



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, July 13, 1999

9:00:00 AM

Common Council Chambers

PRESENTATIONS

Present: 17 -

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

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990280](#) Substitute ordinance to further amend the 1999 offices and positions in the City Service under control of the Common Council.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

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

Under "Department of Public Works, Buildings & Fleet Division, Design and Construction Section, Drafting Service Unit", delete one position of "Engineering Drafting Technician IV" and add one position of "Network Analyst-Associate" and under Electrical Engineering Unit", delete one position of "Electrical Drafting Technician" and add one position of "Communications Facilities Coordinator."

Part 2. Section 1 of ordinance File Number 980575 relative to offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 1, 1999 - December 27, 1998):

Under "Department of Public Works-Water Works, Water Quality Decision Unit", delete one position of "Water Microbiologist I" and add one position of "Water Microbiologist II."

Part 3. Section 1 of ordinance File Number 980575 relative offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 15, 1999 - July 11, 1999):

Under "Library Administrative Services Decision Unit, Technical Services Bureau, TEACH Educational Technology Training and Technical Assistance Grant", delete 30

positions of "Computer Service Aide (A)" and add 30 positions of "Library Computer Service Aide (A)."

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 All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 5. The provisions of Part 2 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 1999 (December 27, 1998).

The provisions of Part 3 of this ordinance are deemed to be in force and effect from and after Pay Period 15, 1999 (July 11, 1999).

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 2) [990281](#) Substitute ordinance to further amend the 1999 rates of pay of offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 9 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Pay Range 606, delete the title "Electrical Drafting Technician."

Under Pay Range 607, add the title "Communications Facilities Coordinator."

Part 2. Section 21 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 14, 1998 - June 29, 1998):

Under Pay Range 858, delete the rates of pay and substitute the following:

"Pay Range 858

Official Rate-Biweekly

\$1,093.70 1,121.13 1,170.88 1,223.58 \$1,278.63 1,350.75 1,405.26 1,459.49"

Part 3. Section 21 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 1, 1999 - December 28, 1998):

Under Pay Range 858, delete the rates of pay and substitute the following:

"Pay Range 858

Official Rate-Biweekly

\$1,121.04 1,149.16 1,200.15 1,254.17 \$1,310.60 1,384.52 1,440.39 1,495.98"

Part 4. Section 21 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 1, 2000 - December 27, 1999):

Under Pay Range 858, delete the rates of pay and substitute the following:

"Pay Range 858

Official Rate-Biweekly

\$1,149.07 1,177.89 1,230.15 1,285.52

\$1,353.37 1,419.13 1,476.40 1,533.38"

Part 5. Section 23 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 15, 1999 - July 11, 1999):

Under Pay Range 906, add the title "Library Computer Service Aide 2/" with the footnote to read: "2/ Recruitment may be up to the second step of the pay range."

Part 6. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 7. The provisions of Part 2 of this ordinance are deemed to be in force and effect

from and after Pay Period 14, 1998 (June 29, 1998).

The provisions of Part 3 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 1999 (December 28, 1998).

The provisions of Part 4 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 2000 (December 27, 1999).

The provisions of Part 5 of this ordinance are deemed to be in force and effect from and after Pay Period 15, 1999 (July 11, 1999).

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

- 3) [980479](#) Substitute resolution approving, ratifying and confirming a memorandum of understanding between the City Negotiating Team and Local #494, International Brotherhood of Electrical Workers, AFL-CIO (Fire Equipment Dispatchers) for the period of July 1, 1998 to December 31, 2000.

Whereas, The total agreement between the City Negotiating Team and Local #494, International Brotherhood of Electrical Workers, AFL-CIO (Fire Equipment Dispatchers) for the period commencing July 1, 1998 through December 31, 2000 has been reduced to writing; and

Whereas, The memorandum of understanding embodying the agreements reached by the parties to such negotiations, copies of which are attached to Common Council File No. 980479 and incorporated herein as though fully set forth at length, was executed subject to ratification by the Common Council; and

Whereas, The union membership has ratified the memoranda of understanding a copy of a letter to that effect is attached to Common Council File No. 980479 and incorporated herein as though fully set forth at length; now, therefore, be it

Resolved, By the common council of the City of Milwaukee, that the agreement between the City of Milwaukee Negotiating Team and Local #494, International Brotherhood of Electrical Workers, AFL-CIO (Fire Equipment Dispatchers) be approved; and, be it

Further Resolved, That the City of Milwaukee Negotiating Team is hereby authorized and directed to reduce the agreement to a formal contract between the union and the city; and, be it

Further Resolved, That the proper city officials are hereby authorized and directed to execute a formal contract between the City of Milwaukee and Local #494, International Brotherhood of Electrical Workers, AFL-CIO (Fire Equipment Dispatchers) which reflects the terms of the agreement; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 4) [990171](#) Substitute resolution authorizing attendance at conventions and further authorizing appropriation and expenditure of Common Council Contingent Funds.
- Resolved, By the Common Council of the City of Milwaukee, that attendance of the following person(s) at the following conventions is approved, and the funds specified are authorized to be allocated from the Contingent Fund, such travel and reimbursement shall be in accordance with the policy guidelines set forth in Section 350-181 of the Milwaukee code of Ordinances:

1) Three Aldermen (CC-CC) "1999 Congress of Cities & Exposition"; Los Angeles, CA; 11/30-12/4/99; \$4,975.05.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 5) [990415](#) Substitute resolution amending the prevailing wage resolution (Sheet Metal Workers, Millwright Erectors, Carpenters/Floor Coverer, Asbestos Workers/Heat & Frost Insulators, Bridge, Structural and Ornamental Iron Workers, Cement Masons, Electricians, Laborers, Operating Engineers, Sewer & Water Open Cut, Shaft & Tunnel Construction Labor Service, Associated Earth Movers Assoc. Area 1) Wisconsin Excavators and Graders, Marine Construction & Dredging, Heavy and Highway Construction, Plasterers, Painters and Steamfitters).

Resolved, By the Common Council of the City of Milwaukee, that the resolution relative to minimum rates of pay and fringe benefits for various construction worker categories employed by the private construction industry engaged in public works contracts with the City of Milwaukee is hereby amended to reflect changes as contained in letter(s) from the Milwaukee Building and Construction Trades Council dated June 4, 10 & 18, 1999, and the Department of Employee Relations, dated June 29, 1999, and attached to Common Council File Number 990415; and, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 6) [990432](#) Resolution reserving \$50,000 within the 1999 Common Council Contingent Fund for the W-2 Employment Assistance Program.

Whereas, By amendment to the 1998 Adopted City Budget, the Common Council provided \$50,000 in matching funds to partner with Milwaukee County to create an Employment Assistance Community Partnership Program for Men Connected with W-2; and

Whereas, Under Wisconsin Works (W-2), the emphasis on self-sufficiency and the responsibility to provide for families through work rests with the custodial parent, who

is usually a female head of household; and

Whereas, W-2 does not specifically address single men connected with W-2 who are not classified as head of household or the noncustodial parent; and

Whereas, The 1998 County Budget provided \$100,000 to partner and develop other local shareholders to create a funding mechanism to bridge the gap in the W-2 program; and

Whereas, Using the County appropriation and other matching funds, the County indicated it would contract with the Private Industry Council to implement the program, and that the program's primary goal would be to connect W-2 males, including the noncustodial parent, with family supporting jobs, by promoting job seeking skills and readiness training, GED, application and resume writing, and job-linking; and

Whereas, The City's appropriation of \$50,000 for this program was not carried over from 1998 to 1999 because other funding matches and the necessary contract negotiations had not yet occurred; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that \$50,000 be reserved within the 1999 Common Council Contingent Fund (Account No. 0001-9990-0001-C001) for the City's funding contribution to the Employment Assistance Community Partnership Program for Men Connected with W-2, as proposed by Milwaukee County in 1998; and, be it

Further Resolved, That the appropriate City officials are authorized to enter into any necessary agreement with Milwaukee County and the Private Industry Council to implement this program; and, be it

Further Resolved, That the Comptroller is authorized and directed to transfer up to the reserved amount of \$50,000 from the Contingent Fund Sub-class C-001 to a Special Sub-class within the Contingent Fund, under the control of the City Clerk, for expenditure for this purpose.

Sponsors: Ald. Pratt

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

Aye: 14 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Frank, Richards, Scherbert, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.

No: 3 - Schramm, Butler Nardelli

7) [990462](#) Resolution authorizing the acceptance and expenditure of contributions received by

the Milwaukee Police Department from federally forfeited tangible property or cash for increased or enhanced law enforcement efforts. (Police Dept.)

Whereas, The federal government has established specific guidelines for expending funds received as a result of the asset forfeiture fund program; and

Whereas, The Police Department currently has funds held in trust (Account 0678-2110-xxxx-D339-662201) to increase or enhance law enforcement efforts in the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is authorized to expend up to \$365,200 from the Police Department's Federal Forfeiture Trust fund, account 0678-2110-xxxx-D339-662201 to the contribution/revenue account entitled Federal Forfeiture Contribution Revenue Account (Number 0001-3311-985012); and, be it

Further Resolved, That upon deposit of these funds, the City Comptroller is authorized and directed to transfer \$365,200 from the Federal Forfeiture Contribution Revenue Account to the Police Department's budget as follows:

001-3311-0001-D339-06300 \$238,700

001-3311-0001-D339-06800 \$126,500

; and, be it

Further Resolved, That all funds are to be expended to enhance law enforcement efforts in the City of Milwaukee in the following categories and corresponding amounts:

CATEGORY	AMOUNT
Administrative Fees	\$ 5,000
Canine unit	\$ 10,000
Capital Court	\$ 17,000
Cellular Phones	\$ 24,000
MDC Fees/Software Maintenance	\$ 5,000
Metcalf park/Avenues West	\$ 4,000
Entry Team Equipment	\$ 2,500
Training	\$ 25,200
Walkers Square	\$ 5,000
Computer Upgrades	\$ 54,700
Bomb Disposal Armor	\$ 10,000
Cargo Van	\$ 6,000
Electronic Scale	\$ 1,500

Evidence Storage Facility	\$100,000
IACP Conference Attendance	\$ 35,000
Radio system Upgrades	\$ 30,000
Tactical Equipment	\$ 10,300
Undercover Vehicles	\$ 20,000

	\$ 365,200

; and, be it

Further Resolved, That the Milwaukee Police Department is hereby authorized to expend such funds and that a detailed reporting of the expenditure of the funds for these purposes will be required in the Police Department's annual report to the Common Council, due by February 1, in accordance with Common Council Resolution Number 92-0252, adopted June 16, 1992.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 8) [990475](#) Resolution approving the capital plan for the Data/Communications and 3rd Police District project, and releasing the 1998 capital borrowing appropriation (Police Department).

Whereas, The City is in the process of developing a facility that will house Police and Fire communications, Police data services, and the 3rd Police District station; and

Whereas, The Common Council adopted 971433 Jan 20, 1998, authorized borrowing \$4 million for the financing of this facility; and

Whereas, The Common Council of the City of Milwaukee adopted file number 971184 on November 25, 1997, making the release of \$4 million in borrowing authority for that project contingent upon Common Council approval of a plan for the facility; and

Whereas, The attached plan details all of the following elements set forth in file 971184: site and scope of the project, the construction, operating, equipment and software costs associated with the project and a timeline for completing the project, and a plan and timeline for development of Police Department automation system

inventory and Year 2000 adjustment; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the attached project plan be and hereby is approved; and, be it

Further Resolved, That the City Comptroller is hereby authorized to release the borrowing authority of \$4 million previously approved in file 971433 to the Police Department in the 1998 Capital Budget for this project (Project/Grant PL12080500).

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 9) [990481](#) Substitute resolution approving contract extension for Long Term Disability Insurance vendor; approving contract award for Pre-paid Dental Insurance plans and an administrator for Flexible Spending Program.

Whereas, The Department of Employee Relations - Employee Benefits Division was authorized by Common Council File No 981676 to initiate the dissemination of requests for proposals with respect to Prepaid Dental Insurance Plan providers, an administrator for the City's Flexible Spending Program, and a Long Term Disability Insurance vendor; and

Whereas, The Department of Employee Relations has negotiated a contract extension with Standard Insurance for administration of the City's Long Term Disability Insurance program, for a two-year term beginning January 1, 2000 and ending December 31, 2001; and

Whereas, The Department of Employee Relations has completed an RFP process for a vendor for the administration of the City's Flexible Spending Program and recommends that a contract with Benefits 2000 be entered into for a three-year term beginning January 1, 2000 and ending December 31, 2002; and

Whereas, The Department of Employee Relations has completed an RFP process for providers for the City's Pre-paid Dental Insurance Program and recommends that contracts with CarePlus Dental Plans, Inc; First Commonwealth Limited Health Service Corporation, and DentaCare be entered for a two-year term beginning January 1, 2000 and ending December 31, 2001; and

Whereas, The Common Council of the City of Milwaukee now desires to authorize

the execution of contracts as set forth above, now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the extension of the Long Term Disability Insurance contract for a two-year term beginning January 1, 2000 and ending December 31, 2001, at the contract price set forth in the attachment to this file is approved; and, be it

Further Resolved, That the award of a contract in connection with the administration of the City's Flexible Spending Program to Benefits 2000, for a three-year period commencing January 1, 2000 and ending December 31, 2002, at the contract price set forth in the attachment to this file is approved; and, be it

Further Resolved, That the awards of contracts in connection with the City's Prepaid Dental Insurance to Dentacare Dental Plan, First Commonwealth Limited Service Corporation, and Care-Plus Benefits Plan for a two-year term beginning January 1, 2000 and ending December 31, 2001 at the contract prices set forth in the attachments to this file is approved; and, be it

Further Resolved, That the proper City officials are authorized on behalf of the City to execute the aforesaid contracts, copies of which are attached to this file, subject to such revisions as may be approved by the City Attorney.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

- 10) [990451](#) Reappointment of Laura Engan to the Deferred Compensation Plan Board by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 11) [990402](#) Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for City Service Commission action.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**
- Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- 12) [990409](#) Communication from the Comptroller transmitting their 1998 Annual Financial Report.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**
- Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- 13) [990474](#) Resolution relating to debt ratings from the three national Rating Agencies as recently received in conjunction with the sale of \$43,215,000 General Obligation Bonds, Series 0 and \$3,760,000 General Obligation Short-Term Promissory Notes, Series B9. (Comptroller)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**
- Aye:** 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- 14) [990478](#) Communication from the Comptroller's Office relating to a resolution adopted by the Commissioners of the Public Debt.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 15) [990479](#) Communication from the Comptroller's Office relating to a resolution adopted by the Commissioners of the Public Debt.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

A motion was made by Ald. Pratt to adopt the foregoing. The motion carried by the following vote:

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [990332](#) Resolution approving a contract for lockbox services for the Milwaukee Water Works. (Water Works)

Sponsors: THE CHAIR

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

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

No: 2 - Butler Nardelli

- 2) Various resolutions authorizing issuance of mobile home park licenses:

- a) [990374](#) Resolution authorizing issuance of a mobile home park license to Dan Daniels, Agent, Tower View Mobile Home Park, for the premises at 4221 South 6th Street.
Resolved, By the Common Council of the City of Milwaukee, that the City Clerk be and hereby is authorized and directed to issue a mobile home park license to Dan

Daniels, Agent, Tower View Mobile Home Park, for the premises at 4221 South 6th Street for a period of one year commencing July 1, 1999, and ending June 30, 2000.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- b) [990375](#) Resolution authorizing issuance of a mobile home park license to Dan Daniels, Agent, Tower View Mobile Court, Inc., for the premises at 700 W. Layton Avenue.

Resolved, By the Common Council of the City of Milwaukee, that the City Clerk be and hereby is authorized and directed to issue a mobile home park license to Dan Daniels, Agent, Tower View Mobile Court, Inc., for the premises at 700 W. Layton Avenue for a period of one year commencing July 1, 1999, and ending June 30, 2000.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- c) [990376](#) Resolution authorizing issuance of a mobile home park license to Ilma C. Wildenberg, for the premises at 3774 S. 27th Street.

Resolved, By the Common Council of the City of Milwaukee, that the City Clerk be and hereby is authorized and directed to issue a mobile home park license to Ilma C. Wildenberg, for the premises at 3774 S. 27th Street for a period of one year commencing July 1, 1999, and ending June 30, 2000.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 3) [990441](#) Substitute resolution approving a Memorandum of Understanding providing for an

interim extension of the current Cable Television Franchise Agreement and related matters.

Whereas, The parties have been engaged in an informal process to renew the June 1, 1983 Cable Franchise Agreement, as amended (the "Franchise Agreement"); and

Whereas, The Franchise Agreement expires on August 1, 1999, and the parties wish to preserve the status quo between them, and among each of them and the Milwaukee Access Telecommunications Authority ("MATA") until either the entry into an informally negotiated Renewal Franchise Agreement or, if a Franchise Agreement cannot be informally agreed to, until November 30, 1999; now, therefore, be it

Resolved, That the proper City officers are hereby authorized and directed to execute the Extension of Franchise Agreement with Time Warner Entertainment, LP ("TWE") attached to this file.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 4) [990442](#) Resolution regarding water service to the City of New Berlin. (Milwaukee Water Works)

Whereas, The City of New Berlin has adopted a resolution requesting the City of Milwaukee to provide water service to New Berlin, and

Whereas, Resolution File No. 980871 adopted by the Milwaukee Common Council on April 20, 1999 requires the Legislative Reference Bureau to conduct an analytical study of the proposed water sale, and

Whereas, Resolution File No. 980871 further requires the Water Works, five working days prior to the matter being heard by a Common Council Committee, submit a written evaluation of the proposed water sale identifying relevant data for the Council's consideration; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Water Works and the Legislative Reference Bureau are hereby authorized to study and evaluate the water service request from the City of New Berlin; and be it

Further Resolved, That the resulting feasibility reports be submitted to the Common Council and the Mayor; and be it

Further Resolved, That upon submittal of the feasibility reports a resolution will be introduced for Council consideration, seeking authority for the Water Works to negotiate a water service agreement with the City of New Berlin, such negotiated agreement shall be subject to Common Council approval.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

APPROVAL OF THE FOLLOWING:

[990063](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

Sponsors: THE CHAIR

ALD. D'AMATO moved to add to the grant list the following:

MCMANUS, Jack, Request for a temporary extension of the Class "B" premises for "Downer Chancery", 2575 N. Downer, to include the sidewalk in front of the tavern on July 17, 1999, from 2:30 P.M. to 10:00 P.M., for the "Downer Street Bike Race".

