](#) Resolution relating to the return of CDBG and HOME funds from Friends of Housing and awarding the funding to the Milwaukee Christian Center.

Whereas, The Common Council of the City of Milwaukee has previously approved the award of \$40,000 (CDBG) and \$200,000 (HOME) funding to Friends of Housing a Community Housing Development Organization (CHDO) for housing production activity; and

Whereas, The Friends of Housing organization has indicated they are unable to

complete the expected housing production units (see attached); and

Whereas, The Community and Economic Development Committee recommends awarding the CDBG funds in the amount of \$40,000 and HOME funds in the amount of \$200,000 to the Milwaukee Christian Center; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Community Block Grant Administration is authorized to accept the return of CDBG (\$40,000) and HOME (\$200,000) funding from Friends of Housing; and, be it

Further Resolved, That the returned funds are awarded, to the Milwaukee Christian Center for the purpose of housing production; and, be it

Further Resolved, That the Milwaukee Christian Center shall submit budget and activity reports in amounts and according to any conditions approved by the Common Council and in accordance with File Number 74-92-5v, to the Community Block Grant Administration and the City Comptroller for review and approval; and, be it

Further Resolved, That payments for CDBG cost incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Block Grant Administration and the City Comptroller; 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 are fully applicable to the 2005 Community Development Entitlement Funding Program.

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

CONFIRMATION OF THE FOLLOWING:

3. [050494](#) Appointment of Lora Pryor to the Business Improvement District Board No. 16 (West North Avenue) by the Mayor. (10th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

4. [050496](#) Appointment of Herb Rackliff to the Business Improvement District Board No. 21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

5. [050497](#) Reappointment of Tom Bernacchi to the Business Improvement District Board No. 21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

6. [050498](#) Reappointment of Phyllis Resop to the Business Improvement District Board No. 21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

7. [050499](#) Reappointment of Debra Usinger to the Business Improvement District Board No. 21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

8. [050500](#) Reappointment of James Baillon to the Business Improvement District Board No. 21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

9. [050502](#) Reappointment of John Brennan, III, to the Business Improvement District Board No. 26 (Menomonee Valley) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

10. [050503](#) Reappointment of James Hiller to the Business Improvement District Board No. 27 (Burleigh Street) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

PLACING ON FILE THE FOLLOWING:

11. [050305](#) Communication report from the Redevelopment Authority.

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

12. [050344](#) Communication from the Department of City Development relative to the 2005 Summer Youth Internship Program.

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

13. [050345](#) Communication from the Department of City Development relative to the International Council of Shopping Centers Convention.

Sponsors: THE CHAIR

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

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

No: 1 - Zielinski

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [001537](#) Substitute resolution to vacate the west side of North Humboldt Avenue between East Garfield Avenue and East North Avenue, in the 6th Aldermanic District.

Whereas, It is proposed that the west side of North Humboldt Avenue between East Garfield Avenue and East North Avenue be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

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

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

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

That part of North Humboldt Avenue in the Northwest 1/4 of Section 21, Township 7 North, Range 22 East, described as follows:

Commencing at the intersection of the south line of East North Avenue and the west line of North Humboldt Avenue; thence Southerly along said west line to its point of intersection with the present northerly line of East Garfield Avenue; thence Northeasterly, along the northeasterly extension of said present northerly line, to a point lying 5.00 feet East of, as measured normal to, the west line of North Humboldt Avenue; thence Northerly, parallel to said west line, to a point in the easterly extension of the south line of East North Avenue; thence Westerly, along said easterly extension, to the point of commencement, is vacated; and, be it

Further Resolved, That upon deposit of the funds required, the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said portion of street had not been vacated.

Sponsors: Ald. Johnson-Odom

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

2. [040562](#) Substitute resolution to vacate a portion of right-of-way on the West Side of North Terrace Avenue between East Bradford Avenue and East North Avenue, in the 3rd Aldermanic District.

Whereas, It is proposed that a portion of right-of-way on the West Side of North Terrace Avenue between East Bradford Avenue and East North Avenue be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

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

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

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

That part of North Terrace Avenue as platted in Gilman's Subdivision, a recorded subdivision, in the Southeast 1/4 of Section 15, Township 7 North, Range 22 East, described as follows:

Beginning at the southeast corner of Lot 37 in Block 3 of said subdivision; thence Southwesterly, along the southwesterly extension of the easterly line of Lot 37, to a point in the west line of said subdivision; thence Northerly, along said west line, to the southwest corner of Lot 37; thence Southeasterly, along the southerly line of Lot 37 aforesaid, 26.56 feet to the point of commencement, is vacated; and, be it

Further Resolved, That upon deposit of the funds required, the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

3. [050448](#) Resolution authorizing and directing the proper City officers to execute Partial Sewer Easement Releases SER-1972 Parcel G, SER-1973 Parcel B and SER-1975 Parcels B and D; Partial Water Easement Releases WER-295F Parcels 2 and 3; Sewer Easement Release SER-1975 Parcel A; Water Easement Releases WER-295D Parcel 1, WER-295C Parcel 2, and WER-295F Parcel 1.

