



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, July 25, 2000

9:00:00 AM

Common Council Chambers

Present: 17 -

Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom,
Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez,
Pawlinski, Breier, Nardelli, Murphy, Hines Jr.

The meeting opened with the recitation of the Pledge of Allegiance and one minute of silent meditation.

The minutes of the Journal of Proceedings of the Common Council for the special meetings held on July 11, 2000 and July 10, 2000 and the regular meeting of June 30, 2000, were approved.

PRESENTATIONS

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000175](#) Substitute ordinance to further amend the 2000 rates of pay of offices and positions in the City Service under control of the Common Council.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 2 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Salary Grade 007, add the title "Claims Adjuster Supervisor."

Under Salary Grade 011, add the footnote designation "4/" following the title "Information Systems Manager-ERS" and add the following footnote: "4/ One position, filled by Jon Granger, to be paid at rates consistent with Salary Grade 014."

Part 2. Section 3 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Pay Range 250, delete the title "Sewer Trouble Investigator" and add the title "Sewer Field Investigator."

Under Pay Range 254, add the title "Equipment Mechanic IV."

Part 3. Section 17 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Delete Pay Range 785 in its entirety and recreate as follows:

"Pay Range 785

Official Rate-Biweekly

\$1,665.39 1,715.35 1,766.81 1,819.82 1,874.41

Plumbing Inspector I"

Create a new Pay Range 788 as follows:

"Pay Range 788

Official Rate-Biweekly

\$1,819.82 1,874.41 1,930.65 1,988.57 2,048.22

Plumbing Inspector II 1/

1/ The fourth step of the pay range is reserved for those employees who have obtained an associate's degree in civil engineering, architecture, construction management, construction technology, or a field closely related to construction or who have attained and maintain the Automatic Fire System Sprinkler Tester certification. Any changes in these requirements will be determined by mutual agreement between DER and DNS.

The fifth step of the pay range is reserved for those employees who have obtained a bachelor's degree in civil engineering, architecture, construction management, construction technology, or a field closely related to construction or who have attained and maintain the following four certifications/licenses:

Privately Owned Waste Water Treatment Systems

Master Plumber

Reduced Pressure Backflow Prevention

Two Pound Gas

Any changes in these requirements will be determined by mutual agreement between DER and DNS."

Part 4. Section 20 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2000 - December 26, 1999):

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

"Pay Range 850

Official Rate-Biweekly

\$1,087.53 1,132.62 1,259.33 1,386.36

\$1,526.42 1,680.90 1,835.09

Pay Range 851

Official Rate-Biweekly

\$1,062.68 1,095.65 1,129.60 1,270.58

\$1,642.11 1,708.34 1,810.27 1,835.09

Pay Range 853

Official Rate-Biweekly

\$1,371.24 1,401.54 1,731.10 1,799.94

\$1,943.32

Pay Range 856

Official Rate-Biweekly

\$1,753.47 1,822.74 1,894.75 1,969.65

\$2,047.58

Pay Range 857

Official Rate-Biweekly

\$1,969.65 2,047.58 2,128.58 2,212.83

\$2,300.35 2,391.48"

Part 5. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 6. The provisions of Part 4 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 2000 (December 26, 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 7. 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. Gordon that this matter be PASSED. The motion carried by the following vote:

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 2) [000176](#) Substitute ordinance to further amend the 2000 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 990704 relative to offices and positions in the City Service is hereby amended as follows:

Under "Department of Employee Relations-Employee Benefits Division", delete one position of "Office Assistant III" and add one position of "Administrative Assistant II" and under "Worker's Compensation/Safety Section", delete one position of "Claims Adjuster Specialist" and add one position of "Claims Adjuster Supervisor."

Under "Health Department, Administration, Division of Epidemiology and Planning Bioterrorism Grant (Q)", add footnote designator "(GG)" to one position of "Microbiologist III (.7 FTE)(Q)"; under "Planning and Service Integration Section School Based Medical Assistance Outreach Grant", add one position of "Health Access Assistant I (CC)(X)" and add footnote "(CC)" as follows: "To expire 3/31/01 unless the School Based Medical Assistance Outreach Grant, available from

Community Advocates, is extended."

Under "Department of Neighborhood Services, Construction Trades Division, Plumbing Inspection Section", delete eleven positions of "Plumbing Inspector" and add eleven positions of "Plumbing Inspector II."

Under "Police Department", amend footnote "(F)" to read: "Truancy Abatement Grant: Four positions to expire 6/30/2001 unless grant funding from the Milwaukee Public Schools continues."

Under "Department of Public Works-Buildings and Fleet Division, Facilities Repair Section", delete one position of "Equipment Mechanic III" and add one position of "Equipment Mechanic IV."

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

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

- 3) [991660](#) Substitute resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue. (Common Council - City Clerk)
- Whereas, Common Council file 980965 established procedural guidelines related to the expenditure of funds to be reimbursed by greater than anticipated revenues; and
- Whereas, The cable franchise agreement requires the city to study franchising requests; and
- Whereas, The company requesting the franchise study must deposit \$50,000 with the city; and

Whereas, Revenue in amount of \$50,000 for the above purposes was not anticipated in the 2000 budget; and

Whereas, The Comptroller has certified greater than anticipated revenue in the amount of \$50,000, pursuant to s. 304-91,

Pursuant to s. 304-91, I hereby certify that the money required for this is anticipated to be realized on or before 12/31/00 and to be expended only for the purpose in this resolution.

Comptroller

Date

; now, therefore, be it

Resolved, That \$50,000 is appropriated to account #0007-5010-RM50190000 from the Special Purpose Account - Reimbursable Services Advance Fund; and, be it

Further Resolved, That the Common Council City Clerk is authorized to expend \$50,000 in their operating expenditure account 0001-1310-R999-006300 for expenses associated with a franchise study; and, be it

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

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

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

- 4) [000300](#) Substitute resolution reserving \$100,000 from the Common Council Contingent Fund for potential transfer to the City Attorney Collection Contract Special Purpose Account.

Whereas, On December 17, 1996 the Common Council passed resolution file numbers 961270 and 961271 authorizing contracts with the Kohn Law Firm for the collection of City receivables and Professional Account Management, Inc. (PAM) for the collection of overdue Municipal Court judgments; and

Whereas, Funding for both these activities is under the jurisdiction of the City Attorney's Office Collection Contract Special Purpose Account; and

Whereas, Expenditures for the Kohn Law Firm through May, 2000 total \$92,432.29 and expenditures for PAM through April, 2000 total \$205,938.86; collection services year-to-date total \$298,371.15 and there is a balance of \$221,227.63 remaining in the account and additional funding of \$100,000 is necessary for the remainder of the year; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the sum of \$100,000 shall be reserved within the 2000 Common Council Contingent Fund (Account No. 0001-9990-0001-C001) for the City Attorney Collection Contract Special Purpose Account (Account No. 006300-0001-1490-0001-S113-2000) for payment of collection activity services; and, be it

Further Resolved, That the City Comptroller is authorized to appropriate on an as-needed basis up to \$100,000 from the funds reserved within the Contingent Fund, sub-class C001 to the special sub-class S113 under the control of the City Attorney for the purpose of paying expenditures related to collection activity services as mentioned above.

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 5) [000348](#) Substitute resolution authorizing attendance at various seminars/meetings and authorizing expenditure of funds for this purpose.

Resolved, By the Common Council of the City of Milwaukee, that the attendance of the following individuals at the following seminars or meetings is approved, and the funds specified are authorized to be allocated from the Seminar Fund, such travel and reimbursement to be in accordance with guidelines established by Section 350-181, Milwaukee Code:

1) Asst. City Atty. Ellen H. Tangen (City Atty.) "14th Annual Seminar on Retirement, Deferred Compensation & Welfare Plans of Tax-Exempt & Governmental Employers"; Washington, D.C.; 9/14-16/00; \$1,397.19; and, be it

Further Resolved, That the dollar amount shown for each authorized seminar/meeting

listed above is simply an ESTIMATE of the seminar attendance expenses anticipated to be paid or reimbursed by the city, and is primarily included to facilitate the making of the necessary dollar advances for such purposes; and, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

6) [000351](#) Substitute resolution authorizing attendance at conventions.

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 to be in accordance with policy guidelines set forth in Section 350-181 of the Milwaukee Code of Ordinances:

Eight Aldermen (CC-CC) "Cities Stepping Up, Stepping Out, Stepping Ahead, NLC"; Boston, MA; 12/5-9/00; \$14,744.00; and, be it

Further Resolved, That Exhibit A listed in Common Council File Number 991584, adopted February 8, 2000, be amended by adding conventions which were inadvertently omitted, namely: "Department of Neighborhood Services, Commissioner, American Major City Building Code Officials Conference, Providence, Rhode Island, October 19-20, \$1,089" and "Deputy Commissioner, American Association of Code Enforcement, Ft. Lauderdale, Florida, October 30-November 3, \$1,825"; and, be it

Further Resolved, That the City Comptroller is authorized and directed to establish a separate subclass within the 2000 Common Council Contingent Fund (Account Number 0001-9990-0001-C001-006300) and to transfer the appropriation of \$14,744.00 into Subclass C0xx.

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

7) [000444](#)

Resolution relative to application, acceptance and funding of the School Based Medical Assistance Outreach Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services through Community Advocates to increase the enrollment of eligible families in Medicaid and BadgerCare; and

Whereas, The operation of this grant project from 04/01/00 to 03/31/01 would cost \$36,376 entirely provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent accounts of the 2000 Special Revenue Accounts-Grant and Aid Projects, the following amounts for the program titled: School Based Medical Assistance Outreach Grant

Project/Grant	GR0000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$36,376

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 2000 grant budget funds for training and out-of-town travel by departmental staff; and, be it

Further Resolved, That the Common Council directs that the 2000 Positions Ordinance, C.C. File 990704, should be amended as follows:

HEALTH DEPARTMENT
Planning and Service Integration Section
School Based Medical Assistance Outreach Grant

Add:

(1) Health Access Assistant I (X)(AA)

Add footnote (AA) as follows:

To expire 03/31/01 unless the School Based Medical Assistance Outreach Grant, available from Community Advocates, is extended.

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 8) [000450](#) Resolution relative to acceptance and funding of a Truancy Abatement and Burglary Suppression (TABS) Grant. (Police Department)

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

Whereas, The City of Milwaukee may enter into an intergovernmental cooperation agreement with the Milwaukee Public Schools; and

Whereas, The operation of this grant from 07/01/00 to 6/30/01 would cost \$315,964 of which \$73,584 (23%) would be provided by the city and \$242,380 (77%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the application to the Milwaukee Public Schools is authorized, and the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843; and, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue- Grant and Aid Projects, the following amounts for the program titled: A Truancy Abatement and Burglary Suppression (TABS) Grant:

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000000000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$242,380

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

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

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

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

Further Resolved, That the Common Council directs that the 2000 Position Ordinance, C. C. File 990704 should be amended as follows:

POLICE DEPARTMENT

Amend footnote (F) to read as follows: "A Truancy Abatement Grant: Four positions to expire 6/30/2001 unless grant funding from the Milwaukee Public Schools continues".

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 9) [000452](#) Resolution relative to application for an Access to MPL Collections for Special Needs Youth Grant. (Library)
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Department of Public Instruction to provide increased access to computers and information for Milwaukee youth with special needs; now, therefore, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 10) [000453](#) Substitute resolution relative to application, acceptance and funding for a Books on the Go: Outreach to Milwaukee Preschoolers Grant. (Library)
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Department of Public Instruction to provide outreach services to preschoolers living in poverty and cared for in daycare settings; now, therefore, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 11) [000464](#) Resolution to Authorize contract with WPS to allow use of a ProVantage Drug Card

for city employees and retirees. (DER)

Whereas, The City of Milwaukee contracts with WPS as a third party administrator for the City's Basic Plan; and

Whereas, WPS works with ProVantage to provide the use of a drug card that is more convenient for employees and helps employees and the City avoid continuing increasing costs of medications; and

Whereas, WPS has responded favorably to a request for information from Employee Benefits about the use of a drug card effective January 1, 2001 for a one year period; now therefore, be it

Resolved, By the City of Milwaukee and the Common Council, the Director of Employee Benefits with approval of the City Attorney is authorized to prepare and complete a contract for a one-year drug card program with WPS and ProVantage.