ALD. GORDON moved for approval as amended.

The motion prevailed.

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 6) [990288](#) Substitute motion to approve recommendations of the Utilities and Licenses Committee relative to granting of the hotel license issued to Sally J. Borchardt for the premises located at 725 North 22nd Street, in the 4th Aldermanic District. Whereas, The Utilities and Licenses Committee held an evidentiary hearing on June 29, 1999 relative to the granting of the hotel license of Sally J. Borchardt for the premises located at 725 North 22nd Street; and

Whereas, The Utilities and Licenses Committee, after hearing all of the testimony of the Milwaukee Police Department, voted unanimously (4 ayes, 0 noes, 1 excused) to recommend granting of said license; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee, hereby accepts the recommendation of the Utilities and Licenses Committee to grant the hotel license of Sally J. Borchardt for the premises located at 725 North 22nd Street, despite police objection.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 7) [990412](#) Communication from the Public Service Commission transmitting a notice of investigation relative to the Wisconsin Electric Power Company for authority to issue \$400,000,000 in short-term notes.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

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

[990064](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Pratt

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

Sponsors: THE CHAIR

THE CLERK swore in the Court Reporter--

Recommendation of renewal with a 10-day suspension of the Class "B" Tavern and Tavern Dance License of Eric J. Uecke for the premises at 2496 S. Wentworth Avenue ("Cactus Club") in the 14th Ald. Dist. Written objections have been filed by the licensee. (Committee Vote: 3 Ayes; 2 Noes; Expiration Date: 7-29-99).

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

Ayes: 17 - Ald. Pratt, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy, Hines and President Kalwitz.

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

Attorney for the applicant Craig Mastonteno was present and wished to address the Council.

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

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Attorney Craig Mastonteno and Assistant City Ellen Tangen appeared and addressed the Council.

ALD. BUTLER moved that the Committee do now rise.

The motion prevailed.

ALD. WITKOWIAK moved to renew with no suspension notwithstanding the Utilities and Licenses recommendation.

The motion prevailed..

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

Noes: 1 - Ald. Murphy.

Excused: 1 - Pratt.

ALD. GORDON moved to approve File Number 990064 as amended.

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

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

No: 0

Excused: 1 - Pratt

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990224](#) A substitute ordinance relating to registration of domestic partnerships.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 81-43.7 of the code is created to read:

81-43.7. Domestic Partnership. 1. The fee for registering a domestic partnership shall

be \$30.

2. The fee for a duplicate domestic partnership certificate shall be \$10. (See s. 111-3.)

Part 2. Chapter 111 of the code is created to read:

CHAPTER 111 DOMESTIC PARTNERSHIP

111-1. Purpose. The common council finds that:

1. The city of Milwaukee has an interest in recognizing voluntary, supportive, caring, committed and responsible relationships between mature residents of the city.
2. Many married couples in the city are partners in domestic relationships that are enduring and characterized by emotional and financial commitment and interdependence.
3. Equally committed lesbian and gay couples are not legally able to establish their commitments and relationships through marriage, although they may voluntarily assume many of the obligations commonly associated with marriage.
4. The city has long recognized the importance of equal treatment and, in furtherance of that goal, has adopted ordinances protecting its citizens from discrimination based upon, among other factors, sexual orientation.
5. Allowing couples that are not able to marry to voluntarily declare their mutual commitment as domestic partners will benefit the health, safety and welfare of the city and its citizens.

111-3. Domestic Partnership Registration. 1. REGISTRATION AUTHORIZED.

Any 2 individuals who meet the requirements of this section may register as a domestic partnership as provided in this section.

2. APPLICATION. Individuals who seek to register as a domestic partnership shall appear in person before the city clerk, pay the registration fee specified in s. 81-43.7, and complete and sign an application form provided by the city clerk, which shall include a declaration of domestic partnership, additional agreements, a declaration of a condition of domestic partnership and an affirmation, as provided in subs. 3 to 6.

3. DECLARATION OF DOMESTIC PARTNERSHIP. Applicants for registration shall sign a declaration of domestic partnership stating that they:

- a. Are in a domestic relationship of mutual support, caring and commitment, and intend to remain in that relationship.
 - b. Are 18 years of age or older and competent to enter into a contract.
 - c. Are not married.
 - d. Are not related by kinship to a degree that would bar marriage in this state.
 - e. Are the same sex.
 - f. Reside together in the city of Milwaukee.
 - g. Have not been in a registered domestic partnership with another individual during the 12 months immediately prior to the application date unless that domestic partnership was terminated by death or marriage.
4. ADDITIONAL AGREEMENTS. In addition, applicants shall agree that they:
- a. Understand that their registration as domestic partners is a matter of public record.
 - b. Each agree to notify the city clerk of any change in the status of the domestic partnership and to file a termination notice under s. 111-5 when appropriate.
5. CONDITIONS OF DOMESTIC PARTNERSHIP. The applicants shall declare that they possess at least one of the following conditions of domestic partnership:
- a. They have common or joint ownership of a residence.
 - b. They have a current lease for a residence identifying both applicants as tenants.
 - c. They jointly own a motor vehicle.
 - d. They have a joint bank or credit union account.
 - e. They have a joint credit account.
 - f. They have identified each other as primary beneficiaries in their wills.
6. AFFIRMATION. Each applicant shall swear or affirm, subject to the penalties for false statements of s. 946.32, Wis. Stats., that the information declared and stated in the application for domestic partnership is true and correct to the best of his or her knowledge.

7. VERIFICATION. a. The city clerk shall verify the age, identity and city residence of applicants for domestic partnership, based on appropriate documentation provided by the applicants.

b. The city clerk shall confirm that an individual is not currently registered as a domestic partner in another Milwaukee domestic partnership and that at least 12 months has elapsed since any other domestic partnership was terminated pursuant to s. 111-5-2. If a previous domestic partnership was terminated by death or marriage, the 12-month waiting period shall not be required. If a previous domestic partnership was terminated by death or marriage, an applicant may be required to submit proof satisfactory to the city clerk of the death or marriage.

c. The city clerk shall not investigate or verify any other information provided by an individual on a declaration of domestic partnership.

8. REGISTRATION. The city clerk shall register applicants as a domestic partnership when the city clerk is satisfied that the individuals seeking registration as a domestic partnership have properly completed and signed an application form under sub. 2, are residents of the city, are at least 18 years of age, are not presently in another registered Milwaukee domestic partnership and have not been in another registered Milwaukee domestic partnership during the 12 months immediately prior to the date of the application unless that domestic partnership was terminated by death or marriage.

9. CERTIFICATE. a. The city clerk shall provide each domestic partnership with a certificate of domestic partnership, signed by the city clerk, stating that the partners appeared in person, made a declaration of domestic partnership and provided evidence thereof pursuant to this chapter.

b. A domestic partner may receive a duplicate certificate upon paying the fee specified in s. 81-43.7.

111-5. Termination.

1. A domestic partnership is terminated by any of the following events:

a. The death of one of the partners.

b. The marriage of one of the partners.

c. The filing of a termination statement under sub. 2.

2. Either domestic partner may terminate a domestic partnership by submitting to the city clerk a termination statement on a form provided by the city clerk. The termination form shall either be signed by both domestic partners or shall include a statement by the terminating domestic partner that he or she has mailed or personally delivered a copy of the termination statement to the other domestic partner, or that he or she does not know the location of the other domestic partner.

3. An individual whose domestic partnership has been terminated under sub. 2 may not file another declaration of domestic partnership under this chapter until at least 12 months after the date on which the city clerk received the termination statement.

111-7. Intent. This chapter is not intended to make any provisions of state law which relate to partnerships, particularly the uniform partnership act and the uniform limited partnership act, chs. 178 and 179, Wis. Stats., apply to registered domestic partnerships.

Part 3. This ordinance takes effect September 1, 1999.

Sponsors: Ald. D'Amato, Ald. Henningsen and Ald. Butler

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

Aye: 10 - Pratt, D'Amato, Henningsen, Johnson-Odom, Gordon, Frank, Richards, Butler, Witkowiak Murphy

No: 7 - Kalwitz, Schramm, Scherbert, Pawlinski, Breier, Nardelli Hines Jr.

ADOPTION OF THE FOLLOWING:

- 2) [990193](#) Substitute resolution relative to various legislative bills.

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

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

172-S, relating to Discrimination; Health Care Provider.

173-S, relating to Firearms; Mandatory Sentences.

325-A, relating to Liability for damages. (Support, with amendment)

381-A, relating to Jury Trials; Municipal Court. (Support & report back to Committee)

;and, be it

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

369-A, relating to Public Access to Records.

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 1 - Scherbert

3) Resolutions authorizing payment of claims:

a) [990391](#) Resolution authorizing payment of the claim of Adam and Bernice Davis, C.I. File No. 96-L-121. (City Attorney)

Whereas, The claimants, Adam and Bernice Davis, through their attorneys, Gendlin & Safran, S.C. and Attorney Jeffrey D. Berline, have filed a claim for damages against the City of Milwaukee pursuant to sec. 66.189, Stats., for injuries and damages incurred on April 19, 1996 as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimants have agreed to settle their claim in the amount of \$7,500.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of

\$7,500.00, payable to Adam and Bernice Davis, Gendlin & Safran, S.C. Trust Account, and Attorney Jeffrey D. Berlin, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and be it

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

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 1 - Scherbert

- b) [990392](#) Resolution authorizing payment of the claim of Dennis and Valencia Norton, C.I. File No. 96-L-52. (City Attorney)

Whereas, The claimants, Dennis and Valencia Norton, through their attorneys, McCarty, Lenz & Tolkan, S.C., have filed a claim for damages against the City of Milwaukee pursuant to sec. 66.189, Stats., for injuries and damages incurred on January 9, 1996 as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimants have agreed to settle their claim in the amount of \$2,800.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$2,800.00, payable to Dennis and Valencia Norton and McCarty, Lenz & Tolkan, S.C. Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the

Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and be it

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

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 1 - Scherbert

- 4) [990413](#) Resolution relative to the reduction of weed cutting charges placed on the 1998 Tax Roll. (Sanitation)

Whereas, Weed cutting charges were made against a parcel of real estate in 1998; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that proper city officers are authorized and directed to amend the 1998 Tax Roll by reducing the weed cutting charges from \$120.00 to \$25.00 per decision of the Administrative Review Appeals Board, to the possessor of the 1998 tax bill for Key Number 461-1319-000-0 also known as 1642-44-42A S. 13th St., chargeable to Fund Number 0001-5650-0001-009400; and be it

Further Resolved , That no interest be paid on the delinquent charge in this resolution.

Sponsors: THE CHAIR

- 5) [990457](#) Resolution approving a revised Municipal Court deposit schedule. (Municipal Court)

Whereas, Section 800.03(3), Wis. Stats., states that "The amount of the deposit shall be set by the municipal judge, but shall not be effective until approved by the governing body of the municipality", to wit, the Common Council of the City of Milwaukee, and it is necessary to approve a revised Municipal Court deposit schedule; now, therefore, be it

Resolved, By the common Council of the City of Milwaukee, that the Common Council approves and adopts the revised deposit schedule of the Municipal Court which is attached to this file.

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 1 - Scherbert

APPROVAL OF THE FOLLOWING:

- 6) [990166](#) Substitute motion appointing Vincent J. Bobot, to the Office of Municipal Judge, Branch 1.
- Whereas, The Common Council on April 20, 1999 approved a motion relating to a procedure for filling the vacancy in the office of a municipal court judge; and
- Whereas, Eighteen applicants have filed letters of application and resumes with the City Clerk for the vacant position; and
- Whereas, The Judicial Selection Committee of the Milwaukee Bar Association has reviewed the eighteen letters of application and resumes and selected five qualified candidates to be considered by the Judiciary and Legislation Committee; and
- Whereas, The Judiciary and Legislation Committee held a public hearing on July 6, 1999 and interviewed the five candidates as recommended by the Judicial Selection Committee, and recommended a candidate to fill the vacancy in Municipal Court, Branch 1; now, therefore,
- The Common Council of the City of Milwaukee, hereby appoints Vincent J. Bobot, to fill the vacancy in the office of Municipal Court Judge, Branch 1, pursuant to Section 8.50 (4)(fm) of the Wisconsin State Statutes, to become effective on August 2, 1999.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 1 - Pawlinski

PLACING ON FILE THE FOLLOWING:

- 7) [981142](#) Resolution authorizing a study to provide position authority, one time capital and operating funding for the creation of a fourth municipal court.

Sponsors: Ald. Frank

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

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

No: 1 - Henningsen

Excused: 1 - Scherbert

- 8) [990007](#) Communication from the City Clerk transmitting applications for the position of Municipal Court Judge (Branch 1).

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 1 - Scherbert

- 9) [990447](#) Resolution approving the expenditure of \$4,000 from the Outside Counsel-Expert Witness Fund for the purpose of obtaining an expert witness in hotel valuation matters associated with outstanding assessment objections. (City Attorney)

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 1 - Scherbert

DISALLOW AND INDEFINITELY POSTPONE THE FOLLOWING:

- 10) [990389](#) Communication from the City Attorney's Office transmitting a communication from Gordon Adler relative to claim for personal injuries.

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 1 - Scherbert

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990358](#) 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 striking the following:

"On the south side of W. Wisconsin Avenue between N. 11th and N. 13th Streets between the hours of 8:00 AM and 12 Noon (Sundays and holidays excepted)"

"On the north side of W. Vienna Avenue from N. 2nd Lane to N. 3rd Street at any time"

"On the south side of W. Walnut Street from N. 3rd Street to N. 4th Street from 3:30 PM to 5:30 PM except Sunday"

"On the south side of W. Windlake Avenue from S. 7th Street to W. Becher Street from 7:00 AM to 9:00 AM except Saturday and Sunday"

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

On the south side of E. Oklahoma Avenue from S. Clement Avenue to a point 180' west at any time

On the east side of S. 9th Place from W. Oklahoma Avenue to a point 50 feet south at any time

On the east side of S. Pennsylvania Avenue from S. Kinnickinnic Avenue to a point 125 feet south at any time

Part 3. Section 101-23-4-a of the Code relating to Fifteen Minute Parking is amended by adding the following:

On the north side of W. North Avenue from N. 57th Street to N. 58th Street

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

"On N. Water St. between E. Knapp Street and E. Juneau Avenue"

Part 5. Section 101-23-4-d of the Code relating to Two Hour Parking is amended by striking the following:

"On the south side of E. St. Paul Avenue from N. Jackson Street to the Chicago and Northwestern Railroad tracks from 7:00 AM to 6:00 PM"

"On W. North Avenue from N. 55th Street to N. 59th Street from 7:00 AM to 7:00 PM except Sunday"

"On the south side of E. Townsend Street from N. 1st Street to N. Richards Street on odd calendar dates"

"On W. Walker Street between S. 8th and S. 9th Streets"

"On the easterly side of S. Water Street from the west curb line of S. Davidson Street extended to a point 155 feet south thereof"

Part 6. Section 101-23-4-d of the Code relating to Two Hour Parking is amended by adding the following:

On W. North Avenue from N. 55th Street to N. 57th Street from 7:00 AM to 7:00 PM except Sunday

On W. North Avenue from N. 58th Street to N. 59th Street from 7:00 AM to 7:00 PM except Sunday

On the south side of W. North Avenue from N. 57th Street to N. 58th Street from 7:00 AM to 7:00 PM except Sunday

Part 7. Section 101-23-6 of the Code relating to Angle Parking is amended by adding the following:

On the east side of N. 44th Street from W. Clark Street to W. Center Street

On the east side of N. 39th Street from W. St. Paul Avenue to W. Clybourn Street

On the west side of N. 39th Street from W. Clybourn Street to W. Michigan Street

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 2) [990359](#) 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 101-12-4-a the Code relating to Mandatory Turns is amended by adding the following:

E. Oklahoma Avenue at S. Clement Avenue Left Lane Must Turn Left eastbound and westbound

E. Oklahoma Avenue at S. Clement Avenue Right Lane Must Turn Right eastbound and westbound

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

On S. 5th Street from W. National Avenue to W. Mineral Street

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

"On N. 50th Street at W. Fiebrantz Avenue"

"On S. 24th Street at W. Wilbur Avenue"

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

On N. 50th Street at W. Fiebrantz Avenue

On S. 24th Street at W. Wilbur Avenue

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

3) [990444](#) An ordinance relating to condemnation of nuisance vehicles. (Department of Neighborhood Services)

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

Part 1. Section 80-49-4-a of the code is amended to read:

80-49. Nuisance Vehicles.

4. CONDEMNATION OF VEHICLES.

a. Order. The commissioner shall, through personal delivery or the regular mail, serve a written order of condemnation on the owner of the premises at the owner's last known address, if ascertainable. [[In addition, a copy of the order shall be posted in a conspicuous place on the premises.]]

Part 2. Section 80-49-4-c of the code is repealed and recreated to read:

c. Notice and Placard. Whenever the commissioner issues such an order:

c-1. The commissioner shall through personal delivery or regular mail, serve a notice of condemnation on the last registered owner of the vehicle at the owner's last known address if ascertainable.

c-2. The commissioner shall provide notice of condemnation on a placard that bears the word "Condemned" and post a copy of the placard in a conspicuous place on the vehicle. The placard may be posted at any time after the commissioner determines that the vehicle constitutes a nuisance.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

- 4) [981745](#) Substitute resolution authorizing the Commissioner of Public Works to seek proposals to sell the City of Milwaukee's five downtown parking structures.

