



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Friday, January 16, 2009

9:00 AM

Common Council Chambers

The meeting was called to order at 9:15 a.m.

The roll was called.

Present: 13 -

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

Absent: 1 -

Wade

Excused: 1 -

Murphy

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

The question was put: Are there any corrections to the Common Council Journal of Proceedings for the regular meeting of December 16, 2008?

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

Ald. Davis requested unanimous consent for #7.

Granted without objection.

THE LICENSES COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [081124](#) Substitute resolution establishing a Mobile Home Study Task Force.

Whereas, Regulations regarding mobile home parks have remained unchanged for many years; and

Whereas, There has been recent problems associated with mobile home parks; and

Whereas, There is a need to review operations and regulations related to mobile home parks; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Mobile Home Study Task Force is established to review operations and regulations related to mobile home parks, and shall consist of the following members:

1. A Common Council member to be named by the President of the Common Council who will serve as chair of the Task Force.
 2. A representative of the Department of Neighborhood Services to be named by the department.
 3. A representative of the Wisconsin Housing Alliance to be named by the association.
 4. A representative of a mobile home park licensed by the city to be named by the President of the Common Council.
- ;and, be it

Further Resolved, The Mobile Home Task Force shall be staffed by the City Clerk's office; and, be it

Further Resolved, All City departments are directed to assist the Mobile Home Study Task Force in carrying out its mission; and, be it

Further Resolved, The Mobile Home Task Force shall report its findings to the Common Council within 6 months of the adoption of this resolution and shall thereafter be dissolved.

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

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

No: 0

Absent: 1 - Wade

Excused: 1 - Murphy

APPROVAL OF THE FOLLOWING:

2. [081061](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

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

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

All members present indicated that they had done so.

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

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

No: 0

Absent: 1 - Wade

Excused: 1 - Murphy

PLACING ON FILE THE FOLLOWING:

3. [081114](#) Motion relating to the revocation of the Class "B" Tavern and Tavern Dance licenses of Emantha Peavey for the licensed premises known as "Groovin Inn" at 333 East Hadley Street due to sworn charges by the Chief of Police.

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

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

No: 0

Excused: 1 - Murphy

Ald. Wade arrived at 9:20 a.m.

Present: 14 -

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

Excused: 1 -

Murphy

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING

1. [081059](#) Motion relating to the recommendations of the Public Safety Committee relative to various licenses.
The Common Council of the City of Milwaukee hereby accepts the recommendations of the Public Safety Committee as contained in the listings attached to this file.
The question was put: Have the members of the Common Council read the Report and Recommendations of the Public Safety Committee in these matters?

All members indicated that they had done so.

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

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

No: 0

Excused: 1 - Murphy

PASSAGE OF THE FOLLOWING:

2. [081057](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

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

On the north side of West Canal Street from South 6th Street to West Roundhouse Road from 4:00 PM to 6:00 PM Monday through Friday

On the south side of West Canal Street from South 6th Street to South 16th Street from 7:00 AM to 9:00 AM Monday through Friday

On the south side of West Canal Street from South 20th Street to West Roundhouse Road from 7:00 AM to 9:00 AM Monday through Friday

On the north side of West Congress Street from North 77th Street to a point 50 feet east

On the north side of West Congress Street from North 77th Street to a point 50 feet

west

On the north side of West Washington Boulevard from North 60th Street to a point 100 feet east

Part 2. Section 101-23-4-d of the Code relating to Two-Hour Parking is amended by striking the following:

“On the east side of South Muskego Avenue from West Forest Home Avenue to West Grant Street”

“On the west side of South Muskego Avenue from West Forest Home Avenue to West Grant Street”

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

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

No: 0

Excused: 1 - Murphy

3. [081058](#) A substitute ordinance relating to traffic controls in various Aldermanic Districts.

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

Part 1. Section 101-10-2 of the Code relating to No Right Turn on Red Signal is amended by adding the following:

On North Industrial Road at West Green Tree Road northbound

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

“On North Cramer Street at East Greenwich Avenue”

“On West Barnard Avenue at South 26th Street”

Part 3. Section 101-16-1 of the Code relating to Stop signs is amended by adding the following:

On South Adams Avenue at East Ohio Avenue

On East Ohio Avenue at South Griffin Avenue

On West Barnard Avenue and South 26th Street in all directions

On South Clement Avenue and East Russell Avenue in all directions

On North Cramer Street and East Greenwich Avenue in all directions

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

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

No: 0

Excused: 1 - Murphy

ADOPTION OF THE FOLLOWING:

- 4. [081168](#) Resolution relative to application, acceptance, and funding of a Speed Enforcement 2008 grant.

Whereas, The City of Milwaukee appears to be eligible for a Speed Enforcement grant from the Wisconsin Department of Transportation, Bureau of Transportation Safety; and

Whereas, The operation of this grant from 10/01/08 to 09/30/09 would cost \$35,000 of which 100% would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

- 1. Commit funds within the Project/Grant Parent of the 2008 Special Revenue-Grant and Aid Projects, the following amount for the program titled: Speed Enforcement 2008 Project Grant:

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000800000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$35,000

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

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

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

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

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

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

No: 0

Excused: 1 - Murphy

5. [081169](#) Resolution relative to application, acceptance and funding of an Alcohol Enforcement 2008 grant.

Whereas, The City of Milwaukee appears to be eligible for an Alcohol Enforcement grant from the Wisconsin Department of Transportation, Bureau of Transportation Safety, and

Whereas, The operation of this grant from 10/01/08 to 09/30/09 would cost \$30,000, of which 100% would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2008 Special Revenue-Grant and Aid Projects, the following amount for the program titled: Alcohol Enforcement Grant:

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000800000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$30,000

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

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

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

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

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

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

No: 0

Excused: 1 - Murphy

6. [081171](#) Resolution authorizing acceptance and funding of a renewal of the Operation Ceasefire Program Grant.

Whereas, The City of Milwaukee appears to be eligible for renewal of grant funds from the Department of the Treasury, Bureau of Alcohol, Tobacco, Firearms, and Explosives for an Operation Ceasefire Grant; and

Whereas, The operation of this grant from 10/01/2008 to 9/30/2009 would cost \$32,657 of which 100% would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Department of the Treasury, Bureau of Alcohol, Tobacco, Firearms, and Explosives is authorized and that the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2008 Special Revenue-Grant

and Aid Projects, the following amount for the program titled: Operation Ceasefire Grant:

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000800000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$32,657

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

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

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

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

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

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

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

No: 0

Excused: 1 - Murphy

7. [081172](#) Resolution authorizing acceptance and funding of a renewal of the ATF Milwaukee Firearms/Violent Crimes Impact Team task force grant.

Whereas, The City of Milwaukee appears to be eligible for renewal of grant funding from the Bureau of Alcohol, Tobacco, Firearms, and Explosives for an ATF Milwaukee Firearms/Violent Crimes Impact Team task force grant; and

Whereas, The operation of this grant from 10/01/08 to 9/30/09 would cost \$97,972, of which 100% would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2008 Special Revenue-Grant and Aid Projects Fund, the following amounts for the project titled: ATF Milwaukee Firearms Trafficking Task Force:

Project/Grant	Fund	Org	Program	BY	Subclass	Account	Project Amount
GR0000800000	0150	9990	0001	0000	R999	000600	\$97,972

2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels; budget against these

Project/Grant 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 Milwaukee Police Department which is authorized to:

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

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

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

No: 0

Excused: 1 - Murphy

8. [081173](#) Resolution relative to application, acceptance and funding of an Advanced Training Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Department of Justice, for an Advanced Training Grant; and

Whereas, The operation of this grant from 10/01/08 to 06/30/09 would cost \$22,500, of which 100% would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the State of Wisconsin Department of Justice, Training and Standards Bureau, is authorized and the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2008 Special Revenue-Grant and Aid Projects, the following amount for the Advanced Training Grant:

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000800000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$22,500

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

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

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

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

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

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

No: 0

Excused: 1 - Murphy

9. [081209](#) Resolution relative to the application, acceptance and funding of the U. S. Department of Justice Weed and Seed Grant - Historic Clarke Square for \$175,000.

Whereas, The City of Milwaukee is eligible for grant funds for the Weed and Seed Grant programs, under CFDA Number 16.595, from the United States Department of Justice; and

Whereas, The operation of this grant program from October 1, 2009 through September 30, 2010 would cost \$233,333 of which \$58,333 would be provided by the city and \$175,000 would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application and required certifications and assurances to the United States Department of Justice is authorized and the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grants change as indicated in

Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City of Milwaukee assures and certifies that it will comply with regulations, policies, guidelines and requirements with respect to the acceptance and use of United States Department of Justice Program funds to be signed by the Mayor of the City of Milwaukee as the certifying official for these grant programs; and, be it

Further Resolved, That the appropriate City Officials are hereby authorized to enter into the contracts and agreements detailed in the application; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration shall have the authority to authorize transfers between subrecipient budgets so long as the amount transferred to a subrecipient is in accordance with grantor regulations; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit Funds within the Project/Grant Parent of the 2009 Special Revenue Grant and Aid Projects Fund, the following amount for the programs/projects titled 2009 Weed and Seed - Historic Clarke Square Program:

Project/Grant	Fund	Org	Program	BY SubClass	Acct
GR0000900000	0150	9990	0001	0000 R999	000600

Project	Amount
Grantor Share	\$175,000

2. Create the necessary Grant and Aid Project/Grant and Project/Grant Levels; budget against these Project/Grant values the amounts required under the grant agreements;

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

Further Resolved, That \$87,500 is budgeted for the Community Development Grants Administration for the Weed and Seed - Historic Clarke Square program which is authorized to:

1. Expend from the amounts budgeted for specified purposes as indicated in the grant budgets and incur cost consistent with the award dates;
2. Enter into a subcontract with a Service Provider to perform administrative and

supervisory functions; and, be it

Further Resolved, That \$87,500 is budgeted for the Milwaukee Police Department for the Weed and Seed - Historic Clarke Square Program which is authorized to:

1. Expend from the amount budgeted sums for specified purposes as indicated in the grant budgets and incur costs consistent with the award dates;
2. Enter into subcontracts and leases as detailed in the grant budgets;
3. Expend from the grant budgets funds for specific items of equipment; and
4. Expend from the grant budget funds for training and out-of-town travel by department staff

; and, be it

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

Further Resolved, That payments for the Weed and Seed Programs costs incurred shall be paid in accordance with approved Weed and Seed reimbursement policy based on the approval by the Community Development Grants Administration and City Comptroller of a Budget Forecast (CDA-51).

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

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

No: 0

Excused: 1 - Murphy

CONFIRMATION OF THE FOLLOWING:

10. [081233](#) Appointment of Shea Schachameyer to the Bicycle and Pedestrian Task Force by the Mayor. (6th Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

11. [081234](#) Appointment of Tory Kress to the Bicycle and Pedestrian Task Force by the Mayor. (3rd Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

PLACING ON FILE THE FOLLOWING:

12. [081024](#) Communication from various agencies relating to the presence of coyotes in the City of Milwaukee.

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

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

No: 0

Excused: 1 - Murphy

13. Various obsolete files:

- a. [021744](#) Substitute resolution relative to acceptance and subsequent expenditure of contributions received by the Milwaukee Health Department for promoting public health initiatives.

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

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

No: 0

Excused: 1 - Murphy

- b. [060333](#) Ordinance relating to implementation of recommendations of the community service staffing task force.

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

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

No: 0

Excused: 1 - Murphy

- c. [070682](#) Communication from the Fire & Police Commission relating to a Patrol Staffing Analysis of the Milwaukee Police Department.

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

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

No: 0

Excused: 1 - Murphy

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081064](#) A substitute ordinance to further amend the 2009 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 080521 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2009 - December 28, 2008):

Under Salary Grade 011, add the title "Police Finance and Planning Manager" and add footnote designation "2/" after the title "Police Budget and Administration Manager" and add footnote "2/" to read as follows: "2/ Position to be studied when vacant."

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 Pay Period 1, 2009 (December 28, 2008).

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

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

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

No: 0

Excused: 1 - Murphy

2. [081065](#) A substitute ordinance to further amend the 2009 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 080522 relative to offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2008 - December 28, 2008):

Under "Police Department, Administration Services Decision Unit, Office of the Chief

of Police”, add one position of “Police Finance and Planning Manager.”

Under “Police Department, Operation Decision Unit, Intelligence Division, Gang Crimes Unit, Warrant Unit”, add one position of “Detective (G).”

Part 2. Section 1 of ordinance File Number 080522 relative to offices and positions in the City Service is hereby amended as follows:

Under “Fire Department, Firefighting Division Decision Unit”, add two positions of “Fire Lieutenant”; under “Paramedic Service”, delete two positions of “Paramedic Field Lieutenant (I)/Fire Lieutenant (I).”

Under “Police Department, Administration Services Decision Unit, Safety Division”, add ten positions of “School Crossing Guard (V)” and add Footnote “(V)” to read as follows: “Positions to expire 12/31/10 unless the I-94 N-S Corridor Reconstruction grant agreement with the Wisconsin Department of Transportation is extended.”

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

Part 4. The provisions of Part 1 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 2009 (December 28, 2008).

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

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

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

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

No: 0

Excused: 1 - Murphy

3. [081237](#) A substitute ordinance adjusting the certified survey map filing fee and street and alley vacation application fees.

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

Part 1. Section 81-19-2 of the code is amended to read:

81-19. Certified Survey Map Filing Fee.

2. In addition, a fee of ~~[[\\$222]]~~ >>\$270<< shall be paid for each certified survey map. This fee is intended to cover the cost of map review by the department of public works.

Part 2. Section 81-116-1-a and b of the code is amended to read:

81-116. Street and Alley Vacation Fees.

1. REQUIRED FEES.

a. The fee for filing a preliminary application for vacation of a street shall be ~~[[\\$1,275]]~~ >>\$1,281<< plus \$140 for each 100 feet of street length or fraction thereof above 300 feet. Of this fee, ~~[[\\$300]]~~ >>\$306<< is intended to cover the department of city development's costs for administering the vacation procedure, while the remainder is intended to cover the costs incurred by the department of public works in preparing a map, legal description and coordinated report for the proposed vacation pursuant to s. 308-28-4.

b. The fee for filing a preliminary application for vacation of an alley shall be ~~[[\\$855]]~~ >>\$922<< plus \$95 for each 100 feet of alley length or fraction thereof above 300 feet. Of this fee, ~~[[\\$300]]~~ >>\$306<< is intended to cover the department of city development's costs for administering the vacation procedure, while the remainder is intended to cover the costs for administering the vacation procedure, while the remainder is intended to cover the costs incurred by the department of public works in preparing a map, legal description and coordinated report for the proposed vacation pursuant to s. 308-28-4.

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

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

No: 0

Excused: 1 - Murphy

ADOPTION OF THE FOLLOWING:

4. [080663](#) Substitute resolution authorizing attendance at conventions, seminars and other travel.

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

Ordinances:

One member of the Common Council; “National League of Cities, Green Cities Conference & Expo”; April 18-22, 2009; Portland, OR; \$2,610.00.

Three members of the Common Council; “National League of Cities, 2009 Annual Congressional City Conference”; Washington, DC; March 14-18, 2009; \$10,455.00.

; and, be it

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

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

Further Resolved, That the Common Council President is authorized to attend any of the above conventions that he deems necessary and advisable, to be paid from funds budgeted under section 304-13, Milwaukee Code.