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 12) [000465](#) Resolution to ratify and confirm the final agreement between the City of Milwaukee and the Milwaukee Professional Fire Fighters' Association, Local #215.

Whereas, The agreement between the city negotiating team and Local #215, Milwaukee Professional Fire Fighters' Association, International Association of Fire Fighters, AFL-CIO, for the time period commencing January 1, 2000, through December 31, 2000, has been reduced to writing; and

Whereas, The memorandum of understanding embodying the agreement reached by the parties to such agreement, copies of which are attached to Common Council File No. 000465 and incorporated herein as though fully set forth at length, was executed subject to ratification by the Common Council; now, therefore, be it

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

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

Further Resolved, That the proper city officials are directed to execute a formal labor contract embodying the terms and conditions of the attached Memorandum of Understanding between the City of Milwaukee and Local #215, Milwaukee Professional Fire Fighters' Association, International Association of Fire Fighters, AFL-CIO; and, be it

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

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 13) [000479](#) Substitute resolution exercising the City of Milwaukee's option to purchase the parking structure at 324 West Highland Avenue from the Redevelopment Authority of the City of Milwaukee for the purpose of refinancing bonds issued for this facility.
- Whereas, The Redevelopment Authority of the City of Milwaukee ("RACM") issued its \$25,515,000 Redevelopment Authority Revenue Bonds (Bradley Center Parking Facilities Project) Series 1986 (the "Bonds") for the purpose of constructing parking facilities to serve the Bradley Center; and
- Whereas, The Bonds were used to construct parking facilities at 324 West Highland Avenue and North 8th and West State Streets, the latter having since been sold to the Milwaukee Area Technical College; and
- Whereas, Payment on the Bonds (\$6,105,000 currently outstanding) is secured through a letter-of-credit issued by National Westminster Bank PLC (the "Bank"), which letter-of-credit expires on November 4, 2000; and

Whereas, Pursuant to a lease dated July 1, 1987 (the "Lease"), the parking facility is leased from RACM to the City of Milwaukee ("City") for an annual payment, subject to annual appropriation and made from the Parking Fund, equal to principal and interest payments on the Bonds, plus related fees and expenses; and

Whereas, In lieu of obtaining a substitute letter-of-credit to secure payment on the Bonds, it is proposed that the City, pursuant to Section 10.2 of the Lease, exercise its option to purchase the Bradley Center parking facility at 324 West Highland Avenue and finance that purchase through the issuance of general obligation promissory notes (the "Notes"); and

Whereas, The City's rent payments on the Bonds are currently made from the Parking Fund, and it is proposed that payments to be made on the Notes will also be made from the Parking Fund; and

Whereas, The purchase price of the parking ramp, as provided in Section 10.2 of the Lease, will be equal to the outstanding principal amount of the Bonds less \$2,565,000 (approximately) of reserves held by Firststar Bank N.A., as trustee for the bond issue (the "Trustee"), plus accrued interest to the date the Bonds are redeemed and related fees and expenses, a net amount presently estimated at \$3,500,000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it exercises its Option to Purchase the parking facility at 324 West Highland Avenue in the City, pursuant to Section 10.2 of the Lease, authorizes the proper City officials to give appropriate notice to RACM, the Bank and the Trustee, and provide for a closing on or before October 3, 2000; and, be it

Further Resolved, That the Parking Fund shall be responsible for the annual debt service on the Notes issued to purchase the aforementioned parking ramp.

Sponsors: Ald. Henningsen

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 14) [000482](#) 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 Department)
- 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 No. 0678-2110-9XXX-D33X-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 transfer up to \$87,000 from the Police Department's Federal Forfeiture Trust Fund (Account Number 0678-2110-XXXX-D33X-662201), to the contribution/revenue account entitled Federal Forfeiture Contribution Revenue (Account Number 0001-3311-985012); and, be it

Further Resolved, That upon transfer of these funds, the City Comptroller is authorized and directed to transfer \$87,000 from the Federal Forfeiture Revenue Contribution Account to the Police Department's budget as follows:

0001-3311-0001-D341-6300 \$23,200
0001-3311-0001-D341-6800 \$63,800

; 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
Capital Court	\$ 6,000
Cellular Phones	10,000
Computer Network	22,600
Computer Training Lab	20,000
Recruitment Expenses	4,500
Motorcycle Covers	3,000
Battery chargers	500
Fax machine	1,200
Video surveillance charges	2,700
Radio service Monitor	12,000
Dusting Work station	4,500

	\$87,000

; 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. Gordon that this matter be ADOPTED. The motion carried by the following vote:

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 15) [000502](#) Substitute resolution authorizing the issuance of short-term general obligation notes in the amount of \$4,000,000 for the public purpose of purchase of a public parking facility.

Whereas, The 2000 budget of the City of Milwaukee authorizes contingent borrowing in the form of general obligation bonds or notes for any purposes not contemplated at the time the budget was adopted; and

Whereas, The City of Milwaukee is desirous of issuing and selling general obligation short-term promissory notes for the public purpose of financing the purchase of a public parking facility; now, therefore, be it

Resolved By the Common Council of the City of Milwaukee that it hereby and herewith authorizes and declares its purpose to issue general obligation short-term promissory notes pursuant to the provisions of sec. 67.12(12), Stats., in an amount not to exceed \$4,000,000 for the public purpose of financing the purchase of a public parking facility; and, be it

Further Resolved, That said promissory notes be sold by the Commissioners of the Public Debt at a public or private sale, or to the Public Debt Amortization Fund for the purpose of investment; and, be it

Further Resolved, That said promissory notes with interest shall be payable periodically as determined by the Commissioners of the Public Debt within a period not to exceed 10 years from the date of the issuance of said notes; and, be it

Further Resolved, That the Common Council hereby declares that it will levy an irrepealable tax sufficient to pay each installment of principal and interest as it becomes due and payable; and, be it

Further Resolved, That said notes are not intended to be arbitrage notes and that there is no reasonable expectation of the City of Milwaukee realizing arbitrage proceeds; and, be it

Further Resolved, That the general obligation short-term promissory notes herein authorized shall be sold by the Commissioners of the Public Debt at such times as the Commissioners shall determine to be prudent and appropriate; and, be it

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

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

Further Resolved, That such general obligation short-term promissory notes shall be dated as of the first or fifteenth day of the month in which they are issued, bear interest, payable semi-annually, at coupon rates as determined by the Commissioners of the Public Debt, not to exceed 9.25%; with an issue True Interest Cost Rate not to exceed 7.25%; that the Commissioners of the Public Debt shall specify the due dates for, and the amounts of, the payment of principal of said notes, not to exceed 10 years, and interest thereon, and that such payment schedule shall be entered upon the permanent record of the Commissioners of the Public Debt and formally communicated to the City Clerk; and, be it

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

Further Resolved, That the interest on or the principal of the notes falling due at any time shall be paid from the City Parking Fund; and, be it

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

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

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

Further Resolved, That the cost of issuing the notes and marketing same shall be paid from the proceeds of the note sale, or deducted from same, and the project account or accounts credited with the net proceeds of the sale or sales; and, be it

Further Resolved, That a Continuing Disclosure Certificate, in substantially the form customarily provided by the City to be dated the date of initial delivery of the Notes, is authorized to be executed and delivered by the Comptroller; and, be it

Further Resolved, That the obligation of the City of Milwaukee under the aforementioned disclosure certificate under the terms therein specified is determined to be contractual for the benefit of the note holders from time to time; and, be it

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

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 16) [000355](#) Communication relative to the filling of positions in the City of Milwaukee Fire Department.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 17) [000385](#) 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. Gordon that this matter be PLACED ON FILE. The motion carried by the following vote:

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 18) [000437](#) Communication from the Comptroller's Office transmitting a report on the Schedule of Inventory Balances and Adjustments to the Inventory and Tax Stabilization Reserve for 1999.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [000434](#) Substitute resolution approving a conduit occupancy license agreement between the City of Milwaukee and Enron Broadban Services, Inc. for Enron Broadban Services, Inc. to occupy a portion of the City's communications conduit system.

Sponsors: THE CHAIR

A motion was made by Ald. Murphy that this matter be REFERRED TO to the UTILITIES & LICENSES COMMITTEE. The motion carried by the following vote:

Aye: 16 - Pratt, Herron, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - D'Amato

- 2) Various resolutions authorizing issuance of a mobile home park licenses in the 13th Aldermanic District:

- a) [000495](#) Resolution authorizing issuance of a mobile home park license to Ilma Wildenberg, for the premises at 3774 South 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 Wildenberg, for the premises at 3774 South 27th Street for a period of one year commencing July 1, 2000, and ending June 30, 2001.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - D'Amato

- b) [000496](#) 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, 2000, and ending June 30, 2001.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - D'Amato

- c) [000497](#) 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, 2000, and ending June 30, 2001.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - D'Amato

APPROVAL OF THE FOLLOWING

- 3) [991604](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - D'Amato

PLACING ON FILE THE FOLLOWING:

- 4) [991748](#) Resolution relating to the transfer of Time Warner Cable of Southeastern Wisconsin LP involving Time Warner, MediaOne and AT&T.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - D'Amato

- 5) [000470](#) Communication from the Public Service Commission transmitting a notice of hearing relative to the Strategic Energy Assessment.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Herron, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - D'Amato

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990593](#) A substitute ordinance relating to enforcement of tattooing and body-piercing regulations.

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

Part 1. Section 75-51 of the code is repealed and recreated to read:

75-51. Tattooing and Body-Piercing. 1. COMMON COUNCIL FINDINGS. The common council finds that:

- a. It is important to the health, safety and welfare of all residents of Milwaukee to promote safe and adequate care and treatment for individuals who receive tattoos or body piercing.
- b. Tattooing and body piercing can expose individuals to communicable disease or infection unless great care is taken to ensure the cleanliness of the instruments and techniques used.
- c. Some tattooing and body-piercing activities may be performed in such a dangerous and unsafe manner that protection of public health and safety requires the city to immediately abate the danger and suspend the activities without notice.

2. DEFINITIONS. In this section:

- a. "Body piercer" means a person who performs body piercing on another.
- b. "Body piercing" means perforating any human body part or human tissue, except an ear, and placing a foreign object in the perforation in order to prevent the perforation from closing.
- c. "Dentist" means an individual licensed under s. 447.03(1), Wis. Stats.
- d. "Department" means the health department.
- e. "Physician" means an individual licensed to practice medicine and surgery under s. 448.03(1), Wis. Stats.
- f. "Tattoo" has the meaning given in s. 948.70(1)(b), Wis. Stats.
- g. "Tattooist" means a person who tattoos another.

3. STATE STATUTES AND ADMINISTRATIVE CODE ADOPTED. The city of Milwaukee adopts ch. HFS 173, Wis. Adm. Code, as amended, as part of this code. The city of Milwaukee adopts ss. 252.23, 252.24, 252.245 and 948.70, Wis. Stats., as part of this code.

4. DEPARTMENT AS AGENT OF STATE. The department is authorized to act

as an agent of the Wisconsin department of health and family services, as authorized under ss. 252.23, 252.24 and 252.245, Wis. Stats., and ch. HFS 173, Wis. Admin. Code. The department is authorized, as agent of the state, to enforce the tattooing and body-piercing regulations of ss. 252.23, 252.24, 252.245 and 948.70, Wis. Stats., and ch. HFS 173, Wis. Adm. Code.

5. LICENSE REQUIRED. a. Except as provided in par. b, no person may tattoo or attempt to tattoo another, designate or represent himself or herself as a tattooist or use or assume the title "tattooist" and no tattoo establishment may be operated unless the person and the establishment are licensed under this section. No person may pierce the body of or attempt to pierce the body of another, designate or represent himself or herself as a body piercer or use or assume the title "body piercer" and no body-piercing establishment may be operated unless the person and the establishment is licensed under this section or applicable Wisconsin statute.

b. The licensure requirement of par. a does not apply to a dentist or to a physician who, in the course of the dentist's or physician's professional practice, tattoos or offers to tattoo an individual or who pierces the body of or offers to pierce the body of an individual.

6. LICENSING APPLICATION. A person seeking a license under this section shall apply to the department on a form prepared and furnished by the department, and shall comply with the requirements established under Wisconsin statutes, the Wisconsin administrative code and this section for that license.