Whereas, The City of Milwaukee currently owns five (5) downtown parking structures ("Parking Structures") as further defined below:

LOCATION	SIZE	USAGE
535 North Milwaukee Street	520 Spaces	Lease to Johnson Controls
1000 North Water Street	1,542 Spaces	Public Parking
841 North 7th Street	1,418 Spaces	Public Parking
324 West Highland	933 Spaces	Public Parking
724 North 2nd Street	491 Spaces	Public Parking

; and

Whereas, The private sector is better suited than City Government to provide off-street parking; and

Whereas, Sale of the Parking Structures to the private sector will place these Parking Structures on the property tax rolls; and

Whereas, Sale of these Parking Structures may be in the City's fiscal interest; and

Whereas, The City proposes, by this resolution, to authorize the Commissioner of Public Works to solicit proposals and negotiate terms for the sale of the Parking Structures: now, therefore, be it

Resolved, That the Common Council hereby authorizes the Commissioner of Public Works to solicit proposals and negotiate terms for the sale of the Parking Structures, to do all acts and execute and deliver all documents as may be necessary and convenient to solicit proposals and to enlist the support of the City Attorney, City Comptroller, City Budget Director, Commissioner of City Development and outside commercial real estate experts and its subcontractors, to effectuate the sale of the Parking Structures and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution; and, be it

Further Resolved, That upon reviewing in conjunction with the City Budget Director, such proposals and terms, the Commissioner of Public Works shall report back to the City Plan Commission and to the Common Council with a recommendation whether or not to proceed with the sale of the Parking Structures; and, be it

Further Resolved, That the costs associated with the solicitation of proposals and negotiation of terms preliminary to further recommendation to the Common Council

shall be paid out of the Parking Fund; and, be it

Further Resolved, That any actions taken by the Commissioner of Public Works consistent with this Resolution are hereby ratified and confirmed; and, be it

Further Resolved, That the sale of any or all of the Parking Structures shall not be legally binding upon the City nor be finally implemented unless and until the details and mechanics of the same are authorized and approved by a further resolution of the Common Council which shall be solely within the discretion of the Common Council; and, be it

Further Resolved, That all prior authority, resolutions, rules or other actions of the City or any parts thereof in conflict with the provisions hereof shall be and the same are hereby rescinded insofar as they may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Sponsors: THE CHAIR

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

Aye: 7 - Kalwitz, Henningsen, Richards, Pawlinski, Breier, Murphy Hines Jr.

No: 10 - Pratt, D'Amato, Schramm, Johnson-Odom, Gordon, Frank, Butler, Scherbert, Witkowiak Nardelli

5) [990461](#) Resolution relative to application for a Bulletproof Vest Grant. (Police Dept.)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a Bulletproof Vest Grant; and

Whereas, It is appropriate for the City of Milwaukee to apply for such grant funds, provided that no funds will be accepted or expended without express Common Council approval by resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application by the Milwaukee Police Department to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance is authorized; and, be it

Further Resolved, That acceptance and expenditure of these funds by the Milwaukee Police Department is not authorized herein and any such acceptance and expenditure shall require express Common Council approval by adoption of a separate resolution.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

6) [990465](#) Resolution relative to application, acceptance and funding of the Congenital Disorders Grant. (Health Dept.)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin, Department of Health and Family Services, to screen newborns for metabolic and endocrine disorders; and

Whereas, The operation of this grant project from the State of Wisconsin Department of Health and Social Services to the Health Department would cost \$112,451 entirely provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent Account of the 1999 Special Revenue Grant and Aid Project fund, the following amount for the project titled Congenital Disorders Grant:

Project Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$112,451

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

3. Establish the necessary City Share Project values;

and, be it

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

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

- 7) [990449](#) Reappointment of Carla Cross to the Fire and Police Commission by the Mayor. (7th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 8) [961706](#) Communication from the City Attorney relative to unpaid parking violations.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

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

ECONOMIC DEVELOPMENT COMMITTEE

ADOPTION OF THE FOLLOWING:

- 1) [990440](#) Substitute resolution authorizing the issuance of Industrial Development Revenue Bonds (Goodwill Industries of Southeastern Wisconsin and Metropolitan Chicago, Inc. Issue - Series 1999).
- Whereas, The City of Milwaukee, Wisconsin (the "Municipality"), is a municipal corporation organized and existing under and pursuant to the laws of the State of Wisconsin and is authorized by Section 66.521, Wisconsin Statutes, as amended (the "Act"):
- (a) To issue industrial development revenue bonds to finance all or any part of the costs of the construction, equipping, reequipping, acquisition, purchase, installation, reconstruction, rebuilding, rehabilitation, improving, supplementing, maintaining, repairing, enlarging, extending or remodeling of a project which qualifies under the Act and the improvement of the site therefor.
- (b) To enter into a revenue agreement with an eligible participant pursuant to which the eligible participant agrees to cause said project to be constructed and to pay the municipality an amount of funds sufficient to provide for the prompt payment when due of the principal of and interest on said industrial development revenue bonds.
- (c) To finance an industrial project which is located entirely outside the geographic limits of the municipality, but only if the revenue agreement with respect to such project also relates to another project of the same eligible participant some part of which is located within such limits; and

Whereas, Goodwill Industries of Southeastern Wisconsin and Metropolitan Chicago, Inc., a Wisconsin, nonstock, nonprofit corporation (the "Borrower"), has requested the Municipality to issue industrial development revenue bonds to finance projects in the Municipality and the Cities of Waukesha and Racine, Wisconsin on behalf of the Borrower as an eligible participant under the Act; and

Whereas, The Common Council of the City of Milwaukee (the "Common Council") has found and determined that said projects consisting of the construction of an addition to the current facility for processing and assembly, the acquisition and installation of production equipment, the replacing of the roof on the existing building, and renovation of workshop restroom facilities at the Municipality facility; the

construction and equipping of a new facility for job training, counseling, and storage in Waukesha; and the construction of an addition to the current facility for processing and assembly at the Racine facility (the "Projects") are each qualified "projects" within the meaning of the Act and that the Borrower is an "eligible participant" within the meaning of the Act; and

Whereas, At least 30 days prior to entering into the revenue agreement, the Borrower gave notice of intent to enter into the revenue agreement and provided information on the number of jobs the Borrower expects to be eliminated, created or maintained on the Project sites and elsewhere in this State by the Projects, to the Department of Commerce of the State of Wisconsin and to any collective bargaining agent in the State of Wisconsin with whom the Borrower has a collective bargaining agreement; and

Whereas, The Municipality has received from the Department of Commerce of the State of Wisconsin an estimate of the net number of jobs expected to be eliminated, created or maintained as a result of the Projects; and

Whereas, On May 11, 1999, the Common Council adopted an initial resolution pursuant to the Act wherein it was resolved that the Municipality would issue industrial development revenue bonds to finance the Projects, subject however, to the satisfaction of certain conditions including the approval by the Common Council of the terms of the bonds and the revenue agreement described in said initial resolution; and

Whereas, On May 24, 1999, notice of the adoption of the initial resolution was published in accordance with Section (10)(b) of the Act, and notice of adoption of the waiver resolution was published in accordance with Section (11)(b)2. of the Act, and no sufficient petition has been filed with the City Clerk requesting a referendum on the question of the issuance of said industrial development revenue bonds; and

Whereas, On July 1, 1999, a public hearing was held at the offices of the Department of City Development, 809 North Broadway, Milwaukee, Wisconsin, and conducted in a manner that provided a reasonable opportunity to be heard for persons with differing views on both issuance of revenue bonds and the location and nature of the proposed facility to be financed with revenue bonds; and

Whereas, Notice of the public hearing, substantially in the same form as Exhibit A, a copy of which is attached to this Common Council File, was published by one insertion in the Milwaukee Journal Sentinel no less than 14 days before the scheduled date of the hearing; and

Whereas, The Borrower has now requested that the Municipality provide for the issuance of \$7,675,000 principal amount of industrial development revenue bonds

upon the terms set forth in this Resolution (as herein described, the "Bonds"); and

Whereas, In connection therewith the Borrower has presented the Municipality with proposed documentation for the Bonds, as follows:

(a) A Bond Placement Agreement (the "Bond Placement Agreement"), to be entered into by and among the Municipality, the Borrower, and Fleet Securities, Inc. (the "Placement Agent"), setting forth the terms and conditions on which the Municipality will sell and the Placement Agent will use its best efforts to obtain a purchaser for the Bonds.

(b) A Loan and Trust Agreement (the "Agreement"), to be entered into by and among the Municipality, the Borrower and the corporate trustee hereinafter designated (the "Trustee") providing for the Municipality's issuance of the Bonds, a loan of the Bond proceeds to the Borrower on repayment terms made to the Issuer through payments to the Trustee scheduled to provide the Municipality with revenues sufficient to retire the Bonds in accordance with their terms, and the Municipality's assignment to the Trustee in trust of the Municipality's rights under the Agreement and the revenues received.

(c) A Private Placement Memorandum (the "Private Placement Memorandum"), describing the Bonds and the security and source of payment therefor.

(d) A Letter of Credit to be dated the date of issuance of the Bonds (the "Credit Facility"), to be issued by Firststar Bank Milwaukee, N.A., Milwaukee, Wisconsin (the "Credit Facility Provider"), to provide for the payment of the principal and interest on the Bonds; and

Whereas, In accordance with the Act, this Resolution and the aforesaid instruments and documents, the Bonds and interest thereon shall never constitute an indebtedness of the Municipality within the meaning of any State constitutional provision or statutory limitation, shall not constitute or give rise to a pecuniary liability of the Municipality or a charge against its general credit or taxing powers, and shall not constitute or give rise to any personal liability of any member of the Common Council or of any officials or employees of the Municipality on the Bonds or for any act or omission related to the authorization or issuance of the Bonds; and

Whereas, It is in the public interest of the Municipality to encourage and promote the development of projects such as the Projects in order to realize public benefits such as, but not limited to, the furtherance of the Borrower's charitable purposes; the provision and retention of gainful employment opportunities for the citizens of the Municipality; the stimulation of the flow of investment capital into the Municipality with resultant beneficial effects on the economy in the Municipality; and the strengthening of

the Borrower's presence in the region; and

Whereas, It is the finding and determination of the Common Council that the public interest will be served if the Municipality were to encourage and induce the Borrower to undertake the Projects in the Municipality, Waukesha, and Racine; and

Whereas, The development of the Projects and the issuance of Bonds to finance the Projects as herein recited will, in the judgment of the Common Council, serve the intended accomplishments of public purpose and in all respects conform to the provisions and requirements of the Act; now, therefore, be it

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

1. It has been found and determined and is declared:

(a) That each Project is a qualified "project" under and for the purposes of the Act.

(b) That the Borrower is a qualified "eligible participant" under and for the purposes of the Act.

(c) That the Agreement meets the requirements of a "revenue agreement" under and for the purposes of the Act.

(d) That the estimated aggregate cost of providing the Projects and paying the costs incidental to the financing is not less than \$7,675,000.

(e) That the payments required to be made by the Borrower under the Agreement are sufficient in amount to pay when due the principal of, premium, if any, and interest on the Bonds.

(f) That the Placement Agent is qualified to act as remarketing agent (in such capacity, the "Remarketing Agent") in determining the interest rate on the Bonds as provided in the Agreement.

(g) That all conditions set forth in said Initial Resolution have been satisfactorily met.

2. The Municipality shall borrow, but only in the manner herein recited, a sum not to exceed \$7,675,000 for the purpose of financing the Projects. Said borrowing shall be accomplished through the sale of the Bonds issued pursuant to the Act. The Municipality shall lend a sum of \$7,675,000 to the Borrower pursuant to the terms of the Agreement. The Agreement is approved as necessary to effectuate the purposes of the Act. The Mayor, the City Clerk and the City Comptroller are authorized and directed for and in the name of the Municipality to execute and deliver the Agreement

in the form thereof presented herewith or with such insertions therein or corrections thereto as shall be approved by them consistent with this resolution, their execution thereof to constitute conclusive evidence of their approval of any such insertions and corrections.

3. The Bonds shall be issued in the aggregate principal amount of \$7,675,000, shall become due and payable on July 1, 2019, and shall be designated:

CITY OF MILWAUKEE, WISCONSIN INDUSTRIAL DEVELOPMENT
REVENUE BONDS (GOODWILL INDUSTRIES OF SOUTHEASTERN
WISCONSIN AND METROPOLITAN CHICAGO, INC. ISSUE - SERIES
1999)

As used herein, the following terms shall have the following respective meanings:

"Business Day" means a day (i) that is not a Saturday, Sunday or legal holiday, (ii) on which banking institutions in all of the cities in which the principal corporate trust office of the Trustee, the office of the Credit Facility Provider at which draws under the Credit Facility are to be presented and the principal office of the Remarketing Agent are located are not required or authorized to remain closed and (iii) on which the New York Stock Exchange is not closed.

"Effective Date" means the date on which a new Rate Period takes effect. Prior to the Fixed Rate Conversion Date, the Effective Date shall initially be the date of issuance of the Bonds and thereafter be each Wednesday and each mandatory tender date.

"Effective Rate" means, for any Rate Period, the Weekly Rate or other rate of interest in effect for such Rate Period as hereinafter provided.

"Fixed Rate" means a rate or rates of interest on the Bonds that is fixed for the remaining term of the Bonds.

"Fixed Rate Conversion Date" means the date upon which the Fixed Rate first becomes effective for the Bonds.

"Interest Accrual Period" means (i) a calendar month or (ii) a portion of a calendar month from the date of issuance of the Bonds or to the maturity date of the Bonds, a mandatory tender date, or a redemption date.

"Interest Index" means that indication of the lowest interest rate appropriate for bonds similar to the Bonds being priced in terms of security, creditworthiness, term and tender privilege which will permit the Bonds to be sold at a purchase price equal (excluding accrued interest) to their principal amount determined first by interviewing

three investors of portfolios holding significant numbers of such bonds (but who are not Bondowners) and second, if that is not practicable, by referring to the best available database or publication of national recognition containing a recent calculation of such an interest rate for comparable securities.

"Interest Payment Date" means each date on which interest shall be payable on the Bonds according to their terms so long as any of the Bonds shall be outstanding. Prior to the Fixed Rate Conversion Date, if any, the Interest Payment Dates shall be the first Business Day of each calendar month for the preceding Interest Accrual Period; and from and after the Fixed Rate Conversion Date, the Interest Payment Dates shall be the first day of January and July of each year, commencing with a January 1 or July 1 specified by the Borrower in writing to the Trustee which is at least two but less than ten months after the Fixed Rate Conversion Date. As to any Bond, whether before or after the Fixed Rate Conversion Date, the maturity date or redemption date thereof shall also be an Interest Payment Date.

"Maximum Interest Rate" means 12 percent per annum.

"Rate Period" means, prior to the Fixed Rate Conversion Date, each one week period (or slightly shorter period for the initial Rate Period or in the case of redemption, mandatory tender or maturity) which commences initially on the date of issuance of the Bonds and thereafter on Wednesday of each calendar week or any mandatory tender date and ends on the following Tuesday or the day before a mandatory tender date or final maturity date of the Bonds.

"Weekly Rate" means the rate of interest determined by the Remarketing Agent for each Rate Period to be the lowest rate which in its judgment, on the basis of prevailing financial market conditions, would permit the sale of the Bonds at par plus accrued interest on and as of the Effective Date, but not in excess of the Maximum Interest Rate.

From the date of issuance of the Bonds and prior to the Fixed Rate Conversion Date, if any, the Effective Rate in effect for each Rate Period shall be determined not later than the Effective Date, and shall be equal to the Weekly Rate or such other rate as may be determined as described below. The Weekly Rate for the Bonds shall be the rate of interest determined by the Remarketing Agent designated as provided in the Agreement, for each Rate Period, to be the lowest rate which in its judgment, on the basis of prevailing financial market conditions, would permit the sale of the Bonds at par plus accrued interest on and as of the Effective Date, but not in excess of the Maximum Interest Rate. The Remarketing Agent shall determine the initial Weekly Rate on or before the date of issue of the Bonds, which rate shall remain in effect as provided in the Agreement. Thereafter, the Remarketing Agent shall redetermine the Weekly Rate for each Rate Period. If for any reason the Weekly Rate on the Bonds

cannot be established for any Rate Period as described above or is held invalid or unenforceable by a court of law, the Effective Rate during such Rate Period will be a rate determined by the Remarketing Agent which is not less than 90 percent nor more than 130 percent of the Interest Index. If for any reason the interest rate on the Bonds for the applicable Rate Period cannot be established as described in the preceding sentence, the Effective Rate for such Rate Period will equal the Interest Index as determined by the Remarketing Agent. In no event will the Effective Rate exceed the Maximum Interest Rate. If for any reason the Remarketing Agent fails to announce the Effective Rate as provided in the Agreement for any Rate Period, the Effective Rate for that Rate Period shall be the same as the Effective Rate for the prior Rate Period.

At the option of the Borrower and upon certain conditions provided for in the Agreement, the interest rate on the Bonds may be converted in whole and not in part on any Interest Payment Date to the Fixed Rate. Upon receipt of the notice of conversion to the Fixed Rate from the Borrower, the Remarketing Agent shall determine the Fixed Rate not later than 2:00 p.m. on the second Business Day before the Fixed Rate Conversion Date. The Fixed Rate shall be the lowest rate which in the judgment of the Remarketing Agent, on the basis of prevailing financial market conditions, would permit the sale of the Bonds at par plus accrued interest as of the Fixed Rate Conversion Date on the basis of their terms as converted. The Fixed Rate shall become effective on the Fixed Rate Conversion Date and shall remain in effect for the remaining term of the Bonds.

Prior to the Fixed Rate Conversion Date, interest shall be computed on the basis of a 365 or 366-day year, as appropriate, and actual days elapsed. After the Fixed Rate Conversion Date, interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months from the most recent Interest Payment Date to which interest has been paid or duly provided for or, if no interest has been paid, from the date of the Bond, at the interest rate per annum, payable semiannually on the Interest Payment Dates, until the date on which the Bond becomes due. From and after the date on which the Bonds become due, any unpaid principal will bear interest at the then effective interest rate until paid or duly provided for or until the Bonds have been accelerated, but unpaid interest shall not continue to bear interest after its due date.

The Bonds shall be issuable as fully registered bonds in denominations of \$100,000 or any multiple of \$5,000 in excess thereof (except as otherwise provided in the Agreement), and when issued will be registered in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company, New York, New York ("DTC"). The beneficial owners of the Bonds will not receive physical delivery of bond certificates. Beneficial ownership will be evidenced by book-entry only. Bonds and the interest thereon shall be transferable by and shall be payable to the registered owners thereof in the manner and with the effect provided in the Agreement. The principal of, premium, if any, and interest on the Bonds shall be

payable in lawful money of the United States of America at the principal corporate trust office of the Trustee, as paying agent, or the office of any successor or additional paying agent designated by the Municipality and approved by the Borrower.

The Bonds shall be issued in the form therefor as set forth in the Agreement, with such insertions therein as shall be necessary to comply with the terms of this Resolution and with such corrections therein, if any, as the approving bond attorney may require for conformity with the terms of this Resolution, the Agreement and the Act.

4. The Bonds shall be executed on behalf of the Municipality with the facsimile or manual signature of its Mayor and its City Clerk, countersigned with the facsimile or manual signature of its City Comptroller and shall have impressed, imprinted or otherwise reproduced thereon an official seal of the Municipality or a facsimile thereof. No Bond shall be issued unless first authenticated by the Trustee (as fiscal agent and bond registrar), to be evidenced by the manual signature of an authorized signatory of the Trustee on each Bond.