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

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

No: 0

Excused: 1 - Murphy

5. [080959](#) Substitute resolution relating to the carryover of 2008 authorization for general obligation and revenue based borrowing.
- Whereas, The Municipal Budget adopted for the calendar year 2008 (the “Budget”), plus additional authorizations approved by adoption of prior resolutions of intent to issue bonds or notes, include borrowing amounts shown in the attached detailed schedule (the “Schedule”) and covered by the resolutions recited in the Schedule; and
- Whereas, The Budget contains carryover and new authorization for general obligation and revenue based borrowing (other than for refunding purposes) in the aggregate

amount of \$897,521,074.06; and

Whereas, General obligation and/or revenues based notes (other than for refunding purposes) in the aggregate amount of \$479,401,465.11 have been issued in 2008; and

Whereas, There is dropped from the borrowing authorization in the Budget a total of \$100,152,830.09 unutilized borrowing authority; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the sum of \$317,966,778.86 of the 2008 Municipal Budget authorized for general obligation and revenue based borrowing as detailed in the Schedule by amount, purpose, and by initial resolution number, with respect to the issuance and sale of such general obligation and revenue based debt, shall continue in full force and effect. The referred to detailed schedule is as appended and is made an integral part of this file.

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

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

No: 0

Excused: 1 - Murphy

6. [080960](#) Substitute resolution authorizing the Commissioners of the Public Debt to market general obligation promissory notes pursuant to the provisions of Ch. 67, Stats. Whereas, General obligation bonds and notes have been authorized in the 2005, 2006, 2007, 2008, and 2009 municipal budgets; and

Whereas, the City has authorized up to \$125,000,000 of General Obligation Commercial Paper Promissory Notes, 2008 Program Series C2, Series R3 and Series T4 (Taxable) to be outstanding from time to time (along with other commercial paper that may be, from time to time, authorized by the City to be issued, the "Commercial Paper Notes"); and

Whereas, the City desires to provide permanent long-term financing of the Commercial Paper Notes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee in accordance with sec. 67.12(12), Stats., that the Commissioners of the Public Debt are authorized and requested to issue and sell general obligation promissory notes up to the aggregate amount of \$967,148,438 for each of the public purposes and in the amounts shown on Exhibit A, with the debt authorized to be refunded to include currently outstanding

commercial paper, and commercial paper as may be issued from time to time; and, be it

Further Resolved, That debt issued for purposes and amounts set forth in Exhibit A apart from this resolution shall not like wise be issued pursuant to this resolution; and, be it

Further Resolved, That the general obligation promissory notes herein authorized shall be sold by the Commissioners of the Public Debt at public or private sale, and/or directly to the Public Debt Amortization Fund, and at such times as the Commissioners shall determine to be prudent and appropriate; and, be it

Further Resolved, That the general obligation promissory notes herein authorized shall be issued on or before April 30, 2010; and, be it

Further Resolved, That the Commissioners of the Public Debt are authorized to prepare the forms and establish the procedures required in the issuance and sale of general obligation promissory notes herein authorized in accordance with the provisions of Ch. 67, Stats., and the provisions of the City of Milwaukee ordinances, such notes to be in a form approved by the City Attorney and to be executed by those officers of the City whose signatures are required by law; and, be it

Further Resolved, That the general obligation promissory notes herein authorized shall be sold at a price of not less than par plus accrued interest thereon; and, be it

Further Resolved, That general obligation promissory notes sold on a tax-exempt basis shall be dated as of the expected date of delivery, or the first or fifteenth day of the month in which they are issued, bear interest, payable semi-annually or at maturity, at coupon rates as determined by the Commissioners of the Public Debt, not to exceed 9.5%; with an issue True Interest Cost Rate not to exceed 7.5%; that general obligation promissory notes sold on a taxable basis shall be dated as of the expected date of delivery, or the first or fifteenth day of the month in which they are issued, bear interest, payable semi-annually or at maturity, at coupon rates as determined by the Commissioners of the Public Debt, not to exceed 12%; with an issue True Interest Cost Rate not to exceed 10%; that the Commissioner of the Public Debt may establish call dates at par for any or all of the notes; that the Commissioners of the Public Debt shall specify the due dates for, and the amounts of, the payment of principal of said notes, not to exceed 10 years from the date of delivery, and interest thereon, and that such payment schedule shall be entered upon the permanent record of the Commissioners of the Public Debt and formally communicated to the City Clerk; and, be it

Further Resolved, That a direct annual irrepealable tax shall be levied in each year that

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

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

Further Resolved, That the Continuing Disclosure Certificate, in substantially the form of the Supplemental Certificate authorized by File Number 031384 adopted on February 10, 2004, is authorized to be executed and delivered by the Comptroller for the notes; and, be it

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

Further Resolved, That a global certificate shall be issued for each stated maturity date and registered only in the name of CEDE & Co. as nominee of The Depository Trust Company, New York, New York, for delivery and immobilization by the Depository Trust Company following the closing. The Depository Trust Company will act as securities depository of the notes. The City will make payment of principal, redemption premium if any, and interest on the notes on the due dates to the Depository Trust Company, or its nominee, as registered owner of the notes, in same-day funds. Notices, if any, given by the City to the registered owner of the notes will be given to the Depository Trust Company. In the event that the securities depository relationship with the Depository Trust Company for the notes is terminated and the City does not appoint a successor securities depository, the City will prepare, authenticate and deliver at its expense fully-registered certificated notes in the denominations of \$5,000 or in the integral multiple thereof in the aggregate principal amount by maturity then outstanding to the beneficial owners of the notes; provided however, that should any notes be owned by the Public Debt Amortization Fund, such

note may be registered in the name of the Public Debt Amortization Fund and be in denominations of any amount; and, be it

Further Resolved, That with respect to the issuance of any general obligation corporate purpose notes sold on a tax-exempt basis, the City covenants with the holders from time to time of said notes that (i) throughout the term of said notes and (ii) through the date that the final rebate, if any, must be made to the United States in accordance with Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") it will comply with the provisions of Sections 103 and 141 through 150 of the Code, and the applicable regulations of the Internal Revenue Service adopted thereunder, that must be satisfied in order that interest on said notes shall be and continue to be excluded from gross income for federal income tax purposes under said Section 103; and, be it

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

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

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

No: 0

Excused: 1 - Murphy

7. [080961](#) Resolution authorizing the Commissioners of the Public Debt to market general obligation revenue anticipation notes.
- Whereas, Section 67.12(12), Stats., authorizes the issuance of General Obligation Notes for paying any general and current municipal expense; and
- Whereas, Section 67.12(1), Stats., authorizes any municipality entitled to receive deferred payments from the State to issue municipal obligations in an amount not to exceed 60% of the total actual and anticipated receipt of deferred payments in the fiscal year; and
- Whereas, Pursuant to s. 79.02, Stats., the City of Milwaukee is anticipating the receipt of shared revenue payments from the State of Wisconsin in 2009 (the "Budget Year") in the amount of at least \$230,000,000; and
- Whereas, The foregoing amounts represent no more than 50% of the City's General Fund operating revenues for the Budget Year; and

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

Whereas; The City must finance the operating budget on an interim basis between now and the receipt of State shared revenue payments in July and November of the Budget Year; and

Whereas, The City is interested in borrowing to finance the operating budget on an interim basis and pledges the anticipated revenue included in the budget for the Budget Year due and not yet paid as security for repayment of such obligations; and

Whereas, Resolution File Number 080960 also authorizes the issuance of General Obligation Promissory Notes, and it is desirable to permit the issuance of both issues of notes in one issue; now, therefore, be it

Resolved, by the Common Council of the City of Milwaukee in accordance with sec. 67.12(12), Stats., that the Commissioners of the Public Debt are authorized and requested to issue and sell general obligation revenue anticipation notes in an amount not to exceed \$130,000,000 for the purpose of paying general and current municipal expenses in the operating budget on an interim basis pending receipt of State shared revenue payments in July and November of the Budget Year; and, be it

Further Resolved, That the general obligation revenue anticipation herein authorized shall be sold by the Commissioners of the Public Debt at public or private sale, and/or directly to the Public Debt Amortization Fund, and at such times as the Commissioners shall determine to be prudent and appropriate; and, be it

Further Resolved, That the general obligation revenue anticipation notes herein authorized shall be issued on or before August 31, 2009; and, be it

Further Resolved, That the Commissioners of the Public Debt are authorized to prepare the forms and establish the procedures required in the issuance and sale of general obligation revenue anticipation notes herein authorized in accordance with the provisions of Ch. 67, Stats., and the provisions of the City of Milwaukee ordinances, such notes to be in a form approved by the City Attorney and to be executed by those officers of the City whose signatures are required by law; and, be it

Further Resolved, That the general obligation revenue anticipation notes herein authorized shall be sold at a price of not less par plus accrued interest thereon; and, be it

Further Resolved, That general obligation revenue anticipation notes shall be dated as

of the expected date of delivery, or the first or fifteenth day of the month in which they are issued, bear interest, payable semi-annually or at maturity, at coupon rates as determined by the Commissioners of the Public Debt, not to exceed 8.0%; with an issue True Interest Cost Rate not to exceed 7.0%; that the Commissioner of the Public Debt may establish call dates at par for any or all of the notes; that the Commissioners of the Public Debt shall specify the due dates for, and the amounts of, the payment of principal of said notes, not to exceed 2 years, and interest thereon, and that such payment schedule shall be entered upon the permanent record of the Commissioners of the Public Debt and formally communicated to the City Clerk; and, be it

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

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

Further Resolved, That the Continuing Disclosure Certificate, in substantially the form of the Supplemental Certificate authorized by File Number 031384 adopted on February 10, 2004, is authorized to be executed and delivered by the Comptroller for the notes; and, be it

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

Further Resolved, That a global certificate shall be issued for each stated maturity date and registered only in the name of CEDE & Co. as nominee of The Depository Trust Company, New York, New York, for delivery and immobilization by the Depository

Trust Company following the closing. The Depository Trust Company will act as securities depository of the notes. The City will make payment of principal, redemption premium if any, and interest on the notes on the due dates to the Depository Trust Company, or its nominee, as registered owner of the notes, in same-day funds. Notices, if any, given by the City to the registered owner of the notes will be given to the Depository Trust Company. In the event that the securities depository relationship with the Depository Trust Company for the notes is terminated and the City does not appoint a successor securities depository, the City will prepare, authenticate and deliver at its expense fully-registered certificated notes in the denominations of \$5,000 or in the integral multiple thereof in the aggregate principal amount by maturity then outstanding to the beneficial owners of the notes; provided however, that should any notes be owned by the Public Debt Amortization Fund, such note may be registered in the name of the Public Debt Amortization Fund and be in denominations of any amount; and, be it

Further Resolved, That the City covenants with the holders from time to time of said notes that (i) throughout the term of said notes and (ii) through the date that the final rebate, if any, must be made to the United States in accordance with Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") it will comply with the provisions of Sections 103 and 141 through 150 of the Code, and the applicable regulations of the Internal Revenue Service adopted thereunder, that must be satisfied in order that interest on said notes shall be and continue to be excluded from gross income for federal income tax purposes under said Section 103; and, be it

Further Resolved, That the Common Council hereby declares that as additional security for the repayment of the notes with interest thereon, the City will pledge and irrevocably segregate upon receipt through December 31, 2009 shared revenue payments due in November, 2009, in an amount sufficient to pay the principal and interest due on the notes at maturity; and, be it

Further Resolved, That if a note matures after December 31, 2009, the proper City officers be and hereby are authorized and directed to irrevocably deposit with the City's Fiscal Agent on or before December 31, 2009 general fund revenues and/or amounts from the Debt Service Fund, an amount sufficient to purchase direct obligations of, or obligations guaranteed by, the U.S. Government sufficient to pay the principal of and interest due on such note at maturity; and, be it

Further Resolved, That notes pursuant to this resolution may be issued in one issue along with notes authorized by Resolution File Number 080960; and be it

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

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

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

No: 0

Excused: 1 - Murphy

8. [081056](#) Substitute resolution authorizing \$600,000 in Contingent Borrowing for Flow Reduction Projects capital program in the Sewer Maintenance Fund.

A motion was made by ALD. BAUMAN that this Resolution be ASSIGNED TO to the FINANCE & PERSONNEL COMMITTEE . This motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Murphy

9. [081142](#) Resolution authorizing the Department of Administration to enter into an agreement with Milwaukee County Automated Mapping and Land Information Systems to continue to provide professional and technical information services in the maintenance of cadastral maps and street address database.

Whereas, The Steering Committee of Milwaukee County Automated Mapping and Land Information Systems (MCAMLIS) has indicated its desire to enter into an agreement with the City of Milwaukee that will extend provision of professional and technical information services in the maintenance of cadastral maps and street address database; and

Whereas, The Director of the Department of Administration has determined that the agreement is compatible and advantageous to the City's need to maintain conformance with selected MCAMLIS standards in the Milwaukee County geodatabase format; and

Whereas, Common Council File 051467, adopted March 23, 2006, authorized the Department of Administration to enter into such agreement, and Common Council Files 061117, adopted January 17, 2007, and 071086, adopted December 11, 2007, authorized extension of said agreement; and

Whereas, The operation of this project from 1/1/2009 to 12/31/2009 would cost \$83,652 of which \$83,652 (100%) would be provided by the Steering Committee of

MCAMLIS; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration is authorized to enter into an agreement with the Steering Committee of MCAMLIS relating to professional and technical information services in the continued maintenance of cadastral maps and street address database, which will be substantially in the same form as the draft agreement attached to this file; and, be it

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

DEPARTMENT OF ADMINISTRATION
INFORMATION TECHNOLOGY AND MANAGEMENT DIVISION
CITYWIDE INFORMATION SYSTEMS
GIS Analyst (A)

Delete in footnote (A) the date "12/31/2008", and insert in lieu thereof the date "12/31/2009".

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

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

No: 0

Excused: 1 - Murphy

10. Resolutions authorizing the sale and issuance of general obligation bonds for various purposes:

- a. [081143](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$6,037,000 for bridges.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$6,037,000 for bridges; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$6,037,000 for bridges.

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

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

No: 0

Excused: 1 - Murphy

- b. [081144](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$7,850,000 for street lighting.
Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$7,850,000 for street lighting; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$7,850,000 for street lighting.

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

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

No: 0

Excused: 1 - Murphy

- c. [081145](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$17,607,000 for street improvements.
Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$17,607,000 for street improvements; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$17,607,000 for street improvements.

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

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

No: 0

Excused: 1 - Murphy

- d. [081146](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$150,300 for street improvement funding.
Whereas, The 2009 budget of the City of Milwaukee adopted by the Common

Council contemplates the issuance of general obligation bonds in the aggregate amount of \$150,300 for street improvement funding; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$150,300 for street improvement funding.

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

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

No: 0

Excused: 1 - Murphy

- e. [081147](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$1,500,000 for harbor improvements.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$1,500,000 for harbor improvements; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$1,500,000 for harbor improvements.

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

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

No: 0

Excused: 1 - Murphy

- f. [081148](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$29,150,000 for sewerage.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$29,150,000 for sewerage; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$29,150,000 for sewerage.

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

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

No: 0

Excused: 1 - Murphy

- g. [081149](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$3,067,000 for parks and public grounds.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$3,067,000 for parks and public grounds; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$3,067,000 for parks and public grounds.

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

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

No: 0

Excused: 1 - Murphy

- h. [081150](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$6,654,000 for the construction of police facilities and combined fire and police safety buildings.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$6,654,000 for the construction of police facilities and combined fire and police safety buildings; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$6,654,000 for the construction of police facilities and combined fire and police safety buildings.

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

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

No: 0

Excused: 1 - Murphy

- i. [081151](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$1,845,000 for fire engines and other equipment of the fire department. Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$1,845,000 for fire engines and other equipment of the fire department; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$1,845,000 for fire engines and other equipment of the fire department.