7. FEE. Each license applicant shall pay the appropriate license fee or fees provided in ch. HFS 173, Wis. Adm. Code.

8. NOTICE AND INVESTIGATION OF APPLICATION. a. Upon receipt of an application for a new or renewal license, the department shall furnish notice of the application to the chief of police and the commissioner of neighborhood services.

b. The chief of police and the commissioner of neighborhood services shall cause an investigation to be made and report the findings to the department.

9. GRANTING OR DENIAL OF LICENSE APPLICATION. a. The department shall review each license application and the reports of the chief of police and the commissioner of neighborhood services to determine whether to grant or deny the application.

b. The department may deny an application for a new or renewal license for any of the following reasons:

- b-1. The applicant is not of good character.
 - b-2. The applicant has not complied with the requirements of this section.
 - b-3. The applicant has been convicted of a violation of statutory or Wisconsin administrative code provisions that is substantially related to the circumstances of the licensed activity.
 - b-4. The applicant has been convicted of a violation of this section.
 - b-5. The applicant's previous license as a tattooist or body piercer or for a tattoo establishment or body-piercing establishment has been revoked or not renewed for any reason whatsoever.
 - b-6. The applicant has been successfully sued for activities that are substantially related to the circumstances of the licensed activity, regardless of whether an appeal is pending or the time for an appeal has run.
 - b-7. The applicant's failure in the past or refusal in the future to act in accordance with this section, with an order issued under this section or with statutory or Wisconsin administrative code provisions that are substantially related to the circumstances of the licensed activity.
- c. Whenever the department denies an application, the department shall either personally serve the applicant with written notice of the denial or mail the notice by certified mail, return receipt requested. Mailed notice shall be sent to the address on the application or a more recent address furnished in writing by the applicant to the department, which shall constitute service on the applicant or the applicant's agent. The notice shall state all of the following:
- c-1. The specific reasons for the denial of the application.
 - c-2. That the applicant may file a written appeal of the denial with the environmental health board.
 - c-3. That an appeal shall be delivered to the environmental health board no later than 10 working days after the date on which the notice of denial is mailed.
 - c-4. The location where the appeal shall be filed.
10. RENEWAL OF LICENSE. A licensee may renew a license as provided in this section.

11. REVOCATION OR SUSPENSION OF LICENSE. a. The department may revoke a license or suspend a license for a period not to exceed 90 days for any of the following reasons:

- a-1. Conviction of a violation of this section.
 - a-2. A finding by the department that the licensee has violated this section but has not been convicted of the violation.
 - a-3. Conviction of violation of a criminal statute, the circumstances of which are substantially related to the circumstances of the licensed activity.
 - a-4. Violation of an ordinance, statute or provision of the Wisconsin administrative code where such violation is substantially related to the circumstances of the licensed activity.
 - a-5. Loss of a civil suit in which the licensee was the defendant and the activities on which the case was based are substantially related to the circumstances of the licensed activity, regardless of whether an appeal is pending or the time for an appeal has run.
 - a-6. Failure to obtain a license required under this ordinance or employing an unlicensed person who is required to be licensed under this section.
 - a-7. A finding by the department that the applicant knowingly made a material misrepresentation connected with his or her application for a license.
 - a-8. A finding by the department that the licensee has willfully refused to comply with an order issued by the department under this section.
- b. Whenever the department determines that a license is subject to suspension or revocation under this subsection, the department shall either personally serve the licensee with written notice of intent to suspend or revoke or mail the notice by certified mail, return receipt requested. Mailed notice shall be sent to the address on the application or a more recent address furnished in writing by the applicant to the department, which shall constitute service on the licensee or the licensee's agent. The notice shall state all of the following:
- b-1. Whether the license will be suspended or revoked and, if suspended, the duration of the suspension.
 - b-2. The date on which the suspension or revocation shall begin, which shall be not less than 20 working days after the date on which the notice of intent is mailed.

- b-3. The specific reasons for the suspension or revocation.
- b-4. That the licensee may file a written appeal of the suspension or revocation with the environmental health board.
- b-5. That an appeal shall be delivered to the environmental health board no later than 10 working days after the date on which the notice of intent to suspend or revoke is mailed.
- b-6. The location where the appeal shall be filed.
- c. Whenever a licensee appeals a suspension or revocation under this subsection, the suspension or revocation shall not begin until after the environmental health board has held a hearing and upheld the suspension or revocation, in whole or in part.

12. EMERGENCY SUSPENSION. a. Whenever the department finds that the activities of a licensee constitute an immediate danger to public health, the department may immediately act to abate that danger and may immediately suspend without notice a license issued under this section. Activities that constitute an immediate danger to public health include, but are not limited to, use of unsterile needles or instruments, lack of properly operating sterilization equipment on the premises or infections that the department has attributed to the activities of the licensee.

b. b-1. An emergency suspension shall be for no longer than 14 calendar days. The department may, before expiration of an emergency suspension, determine that the immediate danger to public health continues to exist, and that the temporary order shall remain in effect after the expiration date of the original emergency suspension until a hearing has been concluded and the environmental health board has made a decision on the matter.

b-2. The department may inform the licensee in writing, at the time the suspension is imposed or at any later time prior to the expiration of the emergency suspension, that the suspension may be continued after the expiration date if the department determines that the immediate danger to public health continues to exist.

c. Whenever an emergency suspension is imposed, the department shall at the same time provide written notice to the licensee that the environmental health board shall hold a hearing on the suspension. The notice shall specify either the date of the hearing or a telephone number and address where this information can be obtained. The notice shall state that a written notice of hearing shall be mailed to the licensee.

d. The board, by certified mail, return receipt requested, shall mail a written notice of hearing to a licensee whose license has been suspended under this subsection. The

notice shall be mailed to the address on the application or a more recent address furnished in writing by the licensee to the department, which shall constitute service on the licensee or the licensee's agent. The notice shall be sent to the applicant so that the applicant has at least 4 calendar days' notice of the hearing. The notice shall specify the date, time and location of the hearing. The notice shall state that the licensee shall be given an opportunity to respond to and challenge any reason for suspension, to present witnesses under oath and to confront and cross-examine opposing witnesses under oath. The notice shall state that the licensee may be represented by an attorney of the licensee's choice at the licensee's expense, if the licensee so wishes.

e. The board shall hold a hearing on the suspension not more than 14 calendar days after the imposition of the suspension. After the hearing, the board shall determine whether the suspension shall be discontinued or continued. The hearing shall be a due process hearing under sub. 14.

f. The hearing under par. e need not be held if the licensee and the department mutually agree that no purpose would be served by a hearing.

13. APPEAL. Any person aggrieved by the action of the department in denying an application for a new or renewal license or in providing notice of intent to suspend or revoke a license may appeal in writing to the environmental health board no later than 10 working days after receipt of the notice of the action being appealed. The appeal shall specify the reasons that the appeal is being made. After receiving an appeal under this subsection, the environmental health board shall set a time and place for hearing the appeal. The notice shall be sent to the appellant so that the person has at least 4 calendar days' notice of the hearing. After the hearing, the environmental health board may sustain, modify or reverse the decision of the department.

14. DUE PROCESS HEARING. a. At the hearing, the board chairperson shall open the meeting by stating that a notice was sent and shall make the notice part of the record. The chairperson shall advise the appellant that the appellant has an option to proceed with a due process hearing, represented by counsel, with all testimony both direct and cross-examination under oath, or that the appellant may simply make a statement to the board.

b. A due process hearing shall be conducted in the following manner:

b-1. All witnesses shall be sworn in.

b-2. The chairperson shall ask the department to proceed first.

b-3. The appellant shall be permitted an opportunity to cross-examine.

b-4. After the conclusion of the department's testimony, the appellant shall be permitted to present the appellant's own witnesses, subject to cross-examination.

b-5. Board members may ask questions of witnesses.

b-6. Both the department and the appellant shall be permitted brief summary statements.

c. The decision of the board regarding the appellant shall be based only on evidence presented at the hearing. Probative evidence concerning whether or not the appeal should be upheld may be presented on the factors enumerated in sub. 9-b or 11-a, whichever is applicable.

d. The board may decide whether the department's decision shall be upheld, modified or reversed immediately following the hearing or at a later date. Written notice of the board's decision, including the specific reasons for the decision, shall be mailed to the appellant. The notice shall be mailed to the address on the application or a more recent address furnished in writing by the appellant to the department.

15. ENFORCEMENT. a. The department is authorized to enforce this section by issuance of orders and citations. A citation may be issued for a violation of this section without prior issuance of an order for that violation.

b. The police department is authorized to enforce this section by issuance of citations.

16. PENALTIES. a. Except as otherwise provided in par. b, a person who violates this section or fails to comply with an order issued under this section is subject to a forfeiture not to exceed \$500 for each violation or failure to comply.

b. Any person who tattoos or offers to tattoo a person under 18 years of age is subject to a forfeiture not to exceed \$200.

Sponsors: Ald. Gordon

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

- 2) [960779](#) Substitute resolution affirming the City's stand against domestic terrorism in the form of violence against health-care providers, especially those providing family planning

services.

Sponsors: Ald. D'Amato, Ald. Henningsen, Ald. Johnson-Odom, Ald. Gordon and Ald. Richards

A motion was made by Ald. Scherbert that this matter be REFERRED TO to the JUDICIARY & LEGISLATION COMMITTEE. The motion carried by the following vote:

Aye: 11 - Pratt, Herron, Bohl, Donovan, Richards, Cameron, Scherbert, Sanchez, Breier, Nardelli Murphy

No: 6 - D'Amato, Henningsen, Johnson-Odom, Gordon, Pawlinski Hines Jr.

3) [000046](#) Substitute resolution to settle claim of John Eckstein for property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$3,807.92 payable to John Eckstein, 1973 South 13th Street, Milwaukee, 53204 to reimburse him for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

4) [000366](#) Substitute resolution authorizing settlement of the lawsuit entitled Gill, et al. v. City of Milwaukee, et al., Case No. 98-CV-008170

Whereas, The plaintiffs, Edward Gill III and Kathy Gill, have filed a lawsuit against the City of Milwaukee seeking damages in an unspecified amount; and

Whereas, The deaths giving rise to this lawsuit occurred prior to an amendment of Wisconsin's wrongful death law which increased the pertinent recovery limitation from \$150,000 to \$500,000; and

Whereas, The state legislature, in enacting the previously noted amendment directed that it apply to actions commenced after the effective date of the law; and

Whereas, The plaintiffs, Edward Gill III and Kathy Gill, filed their action after the effective date of the amendment; and

Whereas, The Wisconsin Supreme Court has recently concluded that the newly-enacted limitation cannot constitutionally be applied to deaths occurring before the effective date in the change of the law; and

Whereas, The plaintiffs have agreed to settle their lawsuit in the amount of \$55,279 if the Wisconsin Supreme Court rules that the prior damages limitation must apply to such cases; and

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

Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check for a total amount of \$55,279, payable to the order of the Trust Account of Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C., in full and final settlement of this claim, upon receipt of a release of claims, approved as to form and execution by the City Attorney, said amount to be charged to the Damages and Claim Fund, Account No. -636506, Fund-0001, Organization-1490, Program-2631, Sub Class-S118.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 5) Various resolutions to cancel real estate taxes levied against certain parcels:

[000377](#)

Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key Number 361-1901-000-9 on the 1998 tax roll, plus interest applicable to date of repayment, if appropriate. (Milwaukee/Riverfront Properties Ltd Partnership) (Assessor's Office)

Whereas, An assessment in the amount of \$479,000 (Land: \$16,200 - Improvements: \$462,800) was made against the property known as Tax Key Number 361-1901-000-9 for the year 1998; and

Whereas, The Board of Review has decreased this assessment to \$161,000 (Land: \$16,200 - Improvements: \$144,800), for a reduction of \$318,000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue a city check in the amount of \$8,995.60

payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate of 9.6% applicable from date of payment to date of repayment, said amount to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300 and said check to be delivered to the Tax Billing and Collection Division of the Treasurer's Office for disbursement; and, be it

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

Section 79.10 (2) \$647.44 (City: \$484.63 County: \$162.81) by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That delinquent interest and penalties on this account is hereby canceled.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- b) [000378](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1998 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

Whereas, Assessments were made against certain parcels of real estate for the years 1999 as contained in Common Council Resolution File No. 000378; and