Whereas, In 1971, The City of Milwaukee was granted the following sewer and water easements in the area formerly known as "Northridge Mall" west of North 76th Street, east of North 84th Street from West Brown Deer Road to West Fairy Chasm Road(extended): SE-1972 Parcel G, SE-1973 Parcel B, and SE-1975 Parcels A, B and D; WE-295F Parcels 1, 2 and 3, WE-295D Parcel 1, and WE-295C Parcel 2; and

Whereas, The existing sanitary and storm sewer facilities and water main facilities have been previously conveyed to the owners by Quitclaim Deeds(QCD)-2736, 910A, and 910B; and

Whereas, The present owners have requested the release of said easements; and

Whereas, The City has determined that the easements no longer serve the interests of the City of Milwaukee and therefore can be released; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers are hereby authorized and directed to execute the documents for Partial Sewer Easement Releases SER-1972 Parcel G, SER-1973 Parcel B, and SER-1975 Parcels B and D; Partial Water Easement Releases WER-295F Parcels 2 and 3; Sewer Easement Release SER-1975 Parcel A; and Water Easement Releases WER-295D Parcel 1, WER-295C Parcel 2, and WER-295F Parcel 1, copies of which are attached to the Common Council Resolution File Number 050448 and incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That after said sewer and water easement releases have been

executed by the proper city officers, they shall be forwarded to the office of the City Attorney for approval as to form and execution and then to the Department of Public Works for recording and proper distribution.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

4. [050449](#) Resolution accepting Sewer Easement documents SE-2743, SE-2745 and SE-2747, located in the Granville Station development north of West Brown Deer Road and west of North 76th Street in the 9th Aldermanic District.

Whereas, Menard, Inc. and TDC Milwaukee, LLC are developing the Granville Station development located north of West Brown Deer Road and west of North 76th Street in the Southeast one-quarter (SE ¼) of Section 4, Township 8 North, Range 21 East; and

Whereas, The plans for Granville Station development require the relocation and construction of a sanitary sewer in a public easement; and

Whereas, The easements for said sanitary sewers are in property owned by Menard, Inc., a Wisconsin corporation and TDC Milwaukee, LLC, an Illinois corporation; and

Whereas, Sewer Easements SE-2743, SE-2745 and SE-2747 granting permission to the City to construct and maintain sanitary sewers has been granted by Menard, Inc., and TDC Milwaukee, LLC and approved as to contents, form and execution by the proper City Officers; and

Whereas, Sewer Easements SE-2743, SE-2745 and SE-2747 will also grant the City the right of entry in and across the property and with the right to inspect, enlarge, reconstruct and relocate as may become applicable said sewer; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee hereby accepts Sewer Easements SE-2743, SE-2745 and SE-2747 said Sewer Easement documents being attached to this Common Council Resolution File Number 050449 and incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That said Sewer Easement documents shall be forwarded to the Department of Public Works for recording and proper distribution.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

5. [050471](#) Resolution directing the Department of City Development to prepare a resolution to vacate North 8th Street and West Hinman Street, South of West St. Paul Avenue and North of the Soo Line Railroad right-of-way, in the 4th Aldermanic District.

Whereas, It has been proposed by the Department of City Development that North 8th Street and West Hinman Street, South of West St. Paul Avenue and North of the Soo Line Railroad right-of-way, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; 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 streets in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

6. [050473](#) Substitute resolution relating to the specifications for the temporary relocation of the City Attorney's City Hall office.

Whereas, File number 050442, adopted on July 26, 2005, requires that the Commissioner of Public Works, in consultation with the City Attorney, develop specifications for the temporary relocation of the City Hall office of the City Attorney and submit those specifications to the Common Council for review and approval prior to soliciting proposals from the owners and/or owners' agents of commercial buildings; and

Whereas, Specifications have been developed pursuant to File number 050442, and are attached to this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the specifications for the relocation of the City Attorney's Office attached to this file are approved.

Sponsors: Ald. Bauman

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

7. [050485](#)

Resolution authorizing execution of an Out-of-Program Agreement between the Forest County Potawatomi Community of Wisconsin and the City of Milwaukee for construction of public improvements to serve the planned expansion of the Potawatomi Casino located at 1721 West Canal Street.

Whereas, The Forest County Potawatomi Community of Wisconsin, an Indian tribe, owns and operates a casino at 1721 West Canal Street; and

Whereas, The tribe plans to construct a significant expansion of the casino; and

Whereas, The expansion project will require that various existing public improvements be modified and new improvements be constructed; and

Whereas, The tribe desires to enter into an Out-of-Program Agreement with the City regarding the design, construction, and funding of these public improvements; and

Whereas, Under the terms of the agreement, the required public improvements would be designed and installed at no cost to the City of Milwaukee; and

Whereas, The Out-of-Program Agreement for the casino expansion is attached to the file; now, therefore, be it

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

Further Resolved, That the Commissioner of Public Works is authorized to accept funds from the tribe as outlined in the Out-of-Program Agreement for the purpose of designing, constructing, and inspecting the public improvements referenced therein; and, be it

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

8. [050562](#) Resolution authorizing the installation of a traffic control signal at the intersection of West Park Place and North 107th Street in the 5th Aldermanic District.

Whereas, Traffic control signals have been deemed necessary due to increased development in the area; and

Whereas, In 2000 a traffic signal operated at this location during freeway north interchange reconstruction and some material remains and is usable; and

Whereas, The total estimated cost is \$33,000 and will be included in the Division's Capital Improvement Fund Project/Grant Number ST220050000; 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 install a new traffic control signal at the intersection of West Park Place and North 107th Street at an estimated cost of \$33,000 from Capital Improvement Fund Project/Grant Number ST220050000.

Sponsors: Ald. Bohl

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

9. [050563](#) Substitute resolution approving construction of nonassessable public improvement projects at various locations.