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

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

No: 0

Excused: 1 - Murphy

- j. [081152](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$962,500 for construction of engine houses, and for pumps, water mains, reservoirs and all other reasonable facilities for fire protection apparatus or equipment for fire protection. Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$962,500 for construction of engine houses, and for pumps, water mains, reservoirs and all other reasonable facilities for fire protection apparatus or equipment for fire protection; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$962,500 for construction of engine houses, and for pumps, water mains, reservoirs and all other reasonable facilities for fire protection apparatus or equipment for fire protection.

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

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

No: 0

Excused: 1 - Murphy

- k. [081153](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$2,936,000 for parking lots or other parking facilities.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$2,936,000 for parking lots or other parking facilities; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$2,936,000 for parking lots or other parking facilities.

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

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

No: 0

Excused: 1 - Murphy

- L. [081154](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$2,000,000 for school purposes.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$2,000,000 for school purposes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$2,000,000 for school purposes.

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

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

No: 0

Excused: 1 - Murphy

- m. [081155](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$4,144,000 for libraries.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$4,144,000 for libraries; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$4,144,000 for libraries.
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- n. [081156](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$15,561,245 for buildings for the housing of machinery and equipment.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$15,561,245 for buildings for the housing of machinery and equipment; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$15,561,245 for buildings for the housing of machinery and equipment.
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- o. [081157](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$2,349,000 for providing financial assistance to blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects.
- Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount

of \$2,349,000 for providing financial assistance to blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects under ss. 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$2,349,000 for providing financial assistance to blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects under ss. 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337.

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

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

No: 0

Excused: 1 - Murphy

- p. [081158](#) Resolution relating to issuance and sale of general obligation bonds in the aggregate amount of \$96,268,614 for Tax Incremental Districts for providing financial assistance to blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects.

Whereas, The 2009 budget of the City of Milwaukee adopted by the Common Council contemplates the issuance of general obligation bonds in the aggregate amount of \$96,268,614 for Tax Incremental Districts for providing financial assistance to blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects under ss. 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby authorizes and declares its purpose to issue and sell general obligation bonds in the aggregate amount of \$96,268,614 for Tax Incremental Districts for providing financial assistance to blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects under ss. 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337.

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

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

No: 0

Excused: 1 - Murphy

11. [081159](#) Substitute resolution authorizing the Commissioners of the Public Debt to market general obligation "corporate purpose bonds".
- Whereas, General obligation bonds have been authorized in the 2005, 2006, 2007, 2008, and 2009 municipal budgets; and
- Whereas, initial resolutions have been adopted authorizing the issuance of such general obligation bonds; and
- Whereas, the Common Council desires to combine general obligation bonds authorized under the various initial resolutions into one issue and to designate such bonds as "corporate purpose bonds"; and
- Whereas, the City has authorized up to \$125,000,000 of General Obligation Commercial Paper Promissory Notes, 2008 Program Series C2, Series R3 and Series T4 (Taxable) to be outstanding from time to time (along with other commercial paper that may be, from time to time, authorized by the City to be issued, the "Commercial Paper Notes"); and
- Whereas, the City desires to provide permanent long-term financing of the Commercial Paper Notes; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee in accordance with sections 67.05(13) and (15), Stats., that the Commissioners of the Public Debt are authorized and requested to issue and sell general obligation "corporate purpose bonds" in the aggregate amount of \$755,198,438 for each of the public purposes provided by the underlying initial resolutions and in the amounts shown in Exhibit A; and, be it
- Further Resolved, That debt issued for purposes and amounts set for in Exhibit A apart from this resolution shall not like wise be issued pursuant to this resolution; and, be it
- Further Resolved, That the general obligation "corporate purpose bonds" herein authorized shall be sold by the Commissioners of the Public Debt at public sale, and/or directly to the Public Debt Amortization Fund, and at such times as the Commissioners shall determine to be prudent and appropriate; and, be it
- Further Resolved, That the general obligation corporate purpose bonds herein authorized for refunding purposes as shown in Exhibit A shall be sold by the Commissioners of the Public Debt at public sale, private sale, and/or directly to the Public Debt Amortization Fund, and at such times as the Commissioners shall

determine to be prudent and appropriate. Such debt to be refunded includes currently outstanding commercial paper, and commercial paper as may be issued from time to time; and, be it

Further Resolved, That the general obligation "corporate purpose bonds" herein authorized shall be issued on or before April 30, 2010; and, be it

Further Resolved, That the Commissioners of the Public Debt are authorized to prepare the forms and establish the procedures required in the issuance and sale of general obligation "corporate purpose bonds" herein authorized in accordance with the provisions of Ch. 67, Stats., and the provisions of the City of Milwaukee ordinances, such bonds to be in a form approved by the City Attorney and to be executed by those officers of the City whose signatures are required by law; and, be it

Further Resolved, That the general obligation "corporate purpose bonds" herein authorized shall be sold at a price of not less par and accrued interest thereon; and, be it

Further Resolved, That general obligation "corporate purpose bonds" sold on a tax-exempt basis shall be dated as of the date of delivery, or the first or fifteenth day of the month in which they are issued, bear interest, payable semi-annually, at coupon rates as determined by the Commissioners of the Public Debt, not to exceed 9.5%; with an issue True Interest Cost Rate not to exceed 7.5%; that general obligation "corporate purpose bonds" sold on a taxable basis shall be dated as of the date of delivery, or the first or fifteenth day of the month in which they are issued, bear interest, payable semi-annually, at coupon rates as determined by the Commissioners of the Public Debt, not to exceed 12%; with an issue True Interest Cost Rate not to exceed 10%; that the Commissioner of the Public Debt may establish call dates at par for any or all of the bonds; that the Commissioners of the Public Debt shall specify the due dates for, and the amounts of, the payment of principal of said bonds, not to exceed 20 years, and interest thereon, and that such payment schedule shall be entered upon the permanent record of the Commissioners of the Public Debt and formally communicated to the City Clerk; and, be it

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

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

Further Resolved, That the Continuing Disclosure Certificate, in substantially the form of the Supplemental Certificate authorized by File Number 031384 adopted on February 10, 2004, is authorized to be executed and delivered by the Comptroller for the notes; and, be it

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

Further Resolved, That a global certificate shall be issued for each stated maturity date and registered only in the name of CEDE & Co. as nominee of The Depository Trust Company, New York, New York, for delivery and immobilization by the Depository Trust Company following the closing. The Depository Trust Company will act as securities depository of the bonds. The City will make payment of principal, redemption premium if any, and interest on the bonds on the due dates to the Depository Trust Company, or its nominee, as registered owner of the bonds, in same-day funds. Notices, if any, given by the City to the registered owner of the bonds will be given to the Depository Trust Company. In the event that the securities depository relationship with the Depository Trust Company for the bonds is terminated and the City does not appoint a successor securities depository, the City will prepare, authenticate and deliver at its expense fully-registered certificated bonds in the denominations of \$5,000 or in the integral multiple thereof in the aggregate principal amount by maturity then outstanding to the beneficial owners of the bonds; provided however, that should any bond be owned by the Public Debt Amortization Fund, such bond may be registered in the name of the Public Debt Amortization Fund and be in denominations of any amount; and, be it

Further Resolved, That with respect to the issuance of any general obligation corporate purpose bonds sold on a tax-exempt basis, the City covenants with the holders from time to time of said bonds that (i) throughout the term of said bonds and (ii) through the date that the final rebate, if any, must be made to the United States in accordance with Section 148 of the Internal Revenue Code of 1986, as amended (the

"Code") it will comply with the provisions of Sections 103 and 141 through 150 of the Code, and the applicable regulations of the Internal Revenue Service adopted thereunder, that must be satisfied in order that interest on said bonds shall be and continue to be excluded from gross income for federal income tax purposes under said Section 103; and, be it

Further Resolved, That the cost of issuing the bonds and marketing same shall be paid from amounts appropriated for said purpose, or the proceeds of the bond sale, or deducted from same, and the project account or accounts credited with the net proceeds of the sale or sales.

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

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

No: 0

Excused: 1 - Murphy

12. [081161](#) Resolution appropriating up to \$850,000 from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of a lawsuit by Walgreen Co. against the City of Milwaukee regarding 2006 and 2007 tax assessments.
- Whereas, The Assessor's Office properly assessed the 21 Walgreen Co. properties located in the City of Milwaukee for 2006 and 2007 based upon applicable assessment law as it existed at the time of assessment; and
- Whereas, On July 8, 2008, the Wisconsin Supreme Court, in the case of Walgreen Co. v. City of Madison, 2008 WI 80, significantly changed the law of assessments as it applies to Walgreen Co, properties after the City of Milwaukee's 2006 and 2007 assessments were made; and
- Whereas, Walgreen Co., filed claims and a lawsuit against the City of Milwaukee (Case #07CV8542) seeking refunds of 2006 and 2007 taxes based upon the same legal theory with which Walgreen Co. was successful in the Madison case; and
- Whereas, The City of Milwaukee is bound to follow the precedent set by the Madison case; and
- Whereas, The Commissioner of Assessments and the City Attorney have negotiated a settlement of the Walgreen Co. lawsuit against the City that they strongly recommend to the Common Council in order to comply with the mandate of the Madison case and the new law of assessments in Wisconsin; and

Whereas, The City Treasurer has calculated the proper payment amount to be \$807,376.33, with additional statutory interest required if the settlement is paid after January 31, 2009; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that up to \$850,000 is appropriated from the 2009 Common Council Contingent Fund (0001-9990-C001-006300) to the Remission of Taxes Fund special purpose account (0001-9990-S163-006300) to pay the settlement of the lawsuit of Walgreen Co. against the City regarding 2006 and 2007 assessments of Walgreen Co. properties; and, be it

Further Resolved, That the City Attorney is authorized to execute all documents necessary for the settlement of this matter.

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

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

No: 1 - Davis

Excused: 1 - Murphy

13. [081170](#) Resolution authorizing the Milwaukee Police Department to apply for, accept, and fund an I-94 N-S Corridor Reconstruction grant agreement with the Wisconsin Department of Transportation.

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

Whereas, The City of Milwaukee may enter into a grant agreement with the Wisconsin Department of Transportation; and

Whereas, The operation of this grant from 11/01/08 to 12/31/10 would cost \$100,000 of which 100% would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the appropriate City officials are authorized to execute the grant agreement with the Wisconsin Department of Transportation, a copy of which is attached to this file; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2008 Special Revenue Grant and Aid Projects fund, the following amount for the program titled: I-94 N-S Corridor Reconstruction:

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000800000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$100,000

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

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

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

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

2. Transfer funds within the project budget as long as the amount expended for each specific purpose does not exceed the amount authorized by the budget by 10 percent; and, be it

Further Resolved, That the Common Council directs that the 2008 Positions Ordinance, C.C. File Number 070604 should be amended as follows:

POLICE DEPARTMENT
ADMINISTRATION SERVICES DECISION UNIT
SAFETY DIVISION

Add:

(10) School Crossing Guards (V)

And add Footnote (V) as follows:

Positions to expire 12/31/10 unless the I-94 N-S Corridor Reconstruction grant agreement with the Wisconsin Department of Transportation is extended.

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

resolution.

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

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

No: 0

Excused: 1 - Murphy

- 15. [081200](#) Substitute resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue. (Department of Public Works)
 Whereas, Common Council File 980965 established procedural guidelines related to the expenditure of funds to be reimbursed by greater than anticipated revenues; and

 Whereas, The Department of Public Works has received payment from FEMA for a spring flood during June of 2008; and

 Whereas, The amount received of \$188,956 from FEMA can not be directly credited to an expenditure; and

 Whereas, The Comptroller has certified greater than anticipated revenue in the amount of \$188,956, pursuant to s. 304-91; and

 Pursuant to s. 304-91, I hereby certify that the money required for this is anticipated to be realized on or before 12/31/08 and to be expended only for the purpose in this resolution.

Comptroller Date

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that \$188,956 is appropriated to the Department of Public Works Operation Division account #0001-5450-R999-006300; and, be it

Further Resolved, That the Department of Public Works Operation Division is authorized to expend \$188,956 in the account #0001-5450-R999-006300; and, be it

Further Resolved, That the City Comptroller be, and hereby is, authorized and directed to establish the necessary accounts and accounting procedures to carry out the intent of this resolution.

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

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

No: 0

Excused: 1 - Murphy

PLACING ON FILE THE FOLLOWING:

16. [081066](#) Communication from the Department of Administration - Budget and Management Analysis Division regarding various vacancy requests, fund transfers and equipment requests.

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

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

No: 0

Excused: 1 - Murphy

17. [081113](#) Communication from the Department of Employee Relations relative to classification studies scheduled for City Service Commission action.

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

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

No: 0

Excused: 1 - Murphy

18. [081139](#) Communication from the Department of Employee Relations relative to classification studies scheduled for Fire and Police Commission action.

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

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

No: 0

Excused: 1 - Murphy

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [080681](#) Substitute resolution to settle claims of Cermele & Associates 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 sum of \$19,857.76 payable to Cermele & Associates, 6310 West Bluemound Rd., Suite 200, Milwaukee, WI 53213 to reimburse him for legal fees for defense of the following police officers:

POLICE OFFICERS	AMOUNT
Joseph Warren, Paul Lough, John Amberg and Michael Johnson	\$1,001.00
Robert Lacy	\$2,819.00
Jason Mucha, Timothy McNair, Gregory Nelson and Thomas Dineen	\$341.00
Eugene Reyes	\$1,018.00
Lee Vedbraaten and James Hernandez	\$4,356.00
Gary Post	\$899.00
Kimberly Crist	\$385.00
Richard Martinez, Jason Rodriguez, Christina Marshall, John Kulmann and Nicholas Johnson	\$1,397.00
Willie Huerta, Matthew Cooper, Brian Stott, Harold Young, Michael Crivello and Charles Libal	\$1,254.00
Jessica Felician and Christopher Manney	\$6,387.76
TOTAL	\$19,857.76

; and, be it

Further Resolved, That the check for \$19,857.76 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 -636506- Fund No. 0001 - Organization 1490- Program 2631 - Sub Class S118.

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

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

No: 0

Excused: 1 - Murphy

2. [081140](#) Resolution authorizing cancellation of the City of Milwaukee's subrogation claim against David Stephens for medical services under the Basic Health Plan.
- Whereas, David Stephens has entered into a settlement agreement with respect to claims against Clyde Babcock, Progressive Insurance and American Family Insurance with respect to personal injuries suffered in an accident on December 1, 2007; and
- Whereas, The City of Milwaukee has made payments on behalf of David Stephens for medical treatment and services related to the December 1, 2007 accident pursuant to its Basic Health Plan in the amount of \$89,420.08; and
- Whereas, The City of Milwaukee has a subrogation claim against David Stephens as a result of such payments; and
- Whereas, The two insurance carriers involved have offered and exhausted the limits of their respective policies for underinsured and liability coverage and any recovery on the City's claim is unlikely; and
- Whereas, Cancellation and release of the City of Milwaukee's subrogation claim reflects the legal liability of the parties and is a fair and equitable resolution of the City of Milwaukee's subrogation claim; and
- Whereas, The Common Council wishes to cancel this claim; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the City Attorney be and hereby is authorized and directed, on behalf of the City, to cancel and release the City's subrogation claim against David Stephens in the amount of \$89,420.08, and to execute and deliver any necessary stipulations and releases to effectuate this

release.

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

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

No: 0

Excused: 1 - Murphy

- 3. [081183](#) Substitute resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$821.95 with a six-year total of the deferred properties being \$10,876.56.