5. The Municipality designates and appoints Fleet Securities, Inc. to perform the functions of Remarketing Agent and Firststar Bank Milwaukee, N.A., Milwaukee, Wisconsin to perform the functions of Trustee under the Agreement.

6. The Bonds and interest thereon shall never be or be considered a general obligation of the Municipality or an indebtedness of the Municipality within the meaning of any State constitutional provision or statutory limitation and shall not constitute or give rise to a pecuniary liability of the Municipality or a charge against its general credit or taxing powers.

7. The Bonds shall be limited obligations of the Municipality payable by it solely from revenues and income derived by or for the account of the Municipality from or for the account of the Borrower pursuant to the terms of the Agreement; including without limitation: (i) amounts derived pursuant to the Credit Facility, (ii) payments by the Borrower pursuant to the terms of the Agreement, and (iii) all cash and securities held from time to time in the trust funds created under the Agreement, and the investment earnings thereon; but excluding any amounts derived by the Municipality for its own account pursuant to the terms of the Agreement.

As security for the payment of the principal of, premium, if any, and interest on the Bonds, the Municipality shall pledge and assign to the Trustee all of its right, title and interest (i) in respect of the Agreement and all payments thereon, (ii) in all moneys and securities held by the Trustee for deposit in, or deposited in, the Bond Fund, the Construction Fund and the Credit Facility Fund created under the Agreement and investment earnings thereon described in the Agreement, and (iii) all proceeds of any of the foregoing.

8. The Bonds shall be subject to mandatory and optional redemption prior to maturity, and optional and mandatory tender for purchase, as provided in the Agreement.

9. The trust funds and accounts created under the Agreement to be held in the custody of the Trustee and applied for the uses and purposes provided in the Agreement are authorized and approved.

10. Any moneys held as a part the trust funds held by the Trustee under the Agreement may be invested and reinvested by the Trustee in "Permitted Investments" in accordance with, and as defined in, the Agreement.

11. The terms and provisions of the Credit Facility and the Agreement are approved.

12. The Borrower has negotiated for the sale of the Bonds by the Placement Agent at a price of 100 percent of the principal amount of the Bonds. Given the purposes of the financing and the involvement of the Municipality therewith, it is the determination of the Common Council that the Bonds shall be awarded to such purchasers as may be arranged by the Placement Agent at the price aforesaid with delivery to follow in the manner, at the time and subject to the conditions set forth in the Bond Placement Agreement. As evidence thereof the Mayor, the City Clerk and, where appropriate, the City Comptroller are authorized and directed for and in the name of the Municipality to execute, affix with the official seal of the Municipality and deliver the Bond Placement Agreement in the form presented herewith, or with such insertions therein or corrections thereto as shall be approved by the Mayor and the City Clerk consistent with this Resolution and the terms of the Act, their execution thereof to constitute conclusive evidence of their approval of any such insertions and corrections.

13. The distribution by the Placement Agent of the Private Placement Memorandum in connection with the offering and sale of the Bonds is authorized and approved.

14. The Mayor, the City Clerk and the City Comptroller are authorized for and in the name of the Municipality to execute the Bonds in the manner authorized by paragraph 4 of this Resolution. Subject to the terms and conditions of the Bond Placement Agreement, the Issuer shall deliver the Bonds to the Placement Agent.

15. The Mayor and the City Clerk and the appropriate deputies and officials of the Municipality in accordance with their assigned responsibilities are each authorized to execute, deliver, publish, file and record such other documents, instruments, notices (including, without limitation, the Internal Revenue Service Form 8038) and records and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution and to comply with and perform the obligations of the Municipality under the Bond Placement Agreement, the Bonds, and the Agreement.

In the event that any of said officials shall be unable by reason of death, disability, absence or vacancy of office to perform in timely fashion any of the duties specified herein (such as the execution of the Bond Placement Agreement, the Bonds or the Agreement), such duties shall be performed by the officer or official succeeding to such duties in accordance with law and the rules of the Municipality.

16. This Resolution shall be effective immediately upon its passage and approval. To the extent that any prior resolutions of the Common Council are inconsistent with the provisions hereof, this resolution shall control and such prior resolutions shall be deemed amended to such extent as may be necessary to bring them in conformity with this Resolution.

17. The Mayor, the City Clerk and the City Comptroller shall not execute and deliver the Agreement as provided in paragraph 2 of this Resolution unless simultaneously with the issuance of the Bonds, the Borrower shall enter into a Disadvantaged Business Enterprise Agreement (the "Business Agreement") with the Municipality, in a form satisfactory to the Municipality, providing for the Borrower to make a "good faith effort," as defined in the Business Agreement, to utilize certified "Disadvantage Business Enterprises," as defined in the Business Agreement, in the construction of the Project.

18. Notice of the sale of the Bonds, in the form of Exhibit B, a copy of which is attached to this Common Council File, shall be published forthwith in the official newspaper of the Municipality as a class 1 notice under Chapter 985 of the Wisconsin Statutes. The City Clerk of the Municipality shall obtain proof in affidavit form, of such publication, and shall compare the notice as printed with the form of Exhibit B to ascertain that no mistake has been made therein.

19. The Common Council, on behalf of the Municipality, approves the issuance of the Bonds for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Johnson-Odom

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [981208](#) A substitute ordinance relating to notice requirements for proposed zoning changes.

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

Part 1. Section 295-61-7 of the code is amended to read:

295-61. Changes in Districts and Regulations.

7. NOTICE OF PROPOSED ZONING CHANGES. Written notice by mail of hearings by the appropriate common council committee shall be given for proposed zoning changes of property to petitioners, owners of property for consideration of changes and owners of property immediately surrounding and within at least 200 feet thereof, inclusive of streets and alleys. >>However, whenever an ordinance to change the zoning of property is introduced by the common council on its own motion on or before December 31, 1999, in response to a recommendation from the zoning code task force created by common council file number 971179, only class 2 notice as required by s. 62.23(7)(d)2, Wis Stats., as well as publication of at least one notice in a daily newspaper of general circulation, shall be required.<<

Sponsors: Ald. D'Amato

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 2) [981360](#) Substitute ordinance relating to the change in zoning from Industrial (I/A/125) to Detailed Planned Development (DPD), on land located North of the South Menomonee Canal and East and West of the North-South Freeway (I-94), in the 12th Aldermanic District.

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

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

Section 295-810(2)(b).0126.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves

this 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 changed for the area bounded by the centerline of the Menomonee River, a line 35 feet East and parallel to the East Side of the D.O.T. easement of the North-South Freeway (I-94), a line 425 feet South and parallel to the South Side of West Canal Street, a line 320.5 feet East and parallel to the East Side of the North-South Freeway (I-94), a line 450 feet South and parallel to the South Side of West Canal Street, a line 397.11 feet East and parallel to the East Side of the North-South Freeway (I-94), the centerline of the South Menomonee Canal, the centerline of South 11th Street, the centerline of West Canal Street, and a line 776.95 feet West and parallel to the centerline of the North-South Freeway (I-94).

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

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

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

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

Sponsors: Ald. Henningsen

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 3) [990096](#) Substitute ordinance relating to the approval of an amended General Planned Development (GPD) known as Cherokee Planned Residential Development, on land located East of South 43rd Street between West Morgan Avenue and West Howard Avenue, in the 11th Aldermanic District.

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

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

Section 295-810(2)(a).0051.

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

(2) The zoning map reaffirms the zoning for the area including Parcels 1, 2 and 3 of Certified Survey Map No. 5433, and portions of West Howard Avenue, South 43rd Street and South 41st Street, being a part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 13, Township 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of said Southwest 1/4 Section; thence North 00 deg. 17 min. 16 sec. West along the west line of said 1/4 Section 1446.38 feet to the point of beginning of the lands to be described; thence continuing North 00 deg. 17 min. 16 sec. West 233.90 feet to a point; thence North 88 deg. 27 min. 30 sec. East 341.01 feet to a point; thence North 00 deg. 17 min. 16 sec. West 127.75 feet to a point; thence North 88 deg. 27 min. 30 sec. East 282.12 feet to a point on the centerline of South 41st Street; thence North 01 deg. 32 min. 30 sec. West along said centerline 389.13 feet to a point; thence Northerly 116.59 feet along said centerline and the arc of a curve whose center lies to the East, whose radius is 200.00 feet and whose chord bears North 15 deg. 09 min. 30 sec. East 114.94 feet to a point; thence Northerly 112.09 feet along said centerline and the arc of a curve whose center lies to the West, whose radius is 200.00 feet and whose chord bears North 15 deg. 48 min.

11 sec. East 110.63 feet to a point; thence North 88 deg. 25 min. 50 sec. East 231.61 feet to a point; thence South 00 deg. 17 min. 16 sec. East 2446.12 feet to a point on the south line of the Municipal Boundary line; thence South 88 deg. 27 min. 30 sec. West along said south line 507.50 feet to a point; thence North 00 deg. 17 min. 16 sec. West 635.97 feet to a point; thence North 14 deg. 32 min. 00 sec. West 865.37 feet to a point; thence South 88 deg. 27 min. 30 sec. West 187.01 feet to the point of beginning.

(3) The requirements set forth in said general plan attached to this Common Council File as amended Exhibit A constitute the zoning regulations for the area contained in such planned development district herein described, except that construction shall not be permitted in any segment of said tract until a detailed plan prepared in accordance with Section 295-813(3) of the Code has been approved by the Common Council and the zoning ordinance is amended; except that improvements may be permitted to the extent that such improvements are shown in detail and included in the approved general plan.

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

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

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

Sponsors: Ms. Scherbert

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 4) [990097](#) Substitute ordinance relating to the approval of an amended Detailed Planned Development (DPD) for Phase I of a planned development known as Cherokee Point Condominiums, on land located East of South 43rd Street and South of West Morgan Avenue, in the 11th Aldermanic District.

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

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

Section 295-810(2)(b).0119.

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

(2) The zoning map reaffirms the zoning for the area bounded by Parcel 3 of Certified Survey Map No. 5433 together with the East 1/2 of South 41st Street adjoining said property on the West and the South 1/2 of the alley adjoining said property on the North, being a part of the Northwest 1/4 of the Southwest 1/4 of Section 13, Township 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

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

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

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

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

Sponsors: Ms. Scherbert

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 5) [990098](#) Substitute ordinance relating to the change in zoning from General Planned Development (GPD) to Detailed Planned Development (DPD) for Phase II of a planned development known as Cherokee Planned Residential Development, on land located East of South 43rd Street and South of West Morgan Avenue, in the 11th Aldermanic District.

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

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

Section 295-810(2)(b).0120.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the Detailed Planned Development known as Cherokee Planned Residential Development (Phase II), 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 a redivision of Parcels 1, 2, and 3 of Certified Survey Map Number 5433, being a part of the Northwest 1/4 and

the Southwest 1/4 of Section 13, Township 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

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

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

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

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

Sponsors: Ms. Scherbert

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 6) [990180](#) Ordinance relating to the change in zoning from Neighborhood Shopping (S/D/40) to Local Business (L/D/40), on land located on the Northeast corner of West Appleton Avenue and West Hampton Avenue, in the 5th Aldermanic District. (DCD)
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

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

Section 295-320(8).0045. The zoning map is amended to change the zoning for the area bounded by the centerline of West Hampton Avenue, a line 250 feet West and parallel to the west line of North 82nd Street, a line 130 feet North and parallel to the north line of West Hampton Avenue and West Appleton Avenue, the centerline of West Grantosa Drive, the centerline of West Luscher Street, and the centerline of North 82nd Street, from Neighborhood Shopping (S/D/40) to Local Business (L/D/40).

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 7) [990185](#) Ordinance relating to the change in zoning from Local Business (L/C/40) and Multi-Family Residence (R/C/40) to Detailed Planned Development (DPD) for a planned development known as the Todd Wehr Metcalfe Park Community Center (Metplex), on land located on the North Side of West North Avenue and East of North 35th Street, in the 7th Aldermanic District. (DCD)

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

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

Section 295-810(2)(b).0121.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the Detailed Planned Development known as the Todd Wehr Metcalfe Park Community Center (Metplex), 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 by the centerline of West North Avenue, the centerline of North 35th Street, a line 200 feet North and parallel to the north line of West North Avenue, a line 135 feet East and

parallel to the east line of North 35th Street, the centerline of West Meinecke Avenue, the centerline of North 32nd Street, a line 120 feet North and parallel to the north line of West North Avenue, and a line 187.5 feet West and parallel to the west line of North 32nd Street.

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

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

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 8) [990232](#) Substitute ordinance relating to the change in zoning from Manufacturing (M/B/85 and M/C/60) and Industrial (I/B/85) to Multi-Family Residence (R/B/60 and R/C/60) and Local Business (L/B/60 and L/C/60), on land located North of East Windsor Place

and West of North Farwell Avenue, in the 3rd Aldermanic District.

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

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

Section 295-320(6).0008. The zoning map is amended to change the zoning for the area bounded by the centerline of East North Avenue, the centerline of North Cambridge Avenue, a line 130 feet North and parallel to the north line of East North Avenue, a line 127 feet East and parallel to the east line of North Newhall Street, a line 150 feet North and parallel to the north line of East North Avenue, the centerline of North Bartlett Avenue, the centerline of East North Avenue, a line 130 feet West and parallel to the west line of North Bartlett Avenue, a line 120 feet South and parallel to the south line of East North Avenue, the centerline of North Newhall Street, the centerline of East North Avenue, a line 156 feet West and parallel to the west line of North Newhall Street, a line 120 feet South and parallel to the south line of East North Avenue, a line 70 feet East and parallel to the east line of North Cambridge Avenue, a line 80 feet South and parallel to the south line of East North Avenue, the centerline of North Cambridge Avenue, a line 66 feet South and parallel to the south line of East North Avenue, the centerline of the Milwaukee River and the centerline of East North Avenue, from Manufacturing (M/C/60) and Industrial (I/B/85) to Local Business (L/C/60).

Section 295-320(4).0004. The zoning map is amended to change the zoning for the area bounded by the centerline of East North Avenue, the centerline of East Kenilworth Place, the centerline of North Farwell Avenue, a line 180 feet South and parallel to the south line of East Kenilworth Place, a line 150 feet West and parallel to the west line of North Farwell Avenue, the north line of the Milwaukee County Parkway extended, and the centerline of North Oakland Avenue, from Manufacturing (M/B/85) to Local Business (L/B/60).

Section 295-130(6).0011. The zoning map is amended to change the zoning for the area bounded by the centerline of East North Avenue, the centerline of North Newhall Street, a line 120 feet South and parallel to the south line of East North Avenue, and a line 156 feet West and parallel to the west line of North Newhall Street, and a line 80 feet South and parallel to the south line of East North Avenue, a line 70 feet East and parallel to the east line of North Cambridge Avenue, a line 120 feet South and parallel to the south line of East North Avenue and the centerline of North Cambridge Avenue, from Manufacturing (M/C/60) to Multi-Family Residence (R/C/60).

Section 295-130(4).0002. The zoning map is amended to change the zoning for the area bounded by a line 120 feet South and parallel to the south line of East North Avenue, the centerline of the Milwaukee River, a line 66 feet South and parallel to the

south line of East North Avenue, and the centerline of North Cambridge Avenue, a line 120 feet South and parallel to the south line of East North Avenue and the centerline of North Cambridge Avenue, from Manufacturing (M/C/60) to Multi-Family Residence (R/B/60).

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 9) [990446](#) An ordinance relating to the removal of driveway approaches to lots on which all structures have been demolished. (Department of Neighborhood Services)
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 218-6-10 of the code is created to read:

218-6. Demolition and Landscaping.

10. REMOVAL OF DRIVEWAY APPROACHES. Pursuant to s. 115-25, whenever the commissioner of city development issues a permit for the demolition of all structures on a premises, and the demolition will result in the discontinuance of the use of an existing driveway, the removal of the driveway and restoration of the street pavement, curb, gutter and sidewalk shall be a condition of issuance of such permit. Such removal and restoration shall not be required whenever the owner has obtained a permit for new construction prior to demolition of the structure or structures and the existing driveway is necessary for proper access to the structure described in the new construction permit.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 10) [990470](#) A substitute ordinance to grant an airspace lease to Forest County Potawatomi Community of Wisconsin for a pedestrian bridge over a portion of West Pittsburgh Avenue south of West Canal Street.

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

Part 1. FINDINGS. In accordance with the provisions of sec. 66.048(3), Wis. Stats.,

(1997-98), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee, through the proper city officers, enter into a lease with Forest County Potawatomi Community of Wisconsin for the maintenance of a pedestrian bridge over West Pittsburgh Avenue connecting the proposed expanded casino building known as 1721 West Canal Street and the proposed parking structure to be known as 1715 West Pittsburgh Avenue, both adjoining properties being owned by Forest County Potawatomi Community of Wisconsin, with said bridge structure not to be less than 28 feet above the present roadway of West Pittsburgh Avenue and consisting of not more than 34.58 feet in width and 29 feet in height, and the Common Council of the City of Milwaukee hereby finds that the area defined by the airspace lease is not needed for street, alley or other public purposes, and that the bridge will continue to serve the public interest in promoting convenient access to downtown buildings.

Part 2. A copy of such lease is attached hereto and made part of Common Council File No. 990080.

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

- 11) [981716](#) Resolution approving the final plat of Spring Hill Cemetery Addition No. 2, located East of South Hawley Road and South of the East-West Freeway, in the 16th Aldermanic District. (DCD)

Resolved, By the Common Council of the City of Milwaukee that the final plat of Spring Hill Cemetery Addition No. 2, being part of the Northwest 1/4 of the Northwest 1/4 of Section 35, Township 07 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 12) [990080](#) Substitute resolution approving the design concept for the proposed skywalk over West Pittsburgh Avenue connecting a parking structure at 1715 West Pittsburgh Avenue with the Forest County Potawatomi Community of Wisconsin Casino at 1721 West Canal Street in the 8th Aldermanic District in the City of Milwaukee. Whereas, The Forest County Potawatomi Community of Wisconsin is developing an expanded casino at 1721 West Canal Street; and

Whereas, The casino development includes construction of a new 1300 car parking structure at 1715 West Pittsburgh Avenue, south of the casino; and

Whereas, The parking structure and the casino are proposed to be connected via a skywalk over West Pittsburgh Avenue; and
Potawatomi's; and

Whereas, The Common Council of the City of Milwaukee, by adoption of Common Council File No. 881137 on September 20, 1988, has established a Task Force to review the design concept of proposed skywalks; and
oami Skywalk at a meeting of the Task Force, held on June 17, 1999; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the design concept for the Skywalk proposed to connect the New Forest County Potawatomi Community of Wisconsin Casino at 1721 West Canal Street with the new parking structure at 1715 West Pittsburgh Avenue, over West Pittsburgh Avenue, as presented at the Task Force on the Design of Skywalks meeting held on June 17, 1999, and more particularly described below, is hereby approved.