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

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

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- c) [000427](#) Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 417-1511-000-6, 125 South 84th Street, Milwaukee, Wisconsin, on the 1998 tax roll, plus interest. (Assessor's Office)

Whereas, An assessment in the amount of \$9,975,000 (Land: \$2,817,300 - Improvements: \$7,157,700) was made against the real estate property known as tax key number 417-1511-000-6, for the year 1998; and

Whereas, In a Settlement Stipulation and Order, filed April 14, 2000, in Milwaukee County Circuit Court, Case No. 99-CV-006122, the City of Milwaukee and Opus North Corporation and Opus Real Estate USA I, LLC agreed to a new assessment in the amount of \$9,317,300 (Land: \$2,817,300 - Improvements: \$6,500,000) for the real estate property known as tax key number 417-1511-000-6, for the year 1998; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue a city check in the amount shown in the Order, of \$21,023.25, (\$18,770.76 refund of taxes plus \$2,252.49 interest) payable to Opus' lawyer, Reinhart, Boerner, Van Deuren, Norris & Rieselbach, S.C., who shall, in turn be responsible for remitting the refund to Opus, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and said checks to be delivered to the Tax Billing and Collection Division of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as follows: Section 79.10 (2) \$1,339.09 (City: \$1,002.34; County: \$ 336.75) by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and

crediting the State Tax Credit Fund; and, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 6) [000454](#) Resolution authorizing the settlement of the judgment entered for personal property taxes in the amount of \$137,857.94 on June 20, 2000, in favor of the City of Milwaukee, and against The Finishing Group, Inc., Circuit Court Case No. 99-CV-005507, for the amount of \$92,438.91. (City Attorney)

Whereas, On July 8, 1999, the City of Milwaukee filed a summons and complaint in Circuit Court, Milwaukee County, Case No. 99-CV-005507 against The Finishing Group, Inc. for the recovery of personal property taxes for 1993 through 1998 at 312 East Buffalo Street in the amount of \$92,438.91, plus interest and penalties; and

Whereas, With the adoption of sec. 70.11(39), Stats., a substantial part of the personal property of The Finishing Group, Inc.'s personal property is now exempt from taxation as computers, and

Whereas, The Circuit Court, Milwaukee County entered an Order on June 20, 2000, therein ordering judgment in the amount of \$92,438.91, taxes, plus \$45,419.03, interest and penalties, for a total of \$137,857.94; and

Whereas; The parties stipulated to the Circuit Court entering the judgment, subject to the approval of the payment of said judgment by The Finishing Group, Inc. in the amount of the personal property taxes; and

Whereas, The Finishing Group, Inc. will be ceasing business operations in Milwaukee, now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that the judgment entered on June 20, 2000, in favor of the City of Milwaukee and against The Finishing Group, Inc., Circuit Court Case No. 99-CV-005507, in the amount of \$137,857.94, is hereby authorized to be satisfied by receipt by the City of Milwaukee of payment in the amount of \$92,438.91, and be it

Further Resolved, That the City Treasurer be and hereby is authorized and directed to charge the interest and penalties in the amount of \$45,419.03 to the Remission of Taxes Fund, Special Purpose Account No. 01-086-8001.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

7) Various Appointments/Reappointments:

a) [000403](#) Appointment of Buddy Julius to the Equal Rights Commission by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

b) [000404](#) Appointment of Debbie Timko to the Equal Rights Commission by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

DISALLOW AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

8) Various claims against the city:

a) [000380](#) Appeal of Phillip Goetsch relative to claim for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- b) [000381](#) Appeal of Ahilsa Baily relative to claim for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- c) [000382](#) Appeal of Amy Kiehl relative to claim for property damage. (10th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- d) [000485](#) Communication transmitting an appeal of Attorney Carol Kraima on behalf of Blanche Terrien relative to claim for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE JUDICIARY AND LEGISLATION COMMITTEE FURTHER RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 9) [991424](#) Substitute resolution amending Resolution File Number 971920 to substitute agreement with respect to continued City consideration of Milwaukee County requests for releases of park deed restrictions and limited amendments to park deed restrictions for a blanket release of all such deed restrictions.
- Whereas, By Resolution File Number 971920, adopted May 11, 1999, the City of Milwaukee agreed to a settlement of the consolidated actions entitled Indian County for the Elderly, Inc., et al. v. City of Milwaukee, Case Number 94-C-1156 and United States of America v. City of Milwaukee, Case Number 94-C-104; and
- Whereas, By Resolution File Number 971920, the City of Milwaukee further authorized execution of an Intergovernmental Cooperation and Development Agreement by and among the City of Milwaukee, the City of Greenfield, Milwaukee County, the Indian Council for the Elderly, Inc., the Sisters of St. Francis of Assisi and the School Sisters of St. Francis; and
- Whereas, The Intergovernmental Cooperation and Development Agreement called for the City of Milwaukee to initiate the approval of the release of certain deed restrictions on various parks which the City of Milwaukee had previously transferred to Milwaukee County; and
- Whereas, The City of Milwaukee continues to desire to fulfill its obligations under the Intergovernmental Cooperation and Development Agreement while it protects the interests of its citizens to the fullest enjoyment of the parklands located within this community; and
- Whereas, Preserve Our Parks, Inc., filed an action entitled Preserve Our Parks, et al. v. City of Milwaukee, et al., Circuit Court Case Number 99-CV-009655 challenging the release of deed restrictions on various parks which the City of Milwaukee had previously transferred to Milwaukee County; and
- Whereas, Preserve Our Parks, Inc., Milwaukee County and the City desire to provide for the approval of limited amendments to such deed restrictions in lieu of a release thereof which will allow conveyance to other governmental units for park purposes and further allow minor naming changes but otherwise continue to require City approval on an individual basis for a release of such restrictions; and
- Whereas, A letter from the attorneys for Preserve Our Parks, Inc., et al., is attached to this Common Council file and summarizes the proposed limited amendments to such deed restrictions acceptable to that entity; and
- Whereas, A June 1, 2000 memorandum from Susan L. Baldwin, Director of Parks

Recreation and Culture summarizing the County's agreements with respect to such amendments and the amendments to the Intergovernmental Cooperation and Development Agreement is attached to this Common Council File and will serve as the basis for Exhibit K to such Agreement; and

Whereas, The consideration of these amendments have resulted in significant delays to the Indian Council of the Elderly Project contemplated by the Intergovernmental Cooperation and Development Agreement requiring the payment of additional compensation to the private plaintiffs in the amount of \$30,000.00; and

Whereas, The amendments to such deed restrictions will not eliminate the requirement for City of Milwaukee approval of future releases of deed restrictions; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that Resolution File Number 971920 is amended to provide that the proper City officers are authorized and directed, on behalf of the City, to execute the Intergovernmental Cooperation and Development Agreement in substantially a form attached to this Common Council File; and, be it,

Further Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$340,000.00 payable to the private plaintiffs, or in the alternative, to Lawyers Title Insurance Company for deposit in escrow and disbursement in full and final settlement of Case Number 94-C-1156 and Case Number 94-C-104, upon receipt of releases of claims and other necessary documentation, all as set forth in the Intergovernmental Cooperation and Development Agreement, the settlement amount to be charged to Damages and Claims Fund Account Number 0001-1490-001-5118-006300 and the other development costs contemplated by the Intergovernmental Cooperation Agreement in approximately the amount of \$279,000.00 to be charged to the Damages and Claims Fund Account Number 0001-1490-001-5118-006300 as set forth in the fiscal note; and, be it,

Further Resolved, That all City departments are hereby directed to assist in the expeditious implementation of the Intergovernmental Cooperation and Development Agreement consistent with its terms including the implementation of those actions required by Milwaukee County pursuant to Exhibit "K" thereto and the preparation and introduction of any supplemental Common Council resolution files which may be necessary to finalize such actions .

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Ald. Gordon moved for separate action on the following file.

The motion prevailed.

[991743](#)

Substitute resolution relating to a lawsuit against the paint and lead pigment industry to recover damages to the City and its residents caused by lead-based paint.

Whereas, The Common Council, by resolution passed February 29, 2000, Common Council File Number 991561, directed the City Attorney to enter into an agreement with the law firms of Lieff, Cabraser, Heimann & Bernstein, L.L.P., Cohen, Millstein, Hausfeld & Toll, P.L.L.C. and Warshafsky, Rotter, Tarnoff, Reinhardt & Block, S.C. (the "law firms") to investigate and analyze the possibility of City litigation against the paint and lead pigment industry and, if approved by the Common Council, to pursue such litigation; and

Whereas, Pursuant to Common Council File Number 991561, the law firms have recommended filing suit against the paint and lead pigment industry for past and future costs of lead abatement and other damages; and

Whereas, The Common Council has determined that it is in the best interests of the City and its residents for the City Attorney to instruct the law firms to proceed with litigation as recommended pursuant to the engagement and contingency agreement entered into pursuant to Common Council File Number 991561; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Attorney is authorized and directed to instruct Lieff, Cabraser, Heimann & Bernstein, L.L.P., Cohen, Millstein, Hausfeld & Toll, P.L.L.C. and Warshafsky, Rotter, Tarnoff, Reinhardt & Block, S.C. to proceed with litigation against the paint and lead pigment industry for past and future costs of lead abatement and other damages as recommended pursuant to the engagement and contingency agreement entered into pursuant to Common Council File Number 991561.

Sponsors: Ald. Hines Jr. and Ald. D'Amato

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

Aye: 12 - Pratt, Herron, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Cameron, Sanchez, Pawlinski, Murphy Hines Jr.

No: 5 - Bohl, Donovan, Scherbert, Breier Nardelli

Sponsors: Ald. Hines Jr. and Ald. D'Amato

A motion was made by Ald. Pawlinski that this matter be RECONSIDERED AND ENTERED IN JOURNAL. The motion carried by the following vote:

Aye: 6 - Herron, Cameron, Scherbert, Pawlinski, Breier Nardelli

No: 11 - Pratt, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Sanchez, Murphy Hines Jr.

(1/5 vote of the members present needed)

PLACING ON FILE THE FOLLOWING:

- 11) [000488](#) Communication from the City Attorney's office transmitting a report entitled, "Recommendations to the Common Council Concerning Potential Legal Action by the City of Milwaukee Against the Lead Pigment Industry".

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000169](#) A substitute ordinance relating to authorizing installation of stop signs pursuant to a petition by residents.

Sponsors: Ald. Bohl

A motion was made by Ald. Richards that this matter be REFERRED TO to the PUBLIC SAFETY COMMITTEE. The motion failed by the following vote:

Aye: 1 - Richards

No: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

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

Part 1. Section 101-16.5 of the code is created to read:

101-16.5. Petitions for Installation of Stop Signs in Residential Areas. 1. In this section. "block" means a one-block length of the blockface on both sides of a street.

2. The commissioner of public works shall submit for common council approval the

installation of multiway stop signs at an intersection when all of the following conditions have been met for all blocks of the street immediately adjacent to the intersection where the stop signs are installed:

- a. All property on the blocks is zoned single-family residence, 2-family residence or multi-family residence or is the property of an elementary or secondary school or a park.
 - b. Each blockface without park or school property is composed of 8 or more lots.
 - c. Owners of not less than 80 percent of the total number of residential lots on the blocks have signed a petition to the commissioner of public works requesting installation of the stop signs.
 - d. The intersection does not involve a state through highway.
 - e. The intersection does not have a traffic signal.
3. The commissioner of public works may request assistance from any city department to verify the number of lots on a block and the validity of petition signatures. All city departments are directed to cooperate with any request for assistance made pursuant to this section.
4. The commissioner of public works shall submit for common council approval the location of all stop signs installed pursuant to this section.
5. Specific locations are to be found in the common council proceedings; the official record on file in the city clerk's office and the code on file in the legislative reference bureau.

Sponsors: Ald. Bohl

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

Aye: 7 - Pratt, Herron, Henningsen, Bohl, Gordon, Donovan Cameron

No: 10 - D'Amato, Johnson-Odom, Richards, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

2) [000213](#) A substitute ordinance relating to traffic controls in various Aldermanic Districts.

