



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Thursday, July 29, 1999

9:00:00 AM

Common Council Chambers

PRESENTATIONS

Present: 17 -

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

UNFINISHED BUSINESS

[990432](#) Resolution reserving \$50,000 within the 1999 Common Council Contingent Fund for the W-2 Employment Assistance Program.

Sponsors: Ald. Pratt

ALD. NARDELLI dispense with reading the Mayor's veto message.

THE CHAIR put the question: "Shall the said resolution/ordinance be adopted/passed notwithstanding the objection of His Honor the Mayor?"

Ayes: 9 - Ald. Pratt, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Murphy, Hines and Kalwitz

Noes: 8 - Ald. Schramm, Frank, Butler, Scherbert, Witkowiak, Pawlinski, Breier and Nardelli

The foregoing resolution thereupon failed of adoption (sustaining the Mayor's veto) by a 9 -8 vote (3/4 vote required to override).

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

Aye: 9 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Murphy Hines Jr.

No: 8 - Schramm, Frank, Butler, Scherbert, Witkowiak, Pawlinski, Breier Nardelli

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990370](#) Substitute ordinance to further amend the 1999 rates of pay of offices and positions in

the City Service under control of the Common Council.

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

Part 1. Section 2 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Salary Grade 002, add the footnote designation "2/" following the title "Management Accountant" and add the following footnote: "2/ Appointment of Deborah Damask is authorized up to the eighth step of Salary Grade 002."

Part 2. Section 25 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 12, 1997 - June 1, 1997):

Under Pay Range 974, delete the hourly rates of pay and substitute in lieu thereof the following:

"Pay Range 974

Official Rate-Hourly

\$13.05 13.97 15.11 16.26"

Under Pay Range 975, delete the hourly rates of pay and substitute in lieu thereof the following:

"Pay Range 975

Official Rate-Hourly

\$10.65 12.78 15.98 19.17"

Under Pay Range 978, delete the hourly rate of pay and substitute in lieu thereof the following:

"Pay Range 978

Official Rate-Hourly

\$21.30"

Part 3. Section 25 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby further amended as follows (Effective Pay

Period 12, 1998 - May 31, 1998):

Under Pay Range 974, delete the hourly rates of pay and substitute in lieu thereof the following:

"Pay Range 974

Official Rate-Hourly

\$13.41 14.35 15.52 16.70"

Under Pay Range 975, delete the hourly rates of pay and substitute in lieu thereof the following:

"Pay Range 975

Official Rate-Hourly

\$10.94 13.12 16.40 19.68"

Under Pay Range 978, delete the hourly rates of pay and substitute in lieu thereof the following:

Official Rate-Hourly

\$21.87"

Part 4. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 5. The provisions of Part 2 of this ordinance are deemed to be in force and effect from and after Pay Period 12, 1997 (June 1, 1997).

The provisions of Part 3 of this ordinance are deemed to be in force and effect from and after Pay Period 12, 1998 (May 31, 1998).

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 2) [990371](#) Substitute ordinance to further amend the 1999 offices and positions in the City Service under control of the Common Council.

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

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

Under "Health Department, Administration Decision Unit, Pilot Ordinance Evaluation Grant", add one position of "Health Project Coordinator (X)" and add footnote "(H)" as follows: "To expire 9/30/99 unless the Pilot Ordinance Evaluation Grant, available from the Batelle Organization is extended." and under "Public Health Services Decision Unit, Coordinated Community Response Grant", add one position of "Program Assistant II" and add footnote "(EE)" as follows: "To expire 2/29/00 unless the Coordinated Community Response Grant, available from the State of Wisconsin Department of Justice, is extended."

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 3) [990597](#) A substitute charter ordinance relating to retirement benefits for certain employees represented by a collective bargaining agreement.

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

Part 1. Parts 2 and 4 of charter ordinance file no. 941981 shall apply to general city employees who are represented by Local 494, (Electrical group) I.B.E.W., AFL-CIO commencing January 1, 1998.

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed under s. 66.01(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. Pratt that this matter be PASSED. The motion carried by the following vote:

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

No: 0

Excused: 1 - Gordon

ADOPTION OF THE FOLLOWING:

- 4) [980744](#) Substitute resolution approving, ratifying and confirming the labor agreement between the city negotiating team and Local 494, IBEW, AFL-CIO, Electrical Group, for the period of June 1, 1997, to May 31, 1999.

Whereas, The total agreement between the city negotiating team and Local 494, IBEW, AFL-CIO, Electrical Group, for the period commencing June 1, 1997, through May 31, 1999, has been reduced to writing; and

Whereas, Memoranda of Understanding embodying the agreements mutually reached by the parties and the consent award issued by Arbitrator Gil Vernon to such negotiations, copies of which are attached to Common Council File No. 980744 and incorporated herein as though fully set forth at length, is subject to ratification by the Common Council; and

Whereas, The Union's authorized representative(s) signed the memoranda of understanding and a copy to that effect is attached to Common Council File No. 980744 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 agreement

between the City Negotiating Team and Local 494, IBEW, AFL-CIO, Electrical Group, be 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 hereby authorized and directed to execute a formal contract between the City of Milwaukee and Local 494, IBEW, AFL-CIO, Electrical Group, which reflects the terms of the agreement; and, be it

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

Further Resolved, That such sums as are necessary for the implementation of the aforementioned 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. Pratt that this matter be ADOPTED. The motion carried by the following vote:

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

No: 0

Excused: 1 - Gordon

- 5) [990438](#) Substitute resolution appropriating \$150,000 from the 1999 Common Council Contingent Fund for services relating to the year 2000 Census.
- Whereas, The United States Census Bureau in April 2000 will conduct a Census of the City of Milwaukee to count and gather information about city residents; and
- Whereas, The information collected by the Census Bureau will be used to reapportion and redistrict the United States House of Representatives as well as reapportion and redistrict State Legislative Districts and local governmental bodies; and
- Whereas, Census data is the basis for the annual distribution of approximately \$200 billion in federal program allocations, such as education, housing and community development grants; and
- Whereas, The City of Milwaukee recognizes the importance of an accurate count of

all its citizens in the 2000 Census and has proposed that a cooperative effort between the United States Census Bureau, the city, and community leaders be initiated to ensure that the hard to reach and historically uncounted segment of the city's population are counted and reflected in the 2000 Census; and

Whereas, In 1989 the Common Council of the City of Milwaukee, recognizing the importance of an accurate census, appropriated approximately \$100,000 for the 1990 Complete Count Project; and

Whereas The 1990 Complete Count Project was very successful in that approximately 30,000 more people were counted than demographers projected and the Census Bureau identified the Milwaukee project as a national model for successful outreach efforts and complete count projects; and

Whereas, The advantages for the City of Milwaukee in conducting a Complete Count Census Program with respect to the 2000 Census far outweigh the potential cost; and

Whereas, The City of Milwaukee, recognizing that current city resources are not sufficient by themselves to carry out a Complete Count Program will contract for the services of a person, business or organization to help plan and coordinate the city's 2000 Complete Census Program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Council endorses the initiation and implementation of a Complete Count Census Program for the 2000 Census; and, be it

Further Resolved, That all departments, divisions and bureaus of the City of Milwaukee shall cooperate with the Department of Administration in coordinating the Complete Count Census Program; and, be it

Further Resolved, By the Common Council of the City of Milwaukee, that \$150,000 be, and hereby is appropriated from the 1999 Common Council Contingent Fund (0001-9990-0001-C001) and transferred to the Services Account of the Department of Administration (0001-1510-0001-R999-006300) for the purpose of planning and coordination of the 2000 Complete Count Census Program; and, be it

Further Resolved, That the proper city officials are hereby authorized to enter into a contract for services to accomplish this purpose.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 6) [990483](#) Substitute resolution amending Common Council File Number 981383 authorizing attendance at Conventions and further authorizing appropriation and expenditure of Common Council Contingent Funds during April-December by employees of city departments.
- Whereas, Funding of \$50,000 for convention travel for city employees and Board and Commission members has been included in the 1999 Budget in the Special Purpose sub-class Convention and Travel Expenses Fund; and
- Whereas, This resolution is in accordance with travel regulations and procedures in Section 350-181 of the Milwaukee Code of Ordinances; and
- Whereas, A request to change the month of a convention previously scheduled on Exhibit A was received from the Forestry Division of DPW; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that Resolution 981383, regarding attendance at conventions during April-December 1999 as listed on Exhibit A attached to Common Council file 981383, is hereby amended; and, be it
- Further Resolved, That Exhibit A be amended to change the DPW-Forestry Division's convention authorization from the Society of Municipal Arborists to the American Public Works Association (APWA) Conference.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Pratt that this matter be ADOPTED. The motion carried by the following vote:**
- Aye:** 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 1 - Gordon
- 7) [990487](#) Substitute resolution amending the prevailing wage resolution (Sprinkler Fitters, Bricklayers, Pointer, Caulker, Cleaner, Glaziers, Refrigeration Mechanics, Division of Steamfitters, Terrazzo Finishers, Tile Layers, Boilermakers, Carpenters, Piledriver Employers, Elevator Constructors, Laborers, (Cable & Utility Work), Plasterer Laborers, Plumber Laborers, Marble Masons, Operating Engineers - Master Labor

Agreement, National Distribution & Utilities Construction & Maintenance Statewide, Roofers).

Resolved, By the Common Council of the City of Milwaukee, that the resolution relative to minimum rates of pay and fringe benefits for various construction worker categories employed by the private construction industry engaged in public works contracts with the City of Milwaukee is hereby amended to reflect changes as contained in letter(s) from the Milwaukee Building and Construction Trades Council dated June 25, July 2, 7, & 15, 1999, and Department of Employee Relations dated July 21, 1999, and attached to Common Council File Number 990487; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 8) [990554](#) Resolution relative to acceptance and funding of the Coordinated Community Response Grant. (Health Department)
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the U.S. Department of Justice, Violence Against Women Grants Office through the State of Wisconsin Office of Justice Assistance for enhancing and expanding the coordinated community response; and

Whereas, The operation of this grant project from 07/01/99 to 02/29/00 would cost \$61,386 of which \$15,346 (25%) would be provided by the city and \$46,040 (75%) would be 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 Office of Justice Assistance is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

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

Coordinated Community Response:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$46,040

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

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

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

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

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

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

HEALTH DEPARTMENT
PUBLIC HEALTH SERVICES DECISION UNIT
Coordinated Community Response Grant

Add:

(1) Program Assistant II

Add footnote (E) as follows:

To expire 02/29/00 unless the Coordinated Community Response Grant, available from the State of Wisconsin Department of Justice, is extended. Positions are authorized only as reflected in the grant agreement as approved by the Grantor Agency.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

9) [990560](#) Resolution relative to acceptance and funding of the Pilot Ordinance Evaluation Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the U.S. Department of Housing and Urban Development through the Battelle Organization for evaluating the feasibility, costs and effectiveness of the Pilot Project for lead-based paint hazard control in residential property; and

Whereas, The operation of this grant project from 07/01/99 to 09/30/99 would cost \$14,558 provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

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

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$14,558

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

the grant agreement;

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

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

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

2. Expend from the grant funds for travel and out-of-town training as detailed in the grant budget; and, be it

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

HEALTH DEPARTMENT
ADMINISTRATION DECISION UNIT
Pilot Ordinance Evaluation Grant

Add:

(1) Health Project Coordinator (X)

Add footnote (H) as follows:

To expire 09/30/99 unless the Pilot Ordinance Evaluation Grant, available from the Batelle Organization is extended. Positions are authorized only as reflected in the grant agreement as approved by the Grantor Agency.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

10) [990563](#) Resolution relative to application for a Books to Read and Experience Grant. (Library)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Department of Public Instruction; and

Whereas, The operation of this grant project from 01/01/00 to 12/31/00 would cost \$25,576 of which \$576 (2%) would be provided by the city and \$25,000 (98%) would be provided by the grantor; now, therefore, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

[990564](#)

Resolution relative to application for a Books to Go: Renewing Service to Preschoolers Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Department of Public Instruction; and

Whereas, The operation of this grant project from 01/01/00 to 12/31/00 would cost \$52,735 of which \$3,135 (6%) would be provided by the city and \$49,600 (94%) would be 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 Department of Public Instruction is authorized.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

12) [990565](#)

Resolution making a technical correction relating to Resolution File Number 981384 authorizing carryover of certain fund balances from 1998 to 1999. (Budget & Management)

Whereas, The Common Council, on February 9, 1999, adopted Resolution File

Number 981384 authorizing carryover of certain fund balances from 1998 to 1999 in accordance with s. 65.07 (1)(p), Wis. Stats.; and

Whereas, It is necessary to make a technical correction to the exhibit attached to this resolution with respect to the correct account number for the Milwaukee Fire Department's "Special Teams Program"; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that account number 01-328-8500 as listed in Exhibit A attached to Resolution File Number 981384 is changed to 01-328-8506.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 13) [990566](#) Resolution authorizing the transfer of \$4,000 from the Common Council Contingent Fund to the Outside Counsel-Expert Witness Fund for the purpose of obtaining an expert witness in hotel valuation matters associated with outstanding assessment objections. (City Attorney)

Whereas, The Outside Counsel - Expert Witness Fund is to be used by the City Attorney's Office to retain the services of expert witnesses and outside legal counsel; and

Whereas, Any appropriation of funds from this Fund requires approval by the Common Council via resolution; and

Whereas, As more particularly described on the spreadsheet appended hereto as Exhibit A, the Assessment Commissioner has received assessment objections pertaining to the following hotel properties in the City of Milwaukee: Astor; Hilton; Hyatt; Park East; Pfister; and Wyndham; and

Whereas, The Assessment Commissioner desires the advice and consultation of a valuation expert, S. Steven Vitale of Vitale Realty Advisors, LLC, with respect to valuation issues concerning the subject hotels and hotels in general; and

Whereas, In that said expert and his advice could be helpful with respect to possible litigation (including Board of Review hearings) relating to the challenged assessments, the Assessment Commissioner has contacted the City Attorney's Office with respect

to litigation strategy and retaining the expert; and

Whereas, Mr. Vitale has indicated to the City Attorney's Office and Assessor's Office that for roughly \$4,000.00, he can provide a desk-review of, and report concerning, the valuation techniques employed by the Assessor's Office for the 6 hotel properties at issue and opine whether those techniques are sound and conform to professionally-accepted appraisal practice; and

Whereas, A sufficient sum of money is not presently available in the Outside Counsel - Expert Witness Fund to pay the aforementioned amount, but is available from funds which may be transferred from the Contingent Fund; now, therefore, be it

Reesolved, By the Common Council that \$4,000.00 be transferred from the Common Council Contingent Fund No. 0001-9990-C001 to the Outside Counsel - Expert Witness Fund, No. 0001 1490 0001 9990 0006300 and the expenditure of \$4,000.00 from the Outside Counsel - Expert Witness Fund is hereby authorized for the purpose of retaining an expert witness as directed herein; and, be it

Further Resolved, That the Office of the City Attorney is hereby authorized and directed to contract with and engage Mr. Vitale and to pay expert witness fees incurred by him, up to said \$4,000.00 amount, upon receipt of an itemized bill, approved to be reasonable and necessary by the Office of the City Attorney; and, be it

Further Resolved, That the City Comptroller is authorized and directed to appropriate the sum of \$4,000.00 to the City Attorney's Office budget for the stated project; and that application of the funds directed herein to a case other than that specifically referred to herein shall be subject to the further direction of the Common Council.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

14) [990578](#) Substitute resolution abolishing the Sesquicentennial Endorsement Committee.

Whereas, In 1996, the City of Milwaukee celebrated the 150th anniversary of its incorporation as a city; and

Whereas, On November 28, 1995, the Common Council of the City of Milwaukee

adopted Resolution File Number 951031, which created the Sesquicentennial Endorsement Committee; and

Whereas, This Committee was authorized to negotiate agreements related to Sesquicentennial Logo Trademark License Agreements; and

Whereas, This Committee has fulfilled its function; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Resolution File Number 951031 is rescinded, thereby abolishing the the Sesquicentennial Endorsement Committee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 15) [990596](#) Substitute resolution approving rates for the four Health Maintenance Organizations that will provide services to City of Milwaukee employees and retirees in the year 2000.