The major facade components of the Skywalk consist of stone, brick, dryvit, concrete, aluminum and glass in earth tone colors of brown, gray, tan, rusty (red) brown and a greenish-yellow glazing. A materials board and sample of the glazing as well as color renderings of the proposed skywalk are on file in the City Engineer's office. Said material will be kept at least until the Skywalk has been completed and a Certificate of Occupancy has been issued, after which time it may be disposed of or returned to the Developer/owner. As agreed to at the Task Force meeting the only substantive change in the concept, as presented, will be the elimination of columns/supports from the public right-of-way on the north and south sides of West

Pittsburgh Avenue.

Sponsors: Ald. Frank

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 13) [990255](#) Substitute resolution authorizing the proper City officials to enter into a Cooperation Agreement for the Park East Project, Block 8 Park.

Whereas, The City of Milwaukee (City) entered into the December 28, 1989 Park East Development and Cooperation Agreement; and

Whereas, The December 28, 1989 Agreement mandates that the Redevelopment Authority of the City of Milwaukee (RACM), utilizing City funds through Tax Incremental District No. 29, fund the cost of constructing a Park located on Block 8 in the Park East Project Area; and

Whereas, The December 28, 1989 Agreement mandates that the Developer cause the Park to be constructed and either convey and/or dedicate the Park to Milwaukee County (County) to be operated and maintained in substantially the same manner as County parks located within the City, making the same available for use by members of the public, except to the extent necessary or desirable for maintenance, repair, safety or security; and

Whereas, The City, the County and the Developer have worked out a site, construction ownership and maintenance program which is contained in the Cooperation Agreement for the Park East Project Block 8 Park, 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 proper City officials are authorized and directed to enter into the Cooperation Agreement for the Park East Project Block 8 Park; and, be it

Further Resolved, That the City Attorney is authorized to make nonsustantive changes to said Cooperation Agreement if necessary to finalize such document.

Sponsors: Ald. D'Amato

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 14) [990325](#) Resolution designating the Kilbourn/Reservoir Park, 626 East North Avenue and 701 East Garfield Avenue, as an Historic District. (Historic Preservation Commission)
- Whereas, The Milwaukee Historic Preservation Ordinance, Section 308-81 of the Milwaukee Code of Ordinances, as amended, provides that Historic Sites, Structures and Districts may be designated by the Common Council of the City of Milwaukee upon the recommendation of the Historic Preservation Commission; and

Whereas, The Historic Preservation Commission recommends that the Kilbourn/Reservoir Park, 626 East North Avenue and 701 East Garfield Avenue, be designated as an Historic District; and

Whereas, This District possesses integrity of location, design, setting, materials, workmanship and association and fulfills the following criterion set forth in Section 308-81(2)(e):

e-1. Its exemplification and development of the cultural, economic, social or historic heritage of the City of Milwaukee, the State of Wisconsin or the United States.

e-3. Its identification with a person or persons who significantly contributed to the culture and development of the City of Milwaukee.

e-9. Its unique location as a singular physical characteristic which represents an established and familiar visual feature of a neighborhood, community or the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Kilbourn/Reservoir Park, 626 East North Avenue and 701 East Garfield Avenue, and further described as follows:

Tax Key No. 321-1166-000: J.L. PIERCE'S SUBD OF LOTS 47-55 INCL IN SW 1/4 16-7-22 v2 p125 BLOCKS 19-20-37 BLKS 19 & 20 & LOTS 1 TO 12 INCL BLK 37 & THAT PART OF LOTS 84-85 & 86 N OF E GARFIELD AVE OF PART OF LOTS 2 & 3 IN NW 21-7-22 ADJ

Tax Key No. 354-0433-111: PLAT OF LOTS 2 & 3 OF SECTION 21 TOWN 7 RANGE 22 (PART LOTS 85 & 86 SD SUBD & BLKS 1 & 2 & PART RESERVED LOT & VAC STS & ALLEYS IN KILBOURN'S ADD'N ADJ) BOUNDED BY (E NORTH AV ON N-N BREMEN ST & E 18.4' VAC E

BREMEN ST ON E-S 25' VAC E RESERVOIR AV IN KILBOURN'S ADD'N & N LI FORMER RR ROW ON S & E LI E RESERVOIR AV & E LI PARK ADD'N SUBD ON E) EXC E GARFIELD AV (TID #22)

is designated as a Milwaukee Historic District. The Preservation Guidelines pursuant to the Historic Designation Study Report, a copy of which is attached to this Common Council File, shall apply to this District and are adopted by the Common Council as part of this resolution.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 15) [990330](#) Resolution approving Amendment No. 1 to the Park West "B" Redevelopment Plan, declaring the City-owned lot at 2323 North 35th Street blighted for acquisition purposes, and approving the Land Disposition Report for the properties at 2379 North 35th Street, 2323 North 35th Street, 2334 North 37th Street, 2372 North 37th Street and 3619 West Meinecke Avenue for sale to American Stores Properties, Inc. in the 17th Aldermanic District (Redevelopment Authority).

Whereas, On May 7, 1981 the Redevelopment Authority of the City of Milwaukee ("Authority") and on May 21, 1981 the Common Council of the City of Milwaukee ("Common Council") adopted a Redevelopment Plan ("Plan") for the Park West "B" Redevelopment Project; and

Whereas, The Plan was recorded on July 14, 1981 in the Office of the Register of Deeds of Milwaukee County, Wisconsin, as Document No. 5488164, on Reel 1388, Image 1077 to 1105, inclusive; and

Whereas, The Authority desires to modify the Plan to permit retail use and allow curb cuts on North 35th Street, gave the required statutory notices, and conducted a Public Hearing on May 27, 1999, pursuant to Subsection 66.431(11)(b), Wisconsin Statutes, after which the Authority adopted a resolution approving Amendment No. 1 to the Plan; and

Whereas, The Public Hearing also considered the blight designation of the City-owned vacant lot at 2323 North 35th Street for acquisition purposes pursuant to Section 66.431(5)(c), Wisconsin Statutes, as amended; and

Whereas, The Public Hearing conducted on May 27, 1999, concurrently addressed

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 Amendment No. 1 to the Park West "B" Redevelopment Plan, as described below, is in all respects approved per provisions and procedures of Subsection 66.431(11)(b), Wisconsin Statutes:

AMENDMENT NO. 1

A. Under Section B, titled "Plan Objectives" (Page 3), delete all language under Item "a" and replace with the following:

a. To encourage retail, residential and recreational development.

B. Under Section C, Subsection 2.a., titled "Permitted Land Uses in the Redevelopment Area are as follows:" (Page 4), add the following:

3. Retail Uses

C. Under Section C, Subsection 2.b., titled "Building Requirements" (Page 5), add the following language after the first paragraph:

Building requirements for retail uses including the site plan, building design, materials, signage, fencing, landscaping, and any other such concerns will be addressed as part of any necessary rezoning process.

D. Under Section C, Subsection 2.e., titled "Off-Street Parking" (Page 5), delete the following language in the second paragraph:

Curb openings for driveways on North 35th Street are expressly prohibited.

E. Under Section E, Subsection 7, titled "Proposed Changes in Zoning and Other Codes and Ordinances" (Page 13), add the following language after paragraph 1:

Should an acceptable retail development for the blocks between North 35th and North 37th Street be proposed, a zoning change to Planned Development will be required to guide and direct such development.

F. In all other respects, except as herein modified by Amendment No. 1, the

Redevelopment Plan for the Park West "B" Redevelopment Project remains in full force and effect and in operation; and, be it

Further Resolved, That the proposed modification is feasible, will not affect the original objectives of such Plan, will not produce conditions leading to the reoccurrence of slums or blight within the Project area, and is in conformity with the general plan of the City of Milwaukee; and, be it

Further Resolved, That the Authority is requested to record a copy of said resolution describing the Plan modification (Amendment No. 1) in the office of the Register of Deeds of Milwaukee County; and, be it

Further Resolved, That the blight designation of the City-owned vacant lot at 2323 North 35th Street is approved and that the proper City officials shall execute a quit claim deed to the Authority for no monetary consideration; and, be it

Further Resolved, That the Land Disposition Report dated May 27, 1999, with respect to the proposed sale of the following described parcels is approved.

PROJECT

Park West "B"

PARCEL NUMBER

Disposition Parcel No. 327-04-1

PROPERTY ADDRESSES

2379 North 35th Street

2323 North 35th Street

2334 North 37th Street

2372 North 37th Street

3619 West Meinecke Avenue

REDEVELOPER

American Stores Properties, Inc.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 16) [990360](#) Substitute resolution authorizing the proper City officials to enter into a Development Agreement with the Redevelopment Authority of the City of Milwaukee and Ivory Tusk, LLC for the redevelopment of 101 West Wisconsin Avenue in Tax Incremental District No. 37 (Grand Avenue) in the 4th Aldermanic District.

Whereas, The City of Milwaukee ("City") has created Tax Incremental District No. 37 ("TID No. 37") and pursuant to Common Council File No. 971894, adopted on June 16, 1998, adopted a Project Plan for the District ("TID Plan"); and

Whereas, The Common Council of the City of Milwaukee ("Common Council") on June 22, 1999 adopted File No. 990115 which approved an amendment to the Project Plan which delineated certain financial assistance to be provided for the redevelopment of property located at 101 West Wisconsin Avenue; and

Whereas, The Redevelopment Authority of the City of Milwaukee ("RACM") has approved the execution of a Development Agreement with the City and Ivory Tusk, LLC; and

Whereas, The Common Council desires to enter into a Development Agreement with RACM and Ivory Tusk, LLC to implement the amended TID Plan; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to execute a Development Agreement with RACM and Ivory Tusk, LLC for the redevelopment of 101 West Wisconsin Avenue in accord with the amended TID Plan which is consistent with the Term Sheet for the City of Milwaukee-Ivory Tusk Project, a copy of which is attached to this Common Council File; and, be it

Further Resolved, That the City Attorney's Office, in cooperation with the Commissioner of City Development, is directed to draft a Development Agreement which is consistent with the terms and conditions of said Term Sheet and is mutually acceptable to the City Attorney, the Commissioner of City Development, RACM, and Ivory Tusk, LLC; and, be it

Further Resolved, That the City Comptroller is authorized and directed to provide the sum of \$9,400,000 from Tax Incremental District general obligation borrowing

authority to provide said funds to RACM to implement this Project; and, be it

Further Resolved, That the City Comptroller is authorized and directed to establish any and all project/grant accounts necessary to carry out the implementation of the Development Agreement and the TID Plan; and, be it

Further Resolved, That all City officials, departments, boards and commissions are authorized and directed to provide such assistance as is necessary to carry out the intent and purpose of this resolution and the TID Plan.

Sponsors: Ald. Henningsen

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

17) Various resolutions declaring and amending surplus tax deed properties in the 14th and 17th Aldermanic Districts.

a) [990400](#) Resolution declaring as surplus the tax deed lot with garage located at 2257 South Winchester Street and accepting an Offer to Purchase from the prospective adjoining owner, David J. Mantyh, for use as green space in the 14th Aldermanic District. (DCD-Real Estate)

Whereas, Through a private sale, David J. Mantyh has an accepted offer to purchase the property located at 2253 South Winchester Street; and

Whereas, Mr. Mantyh has offered to purchase from the City of Milwaukee the adjoining tax deed lot with garage located at 2257 South Winchester Street, Tax Roll Key No. 466-1411-7, containing 3,840 square feet for the amount of \$2,000 for use as green space; and

Whereas, Mr. Mantyh has submitted his Offer to Purchase said lot with garage to coincide with his offer on the home at 2253 South Winchester Street; and

Whereas, Sale of said lot with garage cannot be consummated until closing on the home is complete; and

Whereas, Said lot with garage is being sold in an "as is" condition; and

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

Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said lot with garage is declared surplus, that said Offer is accepted with the conditions mentioned above, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate such sale and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 02-211-2700.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- b) [990401](#) Resolution declaring as surplus and authorizing the conveyance of tax deed vacant lots to the Neighborhood Improvement Development Corporation for the Wisconsin Housing and Economic Development Authority's Homeownership Program. (DCD) Whereas, The Common Council of the City of Milwaukee adopted File No. 970458, on July 11, 1997, which approved entering into a Cooperation Agreement between the City of Milwaukee ("City"), the Neighborhood Improvement Development Corporation, the Wisconsin Housing and Economic Development Authority, and the Redevelopment Authority of the City of Milwaukee to develop new in-fill housing in the City; and

Whereas, It has been determined that the following newly-acquired tax deed vacant lots are suitable for this type of development and are declared surplus to the City's needs:

1905 West Meinecke Avenue

1905-R West Meinecke Avenue

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the subject vacant tax deed lots are declared surplus and that the Department of City Development is authorized and directed to convey said lots to the Neighborhood Improvement Development Corporation for the Wisconsin Housing and Economic Development Authority's Homeownership Program; and, be it

Further Resolved, That all terms and conditions stated in Common Council File No.

970458 and in the Cooperation Agreement remain in full force and effect.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- c) [990429](#) Resolution amending the disposition of the surplus, improved, tax deed property located at 4418 West Lisbon Avenue, in the 17th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 981152, adopted on December 18, 1998, declared surplus and directed that the Department of City Development sell 4418 West Lisbon Avenue via the open listing method; and

Whereas, Shiloh C.O.G.I.C., a nonprofit organization, has offered to purchase said property for \$500 for commercial development purposes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell 4418 West Lisbon Avenue, Tax Roll Key No. 347-0703-5, to Shiloh C.O.G.I.C. at a fixed price of \$500; and, be it

Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said property and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 02-211-2700; and, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- d) [990430](#) Resolution amending the disposition of the surplus, improved, tax deed property

located at 3327-29 West Lisbon Avenue, in the 17th Aldermanic District.
(DCD-Real Estate)

Whereas, Common Council File No. 990205, adopted on June 2, 1999, declared surplus and directed that the Department of City Development sell 3327-29 West Lisbon Avenue via the open listing method; and

Whereas, Acts Community Development Corporation, a nonprofit organization, has offered to purchase said property for \$500 for commercial development purposes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell 3327-29 West Lisbon Avenue, Tax Roll Key No. 349-2319-9, to Acts Community Development Corporation at a fixed price of \$500; and, be it

Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said property and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 02-211-2700; and, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

18) [990436](#)

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm,
Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert,
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

19) [990443](#) Substitute resolution approving the use of \$800,000 for the

Technology Training Center from the 1999 reprogramming Community Development Block Grant funds.

Whereas, The Community Development Policy Committee on June 15, 1999, approved the funding of activities noted below using the 1999 Community Development Block Grant reprogramming funds; now, therefore, be it

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

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

Enter in subrecipient contracts as detailed in the grant budget.

; and, be it

Further Resolved, That the Community Block Grant Administration is responsible for awarding a subrecipient contract of the 1999 approved activities for the Technology Training Center as follows:

Organization Name CDBG Amount

Goodwill Industries of Southeastern \$800,000 Wisconsin Inc.

; and, be it

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

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

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant

Program set forth in Common Council File Number 74-92-5v fully applicable to the 1999 Community Development Entitlement Funding Program.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

- 20) [990450](#) Reappointment of Robert Greenstreet to the City Plan Commission by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990242](#) A substitute ordinance relating to the use of city-owned or city-controlled wharves and docks.

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

Part 1. Section 118-33 of the code is amended to read:

118-33. [[Harbor Master to]] Control >>of<< City Docks. 1. USE OF CITY DOCKS, ETC. The [[harbor master]] >>municipal port director, or the chief of police at the request of the port director,<< [[of the city of Milwaukee]] is [[hereby]] authorized and directed to give such orders [[and]] >>or<< directions >>, including the posting of appropriate signage prohibiting unauthorized use,<< as he >>or she<< shall deem proper and necessary to prevent the use of any >>street-end or alley-end<< wharves and docks which are owned >>or controlled<< by the city of Milwaukee [[, except public wharves and docks at the foot of public streets,]] by any boat, vessel or other craft belonging to any person, firm or corporation, excepting the use thereof by any person, firm or corporation to whom a lease [[of]] >>or license

for<< such wharves or docks may be granted by the proper city authorities >>under s. 118-47 or the use of any wharf or dock which is designated by resolution of the common council for transient use between the hours of 6 a.m. and 12 p.m. and subject to such further restrictions as may be imposed by the common council<<. The [[harbor master]] >>municipal port director or chief of police<< may order the removal at any time from said wharves and docks of any boat, vessel or other craft.

2. PENALTY. Any master or owner or other person or any officer, manager or agent of any corporation having in charge or in his >>or her<< control any boat, vessel or other craft, excepting the person, firm or corporation expressly excepted in sub. 1 [[above]], who shall neglect or refuse to comply [[within one hour after being ordered,]] with any order >>or directions<< of the [[harbor master]] >>municipal port director or chief of police<< authorized by this section, shall for each offense or conviction thereof be liable for a penalty of not less than [[[\$25]] >>\$100<< nor more than [[[\$100]] >>\$500<<, or in default of payment thereof not less than [[[5]] >>4<< nor more than [[[30]] >>20<< days imprisonment in the house of correction of Milwaukee county; and each and every day of 24 hours for which such neglect or refusal shall continue shall be deemed as a separate offense.

Part 2. Section 118-47 of the code is repealed and recreated to read:

118-47. Use of City Docking Facilities. 1. GENERAL PROHIBITION. Except as provided herein, it shall be unlawful for any person to tie up or moor any vessel, craft or float at any street or alley end in the city, except that stone, wood, lumber and other materials and articles which are or may be purchased by the city for its use may be delivered to such locations if agreed upon at the time of the making of the contract therefor.