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

Part 1. Section 101-11-1 of the Code relating to No Left Turns is amended by striking the following:

"Westbound to Southbound on E. Russell Avenue to the first North/South alley between S. Shore Drive and S. Superior Street"

Part 2. Section 101-12-4-a of the Code relating to Mandatory Turns is amended by striking the following:

"E. Oklahoma Avenue at S. Clement Avenue right lane must turn right eastbound and westbound"

Part 3. Section 101-13-8 of the Code relating to School Speed 20 MPH is amended by adding the following:

On W. Vliet Street from N. 26th Street to N. 29th Street

On W. Edgerton Avenue from S. 19th Street to S. 21st Street

Part 4. Section 101-15 of the Code relating to Yield signs is amended by striking the following:

"On N. 65th Street at W. Carmen Avenue"

Part 5. Section 101-16-1 of the Code relating to Stop signs is amended by adding the following:

On N. 65th Street at W. Carmen Avenue

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

3) [000214](#) 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 east side of N. Water Street from a point 168 feet north of E. Clybourn Street to E. Michigan Street at any time"

"On the east side of S. 2nd Street from the Menomonee River to a point 187 feet south thereof at any time"

"On the south side of W. Wright Street from a point 115 feet east of the east curb line of N. 6th Street to the alley east thereof at any time"

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

On the west side of N. 82nd Street from W. Nash Street to W. Vienna Avenue on regular school days between 7:30 AM and 4:30 PM

In the alley bounded by S. Layton Boulevard, S. 28th Street, W. Mitchell Street and W. Lapham Street

Part 3. Section 101-23-4-c of the Code relating to One Hour Parking is amended by striking the following:

"On N. Van Buren Street between E. Michigan and E. Clybourn Streets"

"On the west side of S. 1st Street from W. Maple Street to W. Anderson Street except in No Parking areas"

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

"On the south side of W. Virginia Street between S. 5th Street and S. 6th Street"

"On the south side of W. Vine Street between N. 2nd Street and N. 4th Street"

"On N. 2nd Street from W. Vine Street to W. Garfield Avenue from 7:00 AM to 7:00 PM except Sunday"

"On W. Center Street between N. 35th and N. 39th Streets"

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

On the east side of N. Murray Avenue from E. North Avenue to a point 100 feet north

Part 6. Section 101-23-8 of the Code relating to Taxi Stands is amended by striking the following:

"On the south side of E. Wisconsin Avenue from a point 35 feet east of the east curb line of E. Marshall Street (to the south) to a point 120 feet east of the east curb line of N. Marshall Street (to the south)"

Part 7. Section 101-23-9 of the Code relating to No Parking Trucks Three Tons or Over is amended by adding the following:

On W. Flagg Avenue from N. 91st Street to N. 94th Street

On the north side of W. Silver Spring Drive from N. 91st Street to W. Appleton Avenue

Part 8. Section 101-23-10-a of the Code relating to Winter Parking is amended by striking the following:

"On the east side of N. 12th Street from W. Capitol Drive to W. Hope Avenue"

"On the east side of N. 18th Street from W. Capitol Drive to W. Fiebrantz Avenue"

"On the west side of N. 18th Street from W. Olive Street to W. Congress Street"

"On the east side of N. 19th Street from W. Capitol Drive to W. Congress Street"

"On the east side of N. 20th Street from W. Atkinson Avenue to W. Olive Street except Sunday from 7:00 AM to 1:00 PM"

"On the west side of N. 21st Street from W. Atkinson Avenue to W. Olive Street"

"On the west side of N. 19th Place from W. Hope Avenue to W. Congress Street"

Part 9. Section 101-23-10-c of the Code relating to Winter Parking is amended by striking the following:

"On the west side of N. 19th Place from W. Nash Street to W. Vienna Avenue"

"On the east side of N. 19th Place from W. Vienna Avenue to W. Capitol Drive"

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

- 4) [991752](#) Substitute resolution authorizing the Commissioner of Public Works to extend Contract Number C940032 with Waste Management, Inc., for provision of transfer station and self-help center operation with associated hauling and disposal services. Whereas, Contract C940032, dated March 23, 1994, between the City of Milwaukee and Waste Management, Inc., ("contractor") is for the provision of transfer station and self-help center operation with associated hauling and disposal services; and

Whereas, Section 1.3 of Contract C940032 provides for the contractor to operate transfer and self-help stations from July 1, 1994, through June 30, 2001, with "the City's sole option to renew for up to three one-year periods"; and

Whereas, Section 1.14 of Contract C940032 provides that the "terms of the contractual relations between the parties may be subject to renegotiation at the request of either the City or the Contractor"; and

Whereas, Waste Management, Inc., has proven to be a very competent contractor to this point, operating both transfer stations and self-help stations at a high professional standard; and

Whereas, Waste Management, Inc., has agreed to forego any inflation increase in the transfer and disposal contract during the three one-year option periods and will absorb any additional state-imposed environmental fees up to \$2 per ton; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is authorized to execute the three-year extension option within Contract C940032 for provision of transfer station(s) and self-help center(s) operation with associated hauling and disposal services, extending the term of the contract to June 30, 2004.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 5) [000321](#) Substitute resolution authorizing the City's participation in the "Keep Kids Alive: Drive 25" program on a pilot basis.

Whereas, "Keep Kids Alive: Drive 25" (KKA:D25) is a neighborhood-centered safety initiative intended to reduce the speed of traffic in residential neighborhoods; and

Whereas, Since being started in Omaha, Nebraska, 150 communities in 38 states have either been in contact with or have begun participating in KKA:D25; and

Whereas, There are 3 neighborhoods in the 13th Aldermanic District that appear likely to benefit from KKA:D25; and

Whereas, Representatives of the Milwaukee Police Department's 6th District have expressed a willingness to monitor traffic patterns in these neighborhoods before, during and after the implementation of KKA:D25 to help evaluate its effectiveness; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council authorizes the appropriate City officials to participate in a pilot KKA:D25 program in the 13th Aldermanic District including the purchase of needed yard and street signs sold by the program; and, be it

Further Resolved, That this program will end on December 31, 2000; and, be it

Further Resolved, That the Milwaukee Police Department is requested to prepare a report on the program's effectiveness by February 1, 2001.

Sponsors: Ald. Pawlinski

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 6) [000435](#) Resolution amending Common Council File No. 980376 for acceptance of additional funding for a Brownfields Assessment Demonstration Grant. (DCD)

Whereas, The Common Council of the City of Milwaukee approved the acceptance and funding of a Brownfields Assessment Demonstration Grant from the United States Environmental Protection Agency ("Grantor") under File No. 980376 adopted July 7, 1998, with a Grantor Share of \$200,000 and an In-Kind City Share of \$545,000; and

Whereas, The City of Milwaukee ("City") appears to be eligible for additional grant funds from the United States Environmental Protection Agency in the amount of \$150,000 with no increase in the In-Kind City Share amount; and

Whereas, The Department of Administration, Intergovernmental Relations Division, has determined that operation of this Grant program from October 1, 1998 to May 1, 2002 will cost approximately \$895,000, of which \$350,000 or 40 percent will be provided by the Grantor; and

Whereas, The In-Kind City Share of this Grant program, \$545,000 or 60 percent, will be provided from the following sources:

In-Kind City Share: \$545,000

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

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

; and

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

Resolved, By the Common Council of the City of Milwaukee that acceptance of said Grant from the United States Environmental Protection Agency under the terms specified above, to be administered by the Department of City Development, is authorized; and, be it

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

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue - Grant and Aid Projects Fund, the following amounts for the program titled Brownfields Assessment Demonstration Grant:

Project/Grant:	GR0000000000
Fund:	0150
Org:	9990
Program:	0001
By:	0000
Subclass:	R999
Account:	000600
Project:	Grantor Share
Amount:	\$350,000

2. Create the necessary Project and Project Level Values and budget to these project values, the amounts required under the Grant Agreement.

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

Further Resolved, That these funds are budgeted for the Department of City Development which is authorized to:

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

Further Resolved, That the funds received from the United States Environmental Protection Agency be deposited in accordance with procedures established by the City Comptroller; and, be it

Further Resolved, That the Commissioner of the Department of City Development shall have the authority to authorize transfers within the program budget so the amount expended for any purpose shall not exceed the amount authorized by the budget by 10 percent and such transfers are in accordance with Grantor regulations; and, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

7) [000442](#) Resolution relative to application, acceptance and funding of the Tobacco Control Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services for expanding on the youth driven "Crossing Out Smoking" campaign to prevent tobacco use among the City's youth; and

Whereas, The operation of this grant project from 06/01/00 to 12/31/00 would cost \$14,845 entirely provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the State of Wisconsin Division of Health and Family Services is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 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 2000 Special Revenue Accounts-Grant and Aid Projects, the following amount for the project titled Tobacco Control Grant:

Project/Grant	GR00000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$14,845

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 appropriated to the Health Department which is authorized to:

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

8) [000443](#)

Resolution relative to application, acceptance and funding of the Melvin School-Based Tobacco Prevention Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services for expanding supplemental materials for the tobacco segment in the Life Skills curriculum in MPS middle schools; and

Whereas, The operation of this grant project from 07/01/00 to 06/30/01 would cost \$1,000 entirely provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the State of Wisconsin Division of Health and Family Services is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 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 2000 Special Revenue Accounts-Grant and Aid Projects, the following amount for the project titled Melvin School Based Tobacco Prevention Grant:

Project/Grant	GR00000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000

Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$1,000

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

3. Establish the necessary City share project values; and, be it

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

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

[000445](#)

Resolution relative to acceptance and funding of the Coordinated Community Response Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the U.S. Department of Justice, Violence Against Women Grants Office through the State of Wisconsin Office of Justice Assistance for enhancing and expanding the coordinated community response; and

Whereas, The operation of this grant project from 07/01/00 to 02/29/01 would cost \$71,707 of which \$17,927 (25%) would be provided by the city and \$53,780 (75%) would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

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

Project/Grant	GR0000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$53,780

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:

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

10) [000446](#) Resolution relative to application, acceptance and funding of the SURVNET Grant. (Health Department)

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

Whereas, The operation of this grant project from 07/01/00 to 06/30/01 would cost \$38,700 entirely provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the project/grant parent account of the 2000 Special Revenue Grant and Aid Projects, the following amounts for the project titled SURVNET Grant:

Project/Grant	GR0000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$38,700

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

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

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

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

2. Expend from the 2000 grant budget funds for training and out-of-town travel by departmental staff.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 11) [000448](#) Resolution relative to application for the Lead Hazard Reduction Grant. (Health Department)
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the U.S. Department of Housing and Urban Development to support a third phase of community and housing based primary lead prevention in Milwaukee; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the U.S. Department of Housing and Urban Development is authorized.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 12) [000449](#) Resolution relative to application, acceptance and funding of the Congenital Disorders Grant. (Health Department)
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin, Department of Health and Family Services, to screen newborns for metabolic and endocrine disorders; and

Whereas, The operation of this grant project from the State of Wisconsin Department of Health and Family Services to the Health Department would cost \$124,156 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	GR000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$124,156

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 2000 grant budget funds for training and out-of-town travel by departmental staff.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

13) [000451](#) Resolution relative to acceptance and funding of a Childhood Lead Poisoning Prevention Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services for comprehensive and coordinated service delivery to lead-poisoned children; and

Whereas, The operation of this grant project from 07/01/00 to 06/30/01 would cost \$530,000 provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to commit funds within the Project/Grant Parent 2000 Special Revenue Grant and Aid Project fund, the following amount for the project titled Childhood Lead Poisoning Prevention Grant:

Project/Grant	GR0000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$530,000

; 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 2000 grant budget funds for specific items of equipment.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 14) [000466](#) Resolution relative to application, acceptance and funding of a 2001 Recycling grant. (Sanitation)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Natural Resources for the continuation of its recycling program; and

Whereas, The operation of this grant project from January 1, 2001, through December 31, 2001, will cost \$10,133,143, of which \$7,318,473 (72%) will be provided by the City and \$2,814,670 (28%) will be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is authorized to apply for and accept a 2001 recycling Grant from the Wisconsin Department of Natural Resources without further approval, unless the terms of the grant change as provided in Common Council File Number 87-2120 (Grant and Aid Guidelines; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Encumber in the parent accounts of the 2001 Special Revenue Accounts-Grant and Aid Projects the following amounts for the project entitled Recycling Grant:

Project Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Sub Class	R999
Account	000600
Project	Grantor Share
Amount	\$2,814,641