Whereas, The Department of Employee Relations - Employee Benefits Division was authorized by Common Council File No. 972012 to negotiate rates for Year 2000 with Health Maintenance Organizations that are under contract with the City of Milwaukee, and

Whereas, The Common Council through File No. 972012 is required to approve rates for Health Maintenance Organizations for Year 2000; and

Whereas, The Department of Employee Relations - Employee Benefits Division has received rates for Year 2000 from four Health Maintenance Organizations - CompCare, Family Health Plan, Humana and PrimeCare; now, therefore, be it

Resolved, That the Common Council approve the rates attached to this resolution from CompCare, Family Health Plan, Humana and PrimeCare to be effective January 1, 2000 through December 31, 2000; and, be it

Further Resolved; That proper City officials are authorized on behalf of the City to execute the Amendment to Agreement with CompCare, Family Health Plan, Humana and PrimeCare regarding Year 2000 rates for Health Maintenance Organizations.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 16) [990619](#) Substitute resolution directing the Commissioner of Public Works to prepare a request for proposals relating to the sale of the City of Milwaukee's 5 downtown parking structures, subject to Common Council approval of the request for proposals. Whereas, The City of Milwaukee has built and maintained parking structures for the purpose of providing sheltered, off-street public parking in the Central Business District since 1961; and

Whereas, The City of Milwaukee currently owns the following 5 downtown parking structures:

1. 535 North Milwaukee Street, 520 spaces, leased for private use.
2. 1000 North Water Street, 1,542 spaces, public parking.
3. 841 North 7th Street, 1,418 spaces, public parking.
4. 324 West Highland, 933 spaces, public parking.
5. 724 North 2nd Street, 491 spaces, public parking.

; and

Whereas, Private investment in the Central Business District in recent years has increased the availability of off-street public parking, thereby creating more competition for City-owned parking facilities; and

Whereas, Revenue from the operation of City parking structures has been insufficient to pay debt service associated with the construction and capital maintenance of such facilities, resulting in the continued withdrawal of parking fund reserves; and

Whereas, The sale of these parking structures may be in the City's fiscal interest; and

Whereas, The sale of these parking structures to the private sector would result in the

placement of the structures on the property tax rolls, thereby enhancing the City's tax base; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is directed to prepare a request for proposals for the purchase of the City of Milwaukee's 5 downtown parking structures; and, be it

Further Resolved, That the request for proposals shall include the stipulation that, except for the facility located at 535 North Milwaukee Street, which is currently leased for private use, the facilities must continue to be operated as public parking facilities for a reasonable period of time after the transfer of such properties and that all contracts between the City and private businesses for parking access must be honored for the lifetime of the existing contract periods; and, be it

Further Resolved, That, upon completion of the request for proposals, the Commissioner of Public Works shall present the request for proposals to the Common Council for its review and approval.

Sponsors: Ald. Kalwitz and Ald. Henningsen

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

Aye: 13 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Frank, Butler, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.

No: 3 - Richards, Scherbert Nardelli

Excused: 1 - Gordon

CONFIRMATION OF THE FOLLOWING:

- 17) [990525](#) Appointment of Arthur Harrington to the Milwaukee Public Library Board by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

PLACING ON FILE THE FOLLOWING:

- 18) [990502](#) Communication from the Department of Employee Relations transmitting a communication relative to appointment of a Management Accountant in the Comptroller's office.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

THE FINANCE & PERSONNEL COMMITTEE FURTHER RECOMMENDS:

PASSAGE OF THE FOLLOWING:

[981492](#) A substitute charter ordinance relating to funding of duty disability benefits.

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

Part 1. Section 36-08-2-b and c of the charter is amended to read:

36-08. Method of Financing.

2. b. Duty Disability Fund. The actuary for the board shall each year determine what funds are required to provide duty disability benefits under s. 36-05-3 and heart and lung law benefits under s. 891.45, Wis. Stats. He or she shall certify the contributions required of the city and the city agencies to pay for the duty disability benefits for firemen and policemen and general employes; and also the contributions required of the city to pay benefits which arise and are allowed under the heart and lung law in excess of any disability and/or death benefits otherwise payable under the system. Benefits arising under the heart and lung law shall be paid only from a fund established for such purpose and such heart and lung benefits shall not be paid out of any other funds of the retirement system. Effective [[January]] >>February<< 1, 1996, there shall no longer be separate determinations each year relative to the funds required to provide duty disability retirement benefits under s. 36-05-3 >>for persons who first became members on or after February 1, 1996<< .

c. Duty Disability, Special Fund. The actuary shall annually determine the funds necessary to provide all duty disability benefits under s. 36-05 >>for persons who first became members prior to February 1, 1996<< . He or she shall certify the contributions required of the city and the city agencies to provide such benefits.

Benefits arising under s. 36-05-3-c >>for persons who first became members prior to February 1, 1996,<< shall be paid only from a fund established for such purpose and such benefits shall not be paid from any other funds of the retirement system. It shall be a violation of law to do so. [[Effective January]] >>For persons who first became members on or after February<< 1, 1996, [[the duty disability, special fund shall be merged with the retirement fund. Thereafter,]] >>there shall be established a combined retirement fund and<< there shall [[no longer]] >>not<< be separate determinations each year of the funds necessary to provide all necessary duty disability benefits under s. 36-05 and benefits arising under s. 36-05-3 [[-c shall be paid from the retirement fund]] >>for such persons<< .

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed under s. 66.01(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. Pratt that this matter be PASSED. The motion carried by the following vote:

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

No: 0

Excused: 1 - Gordon

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Butler Scherbert

Sponsors: THE CHAIR

A motion was made by Ald. Pratt that this matter be REFERRED TO the FINANCE & PERSONNEL COMMITTEE. The motion carried by the following vote:

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Butler Scherbert

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

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [990556](#) Resolution permitting the Village of Menomonee Falls to provide water service to three isolated properties in the Village of Butler. (DPW)
- Whereas, The Village of Butler has adopted a resolution requesting the Village of Menomonee Falls to provide water service to three properties in Butler that cannot be conveniently served by Butler; and
- Whereas, The Village of Menomonee Falls, a wholesale customer of the Milwaukee Water Works, is agreeable to serve the three properties in Butler; and
- Whereas, The agreement between the City of Milwaukee and the Village of Menomonee Falls for the purchase of water at wholesale provides that Menomonee Falls may not sell or exchange water outside its corporate limits without permission of Milwaukee; and
- Whereas, It is understood that providing water to these three properties does not constitute a precedent by which Menomonee Falls would provide water service to other properties in Butler; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the Milwaukee Water Works is hereby authorized to grant permission to the Village of Menomonee Falls to provide water service to the following properties in the Village of Butler: 13175 West Silver Spring Road 13201 West Silver Spring Road Vacant parcel abutting 13201 West Silver Spring Road on the west and extending for 175-foot frontage on Silver Spring Road.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Witkowiak that this matter be ADOPTED. The motion carried by the following vote:**
- Aye:** 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Scherbert, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.
- No:** 1 - Butler
- Excused:** 1 - Nardelli
- 2) [990568](#) Resolution regarding contract negotiations with the Village of Butler for the sale of water at wholesale. (Water Works)

Whereas, The Common Council, under Resolution File No. 990229, authorized the Water Works and the Legislative Reference Bureau to study and evaluate the request for water service from the Village of Butler; and

Whereas, Both the Water Works and the Legislative Reference Bureau have submitted reports to the Common Council regarding the study and evaluation of Butler's water service request; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Milwaukee Water Works is hereby authorized to negotiate a wholesale water service agreement with the Village of Butler; and, be it

Further Resolved, That the negotiated agreement be submitted to the Common Council for approval prior to execution, and if approved, be filed with the Public Service Commission of Wisconsin.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Scherbert, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.

No: 1 - Butler

Excused: 1 - Nardelli

APPROVAL OF THE FOLLOWING:

- 3) [990065](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.
- The Common Council of the City of Milwaukee hereby accepts the recommendations of the Utilities and Licenses Committee as contained in the listings attached to this file.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Nardelli

PLACING ON FILE THE FOLLOWING:

- 4) [990609](#) Communication from the Milwaukee Water Works relative to request for water service from the Village of Butler.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Nardelli

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

- 5) [990066](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

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

Sponsors: THE CHAIR

THE CLERK swore in the Court Reporter--

Recommendation of nonrenewal of the Home Improvement Contractor License of Thomas Nebel for the premises at 4539 N. 124th Street ("Continental Waterproofing"). Written objections have been filed by the licensee. (Committee Vote: 3 Ayes; 1 Noes; 1 Excused; Expiration Date: 2-28-99).

Recommendation of nonrenewal of the Class "D" Bartender License of Kevin A. Owens. Written objections have not been filed by the licensee. (Committee Vote: 5 Ayes; 0 Noes; Expiration Date: 12-31-98).

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

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

Noes: 0.

Excused: 1 - Nardelli.

The Chair questioned whether the applicant or his counsel was present.

Attorney for the applicant John Fuchs was present and wished to address the Council.

ALD. Schramm moved that the Common Council do now resolve itself into a Committee of the Whole for the purpose of hearing from Attorney John Fuchs relative to the foregoing matter.

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Attorney John Fuchs and Assistant City Attorney Bruce Schrimpf appeared and addressed the Council.

ALD. SCHRAMM moved that the Committee do now rise.

The motion prevailed.

ALD. SCHRAMM moved to return Thomas Nebel for the premises at 4539 N. 124th Street ("Continental Waterproofing") back to committee.

The motion prevailed..

Ayes: 13 - Ald. Pratt, D'Amato, Schramm, Johnson-Odom, Gordon, Frank, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Hines and President Kalwitz.

Noes: 3 - Ald. Henningsen, Richards and Butler.

Excused: 1 - Nardelli.

Kevin Owens not present.

ALD. GORDON moved to approve File Number 990066 as amended.

Ayes: 15 - Ald. Pratt, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Scherbert, Witkowiak, Pawlinski, Breier, Murphy, Hines and President Kalwitz.

Noes: 0.

Excused: 2- Ald. Nardelli, Butler.

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Scherbert, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.

No: 0

Excused: 2 - Butler Nardelli

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990558](#) An ordinance relating to the confidentiality of information about income and expenses requested by the assessor in property assessment matters.

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

Part 1: Section 307-5 of the code is created to read:

307-5. Confidentiality of Income and Expense Information.

Whenever the assessor, in the performance of his or her duties, requests and obtains income and expense information pursuant to s. 70.47(7)(af), Wis. Stats., or any successor statute thereto, then, such income and expense information that is provided to the assessor shall be held by the assessor on a confidential basis, except, however, that said information may be revealed to and used by persons in the discharge of duties imposed by law; in the discharge of duties imposed by office including, but not limited to, use by the assessor in performance of official duties of the assessor's office and use by the board of review in performance of its official duties; or pursuant to order of a court. Income and expense information provided to the assessor under s. 70.47(7)(af), Wis. Stats., unless a court determines that it is inaccurate, is, per s. 70.47(7)(af), Wis. Stats., not subject to the right of inspection and copying under s. 19.35(1), Wis. Stats.

Part 2: This ordinance takes effect January 1, 2000.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- 2) [990594](#) A substitute ordinance establishing an assessment charge against a person for city use of the state of Wisconsin traffic violation and registration program.

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

Part 1. Section 101-34-3-c of the code is amended to read:

101-34. Stipulation Procedure: Nonmoving Traffic Violations.

3. PAYMENT AFTER 10 DAYS.

c. If a stipulation is not entered into within 58 days commencing at 6:00 p.m. on the day the citation is issued, the forfeiture shall be increased by [[[\$20]] >>\$25. Five dollars of the increased forfeiture amount may be used to pay the cost of using the Wisconsin traffic violation and registration program<<.

Part 2. This ordinance takes effect September 1, 1999.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- 3) [990606](#) An ordinance relating to the number of members on the equal rights commission.

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

Part 1. Section 109-15-1 of the code is amended to read:

109-15. EQUAL RIGHTS COMMISSION. 1. The mayor shall appoint an equal rights commission, subject to confirmation by the common council, consisting of [[5]] >>7<< members, one of whom shall be elected chair at the first regular meeting of each calendar year by a majority of the members of the commission. The members shall be city residents, appointed from a representative cross-section of the community and shall continue to hold office only so long as they shall reside within the city. They shall receive compensation for their services.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

ADOPTION OF THE FOLLOWING:

4) Claims against the City:

a) [990273](#) Substitute resolution to settle claim of MaryAnn McDonald relative to property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$375.00 payable to MaryAnn McDonald, 2318 South 29th Street, 53215, to reimburse her for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 1 - Butler

b) [990488](#) Substitute resolution to settle claim of Stacy and Peggy Hertel relative to property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$2,006.90 payable to Stacy and Peggy Hertel, 2612 North 56th Street, to reimburse them for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 1 - Butler

c) [990538](#) Resolution authorizing payment of the claim of Brian Bowen, C.I. File No. 98-L-140. (City Attorney)

Whereas, The claimant, Brian Bowen, through his attorney, Gary Greenberg, has filed a claim for damages against the City of Milwaukee pursuant to sec. 66.189, Stats., for injuries and damages incurred on September 5, 1998 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 \$1,500.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$1,500.00, payable to Brian Bowen and Attorney Gary Greenberg Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- d) [990544](#) Resolution to settle claim of Attorney Laurie A. Eggert, Eggert & Edmunds, S.C., for defense of various Police Officers.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$418 payable to Attorney Laurie A. Eggert, Eggert & Edmunds, S.C., 1840 North Farwell Avenue, Suite 303, 53202, to reimburse her for legal fees for defense of the following Police Officers:

NAME AMOUNT

Charles Harrison and Kevin Klemstein \$418

TOTAL \$418

;and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- 5) [990504](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1996, 1997 and 1998 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

Whereas, Assessments were made against certain parcels of real estate for the years 1996, 1997 and 1998 as contained in Common Council Resolution File No. 990504; 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 the attachment to File Number 990504 and made as an attachment to this resolution, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate of 9.6% applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and said checks to be delivered to the Tax Billing and Collection Division of the Treasurer's Office for disbursement; and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

CONFIRMATION OF THE FOLLOWING:

- 6) [990526](#) Reappointment of Donald Thielke to the Ethics Board by the Mayor. (1st Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

PLACING ON FILE THE FOLLOWING:

- 7) [990437](#) Resolution appropriating \$150,000 from the 1999 Special Purpose Account Reimbursable Services Advance Fund to the Department of Administration for services regarding the Year 2000 census.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- 8) [990600](#) Communication from State Representative Jeff Stone relative to community-based residential facilities.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

DISALLOW AND INDEFINITELY POSTPONE THE FOLLOWING:

- 9) Various claims against the City:

- a) [990489](#) Appeal of Tom Coleman relative to claim for personal injuries. (7th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- b) [990490](#) Appeal of Thomas Matthews relative to claim for property loss. (6th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- c) [990491](#) Appeal of Jose Nevares relative to claim for property damage. (14th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- d) [990492](#) Communication from the City Attorney's Office transmitting a communication from Adelman & Hynes, S. C. on behalf of Thomas Marrari relative to claim for personal injuries.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- e) [990493](#) Communication from the City Attorney's Office transmitting a communication from Daniel Young relative to claim for property loss.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- f) [990501](#) Appeal of Milton Slater relative to claim for property damage. (17th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- g) [990587](#) Appeal of R. McLaughlin relative to claim for property damage. (10th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990379](#) 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 adding the following:

On the south side of W. Congress Street from N. 76th Street to W. Appleton Avenue on regular school days between 7:30 AM and 4:30 PM

On the west side of N. 76th Street from W. Congress Street to a point 210 feet south on regular school days between 7:30 AM and 4:30 PM

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

"On N. Humboldt Avenue from E. Garfield Avenue to a point approximately 240 feet south thereof at any time"

"On the north side of E. Brady Street from N. Farwell Avenue to a point 60 feet east thereof from 7:00 AM to 9:00 AM and 3:30 PM to 5:30 PM except Saturday and Sunday"

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

On the west side of N. Humboldt Avenue from E. Garfield Avenue to a point 240 feet south thereof

On the north side of E. Brady Street from N. Farwell Avenue to a point 60 feet east thereof at any time

On the west side of N. 69th Street from a point 50 feet north of W. Sheridan Avenue to a point 120 feet north at any time

On the east side of N. 69th Street from a point 95 feet north of W. Sheridan Avenue to a point 75 feet north at any time

On the south side of E. Brady Street from N. Astor Street to a point 50 feet west at any time

On the west side of N. Dr. Martin Luther King, Jr. Drive from a point 175 feet south of W. Hadley Street to a point 50 feet further south at any time

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

On E. Thomas Avenue from N. Oakland Avenue to N. Cramer Street

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

"On the north side of E. Thomas Avenue from N. Oakland Avenue to N. Frederick Avenue"

Part 6. Section 101-23-7-a-2 of the Code relating to Exceptions to Parking Near Schools is amended by adding the following:

On the south side of W. Congress Street from N. 76th Street to W. Appleton Avenue

On the west side of N. 76th Street from W. Congress Street to a point 210 feet south

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

"On the east side of N. 36th Street from W. Auer Avenue to W. Townsend Street"

"On the west side of N. 37th Street from W. Fond du Lac Avenue to W. Townsend Street"

Part 8. Section 101-26.5 of the Code relating to No Parking When Snow Fall 2 inches or more is amended by adding the following:

On the north side of E. Thomas Avenue from N. Oakland Avenue to N. Murray Avenue

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 2) [990380](#) A substitute ordinance relating to traffic controls in various Aldermanic Districts.