2. NON-CITY USE. Notwithstanding the provisions of sub. 1, if the city owns or controls docking facilities at street or alley ends, the common council may, acting in accordance with s. 30.30(8), Wis. Stats., do any of the following:

a. Lease those facilities on an exclusive basis to owners of vessels, crafts or floats. The municipal port director, with the assistance of the commissioners of public works and city development, shall negotiate the terms of such leases, including the fair market rent, and submit the leases to the board of harbor commissioners for review and approval. Leases for one year or more shall be subject to review and approval by the common council.

b. License those facilities on a nonexclusive basis for use by owners of vessels or crafts. The board of harbor commissioners may issue such licenses in accordance with general terms and conditions established by the common council.

c. Establish short-term (less than 24 hours) rates for transient use of such facilities.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 2) [990335](#) An ordinance to create Section 113-32.0098 of the Milwaukee Code of Ordinances relating to the amendment of the Official Map of the City of Milwaukee (Infrastructure Services)

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

There is hereby added to the City of Milwaukee Code a new section to read as follows:

Section 113-32.0098 the Official Map, as mentioned and provided for in Section 113-32, is hereby amended so as to include the following additions as shown in the report on file in the City Clerk's office.

2ND ALDERMANIC DISTRICT N.E. 1/4 Sec. 4, T.7N., R.21E. (224)

1. North 76th Street (west side) between West Courtland Avenue and West Hampton Avenue. The vacation of a portion of excess street right-of-way.

N.E. 1/4 Sec. 3, T.7N., R.21E. (226)

1. Alleys in the block bounded by West Constance Avenue, West Fond du Lac Avenue, West Hampton Avenue, West Medford Avenue and North 68th Street. The vacation of all of the 20.00 foot wide alleys.

3RD ALDERMANIC DISTRICT S.E. 1/4 Sec. 21, T.7N., R.22E. (359)

1. East Ogden Avenue (north side) between North Farwell Avenue and North Prospect Avenue. The vacation of a portion of street right-of-way in conjunction with the relocation of East Ogden Avenue.

2. East Ogden Avenue (south side) between North Farwell Avenue and North Prospect Avenue. The opening of additional street right-of-way in conjunction with the relocation of East Ogden Avenue.

4TH ALDERMANIC DISTRICT N.W. 1/4 Sec. 29, T.7N., R.22E (391)

1. North 7th Street from West Highland Avenue to a point 280 feet south. The vacation of a 70.00 foot wide street.
2. North 7th Street from West Juneau Avenue to a point 165 feet south. The vacation of a 70.00 foot wide street.
3. Alley in the block bounded by West Highland Avenue, West Juneau Avenue, North 7th Street and North 8th Street. The vacation of the east-west 15.00 foot wide alley.

S.W. 1/4 Sec. 28, T.7N., R.22E. (396)

1. Alley in the block bounded by East Clybourn Street, North Jackson Street, North Jefferson Street and East Michigan Street. The vacation of the north-south 14.00 foot wide alley.

S.E. 1/4 Sec. 29, T.7N., R.22E. (397)

1. Alley in the block bounded by West Michigan Street, West Wisconsin Avenue, North 2nd Street and North 4th Street. The vacation of a north-south variable width alley.

N.W. 1/4 Sec. 33, T.7N., R.22E. (429)

1. Alley in the block bounded by East Corcoran Avenue, East Erie Street, vacated North Jackson Street, North Jefferson Street and East Polk Street. The vacation of the north-south 14.00 foot wide alley.

5TH ALDERMANIC DISTRICT N.E. 1/4 Sec. 8, T.7N., R.21E. (261)

1. Pedestrian Walkway east of North 98th Street at West Vienna Avenue extended. The vacation of an 18.00 foot wide Pedestrian Walkway.

6TH ALDERMANIC DISTRICT N.W. 1/4 Sec. 21, T.7N., R.22E. (354)

1. North Holton Street between North Commerce Street and the Milwaukee River. The vacation of a variable width street.

7TH ALDERMANIC DISTRICT S.E. 1/4 Sec. 14, T.7N., R.21E. (328)

1. North 44th Street (east side) between West Center Street and West Clarke Street. The opening of additional street right-of-way to a width of 70.00 feet.

N.W. 1/4 Sec. 19, T.7N., R.22E. (350)

1. Southerly east-west alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 24th Place and North 25th Street. The opening of additional alley right-of-way to a width of 20.00 feet.

10TH ALDERMANIC DISTRICT S.E. 1/4 Sec. 7, T.7N., R.22E. (285)

1. Alley north of West Burleigh Street and east of North 24th Street. The vacation of the north-south 15.00 foot wide alley.

S.W. 1/4 Sec. 11, T.7N., R.21E. (289)

1. North leg of the north-south alley in the block bounded by West Keefe Avenue, West Townsend Street, North 51st Boulevard and North 53rd Street. The vacation of an 18.00 foot wide alley.

12TH ALDERMANIC DISTRICT S.E. 1/4 Sec. 32, T.7N., R.22E. (431)

1. South Barclay Street (east side) between East Mineral Street and East Washington Street. The vacation of a portion of street right-of-way.

2. Area south of West Walker Street and west of South 3rd Street. The addition of a City park.

N.E. 1/4 Sec. 6, T.6N., R.22E. (460)

1. Alley in the block bounded by West Lapham Boulevard, West Historic Mitchell Street, South 13th Street and South 14th Street. The vacation of the north-south 20.00 foot wide alley.

N.W. 1/4 Sec. 5, T.6N., R.22E. (461)

1. East leg of the southerly east-west alley in the block bounded by West Lapham Boulevard, West Historic Mitchell Street, South 9th Street and South 10th Street. The vacation of a 12.00 foot wide alley.

13TH ALDERMANIC DISTRICT S.W. 1/4 Sec. 18, T.6N., R.22E. (552)

1. South 26th Street (west side) from West Morgan Avenue to a point 120 feet south.

The vacation of a portion of street right-of-way.

N.E. 1/4 Sec. 20, T.6N., R.22E. (580)

1. West Bolivar Avenue (north side) from South 1st Street west to the alley. The vacation of excess street right-of-way.

S.W. 1/4 Sec. 21, T.6N., R.22E. (594)

1. South Pine Avenue from East Layton Avenue to a point 120 feet north. The vacation of a portion of street right-of-way.

N.W. 1/4 Sec. 29, T.6N., R.22E. (625)

1. Alley in the block bounded by West Carpenter Avenue, West Layton Avenue, South 7th Street and South 10th Street. The vacation of the east-west 20.00 foot wide alley.

14TH ALDERMANIC DISTRICT N.E. 1/4 Sec. 9, T.6N., R.22E. (500)

1. Wisconsin Department of Transportation right-of-way bounded by South Carferry Drive, South Lincoln Memorial Drive, the Lake Parkway and the north 1/4 Section line. The addition of a variable width right-of-way for highway purposes.

2. Wisconsin Department of Transportation right-of-way (Lake Parkway) bounded by South Bay Street, South Carferry Drive, South St. Clair Street and East Russell Avenue. The addition of a variable width right-of-way for highway purposes.

S.E. 1/4 Sec. 9, T.6N., R.22E. (504)

1. Wisconsin Department of Transportation right-of-way west of the Union Pacific Railroad Company right-of-way between South Kinnickinnic Avenue and East Pryor Avenue. The addition of a variable width right-of-way for highway purposes.

N.W. 1/4 Sec. 15, T.6N., R.22E. (540)

1. Wisconsin Department of Transportation right-of-way east of the Lake Parkway between the north 1/4 Section line and the south 1/4 Section line. The addition of various portions of right-of-way for highway purposes.

15TH ALDERMANIC DISTRICT N.E. 1/4 Sec. 7, T.8N., R.21E. (39)

1. Proposed West Heather Avenue from the westerly terminus of West Heather

Avenue to proposed North 114th Street. The deletion of a proposed 110.00 foot wide street right-of-way.

2. Proposed North 114th Street from West Brown Deer Road to proposed West Heather Avenue. The deletion of a proposed 110.00 foot wide street right-of-way.

3. West Heather Avenue from a point 120 feet more or less west of North 107th Street westerly to its terminus. The vacation of a 110.00 foot wide street done in conjunction with the relocation of West Heather Avenue.

4. North 110th Street from West Heather Avenue to the south 1/4 Section line. The vacation of a 70.00 foot wide street.

5. Relocated West Heather Avenue from a point 120 feet more or less west of North 107th Street to North 114th Street. The opening of a 70.00 foot wide street.

6. West Donna Drive from vacated North 110th Street to North 111th Street. The opening of a 70.00 foot wide street.

7. North 111th Street from West Donna Drive to West Heather Avenue. The opening of a 70.00 foot wide street.

8. North 111th Street from West Donna Drive to the south 1/4 Section line. The opening of a 60.00 foot wide street.

S.E. 1/4 Sec. 7, T.8N., R.21E. (74)

1. North 110th Street from the north 1/4 Section line southerly 1,300 feet more or less to its southerly terminus. The vacation of a 70.00 foot wide street.

2. West Fairlane Court from North 110th Street westerly to its terminus. The vacation of a 60.00 foot wide street and cul-de-sac.

3. North 111th Street from the north 1/4 Section line to a point 1,300 feet more or less southerly. The opening of a 60.00 foot wide street.

4. West Arch Court from North 111th Street to a point 175 feet more or less easterly. The opening of a 60.00 foot wide street.

5. West Fairlane Avenue from West Villa Avenue southerly and westerly to North 111th Street. The opening of a 60.00 foot wide street.

6. West Villa Avenue from North 111th Street to a point 600 feet more or less

easterly. The opening of a 60.00 foot wide street and cul-de-sac.

S.W. 1/4 Sec. 18, T.8N., R.21E. (112)

1. Northwest corner of West Good Hope Road and the U.S. Highways 41 and 45 State Highways 100 and 145 Interchange. The opening of 2 portions of additional highway right-of-way.

2. West Good Hope Road from a point 1113.94 feet more or less westerly of the east 1/4 Section line easterly 158.96 feet more or less to a point. The opening of additional street right-of-way.

N.W. 1/4 Sec. 21, T.8N., R.21E. (117)

1. West Rochelle Avenue from a point 90 feet more or less east of West Helena Street to North 86th Street. The vacation of a 60.00 foot wide street.

2. North 87th Court from West Rochelle Avenue southerly to its terminus. The vacation of a 60.00 foot wide street and cul-de-sac.

S.E. 1/4 Sec. 19, T.8N., R.21E. (146)

1. West Kiehnau Avenue from a point 252.12 feet west of North 107th Street to North 108th Street. The opening of a 60.00 foot wide street.

17TH ALDERMANIC DISTRICT N.E. 1/4 Sec. 24, T.7N., R.21E. (349)

1. West leg of the east west alley in the block bounded by West Lisbon Avenue, West Vine Street, North 28th Street and North 29th Street. The opening of additional alley right-of-way to a width of 20.00 feet.

2. West leg of the southerly east-west alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 31st Street and North 32nd Street. The opening of additional alley right-of-way to a width of 20.00 feet.

N.E. 1/4 Sec. 19, T.7N., R.22E. (351)

1. North-south alley in the block bounded by West Fond du Lac Avenue, West Brown Street, North 14th Street and North 15th Street. The opening of additional alley right-of-way.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 3) [990463](#) An ordinance to authorize the removal of medial islands by the Commissioner of Public Works at the following locations: West Bluemound Road from North 60th Street through North 66th Street, East Chambers Street and North Holton Street, East Oklahoma Avenue and South Quincy Street, and West Burleigh Street and North 2nd Street in the 16th, 3rd, 14th, and 6th Aldermanic Districts of the City of Milwaukee. (Infrastructure Services Div.)

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

Part 1. The Commissioner of Public Works is hereby authorized to remove the raised medial islands and all appurtenances relative thereto, and to restore the street surface to a condition suitable for vehicular traffic at the following locations: West Bluemound Road from North 60th Street through North 66th Street, East Chambers Street and North Holton Street, East Oklahoma Avenue and South Quincy Street, and West Burleigh Street and North 2nd Street.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

ADOPTION OF THE FOLLOWING:

- 4) Substitute resolutions granting/amending various special privileges:

- a) [981597](#) Substitute resolution granting a special privilege to Silver Spring Property, LLC to install and maintain underground communication fiber optic cabling in West Silver Spring Drive, between 2727 and 2730 West Silver Spring Drive, in the 9th Aldermanic District in the City of Milwaukee.

Whereas, Silver Spring Property, LLC desires to install and maintain communication fiber optic cabling within West Silver Spring Drive to connect their facilities at 2727 and 2730 West Silver Spring Drive; and

Whereas, Said communication fiber optic cabling may only be permitted to occupy the public right-of-way by the adoption of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Silver Spring Property, LLC, 5024 North 37th Street, Milwaukee, WI 53209 is hereby granted the following special privilege:

To install and maintain a 4-inch diameter PVC conduit under and across West Silver Spring Drive, beginning at a point on the southline of West Silver Spring Drive, approximately 355 feet west of the westline of North 27th Street and extending approximately 120 feet northerly to a point on the northline of West Silver

Spring Drive. Said conduit is to be located approximately 4 feet below grade.

The communication fiber optic cabling conduit shall be installed, operated and maintained to the approval of the Departments of Public Works and Neighborhood Services. The grantee shall procure the necessary permits from the Departments of City Development/Neighborhood Services and Public Works.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Silver Spring Property, 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 \$2,000 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$120.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

7. Not now or in the future use the cable communication facility in a manner that will conflict with the provisions of Chapter 99 of the Code of Ordinances regarding the transmission and distribution of video entertainment programming to subscribers.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- b) [990178](#) Substitute resolution granting a special privilege to Milwaukee Properties L.P. to keep and maintain an informational sign with a planter at its base located within the public right-of-way adjacent to the property at 5444 North 124th Street, in the 15th Aldermanic District in the City of Milwaukee.

Whereas, An informational sign is located on public right-of-way on the east side of North 124th Street, adjacent to the premises at 5444 North 124th Street, in order to indicate the location of the facility at this location; and

Whereas, The sign is located such that its placement does not impede the visibility of motorists using North 124th Street or West Silver Spring Drive; and

Whereas, The sign has a wood planter at its base which encroaches into the public right-of-way; and

Whereas, These encroaching items were discovered during the Plan preparation for the urban cross-section development of North 124th Street; and

Whereas, The owners are desirous of having these items remain where they are located; and

Whereas, Said privately owned informational sign with planter at its base may only be permitted in the public way by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Milwaukee Properties L.P., P.O. Box 1229, Camp Hill, PA. 17001-1229, is hereby granted the following special privilege:

To keep and maintain an approximately 6-foot high by 14-foot 10-inch wide sign, with the bottom of the sign being approximately 15 feet above grade supported by two approximately 8-inch diameter metal poles. An approximately 4-foot 3-inch high by 8-foot 9-inch long manual changeable message board sign is attached between the metal poles, below the informational sign, the bottom of said sign being 8'-6" above grade with said two-sided signs facing east-west. An approximately 3-foot 10-inch wide by 12-foot 8-inch long planter constructed of wood ties, approximately 12-inches high, is located at the base of the signage. Said planter contains a variety of plant material. The planter encroachment is approximately 7.7 feet.

Said signs shall be maintained to the approval of the Departments of Public Works and Neighborhood Services and all necessary permits shall be procured from the Departments of City Developments/Neighborhood Services and Public Works. Said planter material shall be maintained to the approval of the City Forester. No alteration or replacement of the signs or planter may be made without the written approval of the Departments of Public Works and Neighborhood Services.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Milwaukee Properties L.P. 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 \$3,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the

City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- c) [990223](#) Substitute resolution amending a special privilege granted to Gracel, Inc. to keep and maintain two benches, a door-swing encroachment, a table and a soda machine on the west side of North Broadway within the public right-of-way at 223 North Broadway, to now delete one bench and the table and add two picnic-style tables to the special privilege and change the name of the grantee of the special privilege to

Island Investment Holdings LLC, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, Gracel, Inc. was granted a special privilege under Common Council Resolution File Number 920972, on October 13, 1992, to keep and maintain two benches, a door-swing encroachment, a table and a soda machine adjacent to the premises located at 223 North Broadway; and

Whereas, A recent field inspection found that both of the benches and the table were removed from the public right-of-way and two hexagonal-shaped wooden picnic-style tables and a metal bench were placed on the sidewalk; and

Whereas, The current owner of the property is Island Investment Holdings LLC and should now be named as the grantee of the special privilege; and

Whereas, Said bench, door-swing encroachment, picnic-style tables and soda machine may only legally occupy the public right-of-way by the granting of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 920972 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Island Investment Holdings LLC, 1020 West Mitchell Street, STE #500, Milwaukee, WI 53204, is hereby granted the following special privileges:

1. To keep and maintain one 19.2-inch wide by 76.8-inch long metal bench in the 20-foot wide public sidewalk area on the west side of North Broadway. Said bench is located approximately 180 feet north of the northline of East Chicago Street and approximately 14 feet east of the westline of North Broadway.
2. To keep and maintain an excess door-swing encroachment at the building that when open, will project into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of Ordinances. Said door projection is a maximum of 2.5 feet into the 20-foot wide west sidewalk area of North Broadway, with the door centered approximately 201 feet north of the northline of East Chicago Street.
3. To place and maintain two hexagonal-shaped wood picnic-style tables in the 20-foot wide west sidewalk area of North Broadway. The tables are approximately 7 feet wide and are located adjacent to the curblin centered approximately 205 feet and 220 feet north of the northline of East Chicago Street.
4. To keep and maintain a soda machine on the west side of North Broadway. Said

machine is 36-inches wide by 35-inches long and is located approximately 238 feet north of the northline of East Chicago Street. Said machine encroachment is approximately 2.9 feet into the 20-foot wide sidewalk area of North Broadway.

The bench, soda machine, excessive door-swing encroachment, and picnic tables shall be placed, used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services, in accordance with the Milwaukee Building and Zoning Ordinances. All necessary permits shall be obtained from the Departments of Public Works and Neighborhood Services/City Development.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Island Investment Holdings 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 \$3,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$125.29. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or

before July 1st of each year.