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

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

3rd Aldermanic District

E. North Ave. - N. Bartlett Ave. to N. Oakland Ave. (SM495040173) File Number 040690: Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$586,000)

8th Aldermanic District

W. Canal St. - N. 25th St. to Selig Dr. (ST210050107) File Number 041405: Extras associated with pilings for the new street. (Nonassessable New Paving Fund -- \$650,000)

W. Forest Home Ave. - S. 35th St. at the Kinnickinnic River (SM495050010) File Number 041350: Relay storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$113,000)

12th Aldermanic District

S. 6th St. (and east to S. Menomonee Canal) - 385 feet m/l north of W. Canal St. to 450 feet m/l south of W. Canal St. (WT430053001) File number 041234: Water main relay and abandonments. (Developer Water Fund -- \$235,000)

15th Aldermanic District

Proposed Street (Josey Heights) - N. 13th St. to N. 14th St. (TD04484002) File Number 041350: Water main extension. (Nonassessable Water Fund -- \$100,000)

Proposed N. 13th St. (Josey Heights) - W. Brown St. to W. Lloyd St. (TD04484002) File Number 041350: Water main extension. (Nonassessable Water Fund -- \$150,000)

N. 14th St. (Josey Heights) - W. Brown St. to W. Lloyd St. (TD04484002) File Number 041350: Relay water main. (Nonassessable Water Fund -- \$185,000)

; 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 Engineer is authorized to sign the Relocation Order, Permanent Limited Easement, and other documents required by the right-of-way process for the West Bradley Road Bridge over the Little Menomonee River project, whereby Milwaukee County is donating for mutual benefits, the land the city needs for easements to maintain the integrity of roadway slopes and other related

appurtenances; 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. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

10. [050564](#) 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:
- 6th Aldermanic District
- N. Palmer St. - N. Hubbard St. to E. Vine St. (SM495050063): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$11,000)
- 12th Aldermanic District
- S. 1st St. - S. Kinnickinnic Ave. to W. Mitchell St. (SM495050060): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$9,000)
- 13th Aldermanic District
- S. 5th St. - W. Plainfield Ave. to W. Waterford Ave. (SM495050061): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$11,000)
- 15th Aldermanic District
- N. 13th St. - W. Brown St. to W. Lloyd St. (SM495050062): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$14,000)
- Alley between W. Brown St., W. Lloyd St. N. 23rd St., and N. 24th St. (ST212050149): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$8,200)

; 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 additional funds are needed for E. North Ave. - N. Bremen St. to N. Booth St. (ST320042901) File Number 040032 in the third and sixth aldermanic districts. Preliminary engineering for the reconstruction and improvement of the roadway under the Hazard Elimination Safety Program. (City Share Non-assessable Paving Fund -- \$65,000)

; 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. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

11. [050565](#) Substitute resolution determining it necessary to make various assessable public improvements at various locations.

Sponsors: THE CHAIR

Ald. Bohl moved to amend the file by referring the following matter back to committee:

W. Keefe Ave. - N. 76th St. to N. 80th St. (ST21100140): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$8,000)

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

050565

Substitute resolution determining it necessary to make various assessable 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 work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

1st Aldermanic District

N. 25th St. - W. Atkinson Ave. to W. Ruby Ave. (ST21110134): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$3,000)

N. 28th St. - W. Atkinson Ave. to W. Glendale Ave. (ST211060103): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$ 4,000)

2nd and 9th Aldermanic Districts

N. 64th St. - W. Villard Ave. to W. Silver Spring Dr. (ST211030104): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000)

3rd Aldermanic District

N. Water St. - E. Pleasant St. To E. Brady St. (ST211030107): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000)

5th Aldermanic District

W. Magnolia St. - 440 feet m/l west of N. 99th St. to 310 feet m/l west of N. 99th St. (SW170050103): New sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$25,000)

6th Aldermanic District

W. Abert Pl. - N. 1st St. to a point 150 feet m/l west of N. 1st St. (ST210050104): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable New Paving Fund -- \$8,000)

Block bounded by N. Commerce St., N. Humboldt Ave., and N. Riverboat Rd. (ST210050106): Install new walk.

N. Hubbard St. - E. North Ave. to E. Wright St. (ST211070110): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work.

8th Aldermanic District

W. Lapham St. - S. 24th St. to S. Layton Bl. (ST211050131): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$2,000)

9th Aldermanic District

W. Port Ave. - A point 1140 feet m/l north of W. Calumet Rd. to N. 66th St. (ST210060102): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable New Paving Fund -- \$5,000)

N. 66th St. - W. Port Ave. to a point 650 feet m/l south of W. Bradley Rd. (ST210060103): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable New Paving Fund -- \$8,000)

11th Aldermanic District

S. Honey Creek Dr. - W. Cold Spring Rd. to S. 60th St. (Including W. Leroy Ave. - S. 57th St. to S. Honey Creek Dr.) (ST211040132): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000)

W. Norwich St. - S. 51st St. to S. 55th St. (ST211050137): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$4,000)

W. Warnimont Ave. - S. 82nd St. to S. 84th St. (ST211060115): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$3,000)

S. 54th St. - W. Tesch Ave. to W. Norwich St. (ST211050136): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$3,000)

13th Aldermanic District

W. Wanda Ave. - S. 14th St. to S. 15th Pl. (ST211050134): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$2,000)

14th Aldermanic District

E. Conway St. - A point east of S. Wentworth Ave. to a point west of S. Wentworth Ave. (ST211060128): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$2,500)

15th Aldermanic District

W. North Ave. - W. Fond du Lac Ave. to N. 25th St. (ST211050107): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000)

N. 48th St. - W. Lisbon Ave. to W. Clarke St. (ST211060133): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000)

; and, be it

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

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

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

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

12. [050566](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations.