Sponsors: THE CHAIR

Amend - Design bicycle lane North Ave. (Viaduct) 3rd & "6th" Dist.

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

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

No: 0

Excused: 2 - Pratt Butler

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

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

On N. Commerce Street at E. North Avenue Left Lane Must Turn Left Northbound

On N. Commerce Street at N. Humboldt Avenue Left Lane Must Turn Left Westbound

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

On N. 64th Street from W. Silver Spring Drive to W. Bobolink Avenue

On W. Congress Street from N. 75th Street to N. 80th Street

On W. Center Street from N. 21st Street to N. 23rd Street

On W. Capitol Drive from N. 48th Street to N. 51st Street

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

"On N. Achilles Street at E. Ring Street"

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

On N. Achilles Street at E. Ring Street

On W. Arthur Avenue at S. 30th Street

Part 5. Section 101-21.5-1 of the Code relating to Designated Bike Lanes by adding the following:

On the North Avenue Viaduct

Part 6. Section 101-22-1 of the Code relating to One-Way Streets is amended by striking the following:

"On E. Thomas Avenue between N. Oakland Avenue and N. Murray Avenue Eastbound"

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 3) [990592](#) A substitute ordinance relating to funding assistance for the residential rental property lead-based paint hazard control pilot project.

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

Part 1. Section 66-47-5-g of the code is repealed and recreated to read:

66-47. Lead-based Paint Hazard Control Regulations.

5.

g. All unit windows in habitable rooms shall have intact storm windows that are in sound working condition. All storm windows and screens for the unit shall be free of lead-based paint hazards.

Part 2. Section 66-52-2-a of the code is repealed and recreated to read:

66-52. Funding Assistance.

2.

a. After the department determines that lead safe maintenance of all surfaces except windows has been properly performed, a state-certified lead abatement contractor shall perform standard treatments, as described in s. 66-47-5-b to f. The department shall pay the cost of the portion of standard treatments described in s. 66-47-5-b to f, and there shall be no cost to the owner for that portion of standard treatments. The department shall also pay the cost of stabilizing lead-based paint hazards on storm windows and screens that are in sound working condition, and there shall be no cost

to the owner for this work. The maintenance of non-window surfaces may be conducted by persons who are not state-certified lead supervisors or lead workers approved by the department. Attendance by such persons at department training classes on lead safe maintenance practices is strongly recommended but not required. All such work shall be performed in accordance with essential maintenance practices.

Sponsors: Ald. Hines Jr.

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

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

No: 0

Excused: 2 - Pratt Butler

ADOPTION OF THE FOLLOWING:

- 4) [990464](#) Substitute resolution relative to application, acceptance and funding of the SURVNET Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Wisconsin Division of Health and Family Services to maintain a county-wide system for reporting communicable diseases; and

Whereas, The operation of this grant project from 07/01/99 to 06/30/2000 would cost \$38,700 entirely provided by the city; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the 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 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

- 1. Commit funds within the project/grant parent account of the 1999 Special Revenue Grant and Aid Projects, the following amounts for the project titled SURVNET Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999

Account	000600
Project	Grantor Share
Amount	\$38,700

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

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

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

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. Expend from the 1999 grant budget funds for training and out-of-town travel by departmental staff.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

5) [990549](#) Resolution relative to application for the Bioterrorism Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Department of Health and Family Services to develop key components of a system that will prepare Milwaukee to better respond to bioterrorism threats; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the State of Wisconsin Department of Health and Family Services is authorized.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

6) [990552](#) Substitute resolution relative to application, acceptance and funding of the HIV Women's Project Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Medical College of Wisconsin for providing public health nursing case management to a targeted population of HIV infected women and their families; and

Whereas, The operation of this grant project from 08/01/99 to 07/31/2000 would cost \$59,480 provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent account of the 1999 Special Revenue Accounts-Grant and Aid Projects, the following amounts for the project titled HIV Women's Project:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$59,480

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

Further Resolved, That these funds are budgeted to the Health Department which is authorized to expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

7) [990555](#)

Resolution amending Common Council File 980724 relative to application, acceptance and funding of the Pregnancy Prevention Consortium Grant.

Whereas, Common Council File 980724 authorized the Health Department to apply for, accept and fund the Pregnancy Prevention Consortium Grant from the Centers for Disease Control for the purpose of developing and implementing a city-wide community action plan for the prevention of adolescent pregnancy. This grant provided for a Grantor share total of \$344,758; and

Whereas, The Grantor share for this program is increased by \$56,475; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to commit funds within the Project/Grant Parent 1999 Special Revenue Grant and Aid Projects Fund , the following amounts for the project titled Pregnancy Prevention Consortium Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Yr	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$56,475

; and, be it

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

Expend from the 1999 grant budget funds for specific items of equipment as stated in the budget; and, be it

Further Resolved, That all standard resolved clauses articulated in Common Council File 980274 remain applicable.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 8) [990598](#) Resolution approving a contract extension for Regional Hazardous Materials Emergency Response Team Services between the State of Wisconsin, Department of Military Affairs, Division of Emergency Management and the City of Milwaukee. (Fire Department)

Whereas, 1991 Wisconsin Act 104 authorized the State Emergency Response Board ("SERB") to contract with no fewer than 7 public entities with regional emergency response teams to assist in emergency responses to Level A releases in a region of the state designated by the SERB; and

Whereas, The SERB issues a request for proposals, the Milwaukee Fire Department submitted a proposal and the SERB selected the Milwaukee Fire Department to provide an emergency response team for a geographical area consisting of Milwaukee, Ozaukee, Waukesha, Washington, and parts of Jefferson County; and

Whereas, The parties entered into a contract to run five years commencing July 1, 1994; and

Whereas, The state has proposed an extension of the contract for a period of one-year, running from July 1, 1999 through June 30, 2000; and

Whereas, The Fire Chief and the City Attorney recommend that the Common Council approve the extension agreement; 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 enter into an extension agreement for Regional Hazardous Materials Response Team Services between The State of Wisconsin (SERB) and the City of Milwaukee, a copy of which is annexed to the file.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 9) [990603](#) Resolution authorizing the execution of a one-year lease with Penfield Children's Center for the off-street parking lot located at 2626 West Wells Street. (DPW)
Whereas, The City of Milwaukee has entered into a lease and lease extension through November 30, 1999 with Penfield Children's Center for the off-street parking lot located at 2626 West Wells Street; and

Whereas, Penfield Children's Center has requested that this lease be renewed for a one-year term beginning on the first day of December 1999, under the same terms and conditions as the original lease and extension, at a rental rate of Thirty Dollars (\$30.00) per month; and

Whereas, This lot is not occupied for public parking, and no additional public parking needs have been identified for this lot; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers are hereby authorized to enter into a one-year lease with Penfield Children's Center, beginning on the first day of December, 1999, and ending on the thirtieth day of November, 2000, with four one (1) year extensions permitted at the option of the City, for the off-street parking lot located at 2626 West Wells Street, at the rental rate of Thirty Dollars (\$30.00) per month.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

PLACING ON FILE THE FOLLOWING:

- 10) [990408](#) Communication from the Department of Employee Relations transmitting the 1998

Annual Fleet Safety Report.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 11) [990499](#) Communication from the Department of Employee Relations transmitting a report relative to the Annual 1998 Report of Occupational Injuries & Illnesses.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

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

ECONOMIC DEVELOPMENT COMMITTEE

ADOPTION OF THE FOLLOWING:

[990550](#) Substitute resolution amending Common Council File No. 990112 for acceptance of additional funding for a Wisconsin Arts Board Regranting Program Grant.

Whereas, The Common Council of the City of Milwaukee approved the acceptance and funding of a Regranting Program Grant from the Wisconsin Arts Board ("Grantor") under Common Council File No. 990112, adopted May 11, 1999, with a Grantor Share of \$20,000 and an In-Kind City Share of \$20,000; and

Whereas, The City of Milwaukee ("City") now appears to be eligible for additional grant funds from the Wisconsin Arts Board in the amount of \$4,450 with an In-Kind City Share of \$4,450 for art programming; and

Whereas, The Department of Administration, Intergovernmental Relations Division, has determined that operation of this Grant program from June 30, 1999 to June 30, 2000 will now cost a total of \$48,900, of which \$24,450 or 50 percent will be

provided by the Grantor; and

Whereas, The total local share of this Grant program, \$24,450 or 50 percent, will be provided from the following sources:

In-Kind City Share: \$24,450

Out-of-Pocket City Share: \$-0-

Local, Non-City Share: \$-0-

; and

Whereas, The Department of Administration, Intergovernmental Relations Division, has determined that the benefits to the City from this Grant program appear to exceed the City's share of costs and other obligations to be incurred under this program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that File No. 990112 is amended to allow for the acceptance of additional grant funding in the amount of \$4,450 from the Wisconsin Arts Board under the terms specified above, to be administered by the Department of City Development (Milwaukee Arts Board); and, be it

Further Resolved, That the proper City officials and/or the Commissioner of the Department of City Development are authorized to accept such additional Grant funds without further Common Council approval unless any of the following occur:

1. The purpose of such Grant program is significantly changed.
2. The amount of the In-Kind City Share increases from the amount specified above.
3. The ratio of In-Kind City Share to Grantor's Share increases from that specified above; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 1999 Special Revenue - Grant and Aid Projects Fund, the following amounts for the program titled Wisconsin Arts Board Regranting Program Grant:

Project/Grant: GR0009000000

Fund: 0150

Org: 9990

Program: 0001

By: 0000

Subclass: R999

Account: 000600

Project: Grantor Share

Amount: \$24,450

2. Create the necessary Project and Project Level Values and budgets to these project values the amounts 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 Department of City Development 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, be it

Further Resolved, That the funds received from the Wisconsin Arts Board be deposited in accordance with procedures established by the City Comptroller; and, be it

Further Resolved, That the Commissioner of the Department of City Development shall have the authority to authorize transfers within the program budget as long as the amount expended for any purpose shall not exceed the amount authorized by the budget by ten percent and such transfers are in accordance with Grantor regulations; and, be it

Further Resolved, That the Commissioner of the Department of City Development, on behalf of the City, is authorized to enter into subcontracts and leases as detailed in the program budget and in accordance with City purchasing procedures and Grant and Aid Guidelines for awarding such contracts.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

[990551](#)

Substitute resolution transferring funds and creating a subaccount for an analysis of Business Improvement District administrative procedures.

Whereas, Since 1987 the City of Milwaukee ("City") has created sixteen Business Improvement Districts ("BIDS") covering over 1,750 properties and raising almost \$3 million annually in special assessments; and

Whereas, Coordination with BIDS involves multiple City departments and has increased in complexity as the number of BIDS has grown; and

Whereas, BIDS and City departments desire to improve procedures so services to the BIDS and compliance with the requirements of the Wisconsin Statutes are accomplished more effectively and efficiently; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of City Development is authorized and directed to obtain consultant services for an analysis of Business Improvement District administrative procedures; and, be it

Further Resolved, That the City Comptroller is authorized and directed to appropriate the sum of \$20,000 from the Advance Planning Fund Project Account No. UR01280000 to a Segment Account that will be established for this purpose; and, be it

Further Resolved, That all City officials, boards, agencies and commissions are authorized and directed to provide whatever assistance is needed to carry out the intent of this resolution.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990304](#) Ordinance relating to the approval of an amended Detailed Planned Development (DPD) for a planned development known as Airport Business Center, on land located on the East Side of South 6th Street and South of West Layton Avenue, in the 13th Aldermanic District. (DCD)

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

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

Section 295-810(2)(b).0125.

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

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

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

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

(3) The requirements set forth in said amended detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such 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 accord with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 2) [990305](#) Ordinance relating to the change in zoning from Industrial (I/B/85) and Manufacturing (M/B/85) to Residential and Special Use (C9B(A)), on land located South of Reservoir Street and East of Hubbard Street, in the 6th Aldermanic District. (DCD)
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

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

Section 295-422.0006. The zoning map is amended to change the zoning for the area bounded by the centerline of North Hubbard Street, the centerline of East Reservoir Avenue, and the centerline of East Reservoir Avenue extended, from Industrial

(I/B/85) and Manufacturing (M/B/85) to Residential and Special Use (C9B(A)).

Sponsors: Ald. Johnson-Odom

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

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

No: 0

Excused: 2 - Pratt Butler

- 3) [990393](#) Substitute ordinance approving the rezoning from General Planned Development (GPD) to Detailed Planned Development (DPD) for the first phase of a planned development known as Park Place, Stage 16, on land located North of West Good Hope Road and West of North 107th Street, in the 15th Aldermanic District. The Mayor and Common Council of the City of Milwaukee ("Common Council") do ordain as follows:

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

Section 295-810(2)(b).0129.

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

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

Commencing at the Northwest corner of said Southeast 1/4 Section; thence South 00 deg. 28 min. 27 sec. West along the west line of said Southeast 1/4 Section 45.09 feet to the point of beginning; thence North 86 deg. 50 min. 45 sec. East along the south line of West Calumet Road and parallel with the north line of said Southeast 1/4 Section 400 feet to a point; thence South 34 deg. 10 min. 06 sec. East along the east line of said Parcel 1 aforesaid 110.38 feet to a point; thence South 86 deg. 51 min. 00 sec. West 176.63 feet to a point; thence South 03 deg. 09 min. 00 sec. East 98.60 feet to a point; thence South 86 deg. 51 min. 00 sec. West 46.64 feet to a point;

thence South 27 deg. 52 min. 12 sec. West 326.36 feet to a point; thence South 62 deg. 07 min. 48 sec. East 147.65 feet to a point; thence North 86 deg. 50 min. 45 sec. East 77.16 feet to a point; thence South 03 deg. 09 min. 15 sec. East 25.76 feet to a point; thence South 86 deg. 50 min. 45 sec. West along the south line of Parcel 1 aforesaid 288.41 feet to a point; thence North 23 deg. 47 min. 53 sec. West along the west line of said Parcel 1 and the east line of West Park Place 41.55 feet to a point; thence North 00 deg. 28 min. 27 sec. East along said east line 37.00 feet to a point; thence North 40 deg. 31 min. 25 sec. West along said east line 627.95 feet to a point; thence North 86 deg. 51 min. 58 sec. East along the south line of West Calumet Road and parallel with the north line of said Southeast 1/4 Section 412.77 feet to the point of beginning containing 5.5050 acres.

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Absent: 1 - Butler

Excused: 1 - Pratt

- 4) [990395](#) Substitute ordinance relating to the change in zoning from Manufacturing (M/C/60) to Detailed Planned Development (DPD) for a planned development known as Brewers Hill Lofts, on land located on the Northeast corner of East Reservoir Avenue and North Hubbard Street, in the 6th Aldermanic District.

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

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

Section 295-810(2)(b).0128.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the Detailed Planned Development known as Brewers Hill Lofts, 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 for the area bounded by the centerline of North Hubbard Street, the centerline of East Reservoir Avenue, a line 60 feet East and parallel to the east line of North Palmer Street, a line 150 feet North and parallel to the north line of East Reservoir Avenue, and a line 140.5 feet East and parallel to the east line of North Palmer Street, and a line 193 feet North and parallel to the north line of East Reservoir Avenue.

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

Part 2. Any persons, firm, company or corporation owning, controlling, or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the

plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

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

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

Sponsors: Ald. Johnson-Odom

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

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

No: 0

Excused: 2 - Pratt Butler

- 6) [990601](#) An ordinance requiring that a photograph be submitted with an application for certain demolition permits.