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 5) [990211](#) Resolution to vacate the easterly 20 feet of North Cambridge Avenue between East Newport Avenue and East Providence Avenue, in the 3rd Aldermanic District. (DCD)

Whereas, It is proposed that the easterly 20 feet of North Cambridge Avenue between East Newport Avenue and East Providence Avenue be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

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

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

Sponsors: Ald. D'Amato

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

6) [990405](#) Resolution removing a deed restriction from a former City-owned vacant lot located at 2465 South 9th Place, in the 8th Aldermanic District. (DCD-Real Estate)

Whereas, The City conveyed to Jesus Reyes a vacant lot located at 2465 South 9th Place via a Quit Claim Deed dated July 15, 1992, pursuant to Common Council File No. 920123, adopted on June 16, 1992; and

Whereas, Said deed of conveyance contained a restriction that the land conveyed therein "shall be joined with the Jesus Reyes' adjoining property so as to create a single parcel and shall not be divided without the approval of the Common Council of the City of Milwaukee"; and

Whereas, Jesus Reyes is entertaining an offer to purchase part of said lot from the other adjoining owner, Benito Aldana, with his property located at 2471 South 9th Place, for use as green space; and

Whereas, Removal of the deed restriction will allow Jesus Reyes to convey the south one-half of said lot to Benito Aldana who has agreed to join this portion of said vacant lot with his property which will be reflected in the deed of conveyance; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to execute the necessary legal documents to remove the restriction contained in the deed dated July 15, 1992, to allow for the sale of the south one-half of said lot to the other adjoining owner.

Sponsors: Ald. Frank

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

[990416](#) Substitute resolution authorizing the appropriate City officials to execute a Jurisdictional Transfer Agreement relating to the removal of the Park East Freeway

east of North 4th Street and related infrastructure improvements.

Whereas, On April 26, 1999, Governor Tommy Thompson, County Executive F. Thomas Ament and Mayor John Norquist announced that they had reached an agreement on how to expend the \$241 million in Interstate Construction Estimate ("ICE") funds for transportation improvements in and around downtown Milwaukee ("ICE Agreement"); and

Whereas, The ICE Agreement calls for the removal of the portion of the Park East Freeway (State Trunk Highway 145) that is located east of North 4th Street, reconnection of local streets to Interstate Highway 43 and improvement of the local street system, including the construction of a new crossing of the Milwaukee River as a replacement for the removed segment of the Park East Freeway; and

Whereas, The ICE Agreement calls for the Park East Freeway modification to be funded as follows:

STATE			CITY			COUNTY		
ICE	MATCH	TOTAL	ICE	MATCH	TOTAL	ICE	MATCH	TOTAL
\$6.8M	\$1.2M	\$8.0M	14.5M	\$2.5M	\$17.0M	\$0	\$0	\$0

; and

Whereas, Under the ICE Agreement, the roles of the State of Wisconsin, Milwaukee County and the City of Milwaukee in this project were outlined as follows:

1. The Wisconsin Department of Transportation will take the lead role in removing the freeway and reconnecting the local street system to Interstate 43.
2. Milwaukee County will be the lead agency for program initiation and for the environmental and public processes that will precede any actual freeway removal.
3. The City of Milwaukee will be the lead agency for designing and constructing local street system improvements and the Milwaukee River crossing. Said improvements will be designed and constructed in consultation with Milwaukee County.

; and

Whereas, The specifics of the ICE Agreement now need to be incorporated in an inter-jurisdictional agreement relating to the Park East Freeway demolition; now, therefore, be it

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

City officials are authorized to execute a Jurisdictional Transfer Agreement (a copy of which is attached to and made a part of this file) with the Wisconsin Department of Transportation and Milwaukee County that will provide for the demolition of the segment of the Park East Freeway (State Trunk Highway 145) extending east of North 4th Street, the transfer of jurisdiction for such demolished segment from the State to the County, the reconnection of local streets to Interstate Highway 43 and State Trunk Highway 145, and the improvement of surface-level arterial streets as replacement routes for the Park East Freeway, including a new crossing of the Milwaukee River; and, be it

Further Resolved, That non-substantial changes to the Jurisdictional Transfer Agreement may be made without further Common Council approval.

Sponsors: Ald. Johnson-Odom

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

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

No: 2 - Schramm Nardelli

Sponsors: Ald. Johnson-Odom

A motion was made by Ald. Pawlinski that this matter be ASSIGNED TO to the PUBLIC IMPROVEMENTS COMMITTEE. The motion failed by the following vote:

Aye: 6 - Schramm, Gordon, Frank, Pawlinski, Breier Nardelli

No: 10 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Scherbert, Witkowiak, Murphy Hines Jr.

Excused: 1 - Butler

Whereas, On April 26, 1999, Governor Tommy Thompson, County Executive F. Thomas Ament and Mayor John Norquist announced that they had reached an agreement on how to expend the \$241 million in Interstate Construction Estimate ("ICE") funds for transportation improvements in and around downtown Milwaukee ("ICE Agreement"); and

Whereas, The ICE Agreement calls for the removal of the portion of the Park East Freeway (State Trunk Highway 145) that is located east of North 4th Street, reconnection of local streets to Interstate Highway 43 and improvement of the local street system, including the construction of a new crossing of the Milwaukee River as a replacement for the removed segment of the Park East Freeway; and

Whereas, The ICE Agreement calls for the Park East Freeway modification to be funded as follows:

STATE			CITY			COUNTY		
ICE	MATCH	TOTAL	ICE	MATCH	TOTAL	ICE	MATCH	TOTAL
\$6.8M	\$1.2M	\$8.0M	14.5M	\$2.5M	\$17.0M	\$0	\$0	\$0

; and

Whereas, Under the ICE Agreement, the roles of the State of Wisconsin, Milwaukee County and the City of Milwaukee in this project were outlined as follows:

1. The Wisconsin Department of Transportation will take the lead role in removing the freeway and reconnecting the local street system to Interstate 43.
2. Milwaukee County will be the lead agency for program initiation and for the environmental and public processes that will precede any actual freeway removal.
3. The City of Milwaukee will be the lead agency for designing and constructing local street system improvements and the Milwaukee River crossing. Said improvements will be designed and constructed in consultation with Milwaukee County.

; and

Whereas, The specifics of the ICE Agreement now need to be incorporated in an inter-jurisdictional agreement relating to the Park East Freeway demolition; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the appropriate City officials are authorized to execute a Jurisdictional Transfer Agreement (a copy of which is attached to and made a part of this file) with the Wisconsin Department of Transportation and Milwaukee County that will provide for the demolition of the segment of the Park East Freeway (State Trunk Highway 145) extending east of North 4th Street, the transfer of jurisdiction for such demolished segment from the State to the County, the reconnection of local streets to Interstate Highway 43 and State Trunk Highway 145, and the improvement of surface-level arterial streets as replacement routes for the Park East Freeway, including a new crossing of the Milwaukee River; and, be it

Further Resolved, That non-substantial changes to the Jurisdictional Transfer Agreement may be made without further Common Council approval.

Sponsors: Ald. Johnson-Odom

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

Aye: 12 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Frank, Richards, Scherbert, Witkowiak, Murphy Hines Jr.

No: 4 - Schramm, Pawlinski, Breier Nardelli

Excused: 1 - Butler

- 8) [990419](#) Resolution declaring as surplus and authorizing the disposition of the improved, tax deed property located at 3887-89 North Port Washington Avenue, in the 6th Aldermanic District. (DCD-Real Estate)

Whereas, Shiloh C.O.G.I.C., a nonprofit organization, has offered to purchase said property for \$500 for commercial development purposes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that 3887-89 North Port Washington Avenue, Tax Roll Key No. 272-2584-100-X, is declared surplus and that the Department of City Development is authorized and directed to sell said property to Shiloh C.O.G.I.C. at a fixed price of \$500; and, be it

Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said property and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 02-211-2700; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 9) [990421](#) Substitute resolution approving construction of nonassessable public improvement projects at various locations.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

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, The Common Council of the City of Milwaukee adopted construction authorization for these three bridge projects in the 9th Aldermanic District over Lincoln Creek: W. Green Tree Rd. Bridge over Lincoln Creek (BR10080114) File Number 980434 (Nonassessable Bridge Fund); W. Woolworth Ave. Bridge over Lincoln Creek (BR10080115) File Number 981177 (Nonassessable Bridge Fund); and N. 51st St. Bridge over Lincoln Creek (BR10080116) File Number 981177 (Nonassessable Bridge Fund), and

Whereas, The Milwaukee Metropolitan Sewerage District (MMSD) has a Lincoln Creek Flood Control Project in the area of these three bridge projects, and

Whereas, It is in the best interest of the City of Milwaukee to have the construction of these three bridges included with MMSD's contract for the construction of the Lincoln Creek Flood Control Project, and

Whereas, Additional funds must be authorized to undertake the W. Green Tree Rd. Bridge improvement:

9th Aldermanic District

W. Green Tree Rd. Bridge Over Lincoln Creek (BR10080114) File Number 980434: (Nonassessable Bridge Fund -- \$245,000)

;and

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

2nd Aldermanic District

N. 70th St. - W. Center St. to W. Lisbon Ave. SW17190323 (859-0683-6) File Number 980910: Clean, seal and repair sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$51,000)

6th Aldermanic District

N. Commerce St. - E. Vine St. (Ext'd) to E. Reservoir Ave. (Ext'd) SW17190305 (859-0664-2) File Number 971958: Shortcrete lining combined sewer, 96-inch diameter. (Nonassessable Relief and Relay Sewer Fund -- \$432,000)

17th Aldermanic District

N. 30th St. - W. Lisbon Ave. to W. Brown St. SW17190299 (859-0658-X) File Number 971958: Shortcrete lining combined sewer, 120-inch diameter. (Nonassessable Relief and Relay Sewer Fund -- \$1,280,000)

St. Francis

E. Howard Ave. - S. Iowa Ave. to 250 feet m/l east of S. Iowa Ave. WT41091181 (821-4515-7) File Number 961875: Relay water main. (Nonassessable Water Fund -- \$76,000)

;now, therefore, be it

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

Further Resolved, That the proper City Officials are authorized and directed to execute a Memorandum of Understanding allowing the Milwaukee Metropolitan Sewerage District to solicit bids to perform the demolition and replacement of the West Woolworth Avenue, the North 51st Street and the West Green Tree Road Bridges over Lincoln Creek to allow better coordination of the projects and to accelerate construction; and, be it

Further Resolved, That the City Engineer is authorized and directed to approve and make periodic payments to MMSD after receipt of invoices from said MMSD for the City's share of the costs for said bridge projects; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Butler

- 10) [990422](#) Resolution determining it necessary to make various nonassessable public improvements at various locations. (Infrastructure Services Div.)
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:

3rd Aldermanic District

N. Bremen St. - 220 feet m/l south of E. Burleigh St. to E. Burleigh St. SW17100162 (859-0553-9) File Number : Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$4,500)

N. Newhall St. - E. Bellevue Pl. to E. Park Pl. SW17100160 (859-0533-X):
Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$6,000)

6th Aldermanic District

W. Randolph St. - N. 1st St. to N. 2nd St. SW17100164 (859-0575-9): Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$5,500)

8th Aldermanic District

S. 21st St. - 300 feet m/l north of W. Lincoln Ave. to W. Lincoln Ave. SW17100159 (859-0521-4): Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$5,500)

10th Aldermanic District

W. Capitol Dr. (South Side) - N. 35th St. to N. 39th St. SW17100163 (858-0021-9): Relaying sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$8,500)

N. 38th St. - W. Chambers St. to W. Burleigh St. SW17100165 (8580008-8):
Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$6,500)

13th Aldermanic District

E. Bolivar Ave. - S. Austin St. to S. Taylor Ave. SW17100173: Relaying sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$3,200)

;and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 11) [990423](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations.

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

1st and 10th Aldermanic Districts

W. Nash St. - N. 13th St. to N. Teutonia Ave. ST21190226 (879-0870-5) File Number 970997: Asphalt pavement resurfacing, replace all curb and gutter, replace sidewalk and driveway approaches where needed, sodding, tree removal where necessary, and grading. (Nonassessable Reconstruction Paving Fund -- \$ 250,360; Assessable Reconstruction Paving Fund -- \$36,715)

14th Aldermanic District

Alley between S. Fulton St., E. Iron St., S. Kinnickinnic Ave. and E. Linebarger Terr. ST21290161 (884-0782-7) File Number 921421: Concrete alley pavement reconstruction, replace some abutting sidewalk and driveway approaches, and grading. (Nonassessable Alley Paving Fund -- \$32,080; Assessable Alley Paving Fund -- \$40,880)

15th Aldermanic District

W. Calumet Rd. - 300 feet m/l west of N. 107th St. to 55 feet m/l west of N. 109th St. SW17090114 (811-1027-3) File Number 970291: Install storm sewer. (Nonassessable New Sewer Fund -- \$28,190; Assessable New Sewer Fund -- \$14,810)

W. Calumet Rd. - 300 feet m/l west of N. 107th St. to 55 feet m/l west of N. 109th St. SW17090114 (811-0027-5) File Number 970291: Install sanitary sewer. (Nonassessable New Sewer Fund -- \$29,855; Assessable New Sewer Fund -- \$30,145)

W. Fond du Lac Ave. (South Side) - N. 95th St. to 225 feet m/l northwest of N. 95th St. ST21090130 (839-0914-8) File Number 990052: Place new concrete sidewalk, and sodding. (Nonassessable New Paving Fund --\$17,910; Assessable New Paving Fund -- \$825)

17th Aldermanic District

W. Brown St. - 140 feet m/l west of N. 14th St. to N. 15th St. ST21190250 (870-0859-X) File Number 990316: Concrete pavement reconstruction, replace all curb and gutter and sidewalk and driveway approaches, sodding, and grading. (Nonassessable Reconstruction Paving Fund -- \$33,905; Parkwest Fund UR01780440 -- \$6,725)

N. 15th St. - W. Fond du Lac Ave. to W. Lloyd St. ST21190248 (877-0864-8) File Number 960092: Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where needed, sodding, and grading. (Nonassessable Reconstruction Paving Fund -- \$112,575; Parkwest Fund UR01780440 -- \$53,285)

N. 16th St. - W. Fond du Lac Ave. to 250 feet m/l north of W. Fond du Lac Ave. ST21190249 (871-0630-1) File Number 891600: Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where needed, sodding, and grading. (Nonassessable Reconstruction Paving Fund -- \$39,160; Assessable Reconstruction Paving Fund -- \$1,960; Parkwest Fund UR01780440 -- \$8,480)

N. 49th St. - W. North Ave. to W. Lisbon Ave. ST30382310 (890-2134-7) File Number 990425: Concrete pavement reconstruction, replace all curb and gutter and sidewalk and driveway approaches, sodding, and grading. (State or Federal Funds -- \$63,030; Assessable State Aid Paving Fund -- \$670; State/Federal Grantor Paving

Fund -- \$9,640; Nonassessable State Aid Paving Fund -- \$2,360)

;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 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

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

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

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

Further Resolved, That the City Engineer and the Commissioner of Public Works are hereby authorized to negotiate and enter into an agreement with the State of Wisconsin, Department of Transportation for the City to undertake construction management duties on the following project:

N. 49th St. (ST30382310); and, be it

Further Resolved, That the City Engineer is authorized and directed to approve and make periodic payments to the State of Wisconsin, Department of Transportation after receipt of invoices from said State for the City's share of the costs for said project:

N. 49th St. (ST30382310); Nonassessable Fund ST30382310 - \$2,360 Assessable Fund ST30382310 - \$670

;and, be it

Further Resolved, That upon the completion of project ST30382310, and a determination of the actual cost, it is understood that if the City of Milwaukee's share is less than the amount previously paid, the difference will be refunded to said City; and, be it

Further Resolved, That projects W. Nash St. (879-0870-5), Alley between S. Fulton St. (884-0782-7), W. Calumet Rd. (SW17090114), W. Calumet Rd. (SW17090114) and W. Fond du Lac Ave. (839-0914-8) will be billed after January 1, 2001, but not before 12 months after the project contract has been completed; and, be it

Further Resolved, That upon request of the property owners (Tax key numbers 077-0048-8, 077-0049-3, and 077-0051-100-0) the special assessments for storm sewer in W. Calumet Rd. (SW17090114) be deferred until application for connection to said storm sewer is made. Cost for deferred charges shall be in accordance with City Charter (12.10).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 12) [990424](#) Substitute resolution approving construction and installation of developer financed public improvement projects in West Arch Court in the 15th Aldermanic District. Whereas, On May 5, 1998, the Common Council of the City of Milwaukee adopted Resolution File Number 972007 authorizing an agreement between Mr. Gerd Voelker and the City of Milwaukee for the construction and installation of required improvements in certain public ways:

W. Arch Ct. - 460 ft. m/l east of N. 111th St. to 200 ft. m/l east of N. 111th St. (839-0909-0) File Number 972007: New asphalt pavement construction, construct all curb and gutter, seeding, and grading. (Developer Paving Fund ST21490132 -- \$21,280)

W. Arch Ct. - 430 ft. m/l east of N. 111th St. to 170 ft. m/l east of N. 111th St. (SW17290133) File Number 972007: Installing sanitary sewer, sanitary laterals and storm laterals. (Developer Sewer Fund SW17290133 -- \$38,000)

W. Arch Ct. - 430 ft. m/l east of N. 111th St. to 170 ft. m/l east of N. 111th St. (TD03684005) File Number 972007: Installing storm sewer. (TID-36 Storm Sewer Fund -- \$16,000)

W. Arch Ct. 440 ft. m/l east of N. 111th St. to 150 ft. m/l east of N. 111th St. (WT43093040) File Number 972007: Installing water main. (Developer Water Fund WT43093040 -- \$12,500; Nonassessable Water Fund WT41091403-- \$7,500)

W. Arch Ct. - 460 ft. m/l east of N. 111th St. to 200 ft. m/l east of N. 111th St. (WT43093042) File Number 972007: Installing water laterals. (Developer Water Fund WT43093042-- \$10,000)

Water easement 857 and water easement 863 W. Arch Ct. to W. Fairlane Ave (828-1647-1) File Number 972007: Installing water main. (Nonassessable Water Fund WT43093041 -- \$25,000)

in the 15th Aldermanic District of the City of Milwaukee; and,

Whereas, Funds have been encumbered and thus set aside for the proposed public improvements; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that after the developer of said development deposits the necessary funds in accordance with said agreement, the Commissioner of Public Works is authorized and directed to proceed with said work; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 13) [990425](#) Resolution determining it necessary to make various assessable public improvements at various locations. (Infrastructure Services Div.)

Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

9th Aldermanic District

W. Calumet Rd. - N. 51st St. to N. 60th St. ST21100156 (870-0861-0): Placing an asphalt overlay on the existing pavement. (Nonassessable Reconstruction Paving Fund -- \$5,000)

Alley between W. Florist Ave., W. Oriole Dr., N. 34th St and N. 35th St. ST21200153 (880-0863-8): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$5,000)

12th Aldermanic District

W. Mineral St. - S. 20th St. to S. 23rd St. ST21100157 (870-0862-6): Placing an asphalt overlay on the existing pavement. (Nonassessable Reconstruction Paving Fund -- \$5,000)

S. 18th St. - W. Washington St. to W. National Ave. ST21100155 (870-0860-5): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000)

17th Aldermanic District

N. 49th St. - W. North Ave. to W. Lisbon Ave. ST30382301 (890-2134-7): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work.