2. Create a Special Revenue Fund-Grant and Aid Projects and the necessary expenditure and revenue accounts, appropriate to these accounts the amounts required under the Grant Agreement, and transfer the corresponding offsetting estimated revenue; and

3. Establish the necessary Grant and Aid performance submeasures; and, be it

Further Resolved, That these funds are appropriated to the Department of Public Works, which is authorized to:

(1) Expend the amount appropriated sums for specified purposes as indicated in the program budget;

(2) Transfer funds within the project budget as long as the amount expended for each specific purpose does not exceed the amount authorized by the budget by ten percent (10%);

(3) Expend from 2001 project budget funds for specific items of equipment as indicated in the program budget; and

(4) Enter into subcontracts and leases as detailed in the project budget.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 15) [000467](#) Resolution relating to the deposit and return of good faith funds and interest to bidders responding to the Request for Proposal for purchase of 3 City-owned parking lots. (DPW)

Whereas, Common Council File Number 990948, adopted by the Common Council on December 17, 1999, authorized the release of the Request for Proposal (RFP) for the purchase of 3 City-owned parking lots; and

Whereas, The RFP required each bidder to submit a good faith deposit of either cash or letter of credit equal to 2.5% of the bid price at the time of bid and an additional 2.5% of the bid price in order to participate in the negotiation process; and

Whereas, In both the RFP and escrow agreements signed at the time of the initial deposits, the City agreed to deposit these funds in a government insured, interest-bearing account; and

Whereas, In these same documents, the City agreed to pay the interest from the date these funds were received by the Department of Public Works to the date these funds were returned to the bidders; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are authorized to deposit good faith funds from bidders responding to the Request for Proposal for the purchase of 3 City-owned parking structures into a segregated, interest-bearing account; and, be it

Further Resolved, That the proper City officials are also authorized to return to the bidders the principal and interest earned from the date of deposit to the date the

principal is returned.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 16) [000477](#) Resolution authorizing the Milwaukee Police Department to accept contributions to fund a Community Safety Coalition. (Police Department)
- Whereas, Section 304-24 of the City of Milwaukee Code of Ordinances regulates the receipt, appropriation and expenditure of contributions received by the City; and
- Whereas, The Police Department has organized a Community Safety Coalition to bring all members of the community together in a strategic planning process aimed at developing collaborative crime-reduction initiatives in the inner city; and
- Whereas, The Police Department's partners in this coalition have agreed to provide monetary support to defray the costs of the coalitions' activities; and
- Whereas, The Community Safety Coalition will be a vehicle for developing collaborative initiatives to prevent and reduce crime in the City of Milwaukee; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Police Department is authorized to accept up to \$10,000 in contributions and to expend such funds in accordance with Section 304-24 and established City policies and procedures, as well as any intent expressed in writing by any contributors; and, be it
- Further Resolved, That upon receipt and deposit of these funds, the City Comptroller is authorized and directed to establish a Special Account within the Police Department's budget for the expenditure of this contribution; and, be it
- Further Resolved, That the City Comptroller is authorized and directed to transfer appropriations and estimated revenue from the Contribution Fund - General, Account number 0001-2110-0001-D001-006300, and the estimated revenue account for Contributions, Account Number 0001-2110-0001-009850 to the Police Department's special account 0001-3310-0001-Dxxx-006800 and the Police Department's estimated revenue account 0001-3310-0001-009850 up to the amount of \$10,000.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

17) [000480](#) Resolution directing the Department of City Development to prepare and implement a marketing plan for the sale and redevelopment of two parking lots in the 3rd Aldermanic District. (DCD)

Whereas, The City of Milwaukee ("City") owns surface parking lots in the 3rd Aldermanic District that may represent latent economic development opportunity; and

Whereas, The Department of City Development ("DCD") has reviewed the inventory of parking lots to assess the extent to which each serves area businesses and residents and has reviewed the gross income derived from meters and leases; and

Whereas, The DCD has concluded that the City may realize greater financial benefit in the short term from the sale of such lots and in the long term from taxable investments which can be made thereon; and

Whereas, The DCD recommends, with concurrence from the Eastside Business Improvement District and the East North Avenue Association, that the following two lots be offered for sale for redevelopment that is compatible with the neighborhood in terms of land use and urban design:

1910 East North Avenue (Part, rear frontage at Cramer and Thomas Streets)
Residential use preferred - 11,176 square feet Estimated Fair Market Value - \$55,900

2353 North Farwell Avenue Small scale mixed-use preferred - 14,015 square feet
Estimated Fair Market Value - \$98,100

; and

Whereas, The DCD has formulated a marketing plan that generally includes the following elements:

1. Create a listing (property information sheet) for each parcel that illustrates physical and locational attributes.
2. Indicate the City's preferred use(s) for each parcel, in addition to those which are allowable by zoning.

3. Specify urban design requirements unique to each parcel, for example, the minimum number of stories, appropriate scale, type of exterior materials, etc.
4. Advertise in major print media outlets and do direct marketing to the real estate development and brokerage community.
5. Invite options to purchase with proposals to redevelop the parcels for a 45-day period.
6. Pay brokers a full commission of 10 percent of the purchase price on qualified transactions.
7. Permit the Commissioner of the Department of City Development to accept Offers, without further Common Council action, generally based upon the Offer amount, proposed level of investment, project schedule, quality of design, and the developer's financial ability and experience; 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 implement the marketing plan as set forth above; and, be it

Further Resolved, That the future revenue derived from sales shall be credited to the Parking Fund or such other account as may be designated by the Commissioner of Public Works and/or the City Comptroller, less a 15 percent marketing and development fee credited to the Redevelopment Authority of the City of Milwaukee.

Sponsors: Ald. D'Amato

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

18) Various Appointments or Reappointments:

- a) [000222](#) Appointment of Antonia Vann to the Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- b) [000249](#) Appointment of Anita O'Connor to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- c) [000250](#) Appointment of Bagwajikwe Madosh to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (8th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- d) [000253](#) Appointment of State Representative Christine Sinicki to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (14th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- e) [000306](#) Appointment of Stormy Walker to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- f) [000347](#) Appointment of Captain Debra Davidoski to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Chief of Police.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- g) [000396](#) Appointment of Jim Plaisted to the Bicycle Task Force by the Mayor. (5th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- h) [000397](#) Appointment of Michael Loughran to the Bicycle Task Force by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- i) [000398](#) Appointment of Robert Wagler to the Bicycle Task Force by the Mayor. (9th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- j) [000399](#) Appointment of Saji Thomas Villoth to the Bicycle Task Force by the Mayor. (17th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- k) [000400](#) Reappointment of Olusegun Sijuwade to the Bicycle Task Force by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- l) [000411](#) Reappointment of Dale Radke to the Safety Commission by the Mayor. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 19) [000170](#) A substitute ordinance relating to installation of stop signs by schools and parks.

Sponsors: Ald. Bohl

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 20) [000198](#) Substitute resolution authorizing the Milwaukee Police Department to accept Asset Forfeiture Equitable Sharing funds from the United States Postal Service for official use in furthering law enforcement objectives.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 21) [000362](#) Communication from the Comptroller's office transmitting a report on the Audit of Milwaukee Police Department Property Control Section.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 22) [000426](#) An ordinance relating to graffiti vandalism on certain kinds of property and providing a penalty.

Sponsors: Ald. Sanchez

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [000440](#) Resolution relative to application, acceptance, and funding of a State of Wisconsin Department of Commerce Economic Development Grant for remediation and economic redevelopment projects in the Menomonee Valley. (DCD)
- Whereas, The City of Milwaukee ("City") appears to be eligible for grant funds from the State of Wisconsin Department of Commerce for remediation and economic redevelopment in the Menomonee Valley; and

Whereas, The Department of Administration, Intergovernmental Relations Division, has determined that operation of this Grant program from August 1, 2000 to July 31, 2002 would cost approximately \$1,800,000, of which \$900,000 or 50 percent would be provided by the Grantor; and

Whereas, The Local, Non-City Share of this Grant program, \$900,000 or 50 percent, will be provided from the grant recipients:

In-Kind City Share: \$-0-

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

Local, Non-City Share: \$900,000

; and

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

Resolved, By the Common Council of the City of Milwaukee that acceptance of said Grant from the State of Wisconsin Department of Commerce under the terms specified above, to be administered by the Milwaukee Economic Development Corporation ("MEDC") in cooperation with the Department of City Development, is authorized; and, be it

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

1. The purpose of such Grant program is significantly changed.
2. The amount of the Out-of-Pocket City Share increases from the amount specified above.

3. The ratio of Out-of-Pocket City Share to Grantor's Share increases from that specified above; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue - Grant and Aid Projects Fund, the following amounts for the program titled State of Wisconsin Economic Development Grant:

Project/Grant: GR0000000000 Fund: 0150 Org: 9990 Program: 0001 By: 0000
Subclass: R999 Account: 000600 Project: Grantor Share Amount: \$900,000

2. Create the necessary Project and Project Level Values and budget to these project values, the amounts required under the grant agreement.

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

Further Resolved, That these funds are budgeted for the Department of City Development which is authorized to:

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

Further Resolved, That the funds received from the State of Wisconsin Department of Commerce be deposited in accordance with procedures established by the City Comptroller; and, be it

Further Resolved, That the Commissioner of the Department of City Development shall have the authority to authorize transfers within the program budget so the amount expended for any purpose shall not exceed the amount authorized by the budget by 10 percent and such transfers are in accordance with grantor regulations; and, be it

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

- 2) [991935](#) Appointment of Tom Dienhart to the Business Improvement District Board No. 19 (Villard Avenue) by the Mayor. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 3) [000384](#) Reappointment of Richard Wiegand to the Business Improvement District Board No. 10 (Avenues West) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 4) [000363](#) Communication from the Comptroller's office transmitting a report entitled Audit of City of Milwaukee Department of Public Works Residents Preference Program.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 5) [000474](#) Communication from the Department of Public Works transmitting their 1999 Resident Preference Program Report.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000051](#) Ordinance relating to a change in zoning from Parking (P/C/60) and Multi-Family Residence (R/B/60) to a General Planned Development (GPD) known as Center for Independence, on land located on the South Side of West Kilbourn Avenue and West of North 20th Street, in the 4th 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)(a).0062.

(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 subject General Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for the area bounded by the centerline of West Kilbourn Avenue, the centerline of North 20th Street, the centerline of West Wells Street and the centerline of North 21st Street.

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

Part 2. Any persons, firm, company or corporation owning, controlling, or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who

shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. In accordance with the provisions of Section 295-815 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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 2) [000155](#) Substitute ordinance relating to a change in zoning from Multi-Family Residence (R/D/40) and Manufacturing (M/D/40) to a General Planned Development (GPD) known as Wilson Commons Senior Living Community, on land located on the West Side of South 13th Street and North of West Bolivar Avenue, in the 13th Aldermanic District.

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

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

Section 295-810(2)(a).0064.

(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 subject General Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for the area bounded by the centerline of South 13th Street, a line 518 feet North and parallel to the north line of West Bolivar Avenue, a line 222.04 feet West and parallel to the west line of South 13th Street, the northwest line of the southeast branch of the Kinnickinnic River, a line 939.95 feet West and parallel to the west line of South 13th Street, a line 1123.53 feet North and parallel to the north line of West Bolivar Avenue, a line 1163.53 feet North and parallel to the north line of West Bolivar Avenue and a line 700 feet West and parallel to the west line of South 13th Street.

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

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

Part 3. In accordance with the provisions of Section 295-815 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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 3) [000197](#) An ordinance relating to terminating the interim designation of structures as historic.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 308-81-10.5-g of the code is amended to read:

308-81. Historic Preservation Commission.

10.5. INTERIM DESIGNATION.

g. Recommendation. The interim designation of a structure shall be for a period not to exceed 180 days. Within 90 days of the date of the initiation of the interim designation, the commission shall hold the hearing described in sub. 8-a regarding the structure and forward its recommendations to the common council. During the period of interim designation, which shall run for 180 days except in cases where the common council has taken final action on the commission's recommendation of the structure prior to 180 days, sub. 9 shall apply to the subject structure. >>The interim designation of any structure shall immediately be terminated if, while the interim designation is in effect, the historic preservation commission decides, pursuant to sub. 8, not to designate the same structure as historic.<<

Sponsors: Ald. Henningsen

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 4) [000292](#) Ordinance relating to an amendment to the Detailed Planned Development (DPD) 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).0149.