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

Part 1. Section 200-26-5-0 of the code is amended to read:

200-26. Application for Permits.

5. APPLICATIONS FOR CERTAIN DEMOLITION PERMITS. Whenever the commissioner of city development has received an application for the demolition of any building or structure, the commissioner of city development shall have the notification of the application published once in a newspaper of general circulation, and notify the [[alderman]] >>common council member<< of the district in which the proposed demolition is situated. >>The completed application shall include a color 3x3 inch, or larger, street-facing photograph of the structure to be demolished.<< Applications for the demolition of any building or structure shall then be processed in

accordance with s. 200-28 and when in compliance issued 16 working days following applications, subject to s. 308-81. This subsection does not apply to:

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 7) [990620](#) An ordinance relating to refunding of fees for unissued licensed dwelling facility licenses.

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

Part 1. Section 200-30-2-e of the code is amended to read:

200-30. Lapse of Permit, Refunds.

2. REFUNDS.

e. Any applicant requesting a refund for an unissued certificate of occupancy must make the request in writing to the commissioner of city development. >>Any applicant requesting a refund for an unissued licensed dwelling facility license must make the request in writing to the department of neighborhood services.<< The processing fee shall be \$75 plus \$50 for each inspection made. Processing and inspection fees shall be deducted from the application fee and any remaining balance will be refunded to the applicant. There will be no refund after the certificate >>or license<< is issued.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 8) [990621](#) An ordinance relating to applications for licensed dwelling facility licenses.

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

Part 1. Section 275-20-3-a of the code is amended to read:

275-20. Licensing of Licensed Dwelling Facilities.

3. APPLICATION.

a. The name and street address of the applicant; if a partnership >>or limited partnership<<, it shall state the names and street addresses of all partners >>or limited partners<< ; if a corporation, it shall state the names and street addresses of all officers and directors; if a club, association or other organization, it shall state the names and street addresses of all officers. A post office >>box<< number shall not be acceptable as an address. However, a preferred mailing address such as a post officer >>box<< number may be furnished to the commissioner in addition to the street addresses required in this subsection.

Part 2. Section 275-20-4 of the code is amended to read:

4. INVESTIGATIONS TO BE MADE. License applications shall be referred by the commissioner to the chief of police, the concerned common council member and the commissioner of health. The commissioner of neighborhood services shall investigate the dwelling facility to be licensed, and the commissioner of health shall inspect departmental records to determine if there are any outstanding health violations at the dwelling facility to be licensed. The chief of police shall investigate the applicant, operator, the local representative of the applicant >>, all partners or limited partners of a partnership or limited partnership<< and all of the officers and directors of a corporation. The commissioner of health and chief of police shall report their findings to the commissioner of neighborhood services. However, if as a result of such investigation, the commissioner of neighborhood services, commissioner of health or chief of police objects to such issuance of a license, the report shall also be submitted to the utilities and licenses committee of the common council.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

ADOPTION OF THE FOLLOWING:

- 9) [990110](#) Resolution approving an amendment to the Project Plan for Tax Incremental District

Number Twenty-Two (Beerline "B") in the 3rd and 6th Aldermanic Districts. (DCD)
Whereas, Section 66.46(4)(h)1, Wisconsin Statutes, permits the City Plan Commission, subject to the approval of the Common Council, to amend the Project Plan for a Tax Incremental District; and

Whereas, The Common Council of the City of Milwaukee on December 22, 1993 passed File No. 930935 approving a Project Plan and creating Tax Incremental District Number Twenty-Two (Beerline "B"); and

Whereas, On June 28, 1999, pursuant to Section 66.46(4)(h)1, Wisconsin Statutes, and following the required notice and public hearing, the City Plan Commission adopted an amendment to the Project Plan for Tax Incremental District Number Twenty-Two ("Amendment"), a copy of which is attached to this Common Council File; and

Whereas, The City Plan Commission has submitted the Amendment to the Common Council for its approval; and

Whereas, Section 66.46(4)(g) and (h)1, Wisconsin Statutes, provides that an amendment to a Project Plan for a Tax Incremental District shall be approved by the Common Council prior to or concurrent with the adoption of a resolution by the Common Council which contains findings that such amendment is feasible and in conformity with the master plan of the city; and

Whereas, The Amendment was duly reviewed and considered by the Zoning, Neighborhoods and Development Committee and determined to be feasible by the City Plan Commission and determined to be sufficiently complete in detail to establish that the public works and improvements and the land uses proposed conform with the Master Plan for the City of Milwaukee, as amended to date; and by the City Attorney and determined to be complete and compliant with Section 66.46(4)(f), Wisconsin Statutes; and

Whereas, Pursuant to Section 66.46(4)(h)1, Wisconsin Statutes, the Amendment is further subject to review by the Joint Review Board and will be submitted to the Board for review upon passage of this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee regarding the Amendment to the Project Plan for Tax Incremental District Number Twenty-Two, City of Milwaukee, that it finds and determines as follows:

1. As implementation of the Project Plan for the District has proceeded, it has become necessary to address new redevelopment opportunities and accommodate changes in the types and amount of project related costs.

2. The Amendment changes the existing boundaries of the District and adds 13 parcels comprising approximately 13 acres to the District. However, the findings made in Common Council File No. 930935, pursuant to Section 66.46(4)(gm)1 and 4, Wisconsin Statutes, are unchanged.

3. The Amendment retains the existing ten-year expenditure period for the District.

4. The Amendment revises the Economic Feasibility Study that is a part of the Plan, adds projects to be supported by the District, and makes related changes regarding project costs and financing; and, be it

Further Resolved, That the Amendment to the Project Plan for Tax Incremental District Number Twenty-Two is approved by the Common Council and that the Project Plan for said District as amended is feasible, in conformity with the Master Plan for the City of Milwaukee, and will promote the orderly development of the City of Milwaukee; and, be it

Further Resolved, that:

1. The City Clerk is authorized and directed to notify the Wisconsin Department of Revenue in such form as may be prescribed by said Department of the approval of this Amendment pursuant to the provisions of Section 66.46(5)(cm), Wisconsin Statutes.

2. The Commissioner of the Department of City Development or her designee(s), is authorized and directed to act on behalf of the Common Council as coordinator of all Tax Incremental District ("TID") related activities which, in her judgment, are necessary to carry out the Plan and intent of this resolution.

3. The City Comptroller is authorized and directed to increase Tax Incremental District Number Twenty-Two by the amount of \$7,204,415 from the Parent TID Account No. 32-937-0001, such funds shall be approved by the Common Council through usual budgetary procedures and made available upon request by the Commissioner of the Department of City Development.

4. The Commissioners of the Department of City Development and Public Works and the City Engineer are authorized and directed to take such actions as are necessary, including execution of contracts to finance, design, engineer and construct the proposed improvements in accordance with the objectives of the approved Plan.

5. 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

Subaccounts as are necessary to maintain the fiscal control required to carry out the Plan and the intent of this resolution.

6. The Redevelopment Authority of the City of Milwaukee and all other City officials, departments, boards, authorities and commissions are requested, authorized and directed to take all necessary actions and to provide all necessary assistance as may be needed by the above-identified officials to carry out the Plan and intent of this resolution.

7. The City Clerk is directed to transmit a certified copy of this resolution, along with a copy of the Amendment, to the Commissioner 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 and to the Joint Review Board established by Common Council File No. 84-202, adopted June 12, 1984, for review in accordance with the procedures and criteria set forth in Section 66.46(4m), Wisconsin Statutes.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

10) Various resolutions declaring as surplus various city-owned properties and accepting offers to purchase the properties in the 7th, 9th, 12th and the 16th Ald. Districts.

a) [990512](#) Resolution declaring as surplus the vacant, City-owned lot located at 934 South 5th Street and accepting an Offer to Purchase from Luis Barbosa and Jose Zarate for construction of a restaurant, in the 12th Aldermanic District. (DCD-Real Estate)
Whereas, Luis Barbosa and Jose Zarate have offered to purchase the vacant, City-owned lot located at 934 South 5th Street, Tax Roll Key No. 431-0897-100-3, from the City of Milwaukee for the amount of \$21,000 for construction of a restaurant with outdoor patio area and associated parking and possible office space on the upper level; and

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

1. Closing must occur within 4 months of sale approval.

2. Approval of building and site plans by the Department of City Development prior to closing.
3. Submittal of firm financing commitment to complete the project as proposed prior to closing.
4. Construction must commence within 30 days of closing and be completed no later than twelve months thereafter or property will automatically revert back to the City of Milwaukee's ownership; and

Whereas, This vacant, City-owned lot is being sold in an "as is" condition; and

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

Resolved, By the Common Council of the City of Milwaukee that said lot is declared surplus, that said Offer is accepted, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot in accordance with the above contingencies and that the proceeds be credited to the Reserve For General City Revenue Fund Account No. 0001-983014.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- b) [990513](#) Resolution declaring as surplus the vacant, tax deed lot located at 3312-14 West Kilbourn Avenue and accepting an Offer to Purchase from the adjoining owners, Peter Lee and Karen Levy, for use as green space, in the 16th Aldermanic District. (DCD-Real Estate)

Whereas, The adjoining owners, Peter Lee and Karen Levy, with their property located at 3320 West Kilbourn Avenue, have offered to purchase the vacant, tax deed lot located at 3312-14 West Kilbourn Avenue, Tax Roll Key No. 388-0612-3, from the City of Milwaukee containing 5,160 square feet for the amount of \$500 for use as green space; and

Whereas, The other adjoining owner was informed of the availability of this vacant lot but did not respond to the offer; and

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

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

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

Sponsors: Ald. Murphy

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

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

No: 0

Excused: 2 - Pratt Butler

- c) [990517](#) Resolution declaring as surplus and accepting an unsolicited Offer to Purchase the improved, tax deed property located at 3731-33 West Center Street, in the 7th Aldermanic District. (DCD-Real Estate)
- Whereas, Manjit S. Shergill, the current tenant, has offered to purchase said property for \$4,050 and will become an owner-occupant; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that 3731-33 West Center Street, Tax Roll Key No. 327-1584-100-1, is declared surplus and that the Department of City Development is authorized and directed to accept the unsolicited Offer to Purchase said property from Manjit S. Shergill at a fixed price of \$4,050; and, be it

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

Further Resolved, That as a condition of the sale of surplus property, purchaser is

required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or said property may revert back to the ownership of the City of Milwaukee upon action by the Common Council.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- d) [990518](#) Resolution declaring as surplus the vacant, tax deed lot located at 3804 West Silver Spring Drive and accepting an Offer to Purchase from South Community Organization for construction of two side-by-side townhouse buildings, in the 9th Aldermanic District. (DCD-Real Estate)

Whereas, South Community Organization has offered to purchase the vacant, tax deed lot located at 3804 West Silver Spring Drive, Tax Roll Key No. 171-9826-2, from the City of Milwaukee for the amount of \$1.00 for construction of four side-by-side townhouse units, two separate buildings, for sale to low-to-moderate income owner-occupants; and

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

1. Closing must occur within 90 days of sale approval.
2. South Community Organization is responsible for all site improvements, pre-development expenses, and construction costs. Evidence of proper financing must be provided prior to closing.
3. Approval of final building and site plans by the Department of City Development prior to closing.
4. Construction must commence within 30 days of closing and must be completed no later than twelve months thereafter or property will automatically revert back to the City of Milwaukee's ownership; and

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

Whereas, The City Plan Commission has approved the acceptance of said Offer, the

sale of said lot to be consummated in the manner provided for in the sale of other tax deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Absent: 1 - Butler

Excused: 1 - Pratt

11) Various resolutions approving Land Disposition Reports for properties in the 17th and 12th Ald. Districts.

a) [990514](#) Resolution approving the Land Disposition Report for the properties at 2135 (part) and 2137 North Lindsay Street for sale to Jan Johnson for construction of an owner-occupied, single-family home as part of the Wisconsin Housing and Economic Development Authority's ("WHEDA") Homeownership Program, in the 17th Aldermanic District (Redevelopment Authority).

Whereas, On July 8, 1999, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated July 8, 1999, with respect to the proposed sale of the following described properties is approved.

PROJECT

Blight Elimination Effort/11th & Garfield

PROPERTY ADDRESSES

2135 (part) and 2137 North Lindsay Street

REDEVELOPER

Jan Johnson

; and, be it

Further Resolved, That in the event the Redeveloper does not acquire said property, the Offer may be assigned to the Neighborhood Improvement Development Corporation for conveyance to a qualified WHEDA buyer.

Sponsors: Ald. Johnson-Odom and Ald. Hines Jr.

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

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

No: 0

Absent: 1 - Butler

Excused: 1 - Pratt

- b) [990515](#) Resolution approving the Land Disposition Report for the property at 323-39 West Greenfield Avenue (part) for sale to Allen Bradley Company LLC for development of its campus gateway in the 12th Aldermanic District (Redevelopment Authority).

Whereas, On July 8, 1999, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated July 8, 1999, with respect to the proposed sale of the following described parcel is approved.

PROJECT

Blight Elimination Effort/South 4th Street and West Greenfield Avenue

PROPERTY ADDRESS

323-39 West Greenfield Avenue (part)

REDEVELOPER

Allen Bradley Company LLC

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- c) [990622](#) Resolution approving the Land Disposition Report for the properties at 2102 to 2132 West Walnut Street for sale to owner-occupants as part of the CityHomes program in the 17th Aldermanic District (Redevelopment Authority).

Whereas, On July 29, 1999, the Redevelopment Authority of the City of Milwaukee will hold a Public Hearing on the proposed sales as required by Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated July 13, 1999, with respect to the proposed sales of the following described parcels is approved.

PROJECT

North 21st Street - West Walnut Street

PROPERTY ADDRESSES

2102 West Walnut Street

2110 West Walnut Street

2118 West Walnut Street

2124 West Walnut Street

2132 West Walnut Street

REDEVELOPER

Owner-occupants who meet the established CityHomes criteria and as authorized by the Executive Director-Secretary of the Redevelopment Authority of the City of Milwaukee

Sponsors: Ald. Hines Jr.

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

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

No: 0

Excused: 2 - Pratt Butler

- 12) [990522](#) Resolution approving an Affidavit of Correction relative to the correction of surveying data contained in Certified Survey Map No. 6657. (DCD)

Whereas, Certified Survey Map No. 6657, a recorded map being a division of Lots 5 and 6, in Block 3, in Germania Heights and Outlot A, of Certified Survey Map No. 6656, all located in the Southwest 1/4 of the Northwest 1/4 of Section 19, Town 07 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, recorded as Document No. 7738293 on May 6, 1999; and

Whereas, Fred W. Shibilski, Surveyor, has submitted an affidavit containing a correction to surveying data contained in such map pursuant to the provisions of Section 236.295 of the Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said Affidavit of Correction, a copy of which is attached as Exhibit A and made a part hereof as though fully set forth herein, is approved.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 13) [990523](#) Resolution approving the blight designation and surplus declaration of seven City-owned vacant lots in the area of North Water Street and East Kane Place and authorizing their conveyance to the Redevelopment Authority of the City of Milwaukee for disposition to New Land Enterprises for residential development, in the 3rd Aldermanic District (Redevelopment Authority).
- Whereas, Under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, ("Act") the Secretary of Housing and Urban Development is authorized to make financial grants to a unit of general local government (herein identified as the "Common Council of the City of Milwaukee" or "Council") for undertaking and carrying out redevelopment projects under an approved Community Development Program; and
- Whereas, In Common Council File No. 49-2311-8d, adopted on September 16, 1968, the Redevelopment Authority of the City of Milwaukee ("Authority") was designated the Agent of the City of Milwaukee ("City") for the purpose of administering, undertaking, and carrying out all blight elimination, slum clearance, and urban renewal programs and projects both present and future; and
- Whereas, Applicable Wisconsin law, particularly Section 66.431(5)(c), Wisconsin Statutes, as amended, enables the Authority of a first class city, with the approval of the local legislative body of that city, to acquire blighted properties without designating a boundary or adopting a redevelopment plan; and
- Whereas, In Common Council File No. 971423 adopted January 20, 1998, the Council deemed it desirable and in the public interest that the Authority undertake and carry out an urban renewal program under the Act and so authorized and directed the Authority to prepare Spot Acquisition Projects ("Projects"); and
- Whereas, The Authority proposes to acquire seven City-owned vacant lots located in the boundary of the North Water Street and East Kane Place redevelopment area, more particularly described as:
- 925-27 East Kane Place (Tax Key No. 354-0626-100-8)
- 1001-05 East Kane Place (Tax Key No. 354-0609-000-9)

1009-11 East Kane Place (Tax Key No. 354-0608-000-3)

1879-85 North Astor Street (Tax Key No. 354-0625-100-2)

1868-70 North Water Street (Tax Key No. 354-0632-100-0)

1876-78 North Water Street (Tax Key No. 354-0628-100-9)

1886-90 North Water Street (Tax Key No. 354-0627-100-3)

; and

Whereas, The City waived its right to receive the statutory notices and the Authority conducted a Public Hearing on the blight designation on July 8, 1999 pursuant to Wisconsin Statutes; and

Whereas, The Authority determined the subject properties to be blighted properties within the meaning of Section 66.431(4)(bm), Wisconsin Statutes, as amended, and requested Council approval of these Projects; and

Whereas, In relation to the location and extent of public works and utilities, public buildings, and public uses proposed, the Authority has conferred with the City Plan Commission and with such other public officials, boards, authorities, and agencies of the City under whose administrative jurisdictions such uses respectively fall pursuant to Subsection 66.431(6)(c), Wisconsin Statutes; and

Whereas, The City Plan Commission, which is the duly designated and acting official planning body for the City authorized to prepare a comprehensive plan, has reviewed and determined that these Projects conform to the general plan for the City as a whole, and the Council has duly considered the recommendations of the planning body; and

Whereas, After acquisition, the Authority desires to convey these properties to New Land Enterprises for residential development; and

Whereas, Pursuant to Section 66.431, Paragraph 9, Wisconsin Statutes, a Land Disposition Report for these properties was submitted, a copy of which is attached to this Common Council File; and

Whereas, The Public Hearing conducted on July 8, 1999, concurrently addressed the disposition of these properties to New Land Enterprises as required by Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the subject Projects are approved; and, be it

Further Resolved, That it is found, determined, and reaffirmed that:

1. These Projects are blighted properties in need of blight elimination, slum clearance, and urban renewal, and qualify as eligible projects within the meaning of Section 66.431(4)(bm), Wisconsin Statutes, as amended.