;and, be it

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

Further Resolved, That all assessments and payments be made in accordance with

Section 115-42 of the Milwaukee Code of Ordinances; and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 14) [990426](#) Resolution to increase funding on previously approved nonassessable public improvement sewer project. (Infrastructure Services Division)
- Whereas, The Common Council of the City of Milwaukee on June 2, 1999, adopted File Number 990177 approving the authorized funding for a nonassessable sewer project, and
- Whereas, This funding resolution is still valid and provides necessary partial funding authorization for this sewer project, and
- Whereas, Unanticipated soil conditions and tight sheeting requirements for the trenches require additional funding, and
- Whereas, This additional funding must be authorized to undertake the following improvement:
- 12th Aldermanic District
- S. 9th St. - W. Bruce St. to W. National Ave. SW17190311 (859-0670-5) File Number 971958: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$253,000)
- ;now, therefore, be it
- Resolved by the Common Council of the City of Milwaukee that the Commissioner of

Public Works is authorized and directed to proceed with said work; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 15) [990428](#) Resolution authorizing the transfer of \$50,000 from the 1999 Traffic Capital Account Number ST22090000 for the installation of a new traffic signal at the intersection of W. Grange Avenue and S. 6th Street and \$50,000 from the same above account for the installation of a new traffic signal at the intersection of W. Edgerton Avenue and S. Howell Avenue in the 13th Aldermanic District. (Infrastructure Services Div.)

Whereas, The total estimated costs of these two installations is \$100,000, which was approved for these installations in our 1999 Capital Budget; and, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to install traffic control signals at the intersections of W. Grange Avenue and S. 6th Street and W. Edgerton Avenue and S. Howell Avenue; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create the appropriate subaccounts for these installations as indicated:

Locations:

W. Grange Avenue and S. 6th Street.

Transfer from Account Number ST22090000, the estimated cost of \$50,000, to Account Number ST22090701.

W. Edgerton Avenue and S. Howell Avenue.

Transfer from Account Number ST22090000, the estimated cost of \$50,000, to Account Number ST22090702.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 16) [990431](#) Resolution relating to Common Council approval of the Milwaukee Metropolitan Sewerage District (MMSD) Menomonee River restoration project and removal of a drop structure at the 45th Street bridge.
- Whereas, In 1968 the Sewerage Commission of the City of Milwaukee, a predecessor of the Milwaukee Metropolitan Sewerage District (MMSD), installed a "drop structure" just upstream of the 45th Street bridge crossing for the purpose of accelerating water flows into a low flow center channel; and
- Whereas, In 1982, all property, rights and duties of the City and County Sewerage Commissions were transferred to MMSD, including the perpetual duty and responsibility to maintain, repair or remove drainage structures placed on the beds of navigable streams; and
- Whereas, MMSD has determined that the 45th Street drop structure is no longer necessary to carry out its powers and duties, and wishes to eliminate its responsibilities of maintenance and repair; and
- Whereas, Section 66.90(2), Wis. Stats., requires Common Council approval of any alteration of a stream over private lands, and it appears that restoration of the Menomonee River to its natural state will require Common Council approval under this statute; and
- Whereas, MMSD has developed a plan, subject to issuance of a Chapter 30 permit by the Wisconsin Department of Natural Resources, to remove the 45th Street concrete drop structure and restore the Menomonee River to much of its natural condition, resulting in environmental and recreational benefits without damage to property in the watershed; and it is appropriate for the Common Council to approve that plan; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee approves the Milwaukee Metropolitan Sewerage District's (MMSD) Menomonee River Restoration Project and removal of the 45th Street drop structure; and, be it

Further Resolved, That the City of Milwaukee urges the Wisconsin Department of Natural Resources to expedite its approval of the pending Chapter 30 permit application pertaining to this project so that MMSD may complete in-stream work prior to 2000.

Sponsors: Ald. Murphy

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 17) [990439](#) Resolution granting the Village of Butler permission to install a 72-inch storm sewer in North 124th Street between West Hampton Avenue and the south limits of the City of Milwaukee in the City of Milwaukee. (Infrastructure Services Div.)

Whereas, The City Engineer informed the Village of Butler that the 72-inch storm sewer installed by the Village in North 124th Street from West Hampton Avenue south to the City limit extends up to three (3) feet from the boundary line into the City of Milwaukee; and

Whereas, The Village of Butler did not request permission from the City prior to installing the sewer within the City's street right-of-way; and

Whereas, The Village of Butler, given the choice to remove the sewer or to leave it in place with certain conditions, has chosen to leave the storm sewer in place, and has agreed to various conditions regarding its placements; and

Whereas, The installation of the storm sewer, combined with the Village's agreement on the conditions, is acceptable and will not impact future City facilities in this area; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Village of Butler is hereby given permission to install and maintain a 72-inch storm sewer within the North 124th Street right-of-way from West Hampton Avenue to a point 152 feet south of the City limits; and, be it

Further Resolved, That said permission is subject to the following conditions:

1. The City will be allowed to connect its street sewer drainage system, the adjacent property's storm sewer services or any future storm sewer connections located south of West Hampton Avenue, to the Village's 72-inch storm sewer.

2. The Village will allow storm sewer connections to conduct a maximum of 10 cfs from the City facilities, properties, and the locations as indicated above.
3. Any existing or future connections indicated above will be approved by the Village and no charges shall be assessed by the Village for these connections.
4. That said conditions for the installment and maintenance of the 72-inch storm sewer must be agreed to by the Village of Butler's Board of Trustees, and, be it

Further Resolved, That a certified copy of this resolution be forwarded to the Village of Butler.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

[990445](#)

Resolution authorizing the Commissioner of Public Works to issue a permit to Mortenson Construction, general contractor for the Johnson Controls Brengel Technology Center project, allowing temporary occupancy of East Michigan Street between North Jefferson and North Jackson Streets. (DPW)

Whereas, The Johnson Controls Company is constructing a new facility to be known as the Brengel Technology Center; and

Whereas, This building is located on the southwest corner of North Jackson and East Michigan Streets; and

Whereas, Johnson Controls has hired Mortenson Construction to build its new technology center; and

Whereas, Mortenson has requested a permit to occupy East Michigan Street between North Jackson and North Jefferson Streets on a full time basis beginning at 6:00 a.m. on August 2 and ending at 6:00 a.m. on August 5; and

Whereas, Occupancy of the street is necessary in order to protect public safety while the tower crane used during construction of the new building is dismantled; and

Whereas, The contractor has cooperated with the Department of Public Works to

establish a work schedule that will minimize the public's inconvenience resulting from the street closure; and

Whereas, The Commissioner of Public Works is authorized to issue permits for temporary occupancy of up to one-third of public rights-of-way while temporary use beyond that must be approved by the Common Council; now, therefore, be it

Resolved, That the Commissioner of Public Works is hereby authorized to issue a permit to Mortenson Construction allowing the contractor to occupy East Michigan Street between North Jefferson and North Jackson Streets during the period beginning 6:00 a.m. August 2 and ending 6:00 a.m. August 5, 1999.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 19) [990456](#) Substitute resolution directing the Department of City Development to prepare a resolution that vacates North Astor Street from a point North of East Land Place to East Kane Place, in the 3rd Aldermanic District.

Whereas, The Redevelopment Authority of the City of Milwaukee desires to redevelop certain land South of East Kane Place and East and West of North Astor Street; and

Whereas, North Astor Street from a point North of East Land Place to East Kane Place is dedicated but unimproved street right of way which bisects the proposed development parcel; and

Whereas, It has been proposed that North Astor Street from a point North of East Land Place to East Kane Place be vacated pursuant to the provisions of Section 66.297 of the Wisconsin Statutes; and

Whereas, The vacation of this portion of street is necessary for the Redevelopment Authority to sell the adjacent property for redevelopment; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is directed to prepare a resolution to vacate this public right of way in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances.

Sponsors: Ald. D'Amato

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

20) [990458](#)

Substitute resolution relative to funding the City of Milwaukee's share of the construction cost of a storm water detention pond in the Village of Brown Deer.

Whereas, Residents of the City of Milwaukee in the area west of North 51st Street and south of West Calumet Road have experience flooding due to storm water runoff from the Village of Brown Deer area located east of North 51st Street and south of West Calumet Road; and

Whereas, A storm water detention pond in the Village of Brown Deer would serve to reduce flooding into the City of Milwaukee; and

Whereas, The Village of Brown Deer has an agreement with the owner of the site to allow the construction of the detention pond; and

Whereas, The City of Milwaukee has provided the engineering, plan preparation and soil borings for the detention pond project; and

Whereas, The cost estimate by the contractor is approximately \$44,000; and

Whereas, The Village of Brown Deer Common Council has resolved to fund their share of the construction cost (\$22,000) of the said detention pond; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are hereby authorized to fund the City of Milwaukee's share (\$22,000) of the detention pond construction cost from the Sewer Maintenance Fund Account No. 0490-6831.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 21) [990460](#) Resolution authorizing the Commissioner of Public Works to issue an excavation permit on pavement less than three years old in North 10th Street between West Highland Avenue and West State Street. (DPW)
- Whereas, The State of Wisconsin is constructing a new parole and probation facility on the west side of North 10th Street between West State Street and West Highland Avenue; and
- Whereas, The Wisconsin Electric Power Company has been requested to provide steam service to this new facility; and
- Whereas, The nearest existing steam line is located in West State Street; and
- Whereas, In order to provide steam service to the new facility, a new steam line must be installed in North 10th Street for a distance of approximately 220 feet north of West State; and
- Whereas, Installation of the new steam line will require an open cut in the North 10th Street pavement; and
- Whereas, This open cut will affect pavement that is less than three years old and subject to a pavement guarantee; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized and directed to issue an excavation permit to allow the installation of steam line in guaranteed pavement on North 10th Street; and, be it
- Further Resolved, That the pavement restoration of the affected street shall be accomplished in accordance with the specifications and restrictions established by the Department of Public Works of the City of Milwaukee.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**
- Aye:** 13 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Frank, Richards, Scherbert, Witkowiak, Pawlinski, Breier Hines Jr.
- No:** 0
- Excused:** 4 - Gordon, Butler, Nardelli Murphy

- 22) [990466](#) Resolution relating to acceptance of a contribution for improvements to the Philipp

School children's play area. (Buildings & Fleet Division)

Sponsors: THE CHAIR

Ald. Pratt requested to be added as a sponsor.

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

Aye: 17 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

[990466](#)

Substitute resolution relating to acceptance of a contribution for improvements to the Philipp School children's play area.

Whereas, The Department of Public Works-Buildings & Fleet Division, in its 1999 Recreation Facilities Capital Improvement Program is upgrading the Philipp School children's play area; and

Whereas, The Sixteenth Street Neighborhood Association has selected the Philipp School children's play area to receive a \$300 donation, to be used towards the play area improvements; and

Whereas, Presently, the Department of Public Works-Buildings & Fleet Division is not authorized to accept private contributions for improvements to the Philipp School children's play area; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works-Buildings & Fleet Division is authorized to accept private contributions for the improvements to the Philipp School children's play area, in accordance with established City policies and procedures for acceptance of contributions; and, be it

Further Resolved, That upon receipt and deposit of these funds, the City Comptroller is hereby authorized and directed to establish a special account within the Department of Public Works-Buildings & Fleet Division's budget for the expenditure of the contribution; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer appropriations and estimated revenue from the Special Purpose Account for Contributions, 0001-2110-0001-D001-006300 and the Estimated Revenue Account for Contributions, 0001-2110-0001-009850 to the Department of Public Works-Buildings & Fleet Division's special account and the Department of Public Works-Buildings & Fleet Divisions's estimated revenue account, to be established by the City Comptroller, up to the amount of \$300.

Sponsors: Ald. Pratt

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

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

No: 0

Excused: 2 - Gordon Butler

- 23) [990473](#) Substitute resolution relative to subaccount funding for the 1999 Capital Improvement Program - Communications and Control, for Paving Related Projects, City-Wide Telephone System Expansion and Improvements, General Engineering, and Transmission Plan Expansion, within various Aldermanic Districts.

Sponsors: THE CHAIR

ALD. SCHERBERT moved to place the foregoing substitute resolution of file notwithstanding the recommendation of the Public Improvements Committee

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 24) [990477](#) Resolution authorizing transfer of title to property located at 2445 North 34th Street to the Neighborhood Improvement Development Corporation (Police Department). Whereas, The Neighborhood Improvement Development Corporation (NIDC) deeded the property located at 2445 North 34th Street to the City of Milwaukee for use by the Milwaukee Police Department (MPD) as a substation in 1992 (File No. 920856); and

Whereas, The Milwaukee Police Department intends to cease operation of that substation; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of the Department of City Development be and hereby is authorized and directed to cause the preparation and execution of all documents deemed necessary and agreed upon to accomplish the transfer of title to the property located at 2445 North 34th Street from the City of Milwaukee to the Neighborhood Improvement Development Corporation (NIDC); and, be it

Further Resolved, That, upon transfer of title of said property, the Milwaukee Police

Department is released of its jurisdictional responsibility for ongoing management and maintenance, conferred upon the Department in Common Council File # 920856; and, be it

Further Resolved, That the NIDC is to be commended for its generosity and demonstration of civic-mindedness in cooperating with the City of Milwaukee and the Police Department to operate this location.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

25) [990482](#) Substitute resolution approving the 1661 North Water Street Riverwalk Development Agreement.

Whereas, TMB Development Company ("TMB" or the "Developer") is the owner of certain property located at 1661 North Water Street, Milwaukee, Wisconsin (the "Property"); and

Whereas, The Property fronts on the east bank of the Milwaukee River at the end of East Brady Street; and

Whereas, The Developer is desirous of undertaking the construction of a riverwalk ("Improvement") adjacent to its buildings on the Property; and thereafter, the Developer will maintain and operate the Improvement, including making the Improvement available for use by members of the general public; and

Whereas, The Improvement will constitute a portion of the overall riverwalk system which is intended to eventually cover a good portion of the Milwaukee River flowing through the City of Milwaukee ("City"); and because of the Developer's willingness to make the Improvement available to members of the public, the Improvement will serve the public purpose of affording members of the public the opportunity to more fully enjoy the valuable river resource; and

Whereas, Because the public purpose served by the construction and operation of the Improvement, the City is willing to make a grant to the Developer in an amount not to exceed \$150,000 ("City Grant") to be used by the Developer to fund 75 percent of the cost of constructing the Improvement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to execute the 1661 North Water Street Riverwalk Development Agreement, a copy of which is attached to this Common Council File; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer \$150,000 from the Development Project Fund UR03390000 to the appropriate Segment Account PR01882003 Northern Light Riverwalk for purposes of funding these activities; and, be it

Further Resolved, That the City Comptroller, in conjunction with the Commissioner of City Development, is authorized and directed to establish any and all subaccounts in accordance with generally accepted accounting practices consistently applied and City guidelines necessary to maintain the fiscal control required to carry out the intent and purpose of this resolution; and, be it

Further Resolved, That the City Attorney, in conjunction with the Commissioner of City Development, is authorized to make nonsubstantive technical changes to the subject Agreement; and, be it

Further Resolved, That all City officials, departments, boards and commissions are authorized and directed to provide such assistance as is necessary to further the intent and purpose of this resolution.

Sponsors: Ald. D'Amato

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

CONFIRMATION OF THE FOLLOWING:

- 26) [990452](#) Appointment of Shirley Krug to the Milwaukee Metropolitan Sewerage District by the Mayor. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Breier Nardelli

- 27) [990453](#) Reappointment of James Kaminski to the Milwaukee Metropolitan Sewerage District by the Mayor. (11th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 28) [990454](#) Reappointment of Ald. Michael Murphy to the Milwaukee Metropolitan Sewerage District by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 29) [990455](#) Reappointment of State Representative Antonio Riley to the Milwaukee Metropolitan Sewerage District by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

PLACING ON FILE THE FOLLOWING:

- 30) [990243](#) An ordinance relative to the use of city docking facilities.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 31) [990406](#) Resolution authorizing and directing the proper City officers to execute Sewer Easement Release SER-2472, Water Easement Release WER-643 and Quit Claim Deed document, located in South 16th Street (Extended) from West Pittsburgh Avenue to 520'm/l South of West Pittsburgh Avenue. (Infrastructure Services Div.)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

- 32) [990427](#) Resolution rescinding authority to construct a new water main in W. Kiehnau Ave. from 160 feet m/l east of N. 108th St. to N. 108th St., in the 15th Aldermanic District. (Infrastructure Services Division)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 4 - Gordon, Butler, Nardelli Murphy

THE STEERING & RULES COMMITTEE RECOMMENDS:

RESOLUTIONS PRESENTED FOR IMMEDIATE ADOPTION

- [990500](#) Resolution approving various final certified survey maps.

Resolved, By the Common Council of the City of Milwaukee, that the following final certified survey maps be and hereby are approved:

NAME	TAX KEY NUMBER(s)
Dan and Mary Jo Taylor	551-9967-9
Walker's Point Development Corp.	432-0672-100-7, -0674-1, -0676-2
City of Milwaukee	324-1063-110-4, -120-1, -1065-1
City of Milwaukee	324-1105-8, -1106-3, -1107-9

Sponsors: ZONING and NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**A motion was made by Ald. Breier that this matter be ADOPTED to the MAYOR.
The motion carried by the following vote:**

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

No: 0

Excused: 2 - Gordon Butler

[990508](#)

Resolution directing the Department of City Development to prepare a resolution to vacate approximately 340 feet of East Reservoir Avenue Extended, located East of North Hubbard Avenue, in the 6th Aldermanic District. (DCD)

Whereas, It has been proposed by the Redevelopment Authority that approximately 340 feet of East Reservoir Avenue Extended, located East of North Hubbard Avenue, be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, The vacation of this portion of street is necessary so that the Redevelopment Authority of the City of Milwaukee can sell the land to be used for mixed-use development; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is directed to prepare a resolution to vacate the subject portion of street in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

**A motion was made by Ald. Breier that this matter be ADOPTED to the MAYOR.
The motion carried by the following vote:**

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

No: 0

Excused: 2 - Gordon Butler