Whereas, The Common Council previously confirmed certain resident property owners as Worthy Indigents; and

Whereas, the following applications were reviewed and qualify:

- 311-1879-100-5, Robert Noble, 2740 N. 18th St., 15th District;
- 504-1139-1, Kathleen Wilson, 1226 E. Idaho St., 14th District;
- 669-0115-2, Diane Krall, 2270 W. Ramsey Av., 13th District;
- 468-0941-5, Gilbert Golder, 2226 S. 12th St., 12th District;
- 270-0204-5, Marilyn Huddleston, 3747 N. 26th St., 7th District;
- 512-1210-9, Arthur Kaszubowski, 2948 S. 47th St., 8th District;
- 209-1225-100-5, Diane Moore, 5021 N. 47th St., 1st District

; and

Whereas, The Deferred Assessment Board has completed its annual review of the resident owners confirmed in prior years; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that after December 22, 2008, and upon receipt of the tax bills for the listed properties from the City Treasurer, the Department of Public Works shall process necessary documents to have checks issued to the City Treasurer in the amount listed to pay the 2008 special assessment installments so indicated for confirmed Worthy Indigent resident property owners:

Tax Key Number	Original	Installment	
	Amount	Bond Number	Number
468-0941-5	\$ 28.35	HK002223	4

270-0204-5	\$287.75	JL004251	3
512-1210-9	\$297.31	JF001449	3
209-1225-100-5	\$208.54	KP04482	2

; and, be it

Further Resolved, That the following of said checks the deferred special assessments shall be processed in the manner specified in File Number 74-1975

; and, be it

Further Resolved, That the following previously granted deferred assessments for confirmed Worthy Indigent resident property owners shall remain in force:

Tax Key Number	Bond Number
311-1879-100-5	RF001388
504-1139-1	DF002527
669-0115-2	DF000258
468-0941-5	HK002223
270-0204-5	JL004251
512-1210-9	JF001449
209-1225-100-5	KP004482

; and, be it

Further Resolved, That said Department is also authorized to expend a sum equal to the recording fee needed for special assessments deferred; and, be it

Further Resolved, That a copy of this resolution be furnished to the City Comptroller and the City Treasurer.

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

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

No: 0

Excused: 1 - Murphy

4. [081184](#) Substitute resolution providing granting of deferred payments of the special assessments for William Neal, Jr., 4437-4441 North 25th Street, in the 1st Aldermanic District, and appropriating funds for this purpose with the 2008 payment

of \$587.47 with a six-year total of \$3,708.92; Rhonda Sprewer, 4780 North 42nd Street, in the 7th Aldermanic District, and appropriating funds for this purpose with the 2008 payment of \$368.22, with a six-year total of \$2,023.82; and Nicole Toombs, 3370 North 36th Street, in the 7th Aldermanic District, and appropriating funds for this purpose with the 2008 payment of \$351.04, with a six-year total of \$1,929.44.

Whereas, The Deferred Assessment Board of the City of Milwaukee considered the applications of Worthy Indigents for deferred payments of special assessments and recommended the same be granted; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the following property owners, being the owners of the properties described, are hereby confirmed as Worthy Indigent residents as provided in Section 115-44 of the Milwaukee Code of Ordinances, and that payments of the special assessments are hereby deferred:

Property Owner: William Neal, Jr.

Property Address: 4437-4441 North 25th Street

Special Assessment Serial Number: LE002483

Tax Key Number: 231-0057-9

Legal Description: GARDEN HOMES SUBD IN NW 1/4 & SW 1/4 SEC 6-7-22
BLOCK 5 LOTS 1 & 2

; and:

Property Owner: Rhonda M. Sprewer

Property Address: 4780 North 42nd Street

Special Assessment Serial Number: LL001503

Tax Key Number: 229-0714-200-4

Legal Description: NORTH MILWAUKEE LAWNSDALE NO 1 NW 1/4 SEC 1-7
-21
BLOCK 5 S 108' (LOT 8 & W 6' LOT 7)

; and:

Property Owner: Nicole C. Toombs

Property Address: 3370 North 36th Street

Special Assessment Serial Number: LF000378

Tax Key Number: 287-1439-9

Legal Description: LAWNHURST IN NE 1/4 OF SW 1/4 SEC 12-7-21 BLOCK
6 S
27.75' LOT 3 & N 9.25' LOT 4

; and, be it

Further Resolved, That after December 22, 2008, and upon receipt of said properties' tax bills from the City Treasurer, the City Comptroller shall issue to the City Treasurer a check in the amount of \$587.47 for LE002483, and \$368.22 for LL001503, and \$351.04 for LF000378 to pay the first installments of said special assessments, and that following the issuance of the check, the deferred special assessments shall be processed in the manner specified in File Number 74-1975; and, be it

Further Resolved, That said Comptroller is also authorized to expend a sum equal to the recording fees in excess of the amounts deferred.

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

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

No: 0

Excused: 1 - Murphy

5. [081213](#) Substitute resolution directing the Intergovernmental Relations Division - Department of Administration to lobby the Board of Regents of the University of Wisconsin System to locate the University of Wisconsin-Milwaukee's College of Engineering and Applied Sciences, and future student residence halls, within downtown Milwaukee. Whereas, The University of Wisconsin-Milwaukee ("UWM") is engaged in a 16 to 20-month process to develop a Campus Master Plan outlining university needs, current campus capacity and future expansion opportunities; and

Whereas, UWM's mission statement declares its purpose to be, "...a major urban doctoral university and to meet the diverse needs of Wisconsin's largest metropolitan area"; and

Whereas, Higher education is vitally important to the future of the City of Milwaukee

and the entire Milwaukee metropolitan area in competing in the global economy; and
Whereas, The goal of enhancing the research capabilities and profile of UWM is consistent with the goals and mission of the City of Milwaukee; and
Whereas, The UWM East Side neighborhoods are reaching saturation with unsupervised student housing and related parking problems; and
Whereas, New supervised residence halls and dormitories will draw students from unsupervised housing into residential settings that have been shown to be more conducive to academic success and reduced disciplinary problems; and
Whereas, The City of Milwaukee has numerous suitable locations in its downtown area for expansion of the UWM campus that would provide a catalyst for economic development, revitalization of neighborhoods, re-use and improvement of existing developed land and infrastructure; and
Whereas, The City of Milwaukee appreciates that UWM has operated its School of Continuing Education in the downtown Plankinton Building since 1995 and has maintained the Great Lakes WATER Institute on the Milwaukee Harbor just south of downtown since 1973; and
Whereas, The City of Milwaukee is informed that the proposed UWM Academic Health Center is planned to be located in downtown Milwaukee so that significant investments can be made there for facilities for UWM's proposed School of Public Health; for the existing College of Health Sciences, College of Nursing and Helen Bader School of Social Welfare; and for governmental entities that have asked to be located in UWM's proposed facility; and
Whereas, The City of Milwaukee is further informed that UWM is advancing plans in support of its proposed School of Freshwater Sciences that may include a showcase downtown waterfront facility in support of the growing water industry in metropolitan Milwaukee that include a water industries research park that may be located in the vicinity of an expanded Great Lakes WATER Institute on the east end of Greenfield Avenue; and
Whereas, The Common Council on April 8, 2008, adopted Common Council File # 071708 declaring its support for the location of expanded UWM schools and colleges in the Milwaukee Downtown area; and
Whereas, The Campus Master Plan process has identified a need for 700 student beds in addition to the 700 bed facility planned for construction at the new UWM Real Estate Foundation site at the corner of E. North Ave. and N. Cambridge St.; and
Whereas, The Milwaukee Downtown would provide an optimal environment for UWM growth and the benefits of a downtown location for UWM expansion include:

1. Ease of transportation and availability of mass transportation for students, faculty and staff moving between the East Side Campus and downtown.
2. Availability of a wide variety of housing options for students, faculty and staff.
3. Many thousands of square feet of existing and potential office space with a wide

choice of size, layout, functionality and price structure for research and spin-off companies to grow.

4. Redevelopment of urban areas is environmentally-friendly and efficient when compared to other options such as suburban expansion.

5. Infrastructure, including roads, sewer, water, and other utilities are in place.

6. Marquette University, the Milwaukee School of Engineering, the Milwaukee Institute of Art and Design and the Milwaukee Area Technical College are all located in the downtown area, providing a cluster of engineering, research and related fields that are attractive for locating corporations and will provide academic and research synergies; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee supports the expansion of the University of Wisconsin-Milwaukee in the downtown Milwaukee area, including creation of a School of Public Health, relocation and expansion of the College of Engineering and Applied Sciences, expansion of the College of Nursing and the Helen Bader School of Social Welfare, and development of other academic-driven research programs; and, be it

Further Resolved, That the Intergovernmental Relations Division - .Department of Administration is directed, consistent with this resolution, to lobby the Board of Regents of the University of Wisconsin System to locate the University of Wisconsin-Milwaukee's College of Engineering and Applied Sciences, and future dormitories, within downtown Milwaukee; and be it

Further Resolved, That the Intergovernmental Relations Division - Department of Administration, consistent with this resolution, engage in discussions and negotiations, as appropriate, with the UWM Real Estate Foundation with the objective of establishing and developing downtown Milwaukee properties to further the instructional, research and housing needs of UWM schools, colleges, faculty, staff and students; and be it

Further Resolved, That the Intergovernmental Relations Division - Department of Administration, and other persons authorized to represent the City in policy discussions with state and other governmental officials, are authorized and directed to advocate on behalf of the development of downtown Milwaukee properties to further the instructional, research and housing needs of UWM schools, colleges, faculty, staff and students with legislators, other state officials and any other appropriate parties that may influence property development decisions by UWM, and to secure state investments in operating and capital funds to support continued growth of UWM research capacity.

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

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

No: 1 - Donovan

Excused: 1 - Murphy

CONFIRMATION OF THE FOLLOWING:

6. [081224](#) Appointment of Daniel Sweeney to the Board of Assessment by the Mayor. (3rd Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

7. [081227](#) Appointment of Michael Barndt to the Equal Rights Commission by the Mayor. (3rd Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

8. [081229](#) Appointment of Chris Her-Xiong to the Equal Rights Commission by the Mayor. (8th Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

-
9. [081230](#) Appointment of Ray Vahey to the Equal Rights Commission by the Mayor. (4th Aldermanic District)
- A motion was made by ALD. HAMILTON that this Appointment be CONFIRMED.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
10. [081231](#) Appointment of George Williams to the Equal Rights Commission by the Mayor. (9th Aldermanic District)
- A motion was made by ALD. HAMILTON that this Appointment be CONFIRMED.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- PLACING ON FILE THE FOLLOWING:
11. [081249](#) Communication from David Riemer of Community Advocates Public Policy Institute relating to the Institute's report, "On Ending Poverty in Wisconsin."
- A motion was made by ALD. HAMILTON that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
12. Various obsolete files:
- a. [031394](#) Resolution directing the Budget and Policy Division - Department of Administration to seek introduction and passage of state legislation permitting the appointment by the Mayor of city department and division heads to serve 4-year terms coterminous with the Mayor's term of office.
- A motion was made by ALD. HAMILTON that this Resolution be PLACED ON FILE.**
The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Murphy

- b. [061450](#) Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to seek a change in state legislation governing the Southeastern Wisconsin Regional Transit Authority.

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

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

No: 0

Excused: 1 - Murphy

- c. [070427](#) Resolution relating to state enabling legislation to allow local governments to create and finance regional transit authorities.

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

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

No: 0

Excused: 1 - Murphy

- d. [070456](#) Resolution supporting, with certain conditions, 2007 Wisconsin Senate Bill 150, relating to prohibition against smoking.

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

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

No: 0

Excused: 1 - Murphy

- e. [070562](#) Resolution supporting introduction and passage of state legislation authorizing the Wisconsin Housing and Economic Development Authority (WHEDA) to issue bonds

and to establish a fund and program for refinancing of residential property loans at risk of foreclosure.

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

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

No: 0

Excused: 1 - Murphy

- f. [070748](#) Resolution reserving and appropriating up to \$10,000 from the Special Purpose Account - Outside Counsel/Expert Witness Fund for the purpose of retaining the law firm of Attorney David R. Halbrooks in nuisance property proceedings relating to parcels at 822, 832, and 845 N. 25th St. and 2408 W. Kilbourn Ave.

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

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

No: 0

Excused: 1 - Murphy

- g. [071509](#) Resolution authorizing in-rem foreclosure of properties at 2835 W. Kilbourn Avenue, 2841 W. Highland Boulevard and 2809 W. Highland Boulevard.

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

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

No: 0

Excused: 1 - Murphy

- h. [080339](#) Resolution relating to the proposed relocation of the U.S. Postal Service mail processing facility from Downtown Milwaukee to Oak Creek.

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

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

No: 0

Excused: 1 - Murphy

- i. [081211](#) Resolution urging the Wisconsin State Legislature to prohibit expenditure of revenue from the State Recycling Fund for other than recycling-related purposes.

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

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

No: 0

Excused: 1 - Murphy

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

13. Various claims against the city:

- a. [080896](#) Resolution relating to the claim of CJD Moving Systems, Inc. for property damage.

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

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

No: 0

Excused: 1 - Murphy

- b. [081138](#) Resolution relating to the claim of Debra Cerniglia for property damage. (11th Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

- c. [081177](#) Resolution relating to an appeal from Ella Grant for property damage. (9th Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

- d. [081208](#) Resolution relating to an appeal from A. C. Anderson for property damage. (7th Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081069](#) Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as United Methodist Children's Services for elimination of an approved garage and an increase in surface parking, on land located North of West Lisbon Avenue and West of North 39th 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 295-907(2)(c).0136.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and establishment of planned development districts, the Common Council approves the subject amended Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for the area bounded and described as Lot 1 of Certified Survey Map No. 8119.

(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 amended detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended detailed plan to all conditions and limitations set forth in such amended detailed plan.

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

Part 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction,

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

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

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

No: 0

Excused: 1 - Murphy

ADOPTION OF THE FOLLOWING:

2. [080104](#) Substitute resolution affirming the Historic Preservation Commission's action denying a certificate of appropriateness for the demolition of the structure located at 2841 W. Richardson Place.

Whereas, On April 24, 2008, Neighborhood House appealed the denial of the Historic Preservation Commission's (HPC) decision to not permit it to raze the house located at 2841 W. Richardson Place; and

Whereas, The Zoning, Neighborhoods and Development Committee held three hearings related to the appeal of Neighborhood House of the HPC's denial; and,

Whereas, At the January 13, 2009 meeting testimony was taken from 12 residents of the area who opposed the demolition of the structure at 2841 W. Richardson Place based upon its historical significance; and

Whereas, By a unanimous vote of 5-0, the Committee affirmed the decision of the HPC to not permit demolition of the building; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the decision of the Historic Preservation Commission denying the certificate of appropriateness for demolition of the structure at 2841 W. Richardson Place is affirmed.

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

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

No: 0

Excused: 1 - Murphy

3. [081162](#) Resolution relative to application, acceptance and funding of a State of Wisconsin Coastal Management Program Grant, in the 8th, 11th, 13th and 14th Aldermanic Districts.
- Whereas, The City of Milwaukee ("City") appears to be eligible for grant funds from the State of Wisconsin for hiring a consultant(s) to complete portions of the Southwest Side Area Plan; and
- Whereas, The operation of this Wisconsin Coastal Management Program Grant from June 1, 2009 to July 31, 2010 will cost \$100,000 of which, \$75,000 (75 percent) will be provided by the City and \$25,000 (25 percent) will be provided by the Grantor; and
- Whereas, It appears that City involvement in this grant and aid program will result in the following major benefit to the City--a Southwest Side Area Comprehensive Plan; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development shall apply for and accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it
- Further Resolved, That upon approval of this grant, the City Comptroller is authorized to:
1. Transfer to these accounts the additional amount required under the grant and City accounting policy, but not to exceed a 10 percent increase of the total amounts reserved for the Grantor's Share and Local Share of \$5,000, whichever is greater, as follows:

Grantor Reimbursable Cash
Fund Number - 0150
Project Grant Number - GR0000900000
\$25,000

Local Share
Fund Number - 0339
Project Grant Number - UR0128000A
\$75,000
 2. Create the necessary grant and aid project/grant and project/grant levels, budget against these project grant values the amount required under the grant agreement.

