

← People's Flag - Informational Memorandum v2.docx

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## MEMORANDUM

Date: October 1, 2024

To: Hon. Andrea M. Pratt  
 Hon. Mark Chambers, Jr.  
 Hon. Jonathan Brostoff  
 Hon. Robert Bauman  
 Hon. Lamont Westmoreland  
 Hon. Milele A. Coggs  
 Hon. DiAndre Jackson  
 Hon. JoCasta Zamarripa  
 Hon. Laressa Taylor  
 Hon. Sharlen P. Moore  
 Hon. José Pérez  
 Hon. Scott Spiker  
 Hon. Marina Dimitrijevic  
 Hon. Russell W. Stamper, II

CC: Mayor Cavalier Johnson

From: Hon. Peter Burgelis

Re: Supplemental Information – Proposal for new Milwaukee City Flag

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The purpose of this memorandum is to address certain specific questions and concerns that have been raised by members of the Milwaukee Common Council during our consideration of File No. 240407 which, if passed, would make the People's Flag/Sunrise Over the Lake (the "People's Flag") the new official flag of the City of Milwaukee.

### **I. Was the selection process for the People's Flag equitable and inclusive?**

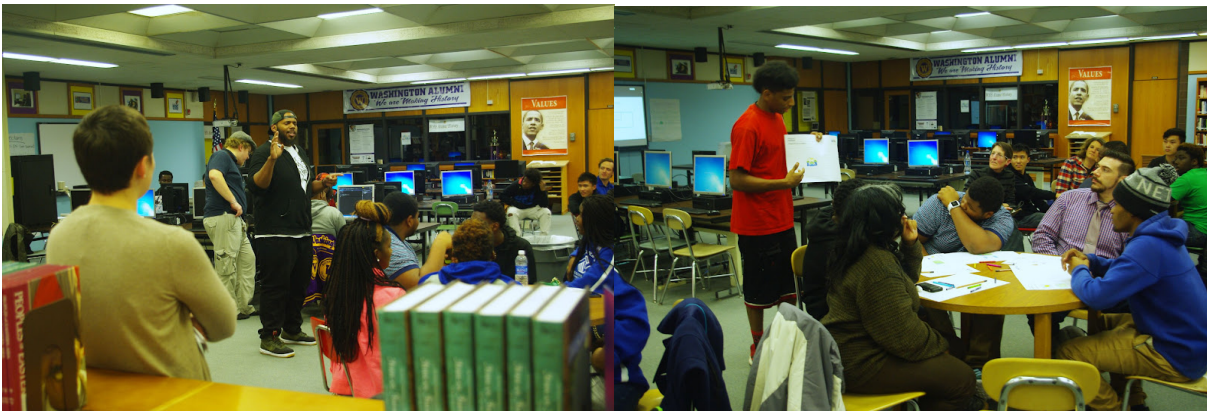
Yes. Several members of the Council have asked for additional information regarding the original selection process for the People's Flag to ensure that it was equitable, and included opportunities for feedback and participation for diverse voices across the city of Milwaukee. A review of the relevant history clearly confirms that it did meet this standard.

First, the design initiative was publicized on all major news outlets in print, radio, and on television. This included FOX6, WISN, TMJ4, 620 AM Radio, Journal Sentinel, WISN12, Milwaukee Record, OnMilwaukee, WPR, Radio Milwaukee, and Urban Milwaukee. It was also promoted heavily on Facebook and Instagram. In addition, Greater Together (a nonprofit dedicated to promoting racial and economic equity in the creative industries in the Greater Milwaukee area) held design workshops across the city, including at Washington High School, Ronald Reagan High School, Bradley Tech High School, Bay View High School, UWM, MIAD, MATC, and Mount Mary University.

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Bradley Tech

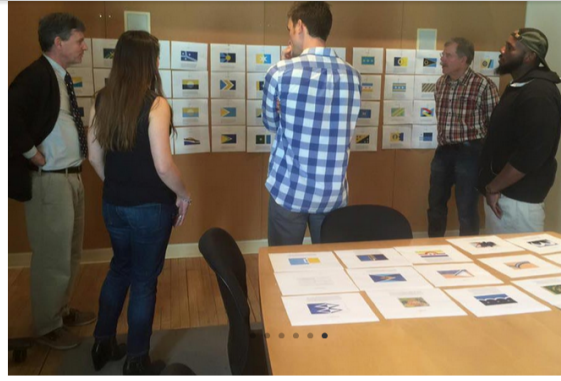
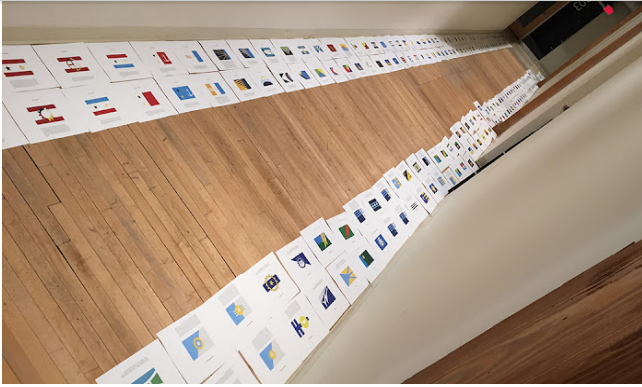


Washington High School

Second, more than 1,000 design submissions were received from the public; proposals were submitted by creative arts professionals, students, and interested members of the public in zip codes across the city. Notably, this is more than ten times the response that was received in the previous effort by the Milwaukee Arts Board in 2001.