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

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

Part 3. 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. Gordon

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

5) [000441](#) An ordinance related to the reconsideration of historic designations.

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

Part 1. Section 308-81-8-e of the code is amended to read:

308-81. Historic Preservation Commission.

8. NOMINATION AND DESIGNATION OF HISTORIC SITES,
STRUCTURES AND DISTRICTS.

e. In cases where the commission has nominated a site, structure or area for consideration for historic designation, final action, in accordance with this subsection, shall be taken within 2 years of the date of nomination. If final action is not taken, the nomination of the site, structure or area is terminated. [[Sites, structures or areas are eligible for renomination.]]

Part 2. Section 308-81-8-f of the code is created to read:

f. Once a nomination for historic designation has been dismissed or denied, the same site, structure or area may not be renominated unless one of the following conditions is met:

1. Two years have passed since the nomination was dismissed or denied. In such cases, the renomination shall be considered a new nomination for the purposes of this section. In cases where a nomination is terminated pursuant to par. e, the 2 years shall be counted from the date of the termination.

2. The commission is presented with substantial new evidence that could not reasonably have been presented at the previous hearing. In such cases, this evidence, including photographs, shall be accompanied by an appropriate application form. No such renomination shall take place without the affirmative vote of a majority of the members of the commission.

3. All renominations shall be subject to the same notice requirements as the original public hearings.

Sponsors: Ald. D'Amato

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

Aye: 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Hines Jr.

No: 1 - Murphy

ADOPTION OF THE FOLLOWING:

- 6) [990397](#) Substitute resolution approving the final plat for Phase I for Cherokee Point, on land located East of South 43rd Street and South of West Morgan Avenue, in the 11th Aldermanic District.

Resolved, By the Common Council of the City of Milwaukee that the final plat for Cherokee Point, Phase I, being a redivision of Parcels 1, 2 and 3 of Certified Survey Map No. 5433, being a part of the Northwest 1/4 and the Southwest 1/4 of Section 13, Township 06 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved; and, be it

Further Resolved, That upon completion and approval of the public improvements for the subdivision by the City of Milwaukee, the final plat for Phase I of Cherokee Point will be recorded.

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 7) Various resolutions amending the disposition of surplus, improved, tax-deed properties in the 1st, 10th and 17th Aldermanic Districts:

- a) [000414](#) Resolution amending the disposition of the surplus, improved, tax-deed property located at 2812 West Lisbon Avenue, in the 17th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 000212, adopted on June 13, 2000, declared surplus and directed that the Department of City Development sell 2812 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 affordable housing and 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 2812 West Lisbon Avenue, Tax Roll Key No. 349-0954-000-5, 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. 0001-334106; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or 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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- b) [000419](#) Resolution amending the disposition of the surplus, improved, tax-deed property located at 4428-30 North 27th Street, in the 1st Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 990746, adopted on September 28, 1999, declared surplus and directed that the Department of City Development sell 4428-30 North 27th Street via the open listing method; and

Whereas, The Neighborhood Improvement Development Corporation, a nonprofit organization, has offered to purchase said property for \$1.00 for eventual resale to the tenant as an owner-occupant; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell 4428-30 North 27th Street, Tax Roll Key No. 231-0814-000-3, to the Neighborhood Improvement Development Corporation at a fixed price of \$1.00; and, be it

Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said property and

that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or 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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- c) [000421](#) Resolution amending the disposition of the surplus, improved, tax-deed property located at 3049 North 27th Street, in the 10th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 991536, adopted on February 8, 2000, declared surplus and directed that the Department of City Development sell 3049 North 27th Street via the open listing method; and

Whereas, The Neighborhood Improvement Development Corporation, a nonprofit organization, has offered to purchase said property for \$1.00 for eventual resale to the tenant as an owner-occupant; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell 3049 North 27th Street, Tax Roll Key No. 309-0105-000-3, to the Neighborhood Improvement Development Corporation at a fixed price of \$1.00; and, be it

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

Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or 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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 8) [000423](#) Resolution approving the Land Disposition Report for the property at 1735 West State Street for sale to Gregory and Joan Orłowski for use as open space for their adjacent property, in the 17th Aldermanic District. (Redevelopment Authority)
Whereas, On June 29, 2000, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated June 29, 2000, with respect to the proposed sale of the following property is approved.

PROJECT

Blight Elimination

PARCEL NUMBER

Disposition Parcel No. 390-23-01

PARCEL ADDRESS

1735 West State Street

REDEVELOPER

Gregory and Joan Orłowski

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ALD. HENNINGSEN moved for separate action.

The motion prevailed.

- 9) [000439](#) Resolution approving Amendment No. 1 to the Renewal Plan for the Milwaukee Road Shops Redevelopment Project in the 8th and 16th Aldermanic Districts, including the designation of parcels within the project area for acquisition, and approving the designation of an adjacent blighted parcel, not in the project area, for acquisition. (Redevelopment Authority)

Whereas, On May 11, 1989, the Redevelopment Authority of the City of Milwaukee ("Authority") and on June 6, 1989, the Common Council of the City of Milwaukee ("Council") adopted a Renewal Plan for the Milwaukee Road Shops Redevelopment Project ("Renewal Plan"); and

Whereas, On August 10, 1998, pursuant to Section 62.23, Wisconsin Statutes, the City Plan Commission adopted the Market Study, Engineering, and Land Use Plan for the Menomonee Valley ("Valley Plan") as part of the Comprehensive Plan of the City of Milwaukee, and on September 23, 1998, the Council formally approved the Valley Plan; and

Whereas, The Authority desires to modify the Renewal Plan to conform to the Valley Plan and to designate parcels within and adjacent to the project area for acquisition; and

Whereas, On June 29, 2000, following a public hearing held per Section 66.431, Wisconsin Statutes, the Authority approved Amendment No. 1 to the Renewal Plan and transmitted Amendment No. 1 to the Council for its approval; and

Whereas, On June 29, 2000, following a public hearing held per Section 66.431, Wisconsin Statutes, the Authority determined the property at 300 South 27th Street (Tax Key No. 4259982100) to be blighted within the meaning of Section 66.431(4) (bm), Wisconsin Statutes, and requested Council approval of acquisition of the property as a Spot Acquisition Project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Amendment No. 1 to the Renewal Plan for the Milwaukee Road Shops Redevelopment Project Area, a copy of which is attached to this Common Council File as Exhibit 1, is in all respects approved per Section 66.431(11)(b), Wisconsin Statutes; and, be it

Further Resolved, That the Spot Acquisition Project known as 300 South 27th Street (Tax Key No. 4259982100), further identified in Exhibit 2, a copy of which is attached to this Common Council File, is approved; and, be it

Further Resolved, That the City Clerk is authorized and directed to transmit to the Authority a certified copy of this resolution for recording in the office of the Register of Deeds of Milwaukee County.

Sponsors: THE CHAIR

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

Aye: 14 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Sanchez, Pawlinski, Murphy Hines Jr.

No: 3 - Scherbert, Breier Nardelli

Sponsors: THE CHAIR

A motion was made by Ald. Sanchez that this matter be RECONSIDERED AND ENTERED IN JOURNAL. The motion carried by the following vote:

Aye: 5 - Cameron, Scherbert, Sanchez, Breier Nardelli

No: 12 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Pawlinski, Murphy Hines Jr.

(Requires 1/5 vote of members present)

10) [000231](#) Substitute resolution approving final certified survey maps.

Resolved, By the Common Council of the City of Milwaukee, that the following final certified survey map be and hereby is approved:

Name	Tax Key Number
Riaz Mian	469-9999-100-9, -1302-6
Jacobus Development Co.	076-0061-1

Sponsors: THE CHAIR

ALD. HENNINGSEN moved to offer a substitute in lieu of the substitute recommended by the Zoning, Neighborhoods and Development Committee.

The motion prevailed.

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

11) [000417](#) Resolution declaring as surplus and approving the sale of the tax-deed property located at 2941-55 North Humboldt Boulevard for residential redevelopment and accessory uses, in the 3rd Aldermanic District. (DCD-Real Estate)

Whereas, The City of Milwaukee acquired 2941-55 North Humboldt Boulevard in a tax foreclosure action on September 24, 1998; and

Whereas, Subsequent to foreclosure, the Department of City Development was presented with two Offers to Purchase part of the real estate from adjoining property owners as follows:

1. From Peter H. Wolbersen, doing business as The Tracks, an Offer to Purchase for \$1,000 the remaining southerly frontage along Humboldt Boulevard beginning 27 feet south of the building to provide parking and vehicular access to his adjacent business.

2. From Rainmaker, Inc., also known as Andy Busalacchi, an Offer to Purchase for \$250,000 the former manufacturing building containing approximately 34,000 square feet for conversion to 30-35 residential units at an estimated cost of \$3,000,000; and

Whereas, The Department of City Development recommends sale of the property with closing subject to its review and approval of final site and building plans and receipt of evidence of financing commitments to undertake and complete the projects; and

Whereas, The City Plan Commission has determined that this real estate is surplus to the City's needs; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the property located at 2941-55 North Humboldt Boulevard, Tax Key 281-1052-100-8, is declared surplus; and, be it

Further Resolved, That the Offers to Purchase from the adjoining property owners are accepted for the purposes and under the terms and conditions as described above; and, be it

Further Resolved, That the proceeds from these sales shall be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106, less a 15 percent marketing and development fee to be credited to the Redevelopment Authority of the City of Milwaukee.

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 12) [000420](#) Resolution approving the redevelopment of the Fondy Food Market at 2144-48 and 2200 West Fond du Lac Avenue by the Fondy Food Center, Inc., in the 7th Aldermanic District. (Redevelopment Authority)
- Whereas, On May 1, 1979, the Common Council of the City of Milwaukee adopted File No. 78-1968-a that approved the Redevelopment Plan for the North 22nd Street - West Fond du Lac Avenue Redevelopment Project Area and resulted in the development of the Fondy Market at 2200 West Fond du Lac Avenue by the City of Milwaukee ("City"); and
- Whereas, The Fondy Food Center, Inc., an entity created by the Hunger Task Force of Milwaukee, desires to acquire the City-owned Fondy Market and a property at 2144-48 West Fond du Lac Avenue to redevelop the combined properties with a public market; and
- Whereas, On July 8, 1999, the Redevelopment Authority of the City of Milwaukee ("Authority") approved the change in acquisition status of the property at 2144-48 West Fond du Lac Avenue to facilitate this development and the acquisition is currently in process; and
- Whereas, The Authority recommends that it acquire the Fondy Market from the City as part of the North 22nd Street - West Fond du Lac Avenue Redevelopment Project and subsequently convey this property and the property at 2144-48 West Fond du Lac Avenue after it is acquired by the Authority for the redevelopment of the market; and
- Whereas, On June 8, 2000, the Authority held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and
- Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the Fondy Market at 2200 West Fond du Lac Avenue is declared surplus to municipal needs and shall be conveyed to the Redevelopment Authority of the City of Milwaukee for disposition

as part of the North 22nd Street - West Fond du Lac Avenue Redevelopment Project; and, be it

Further Resolved, That the Land Disposition Report dated June 29, 2000, with respect to the proposed sale of the following described parcels is approved.

PROJECT

North 22nd Street - West Fond du Lac Avenue

ADDRESSES

2144-48 West Fond du Lac Avenue

2200 West Fond du Lac Avenue

REDEVELOPER

Fondy Food Center, Inc.

; and, be it

Further Resolved, If additional land adjacent to the new market becomes City-owned because of the realignment of West Meinecke Avenue, the proper City officials are authorized to execute a deed to convey such land to the Fondy Food Center, Inc. without monetary consideration.