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

Further Resolved, That these funds are appropriated to the Department of City Development, 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 subcontracts and leases as detailed in the grant budget.

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

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

No: 0

Excused: 1 - Murphy

4. [081203](#) Resolution approving the Land Disposition Report for the Redevelopment Authority-owned properties in the vicinity of North 27th Street and West Lisbon Avenue for sale to Lisbon Terrace, LLC, for affordable housing development, in the 15th Aldermanic District.

Whereas, On December 18, 2008, 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 December 18, 2008, with respect to the proposed sale of the following properties is approved:

REDEVELOPMENT PROJECT AREA

North 27th Street - West Lisbon Avenue

PARCEL ADDRESSES

2704-12 West Lisbon Avenue

2716 West Lisbon Avenue

2724-28 West Lisbon Avenue
2730-32 West Lisbon Avenue

REDEVELOPER

Lisbon Terrace, LLC

; and, be it

Further Resolved, That the Director of the Emerging Business Enterprise (“EBE”) Program is authorized to enter into an EBE Agreement with the Redeveloper; and, be it

Further Resolved, That the sale proceeds, less sale expenses and a 30 percent disposition cost reimbursement to the Authority, shall be credited to the Department of Public Works Parking Fund and the Community Development Block Grant Fund.

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

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

No: 0

Excused: 1 - Murphy

5. [081204](#) Resolution authorizing the sale of the City-owned vacant lot at 1537 West National Avenue to Cardinal Capital Management, Inc., for the development of a supportive housing facility, in the 12th Aldermanic District.
- Whereas, Cardinal Capital Management, Inc., desires to develop a supportive housing facility at 1527 West National Avenue and has submitted an unsolicited offer to purchase the adjacent vacant lot at 1537 West National Avenue; and
- Whereas, Section 304-49-7 of the Milwaukee Code of Ordinances allows the City of Milwaukee (“City”) to accept unsolicited offers to purchase property when the City receives fair compensation, whether monetary or non-monetary; and
- Whereas, The Department of City Development (“DCD”) has reviewed the offer and the development proposal and has determined that the proposed price and redevelopment represents fair compensation to the City considering the offering price, investment in the neighborhood and provision of mental health services to the community; and
- Whereas, DCD submits herewith a Land Disposition Report, a copy of which is

attached to this Common Council File, 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 Commissioner of DCD, or designee, is authorized to accept the unsolicited offer to purchase submitted by Cardinal Capital Management, Inc., for the City-owned vacant lot at 1537 West National Avenue for purchase and development as outlined in the Land Disposition Report; and, be it

Further Resolved, That the Commissioner of DCD or designee is authorized to release any deed restrictions that inhibit development and execute other legal documents on behalf of the City and to close the transaction according to the terms of the Land Disposition Report; and, be it

Further Resolved, That the sale proceeds, less sale expenses and a 30 percent disposition cost reimbursement to the Redevelopment Authority of the City of Milwaukee, shall be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

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

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

No: 0

Excused: 1 - Murphy

6. [081205](#) Resolution authorizing the sale of City-owned vacant lots to Milwaukee Habitat for Humanity, Inc., to create building sites for its 2009 housing program, in the 6th and 15th Aldermanic Districts.

Whereas, Milwaukee Habitat for Humanity, Inc., (“Habitat”) is a community-based organization that has been providing affordable housing to first-time homebuyers that qualify as low to moderate-income households in Milwaukee since 1984; and

Whereas, Habitat desires to build 25 single-family homes for its 2009 housing program and has submitted an unsolicited offer to purchase the following City-owned vacant lots, as summarized in a Land Disposition Report and a copy of which is attached to this Common Council File:

ADDRESS, TAX KEY NO.

3131 North Buffum Street, 281-1511-000

3152 North Buffum Street, 281-2317-000

3207 North Buffum Street, 281-2511-000
3215 North Buffum Street, 281-2509-000
3000 North Richards Street, 314-0662-000
3008 North Richards Street, 314-0663-100
3028 North Richards Street, 314-0668-000
3032 North Richards Street, 314-0669-000
3157 North Richards Street, 282-2707-000
3227 North Richards Street, 282-2533-000
3249 North Richards Street, 282-2508-000
238 East Burleigh Street, 282-2719-000
203 East Burleigh Street, 313-1613-000
3209 North Achilles Street, 282-1824-100
3227 North Achilles Street, 282-1828-100
2540 North 20th Street, 324-0969-100
2532 North 20th Street, 324-0971-000
2528 North 20th Street, 324-0972-000
2513 North 21st Street, 325-0344-000
2519 North 21st Street, 325-0333-000
2521 North 21st Street, 325-0330-000
2527 North 21st Street, 325-0329-000
2529 North 21st Street, 325-0326-000
2555 North 21st Street, 325-0809-000
2561 North 21st Street, 325-0810-000

; and

Whereas, Section 304-49-7 of the Milwaukee Code of Ordinances allows the City of Milwaukee (“City”) to accept unsolicited offers to purchase when the City receives fair compensation, whether monetary or non-monetary; and

Whereas, The sale of these lots will allow Habitat to continue to provide affordable homeownership opportunities to low and moderate-income families and will provide the City with fair compensation through additional tax base and housing opportunities; and

Whereas, The Department of City Development (“DCD”) recommends sale of these lots with closing contingent on DCD approval of final site and building plans and evidence of financing; and

Whereas, These lots will be sold in “as is” condition without representations or warranties including but not limited to soil quality and subsurface condition; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Offer to Purchase the above-identified vacant lots from Habitat is accepted; and, be it

Further Resolved, That the Commissioner of DCD or designee is authorized to perform such acts as necessary to carry out the intent of this resolution including accepting the Offer, executing the deed and releasing any deed restrictions that prevent construction; and, be it

Further Resolved, That the Commissioner of DCD may amend the Offer after notice to the local alderman pursuant to Section 304-49-2, Milwaukee Code of Ordinances, to substitute different City-owned lots in the target area in the event physical or title problems prevent conveyance of a lot or if additional lots become available due to tax foreclosure or termination of outstanding offers if the new lots are more suitable for Habitat's program; and, be it

Further Resolved, That the proceeds from said sale be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106, less a 30 percent disposition cost reimbursement to the Redevelopment Authority of the City of Milwaukee.

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

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

No: 0

Excused: 1 - Murphy

7. [081206](#) Resolution accepting a proposal submitted by Best Choice Mechanical, LLC, to purchase the City-owned property at 4703 North Hopkins Street for commercial use, in the 7th Aldermanic District.

Whereas, The Department of City Development ("DCD") advertised a Request for Proposal specifying Redevelopment Criteria; and

Whereas, One proposal was received and reviewed according to the established criteria; and

Whereas, DCD recommends sale of said property to Best Choice Mechanical, LLC, for commercial use as outlined in a Land Disposition Report, a copy of which is attached to this Common Council File; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proposal submitted by Best Choice Mechanical, LLC, for the tax-deed property at 4703 North Hopkins Street is accepted; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to execute an Option to Purchase, Agreement for Sale and Deed on behalf of the City and to close the transaction according to the terms of the Land Disposition Report, conditioned on DCD approval of the final building plans and receipt of a firm financing commitment; and, be it

Further Resolved, That the proper City officials and/or the Commissioner of DCD, or designee, is authorized to execute any other legal documents necessary to close the transaction; and, be it

Further Resolved, That the net proceeds from the sale shall be returned to the Reserve For Tax Deficit Fund, less all sale and marketing expenses and a 30 percent development fee to be paid to the Redevelopment Authority of the City of Milwaukee.

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

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

No: 0

Excused: 1 - Murphy

8. [081207](#) Resolution relative to application, acceptance and funding of a State of Wisconsin Coastal Management Program Grant, in the 4th Aldermanic District.
- Whereas, The City of Milwaukee (“City”) appears to be eligible for grant funds from the State of Wisconsin for the construction of a portion of the Erie Street Plaza; and
- Whereas, The operation of this Wisconsin Coastal Management Program Grant from July 1, 2009 to July 31, 2010 will cost \$850,000 of which, \$775,000 (91 percent) will be provided by the City and \$75,000 (9 percent) will be provided by the Grantor; and
- Whereas, It appears that City involvement in this grant and aid program will result in the major benefit to the City of increased public access to Milwaukee’s waterfront; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development shall apply for and accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it
- Further Resolved, That upon approval of this grant, the City Comptroller is authorized

to:

1. Transfer to these accounts the additional amount required under the grant and City accounting policy, but not to exceed a 10 percent increase of the total amounts reserved for the Grantor’s Share and Local Share of \$5,000, whichever is greater, as follows:

Grantor Reimbursable Cash
Fund Number - 0306
Project Grant Number - SP032090100
\$75,000

Local Share
Fund Number - 0336
Project Grant Number - TDO5680000
\$775,000

2. Create the necessary grant and aid project/grant and project/grant levels, budget against these project grant values the amount required under the grant agreement.

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

Further Resolved, That these funds are appropriated to the Department of City Development, 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 subcontracts and leases as detailed in the grant budget.

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

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

No: 1 - Dudzik

Excused: 1 - Murphy

CONFIRMATION OF THE FOLLOWING:

- 9. [081220](#) Appointment of Nancy Hernandez to the Redevelopment Authority by the Mayor. (4th Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

10. [081225](#) Reappointment of Whitney Gould to the City Plan Commission by the Mayor. (3rd Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

11. [081226](#) Reappointment of Patricia Torres Najera to the City Plan Commission by the Mayor. (13th Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

12. [081235](#) Appointment of Jose Dominguez, Jr. to serve as first alternate on the Board of Zoning Appeals by the Mayor. (5th Aldermanic District)

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

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

No: 0

Excused: 1 - Murphy

PLACING ON FILE THE FOLLOWING:

13. Various obsolete files:

- a. [051608](#) An ordinance relating to fees for certain licensed dwelling facility licenses.
- A motion was made by ALD. WITKOWIAK that this Ordinance be PLACED ON FILE. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- b. [051609](#) An ordinance relating to regulations for transitional living facilities.
- A motion was made by ALD. WITKOWIAK that this Ordinance be PLACED ON FILE. This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- c. [061596](#) Substitute resolution expressing the City of Milwaukee's support for the Kenosha-Racine-Milwaukee Alternatives Analysis (Environmental Impact Statement & Project Development Phase) Transit-Oriented Development Portfolios.
- A motion was made by ALD. WITKOWIAK that this Resolution be PLACED ON FILE. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- d. [070239](#) Substitute resolution directing the Redevelopment Authority to re-bid properties located at 1940-1948 North Dr. Martin Luther King, Jr. Drive and 227R West Brown Street that have not met conditions of the Land Disposition Report approved by the Common Council in September 2005.
- A motion was made by ALD. WITKOWIAK that this Resolution be PLACED ON FILE. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Murphy

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081141](#) An ordinance relating to removal and clearing away of snow and ice accumulations for the public crosswalks.

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

Part 1. Section 116-8-1 of the code is amended to read:

116-8. Sidewalks to be Kept Clean. 1. SNOW AND ICE. The owner, occupant or person in charge of any real property abutting or fronting upon a paved public sidewalk or crosswalk shall remove and clear away all snow and ice on the entire paved surface within 24 hours after the snow or ice has ceased to fall. Whenever ice has so formed on any sidewalk that it cannot be removed, then the persons responsible for snow and ice removal under this subsection shall prevent the remaining ice from presenting a hazard to the users of the sidewalk by applying sand, abrasive material or any product that melts ice to the entire paved surface. Upon placement of excessive amounts of snow in the crosswalks by city plows or other mechanical devices, the commissioner of public works shall be responsible for[[removal of such accumulations]]>>mechanical clearing of such accumulations so as to provide reasonable pedestrian access from the public sidewalk to the roadway crosswalk. After mechanical clearing by the city is complete, the owner, occupant or person in charge shall be responsible for any needed hand-clearing of the crosswalk opening as required in this subsection<<.

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

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

No: 0

Excused: 1 - Murphy

ADOPTION OF THE FOLLOWING:

2. Various resolutions relating to special privileges:
 - a. [080354](#) Substitute resolution granting a special privilege to Historic Kilbourn Building Redevelopment LLC for a ramp, two excess door swings and two stationary planters in the public right-of-way for the premises at 2741 West Fond du Lac Avenue, in the 15th Aldermanic District.

Whereas, Historic Kilbourn Building Redevelopment LLC is in the process of renovating and restoring the subject premises; and

Whereas, The applicant is requesting permission to construct and maintain a barrier free access ramp, two excess door swings and two stationary planters in the public right-of-way; and

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

Resolved, By the Common Council of the City of Milwaukee that Historic Kilbourn Building Redevelopment LLC, 1441 North 7th Street, Milwaukee, WI 53205 is hereby granted the following special privileges:

1. To construct and maintain a concrete barrier free access ramp to project 2 feet 4 inches into the 13-foot wide southerly sidewalk area of West Fond du Lac Avenue. Said ramp will be centered approximately 37 feet northwesterly of the northline of West Center Street. The ramp will be 6 feet 6 inches long
2. To construct and maintain two permanent concrete planters adjacent to the concrete barrier free access ramp described above. Said urn shaped planters will be centered approximately 33 and 41 feet northwesterly of the northline of West Center Street. Said concrete bases for the planters will project 2 feet 4 inches into the public way, will be 1 foot 5 inches long and will be approximately 6 inches tall.
3. To construct and maintain two door swings that, when fully open, will project 2 feet 4 inches into the public right-of-way, in excess of the 12 inches allowed under Section 245-4-8 of the Milwaukee Code of Ordinances. Said doors will swing open over the ramp described above.

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

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

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Historic Kilbourn Building Redevelopment LLC, 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. This 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 \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

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

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

5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

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

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

No: 0

Excused: 1 - Murphy

b. [080943](#) Substitute resolution amending a special privilege for change of ownership to Kurth

Corporation and for renewal of permission for a fence crossing an unnamed street for the premises at 318 South Water Street, in the 12th Aldermanic District.

Whereas, Plant Two Corporation, the property owner to the south, requested permission to keep and maintain a fence crossing an unnamed street, creating a “locked gate” situation, in order to allow for the storage of boats and trailers; and

Whereas, Permission for said fence and storage area was granted in 2005 under Common Council Resolution File Number 050527 with a contingency that permission would expire on June 30, 2006; and

Whereas, Kurth Corporation , the property owner to the north, is now requesting permission to keep and maintain the fence across the unnamed street and to use said land area for the storage of boats and trailers; and

Whereas, For the liability to be formally transferred to Kurth Corporation , the Common Council needs to adopt an amending resolution; and

Whereas, It does not appear to be detrimental to allow the proposed land usage to continue to occur under the special privilege procedure; and

Whereas, To allow for efficient maintenance and continuity of the special privilege, no expiration clause is included in this resolution; however whenever said unnamed street is planned to be improved, this special privilege resolution will be rescinded; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council File Number 050527 is hereby rescinded; and, be it

Further Resolved, That Kurth Corporation , c/o June Jager Norman, 3780 North 169th Street, Brookfield, Wisconsin 53005, is hereby granted the following special privilege:

To keep and maintain a fence crossing the 39-foot wide unnamed street located between South Water Street and the Milwaukee River. The street, which is 199.21-foot long, is located approximately 150 feet northerly of East Florida Street. Said unnamed street may be used to park boats and boat trailers. The grantee shall post a sign with a contact name and phone number that may be reached at anytime.