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

6th Aldermanic District

Block bounded by N. Commerce St., N. Humboldt Ave., and N. Riverboat Rd. (ST210050106) File Number 050565: Install new walk. (Nonassessable New Paving Fund -- \$25,000; Assessable New Paving Fund -- \$5,500)

; and

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

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

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

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

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

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

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

Further Resolved, That project Block bounded by N. Commerce St., N. Humboldt Ave., and N. Riverboat Rd. will be billed after January 1, 2007, but not before 12 months after the project contract has been completed.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

13. [050572](#) Resolution authorizing and directing the Commissioner of Public Works to execute a document titled "Federal/State/Project Sponsor, Transportation Enhancements Program Project Agreement" with the Department of Transportation for the programming of a project known as "West National Avenue Streetscape Project." Whereas, The City of Milwaukee has actively promoted the expansion of pedestrian facilities; and

Whereas, West National Avenue between South 27th Street and South 39th Street has been identified as a location that has experienced a trend of disinvestment; and

Whereas, The West National Avenue Streetscape Project is a proposed project which creates a more pedestrian friendly atmosphere within this segment of West National Avenue; and

Whereas, Increased pedestrian activity is one element in attracting new private investment to revitalize the neighborhood retail district; and

Whereas, Pedestrian projects such as the West National Avenue Streetscape Project are eligible for the state's TE program; and

Whereas, The City of Milwaukee applied for TE funds to undertake the West National Avenue Streetscape Project; and

Whereas, The Wisconsin Department of Transportation (WISDOT) has approved this application and submitted a Project Agreement to be executed by the City of Milwaukee for the programming of the project with federal aid under the TE program; and

Whereas, The Department of City Development's development fund will pay for the local share of this project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works (CPW) is hereby authorized and directed to execute the Project Agreement for the programming of the West National Avenue Streetscape Project, a copy of which is attached to Common Council Resolution File Number 050572 and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the CPW is hereby authorized and directed to undertake or engage a consultant to undertake the above mentioned project and to reimburse the WISDOT for costs they incur for the project; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create with the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield values for preliminary engineering for the project (Expenditure), and transfer to these accounts the amount required under the project agreement 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, as follows:

Federal Grantor Reimbursable
Fund Number 0306
Project Grant Number SP032040100
\$80,000

Local Share
Fund Number 0339
Project Grant Number UR033944000

\$20,000

Estimated Preliminary Engineering

Total = \$100,000

; and, be it

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

14. [050574](#) Substitute resolution authorizing the Commissioner of Public Works to fund a portion of the cost of an Urban Storm Trees and Green Best Management Practices program.

Whereas, The City of Milwaukee/Department of Public Works/Operations Division/Environmental Services Section is implementing an Urban Storm Trees and Green Best Management Practices program (Urban Storm Trees); and

Whereas, The Urban Storm Trees program includes the design and installation of a rain garden and bio-swales to help manage the runoff from a large parking lot, monitoring of water quantity and quality parameters, public outreach and individual training regarding the program; and

Whereas, The Urban Storm Trees program is designed to reduce runoff amounts and positively impact water quality in the Milwaukee urban environment, specifically in the combined sewer area; and

Whereas, Environmental Services has obtained partial funding of the program through grant funds but requires additional funds in the amount of \$100,000 to be able to complete the program as designed; and

Whereas, The City of Milwaukee/Department of Public Works/Infrastructure Services Division/Environmental Engineering Section (Sewer Maintenance Fund) is in agreement with the goals of the Urban Storm Trees program and would like to cooperate with the Environmental Services Section; and

Whereas, The 2005 budget for the Sewer Maintenance Fund included funding and borrowing authority in the amount of \$1,206,000 for four flow reduction projects; and

Whereas, The Department of Public Works has received \$387,500 in grant funds from the Milwaukee Metropolitan Sewerage District (MMSD) to perform a portion of the work for two of the flow reduction projects; and

Whereas, The adoption of Resolution File Numbers 050267 and 050268 by the Common Council on July 6, 2005 removed the borrowing authority for \$387,500 of the original budget amount for flow reduction projects due to the grant funds being received from the MMSD; and

Whereas, Funding the remaining portion of the Urban Storm Trees program with \$100,000 from the Sewer Maintenance Fund does not increase the borrowing above the original amount approved in the 2005 budget; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is authorized to fund the Urban Storm Trees and Green Best Management Practices program up to the amount of \$100,000 from the Sewer Maintenance Fund (Account # SM498050005) and that the Comptroller is authorized and directed to transfer the amount from the parent account to the project account for the Urban Storm Trees and Green Best Management Practices program.

Sponsors: THE CHAIR

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, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Dudzik

15. [050577](#) Resolution directing the Department of City Development to prepare a resolution to vacate a portion of the East Side of North Teutonia Avenue, located North of West Fairmount Avenue, in the 1st Aldermanic District.

Whereas, It has been proposed by the Department of City Development that a portion of the East Side of North Teutonia Avenue, located North of West Fairmount Avenue, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; 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 portion of street in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

16. [050599](#) Substitute resolution authorizing the proper city officials to execute utility agreements with the State of Wisconsin Department of Transportation for work on City of Milwaukee facilities in conjunction with the IH-94 freeway contract work from North 25th Street/St. Paul Avenue to North 26th Street.