Third, the judges that were part of the selection panel were chosen based on their qualifications of either design, history, or knowledge of flag history. One of those judges was Xavier Ruffin, a 53206 native and MIAD grad. He stated that the new flag is a “symbol of hope and togetherness,” and a way for residents to “take ownership of their city.”

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Finally, the rating process of the five final designs was active for two weeks and open to the public. This process was calibrated so that as rating responses came in, they were averaged with the previous and forthcoming ratings, so that no single person (or group of people) could unduly influence the final rating. The Sunrise Over the Lake design received a collective score 6.8 out of 10, narrowly defeating the second place design, which received a 6.3 out of 10.

Given the foregoing, it is clear that the selection process that was followed to identify the People's Flag design was even more comprehensive and inclusive than a City-managed process would have been.

### II. Is the design of the People's Flag equitable, inclusive, and reflective of all people in the City of Milwaukee?

Yes. All art is subjective, and each individual is free to come to her or his own conclusion regarding the beauty or meaning of any particular design. But there are compelling arguments that the design of the People's Flag is equitable, inclusive, and reflective of all people in the City of Milwaukee.

#### A. *The design is inclusive.*

Certain members of the Council have suggested that the design elements of the People's Flag that reference the lakefront or Milwaukee's three rivers may not be inclusive, as there are children in our city who have never had the opportunity to visit and enjoy our beaches or riverfront. While that may unfortunately be true, part of the vision for the People's Flag is that it can be a symbol of a city looking towards the future, where all members of the community can enjoy the water resources that make Milwaukee special.

It is also true that the People's Flag contains design elements that absolutely *are* shared by every Milwaukee resident, including the disc in the center that represents the rising sun. The sunrise is visible from every neighborhood in the city, and can be interpreted as our commitment that every resident of the city be given a fresh start and a bright future.

We note that some have questioned the use of the color white in the flag design, and have suggested that use of that color may not be entirely inclusive. To be clear, the color white has been used for centuries in cultures across the globe to represent peace, unity, and optimism.<sup>[1]</sup> This is not unique to American or European culture – indeed, white is the color worn by Muslim pilgrims to Mecca, and is used to represent unity and/or peace in the flags of countries like Nigeria<sup>[2]</sup>, Sudan<sup>[3]</sup>, Mexico<sup>[4]</sup>, and Guatemala.<sup>[5]</sup>

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*B. The design allows the flag to be adapted and adopted by everyone.*

Separate and apart from what the current proposed flag design may represent, one of the special and unique characteristics of the People’s Flag design is that it has been embraced and adapted by people across the city to reflect their ethnicities, identities, and backgrounds.

This includes versions of the People’s Flag in the colors of the Pan-African Flag, and the Juneteenth Flag:

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The LGBTQ Community:

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The Latino Community:



And many other cultures and traditions:

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[6]



A look through the Instagram account shows *so* much more! [www.instagram.com/mkeflag/](http://www.instagram.com/mkeflag/)

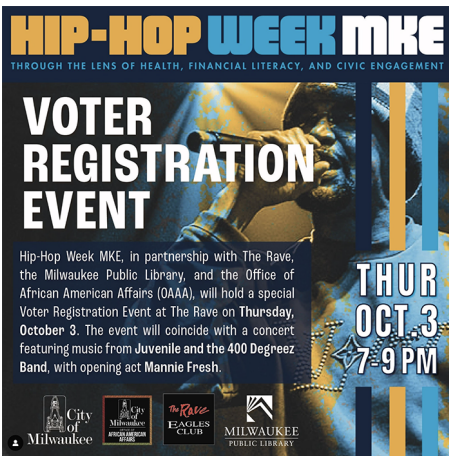
**III. Will there be any adverse financial impact to the City of Milwaukee as a result of the adoption of the People's Flag?**

No. At the September 24th Common Council meeting, there was some discussion regarding whether a fiscal note was required for this file, given the relatively modest cost (approximately \$900) to replace the 13 official city flags that are currently in use. I am pleased to report that a group of donors has offered to donate sufficient funds to cover the full cost of that replacement, so there would be no cost of any kind to the City of Milwaukee if this proposal is adopted.

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are replaced, each department could elect (but would not be required) to utilize the new design in place of the seal from the old city flag.

Moreover, it is worth noting that the city is *already* using the flag colors and/or other aspects of the design. The new flag could help clarify and standardize Milwaukee's official city brand making it more efficient and useful.



City Channel  
LIVE STREAM I



City Channel  
LIVE STREAM II

#### IV. Will adoption of the People's Flag create additional opportunities for the City of Milwaukee to generate revenue?

Yes. Various online and brick & mortar stores around the city currently offer T-Shirts, hats, pins, mugs, and other memorabilia featuring the People's Flag design. Once adopted, the city could certainly elect to sell similar merchandise (as well as flags of all sizes) to capture this revenue, including through its online gift shop.

Notably, some alders have asked about registering/licensing the design. Section 2(b) of the Lanham Act (codified at [15 U.S.C. Sec. 1052\(b\)\(2\)](#)) provides:

*No trademark ... shall be refused registration ... unless it ... (b) Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof ...*

As a result, the US Patent and Trademark office would refuse registration to any mark that includes a flag or a simulation of a flag. This is why all similar flags (including US Flag, Chicago City Flag, Wisconsin State Flag, etc.) are open source and available for use by the public.

[1] <https://en.wikipedia.org/wiki/White>

[2] [https://en.wikipedia.org/wiki/Flag\\_of\\_Nigeria](https://en.wikipedia.org/wiki/Flag_of_Nigeria)



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[\[U\]](#) Little Crawlers Daycare located at 27th and Capitol