The grantee shall provide access to utilities with facilities located within the unnamed street to allow for inspection, maintenance or reconstruction of said facilities. Removal or relocation of items stored within the limits of the unnamed street to accommodate work by utilities will be done by the grantee at the grantee’s expense.

Said fence and boat storage kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

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

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Kurth 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 \$10,000 such bond to be approved by the City Attorney. This 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 \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$5,714.85. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common

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

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

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

No: 0

Excused: 1 - Murphy

- c. [080951](#) Substitute resolution amending a special privilege to Jeremy Burkham for change of ownership of a set of steps for the premises at 217 West Reservoir Avenue, in the 6th Aldermanic District.

Whereas, Mark D. Franke requested permission to construct and maintain a set of wood steps in the public right-of-way; and

Whereas, Permission for said steps was granted in 1994 under Common Council File Number 931633; and

Whereas, Jeremy Burkham now owns the property; and

Whereas, For the liability for the steps to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council File Number 931633 is hereby rescinded; and, be it

Further Resolved, That Jeremy Burkham, 217 West Reservoir Avenue, Milwaukee, Wisconsin 53212, is hereby granted the following special privilege:

To keep and maintain a set of wooden steps projecting 2 feet 8 inches into the south, 20-foot wide sidewalk area of West Reservoir Avenue. Said steps are 6 feet 6 inches wide and are centered approximately 141 feet west of the westline of North 2nd Street.

Said above-mentioned steps shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items steps be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of

Public Works and Department of Neighborhood Services.

; and, be it

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

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

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. This 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 \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$57.78. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

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

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

No: 0

Excused: 1 - Murphy

3. [080964](#) Resolution relating to application for, and acceptance and funding of, a FY 2008 Port Security Grant Program grant.

Whereas, The City of Milwaukee appears to be eligible for FY 2008 Port Security Program Grant funds from the U.S. Department of Homeland Security, FEMA, to be used by the Milwaukee Fire Department, Milwaukee Police Department and Port of Milwaukee to fund a full-scale emergency response exercise in the Milwaukee harbor and the purchase of water rescue equipment and a replacement Port security patrol boat; and

Whereas, The operation of this grant project from August 1, 2008 through July 31, 2011 would cost \$1,043,565, of which \$264,521(25%) would be provided by the City and \$779,044(75%) would be provided by the grantor; and

Whereas, This grant-funded project would include the following items:

	Share	Grantor Share	City Total	
Personnel backfill and	\$50,000	\$16,667	\$66,667	(MFD)
overtime costs for		\$50,000	\$16,667	\$66,667 (MPD)
emergency response exercise		\$50,000	\$16,666	\$66,666 (Port)
 Water rescue equipment		 \$12,415	 \$6,207	 \$18,622 (MFD)
 Water rescue equipment		 \$16,629	 \$8,314	 \$24,943 (MPD)
 Replacement patrol boat		 \$600,000	 \$200,000	 \$800,000 (Port)
TOTAL		\$779,044	\$264,521	\$1,043,565

; and

Whereas, The City's share of this grant project would be funded as follows:

Personnel backfill and overtime costs for
 emergency response exercise \$ 16,667 - MFD Operations
 \$ 16,667 - MPD Operations
 \$ 16,666 - Port Operations

Water rescue equipment	\$ 6,207 - MFD Operations
Water rescue equipment	\$ 8,314 - MPD Operations
Replacement patrol boat	\$200,000 - Port Capital
TOTAL	\$264,521

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration is authorized to apply for funding under the FY 2008 Port Security Grant Program (U.S. Department of Homeland Security, FEMA); and, be it

Further Resolved, That the Milwaukee Fire Department, Milwaukee Police Department and Port of Milwaukee shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit, within the Project/Grant Parent of the 2008 Special Revenue-Grant and Aid Project Fund, the following amounts for the project titled "FY 2008 Port Security Grant":

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000800000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$179,044

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

3. Establish the necessary City share Project Values.

; and, be it

Further Resolved, That the City Comptroller is authorized and directed to commit, within the City's 2009 capital project fund, the following amounts for the project titled "Port Security Grant Program":

Port of Milwaukee
Project ID 2008-GB-T8-0145
Account No. SP032080100
Grantor Share: \$600,000

Account No. PT320090000
006300-0481-9990-R999
City Share: \$200,000
Total: \$800,000

; and, be it

Further Resolved, That the Port of Milwaukee shall request that a unique program code be established to track the expenditures of the grant; and, be it

Further Resolved, That the Fire Department, Police Department and Port of Milwaukee are authorized to:

1. Incur costs and expend sums, from the amount appropriated, for the purposes specified in the grant budget, consistent with the award date.
2. Sign agreements, forms, claims and other required documents binding upon the City in connection with the acceptance and expenditure of this grant.

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

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

No: 0

Excused: 1 - Murphy

4. [081122](#) Substitute resolution relating to acceptance and expenditure of funds from the Federal Emergency Management Agency and the State of Wisconsin Division of Emergency Management to reimburse the City for expenses incurred as a result of damage to City infrastructure, facilities and equipment during the flooding of June, 2008.

Whereas, Various infrastructure, facilities and equipment owned by the City of Milwaukee were damaged by the severe flooding that occurred in southeastern Wisconsin during June, 2008; and

Whereas, As a result of this flooding, the Federal Emergency Management Agency (“FEMA”) declared portions of Wisconsin a federal disaster area for the period extending from June 5 to July 25, 2008; and

Whereas, FEMA and the State of Wisconsin Division of Emergency Management have notified the City that they will reimburse the City for portions of various expenses the City incurred as a result of the flood damage, as follows:

□

Department	Explanation	FEMA reimbmsmnt.	State reimbmsmnt.	City match/ share
Grantor(s)/	local shares(%)			
Library	Central Library flooding	\$1,406.30	\$78.13	\$78.13 95/5
Library	Sewer ejector pump failure	1,492.09	248.68	248.68 87.5/12.5
Port	Transformer	13,738.78	2,289.80	2,289.79 87.5/12.5
Port	Roof	7,196.25	1,199.38	1,199.37 87.5/12.5
Port	Dock	41,922.46	6,987.08	6,987.08 87.5/12.5
Police	EPM	2,733.69	151.87	151.87 87.5/12.5
Police	Squad cars	10,504.37	1,750.73	1,750.72 87.5/12.5
Public Works	Debris	174,408.60	29,068.10	29,068.10 87.5/12.5
Public Works	Damage to roads, street lights & traffic signals			57,992.33 9,665.39 9,665.38 87.5/12.5
Sewer Maint. Fund	Sewers	188,868.36	10,492.69	10,492.68 95/5
Water Works	State Street meter pit	7,924.24	1,320.71	1,320.70 87.5/12.5
Water Works	Meno. Valley pump station	3,307.14	183.73	183.73 95/5
Water Works	Meno. Valley pump station	3,896.25	649.38	649.37 87.5/12.5
Water Works	Meno. Valley pump station	11,097,745.50		1,849,624.25 1,849,624.25 87.5/12.5
TOTAL - All Departments		\$11,613,136.36	\$1,913,709.92	\$1,913,709.84 87.6/12.4

; and

Whereas, The operation of this grant project from June 7, 2008 through December 14, 2009 will cost \$15,440,556.12, of which \$13,526,846.28 will be provided by the grantors (FEMA and the State of Wisconsin Division of Emergency Management) and \$1,913,709.84 will be provided by the City as the City's matching share; and

Whereas, The City's share of this grant project will be funded as follows:

□

Department	Explanation	City match/ share
Library	Central Library flooding	\$78.12 Library Operations
Library	Sewer ejector pump failure	248.68 Library Operations
Port	Transformer	2,289.79 Port Operations
Port	Roof	1,199.37 Port Operations
Port	Dock	6,987.08 Port Operations
Police	EPM	151.87 MPD Operations

Police Squad cars 1,750.72 MPD Operations
 Public Works Debris 29,068.10 DPW-Sanitation Operations
 Sewer Maint. Fund Sewers 10,492.68 Sewer Maintenance Fund - Operations
 Public Works Damage to roads, street lights & traffic signals 9,665.38
 DPW-Infrastructure
 Water Works State Street meter pit 1,320.70 Water Works - Operations
 Water Works Meno. Valley pump station 183.73 Water Works - Operations
 Water Works Meno. Valley pump station 649.37 Water Works - Operations
 Water Works Meno. Valley pump station 1,849,624.25 Water Works - Capital
 Funds
 TOTAL - All Departments \$1,913,709.84

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Public Library, Police Department, Port of Milwaukee, Department of Public Works, Sewer Maintenance Fund and Milwaukee Water Works are authorized to accept reimbursements from the Federal Emergency Management Agency and the State of Wisconsin Division of Emergency Management for damage to various City facilities incurred during the flooding of June, 2008, in the following amounts:

□

Department Explanation FEMA reimbrsmnt. State reimbrsmnt. Total Reimbursement

Library Central Library flooding	\$1,406.30	\$78.13	\$1,484.43
Library Sewer ejector pump failure	1,492.09	248.68	1,740.77
Port Transformer	13,738.78	2,289.80	16,028.58
Port Roof	7,196.25	1,199.38	8,395.63
Port Dock	41,922.46	6,987.08	48,909.54
Police EPM	2,733.69	151.87	2,885.56
Police Squad cars	10,504.37	1,750.73	12,255.10
Public Works Debris	174,408.60	29,068.10	203,476.70
Sewer Maint. Fund Sewers	188,868.36	10,492.69	199,361.05
Public Works Damage to roads, street lights & traffic signals		57,992.33	9,665.39
	67,657.72		
Water Works State Street meter pit	7,924.24	1,320.71	9,244.95
Water Works Meno. Valley pump station	3,307.14	183.73	3,490.87
Water Works Meno. Valley pump station	3,896.25	649.38	4,545.63
Water Works Meno. Valley pump station	11,097,745.50	1,849,624.25	
	12,947,369.75		
TOTAL	\$11,613,136.36	\$1,913,709.92	\$13,526,846.28

; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds, within the Project/Grant Parent of the 2008 Special Revenue-Grant and Aid Projects Fund, the following amounts for the project titled "2008 Flood Damage Reimbursement":

Project/Grant	GR0000800000	GR0000800000	GR0000800000	GR0000800000
	GR0000800000			
Fund	0150	0150	0150	0150
Org	9990	9990	9990	9990
Program	0001	0001	0001	0001
Budget Year	0000	0000	0000	0000
Subclass	R999	R999	R999	R999
Account	000600	000600	000600	000600
Project Grantor Share	Grantor Share	Grantor Share	Grantor Share	Grantor Share
Amount	\$3,225.20	\$73,333.75	\$15,140.66	\$378,622.44
	(Library)	(Port of Milw.)	(Police Dept.)	(Public Works)

□

Project/Grant	GR0000800000	GR0000800000
Fund	0150	0150
Org	9990	9990
Program	0001	0001
Budget Year	0000	0000
Subclass	R999	R999
Account	000600	000600
Project Grantor Share	Grantor Share	Grantor Share
Amount	\$91,873.03	\$17,281.45
	(Sewer Maint. Fund)	(Water Works)

2. Create the necessary Grant and Aid Project/Grant and Project/Grant levels and budget against these Project/Grant values the amounts required under the grant agreement(s).

3. Establish the necessary City share Project Values.

; and, be it

Further Resolved, that the City Comptroller is authorized and directed to commit, within the City's 2008 and 2009 capital project funds, the following amounts for the project titled "Menomonee Valley Pumping Station Replacement":

Milwaukee Water Works

Project ID: FEMA-WI-DR1768-DLF094
Account No. SP032080100
Grantor Share: \$12,947,369.75

Account No. and Name: WT45007500A "Pump Facilities Improvements"
000600-0420-6410-0001-R999-0000
City Share: \$1,849,624.25

Total: \$14,796,994.00

; and, be it

Further Resolved, That the Comptroller is authorized and directed to create the necessary accounts to provide the Milwaukee Water Works with \$13,000,000 of spending authority for the Menomonee Valley Pumping Station Replacement Project,

8th & 10th Aldermanic Districts

S. 44th St. Menomonee Valley Pumping Station (WT410090550).

This project is anticipated to be completed during the 2009/2010 construction season; and, be it

Further Resolved, That the Port of Milwaukee and the Milwaukee Water Works shall request that unique program codes be established to track expenditures of their respective portions of these grant dollars; and, be it

Further Resolved, That the Library, Police Department, Port of Milwaukee, Department of Public Works and Milwaukee Water Works are authorized to:

1. Incur costs and expend sums, from the amounts appropriated, for the purposes specified in the grant budget(s), consistent with the award date(s).
2. Sign agreements, forms, claims and other required documents binding upon the City in connection with the acceptance and expenditure of these grant dollars.

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

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

No: 0

Excused: 1 - Murphy

5. [081135](#) Resolution accepting a sewer easement document SE-2807 from Milwaukee County, located at West Courtland Avenue extended between North Green Bay Avenue and the Milwaukee River.
- Whereas; The City of Milwaukee has submitted a request for an easement required to maintain an existing 72-inch diameter storm sewer at West Courtland Avenue extended between North Green Bay Avenue and the Milwaukee River; and
- Whereas; The easement area is located in lands owned by Milwaukee County at West Courtland Avenue extended between North Green Bay Avenue and the Milwaukee River; and
- Whereas, Sewer Easement SE-2807, granting permission to the City of Milwaukee or future assigns to maintain the 72-inch diameter storm sewer has been approved as to contents by the City Engineer; and
- Whereas, Sewer Easement SE-2807 will also grant the City of Milwaukee or future assigns the right of entry in and across the property with the right to inspect, enlarge, reconstruct and relocate said 72-inch diameter storm sewer as may become applicable; now, therefore, be it
- Resolved, By The Common Council of the City of Milwaukee, that the City of Milwaukee hereby accepts Sewer Easement SE-2807, said Easement document being attached to this Common Council File Number 081135 and incorporated in this resolution by reference as though set forth in full; and, be it
- Further Resolved, That after said Easement document has been accepted, it shall be forwarded to the City Attorney for approval as to form and execution and then to the Department of Public Works for recording and distribution.
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
6. [081136](#) Resolution regarding the removal or reconstruction of encroachments, projections, and special privileges on streets and alleys on the 2009 paving program.
- Resolved, By the Common Council of the City of Milwaukee, that under Section 66.0425 of the Wisconsin Statutes, Section 7.05 of the Milwaukee City Charter and Section 245-3 of the Milwaukee Building Code and amendments thereto, all special

privileges and permits for projections and encroachments on streets and alleys on which the Common Council approves for improvement during 2009 whether granted as provided by law or otherwise exercised, are hereby cancelled to the extent necessary to accomplish the construction or reconstruction, of said streets and alleys, and the Commissioner of Public Works is hereby authorized and directed to notify the owners of the premises abutting such special privileges, encroachments, and projections, to alter, as may be necessary, or to remove the same within thirty (30) days; and, be it

Further Resolved, That upon failure of the owner or owners to alter or remove said special privileges, encroachments, and projections on the streets and alleys above-mentioned within said thirty (30) day period, the Commissioner of Public Works is hereby authorized and directed to remove and fill in the same, either by contract or by City forces, and assess the cost thereof against the owner or owners of the abutting property.

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

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

No: 0

Excused: 1 - Murphy

7. [081137](#) Resolution to remove obstructions from streets and alleys on the 2009 paving program.