Whereas, The State of Wisconsin Department of Transportation (WISDOT) has scheduled the rehabilitation of the IH-94 in the City of Milwaukee; and

Whereas, The Department of Public Works (DPW) has worked with the WISDOT in planning the design and construction of the project to best meet the needs of the citizens of the City of Milwaukee; and

Whereas, There will be minimal work required on city utilities as a result of the design and construction associated with the IH-94 freeway work; and

Whereas, Wisconsin State Statute 84.295(4m) indicates that the WISDOT will pay 90 percent of the cost of alteration, rehabilitation and relocation of municipal utilities with the responsible jurisdiction liable for the remaining 10 percent of the cost; and

Whereas, It has been estimated that for the IH-94 freeway work, the cost of utility alterations for Milwaukee Water Works and Communications and Electrical Services facilities will be \$9,800 and \$122,806 respectively with the City of Milwaukee 10 percent share being \$980 for Milwaukee Water Works and \$13,260.60 for Communications and Electrical Services facilities; and

Whereas, In order for the City of Milwaukee to be reimbursed for the 90 percent share of the utility alteration cost on the IH-94 freeway work, the WISDOT requires the entering into Municipal Utility Agreements Numbers 101 and 103 (UA 101 and 103), in accord with relocation assistance policy; and

Whereas, The WISDOT has provided the City of Milwaukee with the necessary municipal utility agreements to facilitate reimbursement of city costs in the alteration of City of Milwaukee Water Works and Communications and Electrical Services facilities; 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 execute the Utility Agreements

(UA 101 and 103) one each for Milwaukee Water Works and Communications and Electrical Services, all attached to this resolution by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized and directed to review and/or prepare plans as necessary to accomplish the required utility alterations associated with the IH-94 freeway work and is authorized to allow WISDOT to include city utility work in the IH-94 freeway work contract for city utility work associated with the IH-94 project and/or have the necessary utility work associated with the IH-94 freeway project accomplished by city forces, whichever is deemed to be in the best interest of the City of Milwaukee and the IH-94 freeway project; and, be it

Further Resolved, That the funding to cover the 10 percent City of Milwaukee cost of the IH-94 project utility alterations for Milwaukee Water Works and Communications and Electrical Services estimated to be \$980 and \$13,260.60 respectively, are and/or will be placed in DPW departmental accounts as part of the city budget process in budget year necessary to accommodate the project scheduling and the Local Accounts Receivable Report (LARR) billings; and, be it

Further Resolved, That the City Comptroller is hereby authorized and directed to create within the Capital Improvements Fund, Grant and Aid Projects, the necessary project/grant chartfield values for engineering and construction for the project (expenditure) and transfer to any of these accounts the amounts required under the grant agreement 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 of \$5,000, whichever is greater, as follows:

Infrastructure Services Division Accounts

City Share Non-Assessable Fund Transportation Street Conduit
ST28005000
Fund 0333
\$11,050

Grantor Fund Reimbursable Transportation Street Conduit
SP032050100
Fund 0306
\$99,450

DPW Administration Services Communications Cable
ST270050700

Fund 0333
\$1,230.60

Grantor Fund Reimbursable Communications Cable
SP032050100
Fund 0306
\$11,075.40

City Share Non-Assessable Fund Water Works Department
WT410050000
Fund 0420
\$980

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to make periodic payments as necessary to accommodate the works required for the IH-94 freeway work utility alterations as required under the aforementioned utility agreements.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

17. [050611](#) Resolution authorizing the Commissioner of Public Works to issue a Request for Proposals and award a contract for professional services for design development, preparation of construction documents, and contract management services for the Milwaukee Water Works' Kilbourn Reservoir project.

Whereas, Milwaukee Water Works has been working since 2000 to develop a solution to the decommissioning of Kilbourn Reservoir that meets the needs of the Water Works and is both cost-effective and acceptable to the neighborhood, elected officials, and other stakeholders; and

Whereas, A Master Plan has been developed that incorporates the decommissioning of the reservoir and landscaping of the site while maintaining its historical attributes; and

Whereas, The next phase of the project is to perform the design development based on the Master Plan, to develop the construction documentation which will be used to

bid out the construction phase of the project, and to manage the construction process on behalf of the Water Works; and

Whereas, These tasks include a large artistic and creative component, and developing a precise bidding specification would be impractical; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to issue a Request for Proposals for consultant services to perform design development, preparation of construction documents, and contract management services for the Milwaukee Water Works' project to decommission the Kilbourn Reservoir and, upon selection of the consultant best meeting the needs of the Water Works, to issue a contract for the professional services; and, be it

Further Resolved, That the cost of the system be charged to WT450025300.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

18. [050612](#) Resolution approving an amendment to a lease agreement with Edward E. Gillen.

Whereas, Edward E. Gillen Company has been a long term tenant in good standing with the Port of Milwaukee and has an existing lease dated October 19, 2000; and

Whereas, The existing lease is for 2.0 acres located on the Port's South Harbor Tract; and

Whereas, Edward E. Gillen Company and the Port of Milwaukee have agreed to add an additional .90 acres to that lease for a total of 2.90, retroactive March 1, 2005 and continuing month-to-month thereafter; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said Common Council hereby ratifies and approves the Amendment to Lease Agreement with Edward E. Gillen and the City of Milwaukee, by and through its Board of Harbor Commissioners for lease of 2.90 acres of off-waterfront bare ground located on the South Harbor Tract; and, be it

Further Resolved, That the designated officers of said government and said Board are hereby authorized and directed to execute an agreement to carry out this purpose.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

19. [050613](#) Resolution approving a lease agreement with Edward E. Gillen.