2. The objectives of the Authority cannot be achieved solely through rehabilitation of these Projects.

3. These Projects are feasible and conform to the general plan of the City; and, be it

Further Resolved, That the subject properties are declared surplus to municipal needs and that the proper City officials are authorized and directed to execute quit claim deeds and any other related document(s) deemed necessary to effectuate the transfer of title to the subject properties from the City to the Authority without monetary consideration; and, be it

Further Resolved, That to implement and facilitate the prosecution of these Projects, 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 these Projects including the prohibition of any new construction in these Project areas, and accordingly, the Council:

1. Pledges its cooperation in helping to carry out these Projects.

2. Directs that no new construction shall be permitted or authorized in these Project areas by any agencies, boards, or commissions of the City under local codes or ordinances unless as authorized by the Council under Section 66.431(6)(e), Wisconsin Statutes.

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

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

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

Further Resolved, That the Land Disposition Report dated July 8, 1999, with respect to the proposed conveyance of the following properties is approved.

PROPERTY ADDRESSES

925-27 East Kane Place

1001-05 East Kane Place

1009-11 East Kane Place

1879-85 North Astor Street

1868-70 North Water Street

1876-78 North Water Street

1886-90 North Water Street

REDEVELOPER

New Land Enterprises

Sponsors: Ald. D'Amato

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

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

No: 0

Excused: 2 - Pratt Butler

- 14) Various resolutions amending the method of Disposition for surplus, improved tax deed properties in the 10th and 6th Ald. Districts.

- a) [990531](#) Resolution amending the method of disposition for the surplus, improved, tax deed property located at 3240-42 North 27th Street, in the 10th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 990205, adopted on June 2, 1999, declared surplus and directed that the Department of City Development sell 3240-42 North 27th Street via the open listing method; and

Whereas, Cynthia Taylor, the current tenant, has offered to purchase said property for \$12,000 as an owner-occupant; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to accept the unsolicited Offer to Purchase the surplus, improved, tax deed property located at 3240-42 North 27th Street, Tax Roll Key No. 285-0794-7, received from Cynthia Taylor at a fixed price of \$12,000; and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- b) [990532](#) Resolution amending the method of disposition for the surplus, improved, tax deed property located at 2945-47 North 28th Street, in the 10th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 980306, adopted on July 7, 1998, declared surplus and directed that the Department of City Development sell 2945-47 North 28th Street via the open listing method; and

Whereas, The Neighborhood Improvement Development Corporation, a nonprofit organization, has offered to purchase said property for \$1.00 for affordable housing purposes and eventual resale to owner-occupant; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell the surplus, improved, tax deed property located at 2945-47 North 28th Street, Tax Roll Key No. 309-0226-1, to the Neighborhood Improvement Development Corporation at a fixed price of \$1.00; and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- c) [990546](#) Resolution amending the method of disposition for the surplus, improved, tax deed property located at 2910 North 7th Street, in the 6th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 981720, adopted on April 20, 1999, declared surplus and directed that the Department of City Development sell 2910 North 7th Street via the open listing method; and

Whereas, Betty Parker, the current tenant, has offered to purchase said property for \$6,000 as an owner-occupant; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to accept the unsolicited Offer to Purchase the surplus, improved, tax deed property located at 2910 North 7th Street,

Tax Roll Key No. 312-1683-0, received from Betty Parker at a fixed price of \$6,000; and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

[990535](#)

Resolution approving the final plat for Riverton Heights Addition No. 1, on land located on the North Side of West Darnel Avenue and West of North 97th Street, in the 15th Aldermanic District. (DCD)

Sponsors: Ald. Nardelli

ALD. HENNINGSEN moved to amend on page 1, add the following language after the last word "approved" in the "Resolved" clause: ", subject to the Department of Public Works field verification and allowances for minor modifications"

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

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

No: 0

Excused: 2 - Pratt Butler

Resolved, By the Common Council of the City of Milwaukee that the final plat of Riverton Heights Addition No. 1, being a subdivision of Lot 5, Block 2, Riverton Estates, being part of the Southeast 1/4 and Southwest 1/4 of Section 08, Township

08 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved.

Sponsors: Ald. Nardelli

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

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

No: 0

Excused: 2 - Pratt Butler

- 16) [990599](#) Substitute resolution authorizing the use of the 1999 reprogramming Community Development Block Grant funds as approved by the Policy Committee.

Whereas, The Community Development Policy Committee on July 12, 1999 approved the funding of activities noted below using the 1999 Community Development Block Grant reprogramming funds; now, therefore be it

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

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

Further Resolved, That the Community Block Grant Administration is responsible for awarding subrecipient contracts for each of the 1999 approved activities for reprogramming as follows:

Organization Name CDBG Amount

Boys and Girls Club \$100,000

Brady St. BID #11 35,000

Council for the Spanish Speaking 50,000

Dept of City Development (TCDF Fund) 42,000

Dept. of Neighborhood Services 75,000

Dept. of Neighborhood Services (Havenwood-TIN) 100,000

East Side BID #20 75,000

LaCausa 62,500

LaCausa (Enterprise Community Funds) 37,500

Lisbon Ave. Neighborhood Dev. 100,000

Latino Community Center-(Enterprise Comm Funds) 50,000

Neighborhood Millennium Art Initiative 125,000

Mitchell Street 20,000

Martin Luther King Econ Development Corp. 125,000

Northwest Side Comm Dev. Corp. 200,000

United Community Center 200,000

Wis. Hispanic Scholarship Foundation, Inc. 66,900

YWCA 100,000

ACTS Community Development Corp. 30,000

ASHA Family Services, Inc. 40,000

Dept. of Neighborhood Services 30,000

Dept. of Neighborhood Services 10,000

Historic Walker's Point (DPW) 45,000

Hmong American Friendship Association 50,000

Howard Fuller Education Foundation 25,000

Merrill Park Neighborhood 30,000

Milwaukee Community Service Corps. 49,000

Milwaukee Public Schools 30,000

New Concept 40,000

New Covenant Housing Corp. 50,000

Northcott Neighborhood House 15,000

Northeast Milwaukee Industrial Dev. Corp. 30,000

OIC-GM 40,000

Rosalie Manor 16,000

Sojourner Truth House 5,000

CBGA Summer Youth (ACE Boxing) 3,000

Total 2,101,900

; and, be it

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

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

Further Resolved, That except as modified by this resolutions, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-82-5v are fully applicable to the 1999 Community Development Entitlement Funding Program.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 17) [990623](#) Substitute resolution authorizing an amendment to the agreement with outside counsel Friebert, Finerty & St. John, S.C., to assist the City in pursuing public nuisance building code actions.

Whereas, The Mayor and the Common Council of the City of Milwaukee have directed the City Attorney to commence public nuisance and human health hazard lawsuits for the elimination of building code violations where municipal court has not been a successful remedy for the violations; and

Whereas, There are approximately 30 building code public nuisance and human health hazard cases ready to file in court or already filed by Friebert, Finerty & St. John, S.C.; and

Whereas, The law firm of Friebert, Finerty & St. John, S.C. has developed a significant amount of experience in the prosecution of building code cases through their representation of the City in the current legal matters; and

Whereas, The municipal court has not proved an acceptable alternative for the filing and refiling of building code cases for the same buildings in which the amount of the forfeiture has not been a deterrent in eliminating the nuisances; and

Whereas, The Razing and Vacant Building Protection Fund is designated for the purpose of rehabilitating housing which falls into the public nuisance category to avoid the cost of demolition for a condemned property; and

Whereas, The law firm of Friebert, Finerty & St. John, S.C., has agreed to a \$110.00 per hour fee with an original maximum of \$50,000, the provisions of which are attached as File 981382 as Exhibit A; and

Whereas, The law firm of Friebert, Finerty & St. John, S.C. has satisfactorily completed the legal work transferred at this time and yet while reaching the contract maximum has not yet completed all of the assigned work; and

Whereas, No new legal work is currently anticipated to be referred under this contract; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City

officials including the City Attorney and the Commissioner of the Department of Neighborhood Services are directed to amend the present Contract For Services with the law firm of Friebert, Finerty & St. John, S.C. at a rate of \$110.00 per hour with a \$50,000 additional amendment to the original total limit on the Contract of \$50,000 with the money to be paid directly to the law firm from the Razing and Vacant Building Protection Fund Special Purpose Account (S162). The Contract shall be for the purposes of representing the City of Milwaukee in cases where building code violations arise to the level of a public nuisance or a human health hazard.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

CONFIRMATION OF THE FOLLOWING:

- 18) [990572](#) Appointment of Mark Wagner to the Housing Authority by the Mayor. (11th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

- 19) [990573](#) Reappointment of Sandra McSweeney to the Historic Preservation Commission by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1) Resolutions to vacate various streets and alleys:

a) [981718](#) Resolution to vacate the street and alleys in the block bounded by West North Avenue, North 35th Street, West Meinecke Avenue, and North 33rd Street, in the 7th Aldermanic District. (DCD)

Whereas, It has been proposed by the Neighborhood Improvement Development Corporation that the street and alleys in the block bounded by West North Avenue, North 35th Street, West Meinecke Avenue, and North 33rd Street be vacated pursuant to the provisions of Section 66.297 of the Wisconsin Statutes; and

Whereas, The vacation of said street and alleys is necessary so that the Todd Wehr Metcalfe Park Community Center can be properly located on the site; and

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

Resolved, By the Common Council of the City of Milwaukee that said street and alleys, as indicated by Exhibit "A", are vacated; and, be it

Further Resolved, That as provided by Section 80.32(4) of the Wisconsin Statutes, such vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said street and alleys and in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair of entrance, maintenance, construction and repair with reference thereto shall continue as if such street and alleys had not been vacated.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- b) [990218](#) Substitute resolution to vacate all the alleys in the blocks bounded by West North Avenue, North 25th Street, West Meinecke Avenue and North 24th Street, in the 7th Aldermanic District.

Whereas, It is proposed that all the alleys in the blocks bounded by West North Avenue, North 25th Street, West Meinecke Avenue and North 24th Street be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that said alleys, as indicated by Exhibit "A", are vacated; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, such vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair of entrance, maintenance, construction and repair with reference thereto shall continue as if such alleys had not been vacated.

Sponsors: Ald. Gordon

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

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

No: 0

Excused: 1 - Gordon

- c) [990219](#) Resolution to vacate a portion of North 49th Street and the Northerly East-West alley in the block bounded by West Lisbon Avenue, North 49th Street, West North Avenue and North 50th Street, in the 17th Aldermanic District. (DCD)

Whereas, It is proposed that a portion of North 49th Street and the Northerly East-West alley in the block bounded by West Lisbon Avenue, North 49th Street, West North Avenue and North 50th Street be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that said portion of public street and alley, as indicated by Exhibit "A", is vacated; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, such vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair of entrance, maintenance, construction and repair with reference thereto shall continue as if such portion of public street and alley had not been vacated.

Sponsors: Ald. Hines Jr.

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

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

No: 0

Excused: 1 - Gordon

- d) [990404](#) Resolution to vacate South 8th Street from West Washington Street North and a portion of the alley in the block North of West Washington Street, in the 12th Aldermanic District. (DCD)
- Whereas, It is proposed that South 8th Street from West Washington Street North and a portion of the alley in the block North of West Washington Street be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that said portion of street and portion of alley, as indicated by Exhibit "A", is vacated; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, such vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair of entrance, maintenance, construction and repair with reference thereto shall continue as if such portion of street and portion of alley had not been vacated.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 2) [990095](#) Resolution relating to directing the Department of Public Works to solicit proposals for operating the cafeteria in the City Hall complex.
- Whereas, The cafeteria in the City Hall complex has traditionally provided convenient meals and snacks for public employes whose duties require them to shorten their lunch breaks or eat at their desks, as well as when inclement weather makes it difficult for workers to leave the complex and purchase lunch within the allotted time for lunch; and
- Whereas, The cafeteria also provides an important public service by offering convenient food service to private citizens who are in the City Hall complex to pay their taxes, go to public meetings or attend other events of public interest and concern; and
- Whereas, Although there are other excellent eating establishments in the downtown area, they are not always able to meet the time and cost restrictions of public employes and private citizens who need to purchase meals; and
- Whereas, The cafeteria in the City Hall complex is currently without an operator, and it may be difficult to secure and retain a good cafeteria contractor because of the inadequacy of the existing kitchen facilities, which do not have an exhaust system or grill; and
- Whereas, This may be an appropriate time to renovate the cafeteria to add an exhaust system and grill, provided that such renovation is feasible and economically reasonable; and
- Whereas, A request for proposals (RFP) will need to be prepared to find a new cafeteria operator, which makes this an appropriate time to consider options for alleviating the inadequacies of the cafeteria; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Common Council directs the Department of Public Works to solicit bids for a contractor to operate the cafeteria in the City Hall complex, and to include all of the following in the request for proposals (RFP):

1. A request for alternative bids: one for operating the cafeteria with existing equipment and one for operating the cafeteria with an exhaust system and grill.
2. A statement that the City will assist the successful bidder in getting started by providing suitable financial assistance, such as a start-up loan from the revolving loan fund or other source, if such assistance is appropriate and if the contractor meets the qualifications for such assistance.

Sponsors: Ald. Henningsen

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

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

No: 0

Excused: 1 - Gordon

3) Substitute resolutions to grant various special privileges:

a) [980666](#) Substitute resolution granting a special privilege to Newland Enterprises for a set of concrete steps and covered walk to occupy the public right-of-way adjacent to 1515 North Van Buren Street, in the 3rd Aldermanic District in the City of Milwaukee.

Whereas, A building is currently under construction at 1515 North Van Buren Street known as Lyon Courthouses, which is a residential condominium; and

Whereas, Entrance steps with a covered walk are proposed to be placed on the west side of North Van Buren Street in the sidewalk area adjacent to the building, which will encroach into the public right-of-way; and

Whereas, In conjunction with this project, the existing curb along this property is to be moved 4 feet to the east thereby widening the fully concrete paved sidewalk area from the existing 10 feet to 14 feet; and

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

Resolved, By the Common Council of the City of Milwaukee that Newland Enterprises, a Wisconsin General Partnership, 11326 North Country View Drive, Mequon, WI 53092, is hereby granted the following special privileges:

1. To construct and maintain one set of 8-foot wide concrete steps with handrail

within the west sidewalk area of North Van Buren Street, abutting the building currently under construction at 1515 North Van Buren Street. Said steps shall encroach approximately 4 feet 8 inches into the 14-foot wide fully concrete paved sidewalk area. Said 8 foot wide step encroachment is centered approximately 86 feet north of the northline of East Lyon Street. Said steps shall be constructed abutting the building in such a manner that their use would not interfere with through pedestrian movement at any time. A 2-foot wide wall may be constructed on either side of the steps, extending 4 feet 8 inches into the public right-of-way.