Whereas, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to notify the owners of the premises abutting where obstructions exist on streets and alleys which the Common Council approves for improvement during 2009, and for said owners to remove said obstructions within thirty (30) days; and, be it

Further Resolved, That upon failure of the owner or owners to remove said obstructions within said thirty (30) day period, the Commissioner of Public Works is hereby authorized and directed to remove the same and assess the cost thereof against the owner or owners of the abutting property.

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

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

No: 0

Excused: 1 - Murphy

8. [081164](#) Resolution authorizing the City Comptroller to transfer funds to various State and/or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee construction costs totaling \$42,000.00, City share is \$42,000.00 and the Grantor's share is \$0.00.

Whereas, The Common Council has previously adopted resolutions authorizing the City Comptroller to transfer funds to various State and/or Federal Aid project subaccounts for construction; and

Whereas, Additional planning and review during the design stage and additional work during the construction stage have resulted in increased costs charged and against the projects; and

Whereas, Additional funds are, therefore, necessary for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee construction costs for the projects; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is hereby authorized and directed to transfer funds to the project grant chartfields as follows:

Project Grant Value
Milwaukee County Project (Phase III)
ST320071510
West Good Hope Road
North 76th Street to North 107th Street

City Share Non-Assessable Paving
ST320080000
Fund 0333
\$30,000.00

Previously authorized for construction: \$85,109.20
Current estimated cost of total project including this resolution: \$5,000,000.00.
Original estimated cost of total project (Resolution #071073): \$5,000,000.00.

Project Grant Value
State I.D. 2265-01-77
ST320060410
South Layton Boulevard
Intersection with West National Avenue

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$12,000.00

Previously authorized for construction: \$249,250.00

Current estimated cost of total project including this resolution: \$326,634.51

Original estimated cost of total project (Resolution #051255): \$132,998.00

Resolution total: \$42,000.00

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

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

No: 0

Excused: 1 - Murphy

9. [081174](#) Resolution to revise the Local Force Account Contract with the Wisconsin Department of Transportation relative to the cost participation for the installation of traffic control devices in conjunction with the Federal/State Aid paving of North 20th Street from West Highland Avenue to West North Avenue in the 4th and 15th Aldermanic Districts with an increase of \$15,816.60, or 16%, for a new total of \$113,039.73, with one hundred percent of the total cost funded by the Wisconsin Department of Transportation.
- Whereas, The Common Council has previously approved file number 061405, which authorized the Commissioner of Public Works and the Comptroller to enter into a funding agreement with the Wisconsin Department of Transportation (WisDOT) for the installation of traffic control devices in conjunction with the Federal/State Aid paving of North 20th Street from West Highland Avenue to West North Avenue in the 4th and 15th Aldermanic Districts; and
- Whereas, The cost of emergency vehicle preemption signal equipment purchased by the Milwaukee Fire Department for use by the Department of Public Works was not included in the original estimate for the project; and
- Whereas, The increased costs for this project are greater than ten percent of the previously authorized amount, which requires further approval by the Common Council; and
- Whereas, The revised estimated cost is \$113,039.73, an increase of \$15,816.60, or 16%, over the original estimated cost of \$97,223.13 for the installation emergency vehicle preemption traffic signal equipment; and

Whereas, One hundred percent of the participating project cost, or \$113,039.73, is reimbursable from the WisDOT; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works and the Comptroller are authorized to amend the funding agreement with WisDOT for the installation of traffic control devices in conjunction with the Federal/State Aid paving of North 20th Street from West Highland Avenue to West North Avenue in the 4th and 15th Aldermanic Districts a copy of which is attached to this resolution, and is incorporated into this resolution as though set forth in full; and, be it

Further Resolved, That upon approval of this amendment, the Commissioner of Public Works is directed to install the additional traffic control devices in conjunction with the Federal/State Aid paving of North 20th Street from West Highland Avenue to West North Avenue in the 4th and 15th Aldermanic Districts; and, be it

Further Resolved, That upon approval of this amendment, the City Comptroller is hereby authorized to transfer to these accounts the additional amount required under the agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater as follows:

Location:

Project I.D. 2275-03-90

ST320051215

North 20th Street from West Highland Avenue to West North Avenue

Grantor Reimbursable Cash Fund (WisDOT)

Fund Number 0306

Project/Grant Number SP032080100

\$15,816.60

Previously Authorized for Traffic Signals and Signs-\$97,223.13

Current Estimated Cost of the Total Project including this Resolution-\$2,631,100.00

Original Estimated Cost of the Total Project-\$2,631,100.00

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

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

No: 0

Excused: 1 - Murphy

10. [081182](#) Resolution authorizing and approving conveyance of Milwaukee Public School lands at 500 East Center Street, Milwaukee, Wisconsin (“Centro Del Nino”) to Urbanworks, LLC, in the 3rd aldermanic district.

Whereas, MPS, The Boerke Company, Inc., Quarles & Brady, LLP and Central City Valuation Services have entered into an agreement dated January 12, 2007 providing for the marketing development and conveyance of real property declared surplus by MPS; and

Whereas, MPS has declared the real property located at 500 East Center Street, Milwaukee, Wisconsin (“Property”) to be surplus and undertaken marketing efforts resulting in the proposed conveyance of the Property to Urbanworks, LLC upon terms and conditions set forth in the Term Sheet (“Term Sheet”) associated with this Common council file; and

Whereas, Legal title to MPS real property is held in the name of the City of Milwaukee, in trust for MPS; and

Whereas, The conveyance of surplus MPS property requires adoption of a resolution by the Common Council authorizing and approving such conveyance; and

Whereas, The Common Council desires to approve the conveyance of the Property upon the terms outlined in the Term Sheet; now, therefore, be it

Resolved, By the Common Council that the conveyance of the surplus MPS real property located at 500 East Center Street, Milwaukee, Wisconsin (“Centro Del Nino”) to Urbanworks, LLC, upon the terms and conditions outlined in the Term Sheet, is hereby approved and the proper City officers are hereby authorized and directed to execute the necessary instruments of conveyance.

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

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

No: 0

Excused: 1 - Murphy

11. [081185](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$838,700 for a total estimated cost of \$923,700.

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions, determining it necessary and in the public interest to construct and levy special assessments for the following improvements:

2nd Aldermanic District

N. 64th St. - W. Melvina St. to W. Capitol Dr. (ST211070117) File Number 061097:

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-9-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$3,500; Nonassessable Reconstruction Paving Fund -- \$80,000). The total estimated cost for this project including the requested amount is \$100,500. This project is anticipated to be completed during the 2009 construction season.

5th Aldermanic District

W. Auer Ave. - N. 91st St. to N. 92nd St. (ST21110130) File Number 080123:

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$1,000; Nonassessable Reconstruction Paving Fund -- \$80,000). The total estimated cost for this project including the requested amount is \$92,000. This project is anticipated to be completed during the 2009 construction season.

8th Aldermanic District

Alley between W. Drury La., W. Oklahoma Ave., S. 32nd St. and S. 33rd St. (East-West Leg) (ST212060128) File Number 051444: Concrete alley pavement reconstruction, replace some abutting sidewalk or driveway approach, and grading. (Assessable Alley Paving Fund -- \$11,200; Nonassessable Alley Paving Fund -- \$50,000). The total estimated cost for this project including the requested amount is \$69,200. This project is anticipated to be completed during the 2009 construction season.

10th Aldermanic District

N. 90th St. - W. Blue Mound Rd. to W. Wisconsin Ave. (ST21110122) File Number 061497: Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6-7-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$6,000; Nonassessable Reconstruction Paving Fund -- \$125,000). The total estimated cost for this project including the requested amount is \$147,000. This project is

anticipated to be completed during the 2009 construction season.

12th Aldermanic District

W. Washington St. - S. 7th St. to S. 8th St. (ST211090134) File Number 081188: Install traffic calming speed humps. (Assessable Reconstruction Paving Fund -- \$2,100; Nonassessable Reconstruction Paving Fund -- \$5,000). The total estimated cost for this project is \$7,100. This project is anticipated to be completed during the 2009 construction season.

W. Washington St. - S. 10th St. to S. 11th St. (ST211090135) File Number 081188: Install traffic calming speed humps. (Assessable Reconstruction Paving Fund -- \$1,600; Nonassessable Reconstruction Paving Fund -- \$5,000). The total estimated cost for this project is \$6,600. This project is anticipated to be completed during the 2009 construction season.

13th Aldermanic District

S. Jasper Ave. - A Point 300 feet m/l south of E. Plainfield Ave. to E. Plainfield Ave. (ST211090117) File Number 080123: Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (7-8-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$5,600; Nonassessable Reconstruction Paving Fund -- \$80,000). The total estimated cost for this project including the requested amount is \$95,600. This project is anticipated to be completed during the 2009 construction season.

15th Aldermanic District

N. 28th St. - W. Lisbon Ave. to W. North Ave. (ST211080152) File Number 081188: Install traffic calming speed humps. (Assessable Reconstruction Paving Fund -- \$12,700; Nonassessable Reconstruction Paving Fund -- \$50,000). The total estimated cost for this project including the requested amount is \$62,700. This project is anticipated to be completed during the 2009 construction season.

N. 48th St. - W. Lisbon Ave. to W. Clarke St. (ST211060133) File Number 060372:

Asphalt pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (9-10 foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$20,000; Nonassessable Reconstruction Paving Fund -- \$300,000). The total estimated cost for this project including the requested amount is \$343,000. This project is anticipated to be completed during the 2009 construction season.

; and

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

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

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

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

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

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

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

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

Further Resolved, That projects: N. 64th St. (ST211070117), W. Auer Ave. (ST21110130), Alley W. Drury La. (ST212060128), N. 90th St. (ST21110122), W. Washington St. (ST211090134), W. Washington St. (ST211090135), S. Jasper Ave. (ST211090117), N. 28th St. (ST211080152) and N. 48th St. (ST211060133) will be billed after January 1, 2011, but not before 12 months after the project contract has been completed.

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

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

No: 0

Excused: 1 - Murphy

12. [081186](#) Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$5,520,000 for a total estimated cost of these projects being \$5,738,000.

Proposed Substitute A offered.

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

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

No: 0

Excused: 1 - Murphy

- [081186](#) Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$5,520,000 for a total estimated cost of these projects being \$5,738,000.

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

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

1st Aldermanic District

W. Reichert Pl. - N. 27th St. to 215 feet m/l west of N. 27th St. (SM495080054) File Number 080387: Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$36,000). The total estimated cost for this project including the requested amount is \$46,000. This project is anticipated to be completed during the 2009 construction season.

1st and 7th Aldermanic Districts

W. Capitol Dr. - N. 27th St. to N. 35th St. (UR04184000) File Number 070851: Streetscape. (Nonassessable BID Fund -- \$609,000). The total estimated cost for this project including the requested amount is \$660,000. This project is anticipated to be completed during the 2009 construction season.

N. 27th St. - W. Nash St. to W. Capitol Dr. (SM495070171) File Number 080237: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$331,000). The total estimated cost for this project including the requested amount is \$341,000. This project is anticipated to be completed during the 2009 construction season.

4th Aldermanic District

The Brewery-Phase 2: W. Juneau Av. - N. 8th St. to N.11th St.; N. 9th St. - W. Highland Av. to a Point 180' m/l south of W. Winnebago St.; N. 10th St. - W. Highland Av. to W. Juneau Av., N. 10th St. (east-side) - W. Juneau Av. to W. McKinley Av.; N. 11th St. - W. Juneau Av. to a point 200' m/l south of W. McKinley Av. (ST214090102) File Number 060911: Asphalt pavement construction, install curb and gutter, sidewalk where necessary, street lights, special treatment, construction engineering and contingencies. (Developer Deposit Paving Fund - -\$1,810,000). The total estimated cost for this project including the requested amount is \$1,810,000. This project is anticipated to be completed during the 2009 construction season.

N. Plankinton Ave. - W. Michigan St. to W. Wells St. (SM495080069) File Number 080911: Relay combined sewer and combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$25,000). The total estimated cost for this project including the requested amount is \$40,000. This project is anticipated to be completed during the 2009 construction season.

N. Van Buren St. - E. Buffalo St. to E. St. Paul Ave. (SM495070059) File Number 070081: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$38,000). The total estimated cost for this project including the requested amount is \$48,000. This project is anticipated to be completed during the 2009 construction season.

W. Wisconsin Ave. - N. 2nd St. to N. Plankinton Ave. (SM495080070) File Number 080911. Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$135,000). The total estimated cost for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2009 construction season.

7th Aldermanic District

N. 40th St. - 75 feet m/l north of W. Roosevelt Dr. to W. Capitol Dr. (SM495070149) File Number 071055: Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$133,000). The total estimated cost for this project including the requested amount is \$143,000. This project is anticipated to be

completed during the 2009 construction season.

N. 49th St. - W. Auer Ave. to W. Townsend St. (SM495070032) File Number 061380: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$284,000). The total estimated cost for this project including the requested amount is \$302,000. This project is anticipated to be completed during the 2009 construction season.

N. 50th St. - W. Keefe Ave. to W. Vienna Ave. (SM495070152) File Number 071055: Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$134,000). The total estimated cost for this project including the requested amount is \$146,000. This project is anticipated to be completed during the 2009 construction season.

8th and 11th Aldermanic Districts

W. Forest Home Ave. - S. 35th St. to S. 37th St. (WT410091003) File Number 071378: Relay water main. (Nonassessable Water Fund -- \$325,000). The total estimated cost for this project including the requested amount is \$340,000. This project is anticipated to be completed during the 2009 construction season.

10th Aldermanic District

W. Roosevelt Dr. - N. 60th St. to N. Norwood Pl. (SM495070148) File Number 071055: Relay sanitary sewer and sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$60,000). The total estimated cost for this project including the requested amount is \$72,000. This project is anticipated to be completed during the 2009 construction season.

W. Townsend St. - N. 57th St. to N. 58th St. (SM495080051) File Number 080387: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$62,000). The total estimated cost for this project including the requested amount is \$72,000. This project is anticipated to be completed during the 2009 construction season.

N. 57th St. - W. Philip Pl. to W. Townsend St. (SM495070155) File Number 071055: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$98,000). The total estimated cost for this project including the requested amount is \$108,000. This project is anticipated to be completed during the 2009 construction season.

N. 58th St. - W. Roosevelt Dr. to W. Townsend St. (SM495070157) File Number 071055: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund --

\$273,000). The total estimated cost for this project including the requested amount is \$283,000. This project is anticipated to be completed during the 2009 construction season.

12th Aldermanic District

S. 1st St. (including West Branch) - A Point 175 feet m/l south of E./W. Pittsburgh Ave. to a point 130 feet m/l north of E./W. Seeboth St. (TD06884110) File Number 060895: Concrete pavement reconstruction, replace all curb and gutter, sidewalk (full walk) and driveway approaches, sodding (full walk), grading, street lighting and traffic signals and narrowing to 60 feet. (Nonassessable TID Paving Fund -- \$983,000). The total estimated cost for this project is \$983,000. This project is anticipated to be completed during the 2009 construction season.

15th Aldermanic District

N. 25th St. - W. Meinecke Ave. to W. Medford Ave. (SM495080003) File Number 080237: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$184,000). The total estimated cost for this project including the requested amount is \$194,000. This project is anticipated to be completed during the 2009 construction season.

now, therefore, be it

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

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

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

As substituted.

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

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

No: 0

Excused: 1 - Murphy

13. [081187](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$5,000 for a total estimated cost of these projects being \$35,000.

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

14th Aldermanic District

S. Clement Ave. - E. Holt Ave. to a point north of E. Holt Ave. (Railroad Quiet Zone Installation) (ST211090136) Install concrete traffic island. (Nonassessable Reconstruction Paving Fund -- \$5,000). The total estimated cost for this project including the requested amount is \$35,000. This project is anticipated to be completed during the 2009 construction season.