Whereas, Edward E. Gillen Company has been a long term tenant in good standing with the Port of Milwaukee and has an existing short term operating agreement dated January 5, 2005; and

Whereas, Edward E. Gillen Company and the Port of Milwaukee have agreed to the Agreement retroactive to March 1, 2005 through December 31, 2007; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said Common Council hereby ratifies and approves the Amendment to Lease Agreement with Edward E. Gillen and the City of Milwaukee, by and through its Board of Harbor Commissioners for lease of 7.615 acres of land located on the Grand Trunk Property; and, be it

Further Resolved, That the designated officers of said government and said Board are hereby authorized and directed to execute an agreement to carry out this purpose.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

20. [050614](#) Resolution approving a lease agreement with the United States of America Army Corps of Engineers.

Whereas, The United States Army has been a long term tenant in good standing with the Port of Milwaukee and has an existing lease dated March 9, 2001; and

Whereas, The existing lease will expire on September 30, 2005 and both parties to the lease have agreed to a new one-year firm term lease under the same terms and conditions with an escalated rental increase; and

Whereas, the Tenant requested a longer term lease; the City is committing to a one-year agreement as it completes an analysis of possible alternate uses for the property; and

Whereas, The Board of Harbor Commissioners at their meeting of July 29, 2005 acted by vote of the Board to grant such lease; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said Common Council hereby ratifies and approves the lease agreement between the United States Army and the City of Milwaukee, by and through its Board of Harbor Commissioners for the period of October 1, 2005 through September 30, 2006; and, 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.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

21. [050615](#) Resolution approving a lease agreement with Cargill, Inc.

Whereas, Cargill, Inc. has been a long term tenant in good standing with the Port of Milwaukee and has an existing lease dated October 1, 2001; and

Whereas, The existing lease will expire on September 30, 2005 and both parties to the lease have agreed to a new lease negotiated by the Port of Milwaukee staff and approved by the city Attorney's office; and

Whereas, The Lease Agreement with Cargill, Inc. is for 4.58 acres, on two parcels of land on the west side of South Carferry Drive, South Harbor Tract, of the Port of Milwaukee, for the term of tens years for Parcel A, October 1, 2005 through September 30, 2015; and for the term of two years for Parcel B, October 1, 2005 through September 30, 2007; and

Whereas, The Board of Harbor Commissioners at their meeting of July 29, 2005 acted by vote of the Board to grant such lease; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said Common

Council hereby ratifies and approves the Lease Agreement between Cargill, Inc. and the City of Milwaukee, by and through its Board of Harbor Commissioners, for the 10-year term October 1, 2005 through September 30, 2015; and for the two-year term October 1, 2005 through September 30, 2007; and, be it

Further Resolved, That the designated officers of said government and said Board are hereby authorized and directed to execute an agreement to carry out this purpose.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

22. [050618](#) Resolution relating to an intergovernmental agreement with the Milwaukee Public Schools for the installation of a 40-foot communications tower on the roof of the River Trails Elementary School.

Whereas, The Department of Administration is the City's sole negotiating agent for marketing City-owned sites for communication services; and

Whereas, The Milwaukee Police Department has requested the Milwaukee Public Schools to place a 40-foot communications tower on the roof of the River Trails Elementary School; and

Whereas, All costs associated with the installation, maintenance and operation of the tower will be borne by the Milwaukee Police Department; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Department of Administration is authorized to negotiate and enter into an intergovernmental cooperation agreement with the Milwaukee Public Schools for the installation of a 40-foot communications tower on the roof of the River Trails Elementary School.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

23. [050626](#) Resolution accepting reservations and declaring certain property open for public street purposes for North 116th Street from West Brown Deer Road south to a point and

rejecting unneeded portions of the reservations, in the 9th Aldermanic District.

Whereas, Reservations for future street purposes were created for opening North 116th Street by Certified Survey Map No. 3962, record as Document No. 5448874 on December 22, 1980 and by Certified Survey Map No. 4919, recorded as Document No. 6041557 on April 7, 1987; and

Whereas, A subdivision, consisting of approximately 40 new lots, is proposed for lands south of West Brown Deer Road and opening of North 116th Street will provide access to this new development; and

Whereas, When North 116th Street is opened to the extent required, rejecting the remaining unneeded portions of reservations will give the developer full use of these portions of land; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the following described parcels of land, which have been reserved for public street purposes, hereby are accepted and declared open for such purposes:

Parcel A

The east 10.00 feet of Parcel 1 of Certified Survey Map No. 3962, in the Northwest $\frac{1}{4}$ of Section 7, Township 8 North, Range 21 East.

Parcel B

The west 30.00 feet of Parcel 1 of Certified Survey Map No. 4919, in the Northwest $\frac{1}{4}$ of Section 7, Township 8 North, Range 21 East.

; and, be it

Further Resolved, That the City of Milwaukee hereby rejects the following described property that was reserved for public street purposes and is no longer needed:

Parcel C

That part of Parcel 3 of Certified Survey Map No. 3962, in the Northwest $\frac{1}{4}$ of Section 7, Township 8 North, Range 21 East, described as follows: Commencing at the northeast corner of Parcel 3; thence Southerly, along the east line of Parcel 3 aforesaid, 1,125.59 feet to the point of beginning of the land to be described; thence Westerly, parallel to the south line of Parcel 3, to a point lying 30.00 feet westerly of, as measured normal to, the east line of Parcel 3; thence Northerly, parallel to said east line, 26.73 feet to a point; thence Easterly to a point in said east line, said point lying 24.70 feet northerly of the point of beginning; thence southerly, along said east line, 24.70 feet to the point of beginning.