2. To erect and maintain a covered walk at the entrance to the building at 1515 North Van Buren Street, approximately 86 feet north of the northline of East Lyon Street. Said covered walk, 12 feet in width, shall encroach approximately 4 feet 8 inches into the approximately 14-foot wide sidewalk area on the west side of North Van Buren Street. The aluminum structure shall be supported by the building at one end and by one vertical support at each corner resting atop a wall on either side of steps described in Item 1. above.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The structure frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The covering shall be of approved material.

All fixtures and materials for illumination shall be indicated upon the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the canopy. The name, street number, or character of the location may be indicated only on the vertical portion of the canopy.

The grantee will be required to keep a "No Parking" status adjacent to the covered walk as long as the structure occupies the public right-of-way.

Said steps and covered walk shall be constructed, used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services/City Development. All required permits shall be procured prior to beginning construction. Said items shall be removed from the public right-of-way in such future time as they are no longer needed to the satisfaction of the Departments of Public Works and Neighborhood Services/City Development.

and, be it

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

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$5,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured.

Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$124.81. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Building Inspection shall have the authority to seek, by resolution, revocation of said special privilege.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- b) [990276](#) Substitute resolution granting a special privilege to Nicholas and Vivian Anton to install and maintain an antique-style clock on the sidewalk area adjacent to 620 West Historic Mitchell Street, in the 12th Aldermanic District in the City of Milwaukee. Whereas, Nicholas and Vivian Anton wish to install and maintain an antique-style clock on the sidewalk area adjacent to their business at 620 West Historic Mitchell Street; and

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

Resolved, By the Common Council of the City of Milwaukee, that Nicholas and Vivian Anton, 620 West Historic Mitchell Street, Milwaukee, WI 53204-3512, are hereby granted the following special privilege:

To install and maintain a clock on the 12-foot wide fully concrete paved sidewalk area on the north side of West Historic Mitchell Street, adjacent to 620 West Historic Mitchell Street. The clock is to be located approximately 9 feet 8 inches south of the northline of West Historic Mitchell Street and 12 feet west of the westline of the north-south alley bounded by West Historic Mitchell Street, West Maple Street, South 6th Street and South 7th Street and

Underground electrical conduit will be located in the north sidewalk area of West Historic Mitchell Street, adjacent and perpendicular to the premises, to provide power for the clock. Said clock and electrical circuitry shall be installed and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services and all necessary permits shall be procured from the Departments of Public Works and Neighborhood Services/City Development. No alteration or replacement of any item may be made without the written approval of these Departments.

An "as-built" plan shall be submitted to the City Engineer, indicating the actual location of the clock and conduit and the depths of the footing and conduit.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantees, Nicholas and Vivian Anton, shall:

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

2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$100,000 covering bodily injury to any one person and \$200,000 covering bodily injury to more than one person in any one accident and \$50,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- c) [990277](#) Substitute resolution to grant a special privilege to Michael Regis Zappas to construct and maintain a concrete ramped entrance for barrier-free access located in the public

right-of-way adjacent to the property located at 315 South Water Street, in the 12th Aldermanic District in the City of Milwaukee.

Whereas, Michael Regis Zappas is desirous to construct a concrete ramped entrance to provide for barrier-free access to the building at 315 South Water Street and in order to do this, the ramp is proposed to encroach into the public right-of-way on the west side of South Water Street; and

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

Resolved, By the Common Council of the City of Milwaukee that Michael Regis Zappas, 8189 San Dimas Lane, Atascadero, CA 93422, is hereby granted the following special privilege:

1. To construct and maintain an approximate 26-foot long and 5-foot 2-inch wide concrete ramp and platform with metal handrail on the west side of South Water Street adjacent to the property known as 315 South Water Street. Said concrete ramp shall begin at a point approximately 8 feet north of the northline of the dead-end east-west public alley bounded by East Florida Street, East Pittsburgh Avenue and South Water Street and encroach approximately 5 feet 2 inches into the public sidewalk area.
2. To keep, use and maintain an existing service door which, when fully open, swings approximately 3.0 feet over the platform in Item No. 1 above and into the 15.6-foot wide sidewalk area located on the west side of South Water Street located approximately 31 feet north of the northline of the dead-end east-west public alley bounded by East Florida Street, East Pittsburgh Avenue and South Water Street.

Said concrete ramp and platform with metal handrail shall be constructed, used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services. All required permits shall be procured from the Departments of Public Works and Neighborhood Services/City Development prior to beginning construction. Said ramp with handrail shall be removed from the public right-of-way at such future time that it is no longer needed, to the satisfaction of the Departments of Public Works and Neighborhood Services.

; and, be it

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

1. Become primarily liable for damages to persons or property by reason of the

granting of this special privilege.

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

3. Pay to the City Treasurer an annual fee which has an initial amount of \$99.81. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- d) [990283](#) Substitute resolution granting a special privilege to Liphatech, Inc. for one excess door-swing projection and two steel pipe bollards to encroach into the public right-of-way adjacent to the building at 3101 West Custer Avenue, in the 9th Aldermanic District in the City of Milwaukee.

Whereas, An addition is being constructed to a building at 3101 West Custer Avenue and one exterior door, which will be located in the existing building near the addition will, when fully opened, encroach into the public right-of-way of West Custer Avenue by more than the 12-inches allowable by Section 245-4-8 of the Code of Ordinances; and

Whereas, Two concrete filled steel pipe bollards are proposed to be located in the sidewalk area adjacent to the building at 3101 West Custer Avenue on either side of a new 12-foot wide overhead door in the addition at the premises; and

Whereas, Said encroachments can only be allowed through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Liphatech, Inc., 3101 West Custer Avenue, Milwaukee, WI 53209, is hereby granted the following special privileges:

1. To install, use and maintain one door at the building known as 3101 West Custer Avenue that, when fully opened, will project into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of Ordinances. The door, located on the south side of West Custer Avenue, is centered approximately 60 feet 7 inches west of the westline of North 31st Street, extended, and its maximum encroachment is approximately 3 feet into the 18-foot wide sidewalk area.

2. To install and maintain two 6-inch diameter, 48-inch high concrete filled steel pipe bollards located within the 18-foot wide public sidewalk area adjacent to the premises at 3101 West Custer Avenue. The bollards will be centered approximately 70 feet 4 inches and 82 feet 10 inches west of the westline of North 31st Street, extended, and one foot north of the southline of West Custer Avenue.

Said door and bollards shall be used and maintained to the approval of the Departments of Public Works and Neighborhood Services. All applicable permits shall be obtained by the grantee prior to the installation of the door and bollards.

and, be it

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

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$35. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- e) [990313](#) Substitute resolution granting a special privilege to Summerfield United Methodist Church for construction and maintenance of a stone retaining wall with railing, portion of stairs with railing and maintenance of existing iron railing and a concrete step adjacent to the premises at 728 East Juneau Avenue, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, The applicant proposes to remodel the premises at 728 East Juneau Avenue, in order to provide direct access to the building's lower level, which includes constructing a stone retaining wall with handrail and a portion of stairs and handrail in the public right-of-way adjacent to the main entrance to the church at 728 East Juneau Avenue; and

Whereas, A portion of an existing concrete step and an existing iron handrail on either side of that step presently extends into the public right-of-way west of and adjacent to the new retaining wall; and

Whereas, These items may only be allowed to be located within the public right-of-way through the adoption of a special privilege resolution by the Common Council, now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Summerfield United Methodist Church, 728 East Juneau Avenue, Milwaukee, WI 53202, is hereby granted the following special privileges:

1. To construct and maintain an approximate 3-foot high stone retaining wall with hand railing, west of the main entrance to the church, whose address is 728 East Juneau Avenue which encroaches approximately 4 feet into the public right-of-way on the north side of East Juneau Avenue. The approximately 11-foot 6-inch long, 16-inch wide and 3-foot high retaining wall begins at a point approximately 54 feet west of the westline of North Cass Street and extends west 11.5 feet. The retaining wall is L-shaped, with the short leg of the wall extending to the edge of the main public sidewalk at this location.
2. To keep, use and maintain a portion of an existing 0.5-foot high, 5-foot wide concrete step with iron handrail on either side of the step, which encroaches approximately 6 inches into the public right-of-way on the west side of East Juneau Avenue, adjacent to 728 East Juneau Avenue. The step begins at a point approximately 77 feet west of the westline of North Cass Street and extends west 5 feet.

Said retaining wall, stairs, handrails and step shall be constructed, used and maintained to the satisfaction of the Departments of Public Works and Neighborhood

Services/City Development All necessary permits shall be obtained from the Departments of Public Works and Neighborhood Services/City Development prior to construction. Said items shall be removed from the public right-of-way at such future time that they are no longer needed, to the satisfaction of the Departments of Public Works and Neighborhood Services.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Summerfield United Methodist Church shall:

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

Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- f) [990377](#) Substitute resolution granting a special privilege to Peter J. Lentscher to maintain a deck structure encroaching into the public way at 4014-24 South Howell Avenue, in the 13th Aldermanic District in the City of Milwaukee.
- Whereas, An existing wood deck structure encroaches approximately 1-foot into the 15-foot wide public sidewalk area on the east side of South Howell Avenue, adjacent to the premises at 4014-24 South Howell Avenue; and
- Whereas, This deck is used for seating and viewing the volley ball court associated with the premises which is a bar/restaurant named the P.J.'s Blue Chipper Food & Spirits; and
- Whereas, The deck structure may only continue to be permitted to encroach into the public right-of-way by the granting of a special privilege by the Common Council; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that Peter J. Lentscher, 4014-24 South Howell Avenue, Milwaukee, WI 53207 is hereby granted the following special privilege:
- To maintain an existing wood deck which encroaches approximately 1-foot into the 15-foot wide fully concrete paved public sidewalk area on the east side of South Howell Avenue, adjacent to 4014-24 South Howell Avenue. The deck, which is 40 feet wide and approximately 2.5 feet above grade, begins at a point approximately 130 feet south of the southline of East Norwich Street and extends south. The deck structure consists of wood planks resting atop wood stringers and posts, with an approximately 6-foot high wrought iron fence enclosing the outside of the deck structure.
- Said deck structure shall be kept and maintained to the approval of the Departments of Public Works and Neighborhood Services and all necessary permits shall be

procured from the Departments of Public Works and Neighborhood Services/City Development. No alteration or replacement of any item may be made without the written approval of these Departments.

; and, be it

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

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$117.15. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

g) [990378](#) Substitute resolution to grant a special privilege to Hurricane Hannah Corporation to place a covered walk on the west side of North Prospect Avenue within the public right-of-way at 2203 North Prospect Avenue, in the 3rd Aldermanic District in the City of Milwaukee.

Whereas, The applicant desires to place and maintain a covered walk at the North Prospect Avenue entrance to the premises located at 2203 North Prospect Avenue; and

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

Resolved, By the Common Council of the City of Milwaukee that Hurricane Hannah Corporation, 2203 North Prospect Avenue, Milwaukee, WI 53202, is hereby granted the following special privilege:

To erect and maintain a covered walk at the property known as 2203 North Prospect Avenue. Said covered walk, 6 feet in width, is to be centered approximately 25 feet northeast of the northline of East Kenilworth Place and shall encroach approximately 17 feet into the 18-foot wide fully concrete paved sidewalk area on the west side of North Prospect Avenue at the 2203 North Prospect Avenue premises.

The covered walk shall be supported by the building and by two vertical supports near each corner closest to the curb along each side of the covered walk. Each vertical support nearest the curb will be centered approximately 1 foot from the present curbline. There shall be an approximately 6-foot wide opening between the vertical supports which parallel the curb face. The minimum vertical clearance between the skirt of the covered walk and the sidewalk below shall be 8 feet.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot and wind pressure of 20

pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The covering shall be of approved material.

All fixtures and materials for illumination of covered walk shall be indicated upon the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walk. The name, street number, or character of the business may be indicated only on the vertical portion of the covering and shall not exceed 6 inches in height.

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

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

Said covered walk shall be constructed, installed, used and maintained to the approval of the Departments of Public Works and Neighborhood Services.

; and, be it

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

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$75.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect

at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 4) [990411](#) Substitute resolution rescinding permission granted to the City of Glendale to connect to a City of Milwaukee sanitary sewer and water main located in West Custer Avenue between North 13th Street and North 15th Street.

Sponsors: Ald. Pratt

A motion was made by Ald. Pawlinski that this matter be REFERRED TO to the PUBLIC IMPROVEMENTS COMMITTEE. The motion failed by the following vote:

Aye: 7 - Schramm, Frank, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 10 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert Hines Jr.

Whereas, On February 10, 1998, the Common Council of the City of Milwaukee adopted Resolution File Number 971169, approving an agreement between the City of Glendale and the City of Milwaukee, whereby a comprehensive redevelopment plan for West Silver Spring Drive shall be undertaken by the City of Glendale including those portions within the City of Milwaukee; and

Whereas, On September 23, 1998, the Common Council of the City of Milwaukee adopted Resolution File Number 980739, granting the City of Glendale permission to connect to a City of Milwaukee sanitary sewer and water main located in West Custer Avenue between North 13th Street and North 15th Street; and

Whereas, This connection would be used to provide services to apartment housing in 2 buildings, of 100 units each; and

Whereas, This additional volume of service might overburden the City of Milwaukee sewer and water services in this area; and

Whereas, This overburden to the system may cause flooding and moisture problems to City of Milwaukee residents in this area; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Resolution File Number 980739 is rescinded, thereby rescinding permission granted to the City of Glendale to connect to a City of Milwaukee sanitary sewer and water main located in West Custer Avenue between North 13th Street and North 15th Street.

Sponsors: Ald. Pratt

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

Aye: 12 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Nardelli Hines Jr.

No: 5 - Schramm, Frank, Pawlinski, Breier Murphy

- 5) [990503](#) Resolution authorizing the Commissioner of Public Works to execute agreements and issue permits regarding the vacation of North Astor Street from a point north of East Land Place to East Kane Place. (DPW)

Whereas, The Common Council of the City of Milwaukee has approved a resolution (file no. 990456) initiating vacation of North Astor Street from a point north of East Land Place to East Kane Place; and

Whereas, Vacation of this street segment will allow development of a residential project by the New Land Company on a site currently owned by the Redevelopment Authority of the City of Milwaukee; and

Whereas, The formal street vacation process could take up to two months to complete; and

Whereas, A delay of that length could jeopardize the completion schedule for the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized to enter into agreements and/or issue permits which will allow the developer to perform work in the segment of North Astor Street proposed to be vacated in advance of the street segment being formally vacated; and, be it

Further Resolved, That the Commissioner of Public Works shall only enter into such agreements or issue such permits upon determining that all public utility and other issues associated with the street vacation will be satisfactorily resolved.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 6) [990524](#) Resolution accepting the donation of the vacant lot located at 2642-44 North 21st Street, in the 7th Aldermanic District. (DCD-Real Estate)
- Whereas, Bankers Trust Company, Trustee of Amresco Residential Security Corporation Mortgage Loan Trust 1966-5, wishes to donate to the City of Milwaukee by Warranty Deed, free and clear of any and all encumbrances, the vacant lot located at 2642-44 North 21st Street, Tax Roll Key No. 325-0614-4; and
- Whereas, The Department of City Development recommends acceptance of this donation because when assembled with other City-owned vacant lots, it represents opportunity for future in-fill housing; and
- Whereas, The City Plan Commission has approved the donation of said vacant lot; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the donation of the subject vacant lot is accepted, provided that the donor delivers clear title, free of any and all liens, encumbrances, taxes, charges or any other assessments affecting title, and further provided that environmental contamination is not known or suspected to exist on or under said property.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 7) [990527](#) Substitute resolution to assess benefits and damages for the vacation of the alley in the block bounded by West Carpenter Avenue, West Layton Avenue, South 7th Street and South 10th Street in the 13th Aldermanic District.