;and, be it

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

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

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

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

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

No: 0

Excused: 1 - Murphy

14. [081188](#) Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$87,000 for a total estimated cost of these projects being \$681,800.

Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be

made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

3rd Aldermanic District

E. Auer Ave. - A Point east of N. Dousman St. to N. Humboldt Blvd. (ST211100112): 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 -- \$15,000). The total estimated cost for this project including the requested amount is \$105,000. This project is anticipated to be completed during the 2010 construction season.

Proposed N. Commerce St. - E. North Ave. to a point 300 feet m/l north of E. North Ave. (ST210070101) File Number 070184: Asphaltic concrete stage construction and streetscape, install new concrete walk, install new concrete curb and gutter. (Assessable New Paving Fund -- \$25,000 Additional Funds) The total estimated cost for this project including the requested amount is \$135,800. This project has been completed.

12th Aldermanic District

W. Washington St. - S. 7th St. to S. 8th St. (ST211090134): Install traffic calming devices. The total estimated cost for this project is \$15,000. This project is anticipated to be completed during the 2009 construction season.

W. Washington St. - S. 10th St. to S. 11th St. (ST211090135): Install traffic calming devices. The total estimated cost for this project is \$15,000. This project is anticipated to be completed during the 2009 construction season.

S. 14th St. - W. Lapham Blvd. to W. Greenfield Ave. (ST211100111): 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 -- \$22,000). The total estimated cost for this project including the requested amount is \$176,000. This project is anticipated to be completed during the 2010 construction season.

14th Aldermanic District

E. Warnimont Ave. - S. Brust Ave. to S. Clement Ave. (ST211100113): 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 -- \$25,000). The total estimated cost for this project

including the requested amount is \$205,000. This project is anticipated to be completed during the 2010 construction season.

15th Aldermanic District

N. 28th St. - W. Lisbon Ave. to W. North Ave. (ST211080152): Install traffic calming devices. The total estimated cost for this project is \$30,000. This project is anticipated to be completed during the 2009 construction season.

; and, be it

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

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

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

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

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

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

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

No: 0

Excused: 1 - Murphy

15. [081197](#) Resolution accepting a sewer easement document SE-2808 from LDC 221 OREGON LLC located at 225 East Oregon Street in the 12th Aldermanic District. Whereas, The City of Milwaukee has submitted a request for an easement required to maintain the existing 12-inch and 15-inch combined sewer that is located within the boundaries of LDC 221 OREGON LLC property; and

Whereas, SE-2808 granting permission to the City to maintain said combined sewer has been executed by LDC 221 OREGON LLC; and

Whereas, SE-2808 will also grant the City the right of entry in and across the property and with the right to inspect, enlarge, reconstruct, and relocate as it may become applicable said sewer; therefore, be it

Resolved, By The Common Council of the City of Milwaukee, that the City of Milwaukee hereby accepts Sewer Easement SE-2808, said Easement document being attached to Common Council File Number 081197 and incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That after said Sewer Easement document has been accepted, it shall be forwarded to the City Attorney for approval as to form and execution and then to the Department of Public Works for recording and distribution.

Requestor
Department of Public Works
Infrastructure Services Division

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

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

No: 0

Excused: 1 - Murphy

16. [081212](#) Substitute resolution implementing recommendations of the Comptroller's Audit of the City of Milwaukee Recycling Program.

Whereas, In June 2008, the Comptroller submitted to the Common Council an "Audit of the City of Milwaukee Recycling Program"; and

Whereas, The objectives of the audit included determining the cost and tax levy associated with the recycling program, evaluating program performance and efficiency, evaluating program compliance with applicable State statutes and City ordinances, and identifying opportunities to improve the performance and efficiency of the program; and

Whereas, The audit includes recommendations regarding improving program utilization, including requiring curb-side set-out of recycling carts in neighborhoods without alleys, scheduled collection in all neighborhoods, enforcement of the City's recycling ordinance, and an examination of a single stream recycling program; and

Whereas, The Common Council finds that it is in the city's best interest to implement the audit's recommendations to ensure that the City's recycling operations are conducted in the most efficient and cost-effective manner; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a task force is created to conduct a comprehensive study of the fiscal and operational impacts of a conversion to single stream recycling in the City of Milwaukee and that the task force shall consist of:

1. One member of the Common Council appointed by the Common Council President
2. One at-large citizen member appointed by the Common Council President with experience and knowledge of municipal public works operations.
3. The Commissioner of Public Works or the Commissioner's designee.
4. The City of Milwaukee Comptroller or the Comptroller's designee.
5. The Budget and Management Director or the Budget and Management's Director's designee.

; and, be it

Further Resolved, That the Common Council President shall designate the Chair of the task force; and, be it

Further Resolved, That the task force is directed to provide a comparison of the costs and benefits from continuing a dual-stream recycling program, including the Materials Resource Facility repairs, with those from a conversion to a new single-stream program, including alternative Material Resource Facility options; and, be it

Further Resolved, That the City Clerk's Office shall provide staff to support the task force; and, be it

Further Resolved, That all City departments are authorized and directed to cooperate with and assist the task force in carrying out its mission; and, be it

Further Resolved, That the task force shall submit its findings and recommendations to the Common Council within 180 days of adoption of this resolution and shall thereafter be dissolved; and be it

Further Resolved, Relating to other audit recommendations, that the Department of Public Works is directed to evaluate its recycling routes to determine the amount of time reasonably required to complete each route and to ensure that each route is properly sized for the most efficient use of staff and equipment; and, be it

Further Resolved, That the Department of Public Works is directed to consider implementing scheduled curbside set out of recycling carts in neighborhoods without alleys and analyze the feasibility of providing bi-weekly collection of recycling in neighborhoods with and without alleys; and, be it

Further Resolved, That the Department of Public Works is directed to enhance recycling education by developing educational initiatives that are tailored to the needs of the individual neighborhoods and to make full use of the Milwaukee Recycles website; and, be it

Further Resolved, That the Department of Public Works is directed to develop and implement a recycling enforcement policy that covers all major requirements of the Milwaukee Code's recycling provisions for both residential and commercial properties and explore the possibility of having the Department of Neighborhood Services enforce s. 79-25, requiring the separation of recycling from refuse, during building code inspections; and, be it

Further Resolved, That the Department of Public Works is directed to submit an annual report to the Common Council on the activities, effectiveness, cost and revenue of the recycling program, and the report shall include separate recycling rates for household recycling, yard waste recycling, and other recycling other recycling as well as other informative measures such as the amount of recycling and refuse collected such as the amount of recycling and refuse collected per capita and per household, by area of the City; and, be it

Further Resolved, That the Budget and Management's Division's annual Plan and Budget Summary shall include a condensed version of the Department of Public Works' annual report on recycling activities in the Plan and Budget Summary; and, be it

Further Resolved, That the Department of Public Works is directed to submit a progress report regarding the implementation of the recommendations contained in the "Audit of the City of Milwaukee Recycling Program" to the Common Council within 180 days of adoption of this resolution.

Requestor

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

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

No: 0

Excused: 1 - Murphy

17. [081242](#) Resolution authorizing the Department of Public Works to expend funds allocated in the 2007 City Budget for the Sanitation Headquarters Modification - Various Sites capital project account.

Whereas, The Common Council approved the City of Milwaukee 2007 Budget as Common Council Resolution 060757 adopted November 10, 2006 including a Capital Improvement new borrowing appropriation in the amount of \$2,260,500 for the Department of Public Works Sanitation Headquarters Modification - Various Sites capital project (0321-9990-R999-BU11091100); and

Whereas, Included a budget footnote reading, "No funds to be expended without Common Council approval;" and

Whereas, This footnote had been included in the budget pending a detailed scope definition by the Department of Public Works; and

Whereas, The Department of Public Works has provided a detailed scope of the project; which includes design and construction of a salt dome at the department's Northwest Garage facility at 3025 West Ruby Avenue; and

Whereas, The Department of Public Works has closed ward yards at 72nd and Fond Du Lac Avenue, and 29th and Cameron Avenue, and has relocated work activities to the Northwest Garage Facility; and

Whereas, The workforce at the Northwest Garage facility serves approximately one-sixth of the city for snow and ice control operations, and

Whereas, The Northwest Garage facility does not have a salt dome, now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the \$856,500 Capital Improvement appropriation for the Department of Public Works' Sanitation Headquarters Modification - Various Sites capital project account (0321-9990-R999-BU11091100) is hereby authorized to be expended; and, be it

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

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

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

No: 0

Excused: 1 - Murphy

PLACING ON FILE THE FOLLOWING:

18. [080956](#) Communication from the Comptroller's Office relating to a report titled Audit of the Department of Public Works Residential Street Paving Program.

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

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

No: 0

Excused: 1 - Murphy

19. [081243](#) Communication from the Wisconsin Department of Transportation relating to a status report on the reconstruction of I-94 North-South Corridor in southeast Wisconsin.

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

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

No: 0

Excused: 1 - Murphy

20. Various obsolete files:

- a. [990738](#) Substitute resolution to vacate West Glendale Avenue from North 35th Street to the Soo Line Railroad Company right-of-way, in the 1st Aldermanic District.

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

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

No: 0

Excused: 1 - Murphy

- b. [990742](#) Resolution to vacate North 51st Street between West Woolworth Avenue and West Mill Road, in the 9th Aldermanic District. (Department of City Development)
- A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- c. [001132](#) Resolution to vacate a portion of the East leg of alley between South 27th Street and South Layton Boulevard, located South of West National Avenue, in the 16th Aldermanic District. (DCD)
- A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- d. [001739](#) Resolution to vacate all of the streets and alleys in the blocks bounded by North 21st Street, West Fond du Lac Avenue, West North Avenue, North 23rd Street and West Lloyd Street from a point 130.79 feet North of the north line of West Lloyd Street, in the 7th Aldermanic District. (DCD)
- A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Murphy
- e. [030868](#) Resolution to vacate a portion of West Bruce Street between the West Side of South 1st Street and the East Side of the North-South alley between South 1st Street and South 2nd Street, in the 12th Aldermanic District. (DCD)
- A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.**
The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Murphy

- f. [041049](#) Substitute resolution to vacate East Center Street located East of North Humboldt Boulevard to its terminus at the alley, in the 3rd Aldermanic District.

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

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

No: 0

Excused: 1 - Murphy

- g. [051345](#) Resolution to vacate a portion of the North-South alley in the block bounded by North Broadway, East Buffalo Street, North Milwaukee Street and East St. Paul Avenue, in the 4th Aldermanic District.

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

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

No: 0

Excused: 1 - Murphy

- h. [060033](#) Resolution to vacate the Southerly East leg of alley and the North-South alley in the block bounded by West Historic Mitchell Street, West Lapham Boulevard, South 9th Street and South 10th Street, in the 12th Aldermanic District.

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

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

No: 0

Excused: 1 - Murphy

- i. [071395](#) Resolution to vacate a portion of the north-south alley in the block bounded by East

Pleasant Street, North Van Buren Street, East Brady Street and North Cass Street, in the 3rd Aldermanic District.

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

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

No: 0

Excused: 1 - Murphy

j. [080458](#) An ordinance relating to special event permit fees and regulations.

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

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

No: 0

Excused: 1 - Murphy

k. [080572](#) Resolution directing the Fire Chief to enter into an Agreement with the Wisconsin Department of Transportation for the development, implementation and funding of traffic control and other safety measures necessary to mitigate traffic diversion on City streets due to construction activity on the I-94 North-South Corridor Work Zone Transportation Management Plan in 2009 and 2010.

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

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

No: 0

Excused: 1 - Murphy

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

RESOLUTIONS FOR IMMEDIATE ADOPTION:

1. [081248](#) Resolution amending Common Council Resolution File Number 080563 relating to creation of a taxicab review board.

Whereas, On September 16, 2008, the Common Council adopted resolution File Number 080563 relating to creation of a Taxicab Review Board to review taxicab charges, fares and regulation; and

Whereas, The Taxicab Review Board established in File Number 080563 Review Board is to consist of the following 7 members:

 1. One member of the Common Council to be appointed by the President of the Common Council.
 2. One member of the public to be appointed by the President of the Common Council.
 3. 3 members representing the taxicab industry including: one to be designated by Yellow Cab Cooperative, one to be designated by American United Taxicab Services, and one independent driver to be appointed by the President of the Common Council.
 4. One member to be designated by the President of the Greater Milwaukee Convention and Visitors Bureau (“Visit Milwaukee”).
 5. One member to be designated by the Milwaukee County Transit System (MCTS)

; and

Whereas, File Number 080563 is silent concerning the designation of alternates to serve in the absence of duly appointed Review Board members; and

Whereas, Section 320-3 of the Code of Ordinances provides that members appointed to boards of the City must be residents of the City unless the statute, ordinance or resolution creating the board specifies otherwise; and

Whereas, Furthermore, the Common Council finds that, to assure timely and effective deliberation by the Taxicab Review Board, it is necessary and appropriate to authorize Review Board Members to designate alternates to serve in their absence; and

Whereas, The Common Council finds that the regional characteristics of public passenger vehicle service, and the importance of including members on the Review Board who have special expertise and experience, makes it necessary to create an exception to the general residency requirements for board appointments consistent with s. 320-3 of the Code; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that resolution File Number 080563 be amended by inserting the following 2 additional clauses after the first "Resolved" clause to read:

"Further Resolved, That Members of the Taxicab Review Board need not be residents of the City of Milwaukee; and, be it

Further Resolved, That duly appointed members of the Taxicab Review Board may, upon written notice provided to the City Clerk more than 24 hours prior to a scheduled meeting of the Review Board, designate a person to act as an alternate in the absence of the Board Member, exercising such powers and fulfilling such duties as may be necessary and appropriate in the absence of the appointed Member; and, be it...."

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

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

No: 0

Excused: 2 - Murphy Zielinski

2. [081288](#) Resolution approving various final certified survey maps.

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

NAME	TAX KEY NUMBER(S)
Housing Authority of the City of Milwaukee (DCD #2724)	3510509000, 3510510000, 3510507000, 3510508000
Sylvia Janto (DCD #2729)	5479846000

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

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

No: 0

Excused: 2 - Murphy Zielinski

3. [081317](#) Resolution amending resolution File # 080461 for the purpose of extending the period of authority, responsibilities and activities of the Alcohol Beverage Licensing Task Force to March 31, 2009.

Whereas, The Common Council created an Alcohol Beverage Licensing Task Force (“task force”) by resolution File # 080461, adopted July 30, 2008; and

Whereas, The resolution further provides that the task force submit its findings and recommendations to the Common Council within 6 months of adoption after which time the task force shall be dissolved; and

Whereas, The task force met 4 times during the Fall of 2008 including an introductory meeting on October 10, meetings for more in-depth discussion and review of documents and to hear presentations from City officials on October 24 and November 11, and a meeting to receive public comment on December 11; and

Whereas, A further task force meeting scheduled for December 19, 2008, was postponed to January 23, 2009, due to inclement weather; and

Whereas, The Common Council finds that the task force has been diligent in fulfilling its responsibilities and mission and that an extension for a period of 2 months for submission of task force findings and recommendations is appropriate to assure successful completion of the work of the task force; now, therefore, be it

Resolved, That resolution File # 080416 be amended by striking the final “Resolved clause” and replacing it with the following:

“Further Resolved, The task force shall submit its findings and recommendations to the Common Council within 8 months of adoption of this resolution and shall thereafter be dissolved effective April 1, 2009.”

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

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

No: 0

Excused: 2 - Murphy Zielinski

Various announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 10:02 a.m.

-- Jim Owczarski, Deputy City Clerk