Parcel D

That part of Parcel 2 of Certified Survey Map No. 4919, in the Northwest $\frac{1}{4}$ of

Section 7, Township 8 North, Range 21 East, described as follows: Commencing at the northwest corner of Parcel 1 of said certified survey map; thence southerly, along the west line of Parcels 1 and 2 aforesaid, 1,125.58 feet to the point of beginning; thence Easterly, parallel to the south line of Parcel 2, to a point lying 30.00 feet easterly of, as measured normal to, the west line of Parcel 2; thence Northerly, parallel to said west line, 22.68 feet to a point; thence Westerly to a point in said west line, said point lying 24.70 feet northerly of the point of beginning; thence Southerly, along said west line, 24.70 feet to the point of beginning.

; and, be it

Further Resolved, That the City Engineer is hereby directed to have a certified copy of this resolution recorded in the office of the Register of Deeds of Milwaukee County.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

24. [050627](#) Resolution to remove a No Vehicular Access Restriction from a portion of North 99th Street (east side) between West Lolita Avenue and a point 120 feet more or less south of West Port Avenue, in the 9th Aldermanic District.

Whereas, The City of Milwaukee placed a No Vehicular Access restriction by approving the platting of Calumet Farms Addition No. 4 and Calumet Farms Addition No. 5, recorded subdivisions, stating that No Vehicular Access is allowed onto certain portions of North 99th Street; and

Whereas, A new subdivision is proposed to be developed generally located south of West Bradley Road, east of North Granville Road and North 99th Street. The layout of the lots in the proposed subdivision will require the removal of the No Vehicular Access Restriction for the construction of driveways on North 99th Street for the approved development of the new subdivision; and

Whereas, Upon reviewing the No Vehicular Access Restriction, the City Engineer has no objection to releasing said access restriction; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the restriction for No Vehicular Access to North 99th Street from Lot 7 in Block 10 and Lot 7 in Block 11 of Calumet Farms Addition No. 4; and Lot 1 and Outlot 1 in Block 12 and Lot 1 in Block 13 of Calumet Farms Addition No. 5, both recorded subdivisions, in the

Northeast ¼ of Section 17, Township 8 North, Range 21 East, be rescinded.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

25. [050650](#) Substitute resolution authorizing the City to accept a portrait of former Mayor Frank Zeidler for placement in the City Hall complex.

Whereas, Frank P. Zeidler served with distinction as Mayor of Milwaukee from 1948 to 1960; and

Whereas, During the Zeidler administration, the City's land area doubled, the public infrastructure was substantially rebuilt, and important studies were made in the areas of housing redevelopment, library services and vocational education; and

Whereas, Frank P. Zeidler has remained extraordinarily active in retirement as an educator, political figure, community leader, and Milwaukee's most beloved historian; and

Whereas, The Milwaukee Public Enterprise Committee and the Wisconsin Labor History Society would like to donate a portrait of Mayor Frank P. Zeidler, painted by the well-known artist, Thomas Pelham Curtis, for public display in the City Hall complex; now, therefore, be it

Resolved, By the Common Council that the proper City officials are authorized and directed to accept said portrait on behalf of the City.

Sponsors: Ald. Bauman

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

26. [050553](#) Communication from the Commissioner of Public Works relating to the East Wisconsin Streetscaping.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE STEERING & RULES COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [050290](#) A substitute ordinance creating a sister cities committee.

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

Part 1. Section 320-47 of the code is created to read:

320-47. Sister Cities Committee.

1. ESTABLISHMENT; PURPOSE. The sister cities committee is created to assist the city, through its common council, with the establishment and maintenance of sister city relationships pursuant to Sister Cities International regulations.
2. COMPOSITION. The sister cities committee shall consist of 5 members:
 - a. The chair of the community and economic development committee, who shall serve as chair of the committee.
 - b. A representative from the mayor's office.
 - c. A representative of the International Institute of Wisconsin, appointed by the common council president.
 - d. A public member, appointed by the common council president.
 - e. The health commissioner or his or her designee.
3. TERM OF OFFICE. Members appointed pursuant to sub. 2-c and d shall serve a 2-year term.
4. RULES. The committee may adopt rules, guidelines and criteria to assist the committee in carrying out its responsibilities.
5. POWERS AND DUTIES. The sister cities committee shall:
 - a. Establish guidelines for applicant sister cities, including reasonable expectations from the relationships.
 - b. Review requests for sister city relationships pursuant to the Sister Cities International guidelines.
 - c. Investigate and make recommendations to the common council concerning possible establishment, termination and maintenance of sister city relationships.
 - d. Oversee and review the status of sister city relationships.
 - e. Serve as a clearinghouse for all information requests received from common council members relative to sister city agreements.
6. STAFFING. The city clerk's office shall provide staff assistance to the committee. All city departments and agencies shall cooperate with the committee and provide assistance whenever the committee so requests.
7. REPORTS. The committee shall annually provide a written report of its activities to the common council and the mayor and shall report more frequently as the committee, the common council or the mayor may find proper.

Sponsors: Ald. Davis

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

APPROVAL OF THE FOLLOWING:

2. [041116](#) Substitute motion amending the Common Council Procedure and Rules relating to the assignments of the standing committees.