Whereas, The Common Council on September 23, 1998, adopted File Number 980292 directing the Commissioner of Public Works to assess the benefits and damages in the vacation of the alley in the block bounded by West Carpenter Avenue, West Layton Avenue, South 7th Street and South 10th Street in the 13th Aldermanic District of the City of Milwaukee; and

Whereas, The Commissioner of Public Works is required by law to assess benefits or damages for a street or alley vacation; and

Whereas, Said Council adopted File Number 980292 waiving benefit assessments for this vacation: now therefore, be it

Resolved, By the Common Council of the City of Milwaukee that although the Commissioner of Public Works has determined there to be benefits and damages accruing or arising from said vacation, the same shall not be levied.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 8) [990528](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations.

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions, determining it necessary and in the public interest to construct and levy special assessments for the following improvements:

3rd Aldermanic District

Alley between N. Downer Ave., E. Newberry Blvd., E. Park Pl., and N. Stowell Ave. (East-West Leg) ST21200145 (880-0855-4) File Number 981611: Concrete alley pavement reconstruction, replace some abutting sidewalk and driveway approaches where needed, and grading. (Nonassessable Alley Paving Fund -- \$21,710; Assessable Alley Paving Fund -- \$5,390)

15th Aldermanic District

Alley between W. Carmen Ave., W. Thurston Ave., N. 96th St., and N. 97th St. ST21200117 (888-0720-8) File Number 960973: Concrete alley pavement reconstruction, replace some abutting sidewalk and driveway approaches, storm water drainage facilities where needed, and grading. (Nonassessable Alley Paving Fund -- \$61,370; Assessable Alley Paving Fund -- \$33,565)

; 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 benefitted; and, be it

Further Resolved, That said Commissioner of Public Works is authorized and directed to proceed with said work in accordance with said report pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

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

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

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

Further Resolved, That projects Alley between W. Downer Ave. (880-0855-4) and Alley between W. Carmen Ave. (888-0720-8) will be billed after January 1, 2001, but not before 12 months after the project contract has been completed.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 9) [990529](#) Substitute resolution approving construction of nonassessable public improvement projects at various locations.

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

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

4th Aldermanic District

W. Wisconsin Ave. - N. 22nd St. to N. 23rd St. SW17190265 (859-0580-6) File Number 990177: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$24,000)

6th Aldermanic District

E. Brown St. - N. Palmer St. to N. Hubbard St. SW17190324 (859-0684-1) File Number 990177: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$24,000)

; and

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

6th Aldermanic District

N. Commerce St. (Relocated) - A Point 550 feet m/l west of N. Humboldt Ave. to N. Humboldt Ave. TD02284001 (865-0923-7) File Number 990530: Doing all the

necessary grading and tree removal. (T.I.D. 22 Fund -- \$65,000)

8th Aldermanic District

N. 35th St. Viaduct over the Menomonee Valley: Paving, ST30683311; Asphalt resurfacing, replace curb and gutter and sidewalk where needed. (State or Federal Funds -- \$154,030; Nonassessable State Aid Paving Fund (ST32090000- Fund 0333) -- \$22,265; State/Federal Grantor Paving Fund (SP03290100 - Fund 0306) - - \$20,090); Bridge, BR30683311; Phase II bridge rehabilitation including resurfacing and painting. (State or Federal Funds -- \$5,078,400; Nonassessable State Aid Bridge Fund (BR10090000 - Fund 0303) -- \$1,269,600; State/Federal Grantor Bridge Fund (SP03290100 - Fund 0306) -- \$662,400)

12th Aldermanic District

E. National Ave. - S. Water St. to S. 1st St. TD02184000 (843-0001-7) File Number 911748: Concrete pavement reconstruction, replace all curb and gutter and sidewalk and driveway approaches, sodding, and grading. (T.I.D. 21 - Fund -- \$351,400)

13th Aldermanic District

E. Bradley Ave. - S. Whitnall Ave. to S. Griffin Ave. WT41091394 File Number 981612: Relay water main. (Nonassessable Water Fund -- \$80,000)

15th Aldermanic District

W. Kiehnau Ave. - N. 107th St. to 150 feet m/l east of N. 108th St. WT41091402 File Number 990530: Water main extension for reinforcement. (Nonassessable Water Fund -- \$25,000)

16th Aldermanic District

W. Wisconsin Ave. - 65 feet m/l east of N. 89th St. to N. 89th St. SW17090110 (810-0479-6) File Number 890083: Install storm sewer. (Nonassessable Expansion of Capacity Sewer Fund -- \$16,000)

Various Aldermanic Districts

Sanitary Manhole Rehabilitation SW17190329 File Number 981420: Sanitary manhole rehabilitation. (Nonassessable Relief and Relay Sewer Fund -- \$1,957,000)

St. Francis

E. Howard Ave. - S. Iowa Ave. to 270 feet m/l east of S. Iowa Ave. WT41091181 (821-4515-7) File Number 961875: Relay water main. (Funds Previously Authorized File Number 990421, no additional funds necessary)

; now, therefore, be it

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

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

Further Resolved, That the City Engineer and the Commissioner of Public Works are hereby authorized to negotiate and enter into an agreement with the State of Wisconsin, Department of Transportation for the City to undertake construction management duties on the following project: S. 35th St. Viaduct over the Menomonee Valley ST30683311/BR10090000; and, be it

Further Resolved, That the City Engineer is authorized and directed to approve and make periodic payments to the State of Wisconsin, Department of Transportation after receipt of invoices from said State for the City's share of the costs for said project: S. 35th St. Viaduct over the Menomonee Valley ST30683311; (Nonassessable Fund ST32090000 -- \$22,265) (Nonassessable Fund BR10090000 -- \$1,269,600)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 10) [990530](#) 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. Commerce St. (Relocated) A Point 550 feet m/l west of N. Humboldt Ave. to N. Humboldt Ave. TD02284001 (865-0923-7): Doing all the necessary grading and tree removal.

7th Aldermanic District

W. Lloyd St. - N. 21st St. to N. 22nd St. SW17100176 (859-0568-0): Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$5,000)

7th and 17th Aldermanic Districts

N. 30th St. - W. Brown St. to W. Meinecke Ave. SW17100174: Shotcrete lining a combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$30,000)

8th Aldermanic District

S. 16th St. - W. Dakota St. to W. Manitoba St. SW17000102 (811-0034-3): Relaying storm sewer to expand capacity. (Nonassessable Relief and Relay Sewer Fund -- \$34,500)

W. Manitoba St. - S. 15th Pl. to S. 16th St. SW17000101 (811-0033-8): Relaying storm sewer to expand capacity. (Nonassessable Relief and Relay Sewer Fund - -\$40,000)

9th Aldermanic District

W. Calumet Rd. - N. 51st Blvd. to 150 feet m/l west of N. 52nd St. SW17000104: Relaying storm sewer to expand capacity. (Relaying Relief and Relay Sewer Fund -- \$6,000)

10th Aldermanic District

N. 23rd St. (Vacated) - W. Burleigh St. to W. Auer Ave. SW17100177: Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$7,000)

11th Aldermanic District

W. Euclid Ave. - W. Forest Home Ave. to S. 51st St. SW17100167: Relaying sanitary and storm sewers. (Nonassessable Relief and Relay Sewer Fund -- \$14,000)

13th Aldermanic District

E. Howard Ave. - S. Whitnall Ave. to S. Pine Ave. SW17100175: Relay sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$8,500)

15th Aldermanic District

W. Kiehnau Ave. - N. 107th St. to 150 feet m/l east of N. 108th St. WT41091402: Water main extension for reinforcement. (Nonassessable Water Fund -- \$5,000)

17th Aldermanic District

N. 16th St. - W. Lloyd St. to a Point 270 feet m/l north of W. Lloyd St. SW17100178: Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$6,000)

;and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 11) [990537](#) Resolution authorizing the Commissioner of Public Works to execute agreements and issue permits regarding the vacation of the southeast leg of East Reservoir Avenue from North Buffum Street to a point east. (DPW)
- Whereas, The process to formally vacate the southeast leg of East Reservoir Avenue from North Buffum Street to a point east has been initiated; and
- Whereas, This segment of East Reservoir is a dedicated but unimproved street; and
- Whereas, Vacation of this street segment will allow development of a residential project by the T.J. Dixon Company on a site which is partly owned by the Redevelopment Authority of the City of Milwaukee; and

Whereas, The formal street vacation process could take up to three months to complete; and

Whereas, A delay of that length could jeopardize the completion schedule for the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized to enter into agreements and/or issue permits which will allow the developer to perform work in the segment of East Reservoir Avenue proposed to be vacated in advance of the street segment being formally vacated; and, be it

Further Resolved, That the Commissioner of Public Works shall only enter into such agreements or issue such permits upon determining that all public utility and other issues associated with the street vacation will be satisfactorily resolved.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 12) [990548](#) Resolution authorizing and directing the Commissioners of Public Works to execute a revised agreement with the Wisconsin Department of Transportation (WISDOT) for programming and rehabilitation of the North Hawley Road Viaduct over the C.P. Rail System with Federal and/or State aid under the Local Bridge Replacement Program. (Infrastructure Services Div.)

Whereas, A project agreement has been executed by the Wisconsin Department of Transportation and the City of Milwaukee for the preliminary engineering work on the North Hawley Road Viaduct over the C.P. Rail System in accordance with Common Council Resolution File Number 950846 adopted on October 4, 1995; and

Whereas, Preliminary engineering activities have begun; and

Whereas, A revised project agreement, adding the construction phase of the project to the previously approved preliminary engineering funding has been received from the Wisconsin Department of Transportation (WISDOT) to be executed by the City of Milwaukee for the North Hawley Road Viaduct over the C.P. Rail System with Federal and/or State aid under the Local Bridge Replacement Program; and

Whereas, Estimated costs of engineering and construction for this project are as indicated in the revised project agreement; and

Whereas, Construction funds for this project will be included in future resolutions; 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 revised project agreement for the programming and rehabilitation of the improvement of the North Hawley Road Viaduct over the C.P. Rail System with Federal and/or State Aid under the Local Bridge Replacement Program, a copy of which is attached to Common Council Resolution File Number 990548, and is incorporated in this resolution by reference as though set forth in full.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 13) [990561](#) Resolution authorizing the Commissioner of Public Works to accept deposit monies from Liberty Property Trust, the developer, to cover the cost of preliminary engineering and design services for the construction of public sanitary and storm sewer, water main, and roadway improvements to serve proposed new development in the Park Place complex located generally south of West Calumet Road and east of West Park Place. (DPW)

Whereas, Liberty Property Trust, a developer, desires to enter into an Out-of-Program Agreement with the City of Milwaukee to provide for the installation of sanitary and storm sewer, water main facilities and the construction of a new roadway to serve the proposed expansion of the Park Place complex; and

Whereas, The Out-of-Program Agreement for this development has not yet been prepared; and

Whereas, The developer is desirous of expediting the design engineering for the preparation of plans, specifications and cost estimates for the proposed public improvements; and

Whereas, The developer is willing to deposit the necessary amount of money to cover

the design engineering costs; and

Whereas, The proposed design engineering work will be done at no expense to the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized to accept, from the developer, deposit monies sufficient to cover the cost of, and to proceed with the design engineering for the preparation of plans, specifications, and cost estimates for public improvements to serve the proposed expansion of the Park Place office park complex.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 14) [990562](#) Resolution authorizing and directing the Commissioner of Public Works to execute documents titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming and construction of various projects with Federal and/or State aid under the Surface Transportation Program. (Infrastructure Services Div.)
- Whereas, Preliminary approval has been requested and received from the Wisconsin Department of Transportation (WISDOT) along with agreements to be executed by the City of Milwaukee for the programming and construction of the following projects with Federal and/or State aid under the Surface Transportation Program:
- Aldermanic Project District Location
- 6 N. Dr. Martin Luther King Jr. Drive W. Burleigh Street to W. Keefe Ave.
- 6 East/West Center Street N. Humboldt Blvd. to N. Dr. Martin Luther King Jr. Drive
- 9 N. Industrial Road W. Mill Road to W. Green Tree Rd.
- 9 W. Green Tree Road N. 76th Street to N. Industrial Road
- 8, 14 S. 6th Street W. Ohio Avenue to W. Hayes Avenue
- 12 W. St. Paul Avenue N. 13th St. to N. 5th St.

16 W. Wisconsin Avenue N. 95th St. to N. 89th St.

13 S. 20th Street W. Howard Ave. to W. Morgan Ave.

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 agreements for the programming and construction of the aforementioned projects with Federal and/or State aid under the Surface Transportation Program, copies of which are attached to Common Council Resolution File Number 990562, and are incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the CPW is hereby authorized and directed to undertake or engage a consultant to undertake preliminary engineering for the improvement of the aforementioned projects and to reimburse the WISDOT for preliminary engineering costs they incur for the improvement; and, be it

Further Resolved, That the CPW is hereby authorized and directed to enter into an agreement with the WISDOT pertaining to the cost participation for the installation and/or modification of traffic control facilities in conjunction with the improvements of the aforementioned projects; and, be it

Further Resolved, That the CPW is hereby authorized and directed to install the traffic control facilities necessary in conjunction with the aforementioned projects, following the execution of the traffic control agreement the cost of which will be included in future resolutions; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield Values for preliminary engineering for the projects (Expenditure) and transfer to any of these accounts the amount 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 or \$5,000, whichever is greater, as follows:

Infrastructure Services Division Accounts

North Dr. Martin Luther King Jr. Drive West Burleigh Street to West Keefe Avenue

City Share Account Number ST32090000 Fund 0333 \$14,800

Grantor Share Account Number SP03290100 Fund 0306 \$51,700

Grantor Share (Non-Reimbursable) Account Number SP03290100 Fund 0306
\$7,500

Estimated Total \$74,000

East/West Center Street North Humboldt Boulevard to North Dr. Martin Luther King
Jr. Drive

City Share Account Number ST32090000 Fund 0333 \$19,400

Grantor Share Account Number SP03290100 Fund 0306 \$69,840

Grantor Share (Non-Reimbursable) Account Number SP03290100 Fund 0306
\$7,760

Estimated Total \$97,000

North Industrial Road West Mill Road to West Green Tree Road

City Share Account Number ST32090000 Fund 0333 \$21,200

Grantor Share Account Number SP03290100 Fund 0306 \$76,320

Grantor Share (Non-Reimbursable) Account Number SP03290100 Fund 0306
\$8,480

Estimated Total \$106,000

West Green Tree Road North 76th Street to North Industrial Road

City Share Account Number ST32090000 Fund 0333 \$7,400

Grantor Share Account Number SP03290100 Fund 0306 \$24,600

Grantor Share (Non-Reimbursable) Account Number SP03290100 Fund 0306
\$5,000

Estimated Total \$37,000

South 6th Street West Ohio Avenue to West Hayes Avenue

City Share Account Number ST32090000 Fund 0333 \$27,200

Grantor Share Account Number SP03290100 Fund 0306 \$97,920

Grantor Share (Non-Reimbursable) Account Number SP03290100 Fund 0306
\$10,880

Estimated Total \$136,000

West St. Paul Avenue North 13th Street to North 5th Street

City Share Account Number ST32090000 Fund 0333 \$16,400

Grantor Share Account Number SP03290100 Fund 0306 \$58,100

Grantor Share (Non-Reimbursable) Account Number SP03290100 Fund 0306
\$7,500

Estimated Total \$82,000

West Wisconsin Avenue North 95th Street to North 89th Street

City Share Account Number ST32090000 Fund 0333 \$24,000

Grantor Share Account Number SP03290100 Fund 0306 \$86,400

Grantor Share (Non-Reimbursable) Account Number SP03290100 Fund 0306
\$9,600

Estimated Total \$120,000

South 20th Street West Howard Avenue to West Morgan Avenue

City Share Account Number ST32090000 Fund 0333 \$21,000

Grantor Share Account Number SP03290100 Fund 0306 \$75,600

Grantor Share (Non-Reimbursable) Account Number SP03290100 Fund 0306
\$8,400

Estimated Total \$105,000

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 City's share of costs of the above projects.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

15) Substitute resolutions rel. to applications for Wisconsin Department of Transportation State Enhancement SFY 2000 Grants:

a) [990569](#) Substitute resolution relative to application for a Wisconsin Department of Transportation State Enhancements - SFY 2000 Grant for the South Kinnickinnic Avenue Project.

Whereas, The City of Milwaukee ("City") appears to be eligible for grant funds from the Wisconsin Department of Transportation; and

Whereas, The operation of this grant project from January 1, 2000 to December 31, 2001 would cost \$2,137,275 of which \$427,455 (20%) would be provided by a City Match and \$1,709,820 (80%) would be provided by the Grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that application to the Wisconsin Department of Transportation for a State Enhancements - SFY 2000 Grant for the South Kinnickinnic Avenue Project is authorized.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

b) [990570](#) Substitute resolution relative to application for a Wisconsin Department of Transportation State Enhancements - SFY 2000 Grant for the South Howell Avenue

Project.

Whereas, The City of Milwaukee ("City") appears to be eligible for grant funds from the Wisconsin Department of Transportation; and

Whereas, The operation of this grant project from January 1, 2000 to December 31, 2001 would cost \$1,783,075 of which \$356,615 (20%) would be provided by a City Match and \$1,426,460 (80%) would be provided by the Grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that application to the Wisconsin Department of Transportation for a State Enhancements - SFY 2000 Grant for the South Howell Avenue Project is authorized.

Sponsors: Ald. Pawlinski

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

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

No: 0

Excused: 1 - Gordon

- c) [990571](#) Substitute resolution relative to application for a Wisconsin Department of Transportation State Enhancements - SFY 2000 Grant for the North 35th Street Project.

Whereas, The City of Milwaukee ("City") appears to be eligible for grant funds from the Wisconsin Department of Transportation; and

Whereas, The operation of this grant project from October 1, 1999 to December 31, 2001 would cost \$972,900 of which \$194,580 (20%) would be provided by a City Match and \$778,320 (80%) would be provided by the Grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that application to the Wisconsin Department of Transportation for a State Enhancements - SFY 2000 Grant for the North 35th Street Project is authorized.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 16) [990577](#) Substitute resolution relative to the application, acceptance and funding of a Wisconsin Department of Transportation Harbor Assistance Grant Project for the Port of Milwaukee in connection with dredging and related work.
- Whereas, The water level of Lake Michigan has dropped approximately 2 feet from its level at this time in 1998 resulting in less water depth available for shipping; and
- Whereas, The U. S. Army Corps of Engineers is projecting that this trend will continue for 1999; and
- Whereas, The Wisconsin Department of Transportation has a grant program to assist Ports with planning and construction of dredging and related work projects with a submittal deadline of August 1, 1999 for year 2000 projects; and
- Whereas, The Port of Milwaukee is projecting a need for dredging and related work; and
- Whereas, A Dredging Project has been approved by the City of Milwaukee's Board of Harbor Commissioners as part of its Three-Year Harbor Development Statement of Intentions at its meeting of January 13, 1999, and has been included in the year 2000 Port Capital Improvements budget request; and
- Whereas, A Dredging Project had been approved by the City of Milwaukee's Common Council as part of the Port of Milwaukee's Three-Year Statement of Intentions, and has been submitted to the Wisconsin Department of Transportation; and
- Whereas, The Port of Milwaukee and the Milwaukee Metropolitan Sewerage District have identified an underutilized slip that can be closed off by a new dockwall and serve as a disposal site for approximately 100,000 cubic yards of dredge and/or other materials; and
- Whereas, The Port of Milwaukee anticipates dredging approximately 3,000 cubic yards in the year 2000; and
- Whereas, The project is estimated to cost approximately \$1,000,000 with \$800,000 coming from the WisDot and \$200,000 coming from the year 2000 capital budget. Because of the timing of the grant application deadline and the approval of the year 2000 capital budget, the Port requests that \$200,000 be reserved from Fund number 0481 Account PT18080110 until the year 2000 capital request is approved, now , therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Port of Milwaukee is authorized to apply for and accept a grant in the amount of \$1,000,000 [\$800,000 State \$200,000 City] from the State of Wisconsin Department of Transportation Harbor Assistance Program for the project identified as "Port of Milwaukee Year 2000 Dredging and Related Work"; and, be it

Further Resolved, That the City of Milwaukee formally requests assistance for this project; and, be it

Further Resolved, That the Municipal Port Director is the representative of the Board of Harbor Commissioners authorized to sign agreements, forms, claims and other required documents binding upon said Board in connection with the application for the Wisconsin Harbor Assistance Program funds; and, be it

Further Resolved, That the City of Milwaukee hereby accepts all responsibilities for the operation and maintenance of the Project upon completion of the work funded under a Harbor Assistance Program grant; and, be it

Further Resolved, That this project is consistent with the harbor development plan for the Port of Milwaukee; and, be it

Further Resolved, That this project is consistent with the three-year harbor development statement of intentions submitted by the Port of Milwaukee as required by s Trans 28.11; and, be it

Further Resolved, That the Board of Harbor Commissioners hereby agrees to provide to the Department, in a timely manner, additional analysis or documentation in support of the application, if necessary, for the review process; and, be it

Further Resolved, That the City of Milwaukee hereby agrees that it will provide such amounts of matching funds as may be required (up to a maximum amount of \$200,000) upon the signing of a grant agreement and at a time and manner specified by the Wisconsin Department of Transportation in the Grant Agreement; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer \$200,000 from Fund number 0481 Account PT 18080110 (Dockwall Rehab) to an account to be set up by him for this project. If the year 2000 capital request for this project is approved, the City Comptroller is authorized and directed to reverse this transfer; now, therefore, be it

Further Resolved, That the proper City officials and/or the Municipal Port Director are hereby authorized to sign the aforementioned grant without further Common Council approval.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 17) [990602](#) Resolution determining it necessary to make various assessable public improvements at various locations. (DPW)
- 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:

3rd Aldermanic District

E. Thomas Ave. - N. Farwell Ave. to N. Oakland Ave. ST21100151 (870-0853-7): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work.

Alley between N. Bartlett Ave., N. Newhall St., E. Newport Ave., and E. Providence Ave. ST21200155 (880-0866-4): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000)

Alley between N. Cramer St., E. Linnwood Ave., E. Locust St., and N. Oakland Ave. ST21200154 (880-0864-3): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000)

5th Aldermanic District

W. Melvina St. - N. 93rd St. to N. 95th St. ST21100160 (877-1827-4): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000)

6th Aldermanic District

W. Randolph St. - N. 1st St. to N. 3rd St. ST21100159 (870-0865-2): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000)

7th Aldermanic District

W. Clarke St. - N. 23rd St. to N. 24th St. ST21100161 (870-0867-3): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000)

17th Aldermanic District

Alley between W. Meinecke Ave., W. North Ave., N 12th St., and N. 13th St. ST21200156 (880-0868-5): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000)

; and, be it

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 18) [990614](#) Resolution directing the Department of City Development to prepare a resolution to vacate North 124th Street between West Hampton Avenue and a point North of West Silver Spring Drive, in the 15th Aldermanic District. (DCD)

Whereas, It has been proposed by the City of Milwaukee, Department of Public Works, that North 124th Street between West Hampton Avenue and a point North of West Silver Spring Drive be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, The vacation of this portion of street is necessary to continue private parking after street improvements have been made; 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 the subject portion of street in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances.

Sponsors: Ald. Nardelli

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

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

No: 0

Excused: 1 - Gordon

- 19) [990618](#) Substitute resolution relating to application for Wisconsin Department of Natural Resources Municipalities in Priority Watersheds grant funding for the creation of an experimental storm water management system in the Historic Third Ward Riverwalk area.

Whereas, The Wisconsin Department of Natural Resources administers a Municipalities in Priority Watersheds grant program which awards state funding, on a 70% state share/30% local share basis, for projects involving the construction or implementation of best management practices to control nonpoint source water pollution; and

Whereas, Municipalities in Priority Watersheds grants may only be applied for by units of governments; and

Whereas, The Historic Third Ward Association and the board of Business Improvement District Number 2 (Historic Third Ward), which are not units of government, have requested that the City apply on their behalf for a Municipalities in

Priority Watersheds grant for the construction of an experimental storm water management system in conjunction with the development of the segment of the Riverwalk between East Clybourn Street and North Broadway; and

Whereas, The proposed experimental stormwater management system would consist of 2 underground structures designed to separate sediment from stormwater runoff; and

Whereas, The proposed improvements would improve the water quality of runoff entering the Milwaukee River in the Historic Third Ward area; and

Whereas, The estimated total cost of this project is \$80,000, of which \$56,000 (70%) would be grant-funded and \$24,000 (30%) would be local match; and

Whereas, The Historic Third Ward Association and the board of Business Improvement District Number 2 have agreed to fund the entire 30% local match for this project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is authorized and directed to apply to the Wisconsin Department of Natural Resources for a Calendar Year 2000 Municipalities in Priority Watersheds grant, in the amount of \$56,000, to fund the construction of an experimental storm water management system in conjunction with the development of the segment of the Riverwalk between East Clybourn Street and North Broadway.

Sponsors: Ald. Henningsen

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

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

No: 0

Excused: 1 - Gordon

PLACING ON FILE THE FOLLOWING:

- 20) Resolutions declaring as surplus and authorizing disposition of certain city owned properties:
- a) [981719](#) Resolution declaring as surplus and authorizing the disposition of the improved, tax deed property located at 403 North 32nd Street, in the 4th Aldermanic District. (DCD-Real Estate)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- b) [990200](#) Resolution declaring as surplus the vacant, tax deed lots located at 2011-13 and 2100 North 34th Street and 2052, 2060, 2120-22 and 2138 North 35th Street and accepting an Offer to Purchase from Jameson Homes for construction of single-family, owner-occupied homes in the 17th Aldermanic District. (DCD-Real Estate)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 21) [990533](#) Communication from the office of the Commissioner of Railroads relative to the petition of the City of Milwaukee for the establishment of a public crossing of the Union Pacific Railroad Co. tracks with East Washington Street.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 22) [990534](#) Communication from the office of the Commissioner of Railroads relative to the petition of the Wisconsin Department of Transportation for the alteration of 3 public crossings of the Union Pacific Railroad Co. tracks with USH 45 in the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

- 23) [990607](#) Communication from the Village of Butler relative to special assessments in accordance with North 124th Street.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Gordon

[990459](#) Substitute resolution relating to development of a dry detention basin on the premises of Henry David Thoreau Elementary School, 7878 North 60th Street.

Whereas, The Milwaukee Metropolitan Sewerage District ("MMSD") is authorized to ameliorate drainage problems within its service area; and

Whereas, In recent years, drainage-induced flooding along Southbranch Creek in the city of Milwaukee and the village of Brown Deer has caused significant property damage in the area; and

Whereas, To address this problem, MMSD hired a consultant to investigate and recommend options for reducing the frequency of flooding of Southbranch Creek; and

Whereas, The consultant recommended the construction of 4 detention basins sized to contain Southbranch Creek during the 100-year flood; and

Whereas, One of the proposed detention basins would be located on the property of Henry David Thoreau Elementary School, 7878 North 60th Street, between West Bradley Road and the tennis courts on the school property; and

Whereas, The proposed detention basin on the Thoreau School property would be designed to only contain water during the 50% flood (i.e., on average, once every 2 years), meaning that the land it occupies could still be used for recreational purposes

at most times; and

Whereas, MMSD would like to construct the detention basin on the Thoreau School property at no cost to Milwaukee Public Schools (MPS) or the City of Milwaukee; and

Whereas, In order to develop this detention basin, MMSD needs to enter into an agreement with both MPS and the City (which owns the Thoreau School property) giving MMSD access to the detention basin site and assigning responsibility for maintenance of the detention basin site; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the appropriate City officials are authorized and directed to enter into an intergovernmental cooperation agreement with the Milwaukee Metropolitan Sewerage District and Milwaukee Public Schools that grants the Sewerage District an easement to property of the Henry David Thoreau Elementary School, 7878 North 60th Street, requires the Sewerage District to construct, at no construction cost to Milwaukee Public Schools or the City, a dry detention basin on this site and assigns responsibilities for maintenance of the detention facility; and, be it

Further Resolved, That a copy of the intergovernmental cooperation agreement is attached to and made a part of this file.

Sponsors: Ald. Richards, Ald. Pratt and Ald. Murphy

ALD. RICHARDS moved to take File Number 990459 from the Public Improvements Committee.

The motion prevailed.

ALD. RICHARDS moved for adoption of substitute resolution File Number 990459.

The motion prevailed.

(Alds. Pratt and Murphy requested to be added as sponsors)

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

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

No: 0

Excused: 1 - Gordon

RESOLUTIONS PRESENTED FOR IMMEDIATE ADOPTION

[990634](#) Resolution directing the Department of City Development to prepare a resolution to

vacate North 36th Street and all of the alleys in the blocks bounded by West North Avenue, North 35th Street, West Meinecke Avenue and North 37th Street, in the 17th Aldermanic District. (Department of City Development)

Whereas, It has been proposed by the Redevelopment Authority of the City of Milwaukee that North 36th Street and all of the alleys in the blocks bounded by West North Avenue, North 35th Street, West Meinecke Avenue and North 37th Street, be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, The vacation of said street and alleys is necessary for redevelopment; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is directed to prepare a resolution to vacate said street and alleys in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

[990635](#)

Resolution approving various final certified survey maps.

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

NAME TAX KEY NUMBER(s)

Towne Granville LLC 039-0162-7

Timothy/Molly Philosophos 353-0811-x

GGC Acquisitions, LLP 213-0735-100-2

Towne-Granville LLC 039-9988-111-3

City of Milwaukee 401-1606-2, -1607-8, -1608-100-x

Accurate Metal Products, 070-0032, -0031, -110
Inc.

RACM 428-0564-100 & 429-0093-100

Sponsors: ZONING and NEIGHBORHOODS & DEVELOPMENT COMMITTEE

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

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

No: 0

Excused: 2 - Pratt Butler

[990636](#)

Resolution authorizing the Commissioner of Public Works to issue a permit allowing excavation in West Wisconsin Avenue between North 5th and North 6th Streets where the pavement is less than three years old. (Department of City Development) Whereas, The Marcus Corporation is expanding the Hilton Hotel located on the south side of West Wisconsin Avenue between North 5th and North 6th Streets; and

Whereas, Given the location of in-place electric facilities adjacent to the site, the most feasible way to provide electric service to the expanded hotel is from West Wisconsin Avenue; and

Whereas, Provision of electric service from West Wisconsin Avenue will require an open cut in the street's pavement; and

Whereas, The Wisconsin Electric Power Company has requested permission to install the electric service; and

Whereas, The proposed open cut will affect pavement that is less than three years old and subject to a pavement guarantee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized and directed to issue an excavation permit to allow the installation of an electric service line in West Wisconsin Avenue's guaranteed pavement; and, be it

Further Resolved, That the pavement restoration of the affected street shall be accomplished in accordance with the specifications and restrictions established by the Department of Public Works of the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Butler

[990637](#)

Resolution seeking introduction and passage of state legislation to include income-eligible, non-custodial parents within the State of Wisconsin's W-2 program.

Whereas, Under Wisconsin Works (W-2), the emphasis on self-sufficiency and the responsibility to provide for families through work rests with the custodial parent, who is usually a female head of household; and

Whereas, Single men connected with W-2 who are not classified as heads of household as well as non-custodial parents are not addressed by W-2; and

Whereas, It is in the best interest of the City to connect all eligible persons, including non-custodial parents, with family-supporting jobs by promoting job-seeking skills and job-readiness training, providing access to GED programs, offering guidance in job application and resume writing, and fostering job linking; and

Whereas, The provision of such services is properly the responsibility of state and federal government; and

Whereas, The W-2 program is proving less costly than originally expected, with a \$256 million surplus projected by the end of 1999; and

Whereas, This surplus, representing nearly 40 percent of W-2's budget for its first 28 months, makes available funds that could be used to open the program to poor, non-custodial parents; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division - Department of Administration is authorized and directed to seek introduction and passage of state legislation permitting the inclusion of poor, non-custodial parents within the W-2 program.

Sponsors: Ald. Pratt and Ald. Kalwitz

A motion was made by Ald. Pratt that this matter be ADOPTED to the MAYOR.

The motion carried by the following vote:

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

No: 0

[990638](#)

Resolution rescinding interim historic designation to the Werner Kroeger Building, 901-905 South 5th Street, and the Kroeger Brothers Building, 917-919 South 5th Street as historic structures.

Resolved, By the Common Council of the City of Milwaukee, that Resolution File Number 990436, adopted July 13, 1999, giving the Werner Kroeger Building, 901-905 South 5th Street, and the Kroeger Brothers Building, 917-919 South 5th Street, interim designation as historic structures, is rescinded.

Sponsors: Ald. Witkowiak

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

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

No: 0

Excused: 2 - Pratt Butler