Sponsors: Ald. Hines Jr. and Ald. Witkowiak

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

- [041116](#) Substitute motion amending the Common Council Procedure and Rules relating to the assignments of the standing committees.

Part 1 . Article V, Section 1, Subsection 4 to 6 of the Common Council Procedure and Rules is repealed and recreated to read:

Article V. Committees.

Section 1. Standing Committees.

4. Licenses:

- a. Alcohol beverage related licenses.
- b. Amusement machine related licenses.
- c. Bicycle licenses.
- d. Cabaret, night club, tavern amusement licenses.
- e. Cigarette and tobacco retail licenses.
- f. Dance hall licenses.
- g. Direct seller licenses.
- h. Domestic partner registration.
- i. Extended-hour establishments.
- j. Home improvement businesses.
- k. Loading zones.
- L. Phonograph related licenses.
- m. Rooming houses.
- n. All other licenses and permits which are not the specific responsibility of another standing committee.

5. Public improvements:
 - a. Air lease rights, except those which involve a skywalk in a business improvement district, tax incremental financing district or redevelopment area.
 - b. Assessments for public improvements.
 - c. City-owned property and land, except land bank.
 - d. Communications.
 - e. Easements.
 - f. Electric, gas and telephone rates and service.
 - g. Harbors, rivers, creeks.
 - h. Highways and streets.
 - i. Leases and rental of public buildings and land, except for parking.
 - j. Motor bus lines, railroads and other transportation.
 - k. Playgrounds, totlots, parks, green spots.
 - l. Public building operation, construction and maintenance.
 - m. Sewer, water and flood control projects.
 - n. Special privileges and permits relating to city property.
 - o. Street and alley grades and sidewalk widths.
 - p. Street and alley openings, vacations, construction, maintenance and lighting.
 - q. Street names and house numbers.
 - r. Water works.
6. Public safety:
 - a. Alarm businesses.
 - b. Emergency government.
 - c. Emergency medical services.
 - c. Fire service.
 - e. Parking, on and off-street, including parking structures.
 - f. Police service.
 - g. Pollution abatement.
 - h. Public health and nuisances.
 - i. Public passenger vehicle licenses and permits.
 - j. Resource recovery and recycling.
 - k. Traffic control.
 - L. Waste collection and disposal.

Part 2. Article VI, Section 4 of the Common Council Procedure and Rules is amended to read:

Article VI. Special Procedures.

Section 4. Licenses. A majority vote of the common council members present shall authorize the issuance, denial, renewal, nonrenewal, suspension or revocation of an alcohol beverage-related license, but a 3/4 vote of those members present shall be required to adopt any amendment which would reverse any recommendation of the (Utilities and Licenses) licenses committee to whether such a license shall be issued, denied, renewed, nonrenewed, suspended or revoked where at least 4 members of the committee voted in favor of the recommendation.

Sponsors: Ald. Hines Jr. and Ald. Witkowiak

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

3. [050634](#) Motion approving a schedule of regular meetings of the Common Council and its standing committees for the year 2006.

It is moved, By the Common Council of the City of Milwaukee, that the calendar of Common Council and council committee meetings for the year 2006 (January 1 through December 31, 2006) is approved by the report as listed and attached to this file; and

It is further moved, that the start times for all regular meetings of the Common Council and its committees may be altered at the discretion of the Common Council President or the chair of a committee provided written notice of the change is submitted to the City Clerk no less than 24 hours before the time at which the Common Council or the committee will meet.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

4. [050659](#) Substitute motion amending the Common Council Procedure and Rules.

Sponsors: THE CHAIR

Ald. D'Amato moved to amend this file by deleting Article IV, Section 1, Subsection III, Subparagraph b-22.

A motion was made by ALD. D'AMATO that this Motion be AMENDED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Motion be APPROVED This motion PREVAILED by the following vote:

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

5. [050107](#) Resolution relating to the bid and contract for restoration of City Hall.

Sponsors: Ald. Murphy

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., 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.

[050754](#) Resolution authorizing the establishment of a friendly exchange agreement with the city of Ningbo, China.

Whereas, The Mayor will travel to Ningbo, China, in October of 2005 to establish friendly exchanges between Ningbo and Milwaukee that will advance business relationships between the cities and also foster exchanges among educators and students, and promote sports and cultural exchanges; and

Whereas, Ningbo, China, a city of 5.4 million inhabitants located in the eastern part of the Ning-shao Plain in the Zhejiang Province, is well-known for its ancient port which has been a center of shipping, trading and cultural exchange since the Tang and Song Dynasties; and

Whereas, This port city is also a modern locus of technology, with ball bearing operations that are compatible with Milwaukee manufacturing activities; and

Whereas, Manufacturing, trade and shipping are areas of mutual interest and involvement for Milwaukee and Ningbo; and

Whereas, Friendly exchange agreements engender trust that encourages and enhances trade networks, while enriching both cultures; and

Whereas, The City of Milwaukee is committed to enhancing global understanding,

encouraging mutual education, developing cultural exchanges and increasing economic development opportunities; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council supports the efforts of Mayor Barrett to establish friendly exchanges between Milwaukee and Ningbo; and, be it

Further Resolved, That the Mayor of the City of Milwaukee is requested to invite the City of Ningbo, China, to join with the City of Milwaukee, in developing a relationship between the 2 cities and engaging in activities to build on that relationship.

Sponsors: Ald. Hines Jr. and Ald. Murphy

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

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

No: 1 - Zielinski

Various announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 12:42 p.m.

Jim Owczarski
Council Records Manager