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 13) [000436](#) Resolution authorizing commencement of tax foreclosure actions on the property located at 2963 North Humboldt Boulevard and the subsequent conveyance of interest therein under Section 75.106, Wisconsin Statutes, in the 3rd Aldermanic District. (DCD)

Whereas, The property located at 2963 North Humboldt Boulevard is eight years tax delinquent, vacant, poorly maintained and a blight on the neighborhood; and

Whereas, The City of Milwaukee ("City") has deferred foreclosure action on this

property due to suspected environmental contamination and the very limited, if any, redevelopment potential afforded by it; and

Whereas, Rainmaker, Inc., also known as Andy Busalacchi, has proposed to acquire this property from the City if the City should elect to foreclose on it and to redevelop it in conjunction with an adaptive re-use of the adjoining manufacturing facility to create 30-35 residential units at an estimated taxable value of \$3,500,000; and

Whereas, The Departments of Health and City Development have researched land use history and Department of Natural Resources records and based upon those investigations, recommend foreclosure due to the fact that certain remedial actions have already taken place and that the buyer will indemnify the City from and against any claims related to the existing environmental condition; and

Whereas, The Department of City Development recommends the conveyance of foreclosure interest in the property to Rainmaker, Inc., as provided for under Section 75.106, Wisconsin Statutes, without monetary compensation, provided that Rainmaker, Inc., enters into an environmental liability indemnification agreement satisfactory to the City Attorney; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Treasurer is authorized and directed to commence expedited tax foreclosure proceedings against the property located at 2963 North Humboldt Boulevard; and, be it

Further Resolved, That the Department of City Development and the City Attorney are authorized and directed to enter into negotiations for the conveyance of the City's foreclosure interest in said property to Rainmaker, Inc., also know as Andy Busalacchi, pursuant to Section 75.106, Wisconsin Statutes, for residential redevelopment purposes; and, be it

Further Resolved, That the Department of City Development is authorized to contract for Phase 2 Environmental Investigation necessary to facilitate the transaction, the cost of which shall be charged to the Environmental Testing and Remediation Special Purpose Account No. S126.

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, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 14) [990969](#) Resolution establishing design guidelines for the Site Plan Review Overlay District as established by Section 295-91.0037 of the Milwaukee Code of Ordinances and located on the Northeast corner of West Florist Avenue and North 73rd Street, in the 2nd Aldermanic District. (DCD)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Henningsen that this matter be PLACED ON FILE.**
- The motion carried by the following vote:**
- Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- 15) [991279](#) Resolution amending the disposition and sales price of the surplus, improved, tax deed property located at 323-25 North 30th Street, in the 4th Aldermanic District. (DCD-Real Estate)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Henningsen that this matter be PLACED ON FILE.**
- The motion carried by the following vote:**
- Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- 16) [991961](#) Resolution relating to the disposition of the city-owned vacant lot located at 3017 North 14th Street in the 10th Aldermanic District.
- Sponsors:** Ald. Butler
- A motion was made by Ald. Henningsen that this matter be PLACED ON FILE.**
- The motion carried by the following vote:**
- Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- 17) [991962](#) Resolution relating to the disposition of the city-owned vacant lots located at 1330 and 1334 West Burleigh Street in the 10th Aldermanic District.
- Sponsors:** Ald. Butler
- A motion was made by Ald. Henningsen that this matter be PLACED ON FILE.**
- The motion carried by the following vote:**

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 18) [000438](#) Resolution permitting a minor modification to the Detailed Planned Development for Avis Rent-a-Car, located at 5252 South 3rd Street, in the 13th Aldermanic District. (DCD)

Sponsors: Ald. Pawlinski

A motion was made by Ald. Henningsen that this matter be PLACED ON FILE.

The motion carried by the following vote:

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [000457](#) Substitute resolution relative to community development funding for Large Impact Development (LID) projects.
- Whereas, The Community Development Committee on July 12, 2000 approved the extension of several funded Large Impact Development projects; and
- Whereas, The Community Development Committee also approved the amended Large Impact Development funding policy and included an additional funding cycle; now, therefore, be it
- Resolved That Community Block Grant Administration will implement the amended LID funding procedures for all future LID funding cycles as indicated in the attached amendment (Exhibit A); and, be it
- Further Resolved, That the Community Block Grant Administration will have a separate allocation of LIDS for the year 2001 to coincide with the regular CDBG LID allocation cycle as stated in (Exhibit B); and, be it
- Further Resolved, That the Community Block Grant Administration is responsible for execution of subrecipient contract extensions for each of the approved extended projects through November 15, 2000, as indicated in the attached letter dated July 6, 2000, (Exhibit C); 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 Grant Administration and City Comptroller of a Budget Forecast (CDA-51) ; and, be it

Further Resolved, That except as modified by this resolutions, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v are fully applicable to the 2000 Community Development Entitlement Funding Program.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 2) [000461](#) Substitute resolution to approve the use of the year 2000 reprogramming Community Development Block Grant, HOME, and Enterprise Community funds as approved by Community Development Committee.

Whereas, The Community Development Committee on July 12, 2000 approved the funding of activities noted below using the 2000 Community Development Block Grant reprogramming funds; now, therefore, be it

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

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

Further Resolved, That the Community Block Grant Administration is responsible for awarding subrecipient contracts for each of the 2000 approved activities for reprogramming as follows:

Organization Name	CDBG Funds
Community Block Grant Admin	\$ 10,000
Boys & Girls Club (NSP 13)	125,000
NSP 13 (Black Health Coalition of Wis)	50,000
(Pending resolve of outstanding Audit concerns)	
Daughters of Luke Ltd. (NSP 13)	25,000
Neighborhood Housing Services	25,000
Year 2000 LIDS	438,974
RACM (Section 108)	369,711
EOE Revolving Loan Program	129,995
Retro Pay Allocation	65,000
Economic Development Pool	50,000
OIC-GM	8,100
NSP Area 4 (Williamsburg Heights)	50,000
(RFP and NSP process required)	
Aurora Weier Education Center (LID)	150,000
Milwaukee Health Dept.	500,000
CDBG Lead Base Paint Pool	296,932
BI-Code Enforcement Internship Progr	40,000
Wisconsin Black Holocaust Museum	100,000
HACM (Friends of Housing Corp.)	50,000
Modjeska Theatre (LID)	90,000
YW Housing, Inc.	140,000
(Commitment letters must be provided)	
LID Pool (Year 2001 funding)	451,480
	HOME Funds
Walker's Point Redevelopment Corp.	\$ 48,281
	Enterprise
	Community Funds
Community Marketplace Development Inst. (CMDI)	\$ 75,000
Wisconsin Hispanic Foundation	41,687
Wisconsin Black Historical Museum (LID)	41,976

; and, be it

Further Resolved, That these projects are required to submit budget and activity reports in amounts and according to any conditions approved by the Common

Council and the Mayor, and in conformance with File Number 74-92-5v to the community Block Grant Administration and the City Comptroller for their review and approval; and, be it

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

Further Resolved, That except as modified by this resolutions, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v are fully applicable to the 2000 Community Development Entitlement Funding Program.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 3) [000358](#) Communication transmitting a report relative to City of Milwaukee Community Development Block Grant Contingency Account.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 4) [000359](#) Communication transmitting a report relative to City of Milwaukee Enterprise Community Contingency Account.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE COMMUNITY DEVELOPMENT COMMITTEE FURTHER RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 5) [000459](#) Substitute resolution to community development expenditures of Community Development Block Grant, HOME, Enterprise Community and other federal funds administered by CBGA.

Whereas, The Community Development Committee on July 24, 2000 approved funding for the Black Health Coalition; and

Whereas The Committee Development Committee also approved funding of HOME funds in the amount of \$624,657; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that funding be allocated to the Black Health Coalition (Exhibit A) having returned the funds to the City of Milwaukee as mentioned in their audit report. Refer to Resolution file number 000461. The award will run through December 31, 2000; and, be it

Further Resolved, That the HOME funds be allocated as outlined Exhibit B through December 31, 2000; and, be it

Further Resolved, That the these projects are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor, and in conformance with File Number 74-92 5v to the Community Block Grant Administration and the City Comptroller for the 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 Grant 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 are fully applicable to the 2000 Community Development Entitlement Funding Program.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000367](#) An ordinance to create Section 113-32.0099 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 113-32.0099 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 S.W. 1/4 Sec. 3, T.7N., R.21E. (251)

1. Alley in the block bounded by West Appleton Avenue, West Fiebrantz Avenue and North 76th Street. The vacation of a 20-foot wide alley.

3RD ALDERMANIC DISTRICT S.E. 1/4 Sec. 9, T.7N., R.22E. (280)

1. North Cambridge Avenue (east side) from East Newport Avenue to East Providence Avenue. The vacation of a portion of street right-of-way.

S.E. 1/4 Sec. 16, T.7N., R.22E. (320)

1. East Park Place (south side) from North Newhall Street east to a point. The vacation of a portion of street right-of-way.

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

1. North Astor Street from East Kane Place south to a point. The vacation of a 66-foot wide street.

4TH ALDERMANIC DISTRICT N.E. 1/4 Sec. 30, T.7N., R.22E. (390)

1. Alley in the block bounded by West Kilbourn Avenue, West State Street, vacated North 13th Street and North 14th Street. The vacation of a 15-foot wide alley and alley turn around.

6TH ALDERMANIC DISTRICT N.W. 1/4 Sec. 17, T.7N., R.22E. (312)

1. Portion of the alley in the block bounded by West Burleigh Street, West Chambers Street, North 8th Street and North 9th Street. The opening of additional alley right-of-way to a width of 20-feet.

N.E. 1/4 Sec. 20, T.7N., R.22E. (353)

1. Alleys in the block bounded by West Garfield Avenue, West North Avenue, North 4th Street and North 5th Street. The vacation of the north-south and east-west 20-foot wide alleys

2. North Hubbard Street from East Vine Street southwesterly to the south line of said 1/4 Section. The opening of a 54-foot wide street.

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

1. Southerly leg of East Reservoir Avenue from North Buffum Street southwesterly to its terminus. The vacation of a 66-foot wide street.

S.E. 1/4 Sec. 20, T.7N., R.22E. (361)

1. North Hubbard Street from North Palmer Street northeasterly to the north line of said 1/4 Section. The opening of a 54-foot wide street.

2. North Commerce Street from North Dr. Martin Luther King, Jr. Drive to West Cherry Street. The vacation of an 80-foot wide street.

3. North 2nd Street from West Cherry Street to West Pleasant Street. The vacation of an 80-foot wide street.

7TH ALDERMANIC DISTRICT N.E. 1/4 Sec. 13, T.7N., R.21E. (309)

1. West Hadley Street from North 30th Street west to its terminus. The vacation of a 60-foot wide street.

2. Alley in the block bounded by West Fond du Lac Avenue, West Hadley Street, North 30th Street and the Soo Line Railroad Company right-of-way. The vacation of

the north-south 15-foot alley.

S.W. 1/4 Sec. 18, T.7N., R.21E. (325)

1. Alleys in the block bounded by West Medford Avenue, West Meinecke Avenue, West North Avenue, North 24th Street and North 24th Place. The vacation of the north-south and the east-west 20-foot wide alleys.

2. Alleys in the block bounded by West Meinecke Avenue, West North Avenue, North 24th Place and North 25th Street. The vacation of the north-south and the east-west 20-foot wide alleys.

S.E. 1/4 Sec. 13, T.7N., R.21E. (326)

1. North 32nd Street from West Wright Street north to its terminus. The vacation of a 60-foot wide street.

2. North 34th Street from West North Avenue north to its terminus. The vacation of a 60-foot wide street.

3. Alley in the block bounded by West Meinecke Avenue, West North Avenue, North 33rd Street and North 34th Street. The vacation of the east-west 20-foot wide alley.

4. Alleys in the block bounded by West Meinecke Avenue, West North Avenue, North 34th Street and North 35th Street. The vacation of the north-south 14-foot wide alley and the east-west 20-foot wide alley.

9TH ALDERMANIC DISTRICT N.E. 1/4 Sec. 23, T.8N., R.21E. (122)

1. West Boehlke Court from North 49th Street east to its terminus. The vacation of a 60-foot wide street and cul-de-sac.

2. West Cheyenne Street from North 47th Street to North 50th Street. The vacation of a 60-foot wide street.

3. West Helena Street from North 47th Street to North 50th Street. The vacation of a 60-foot wide street.

4. West Hustis Street from North 46th Street to North 50th Street. The vacation of a 60-foot wide street.

5. North 47th Street from West Cheyenne Street to West Helena Street. The

vacation of a 60-foot wide street.

6. North 49th Street from West Cheyenne Street to West Hustis Street. The vacation of a 60-foot wide street.

7. North 50th Court from West Helena Street northwest to its terminus. The vacation of a 60-foot wide street and cul-de-sac.

8. North 50th Street from West Green Tree Road to West Helena Street. The vacation of a 60-foot wide street.

N.E. 1/4 Sec. 26, T.8N., R.21E. (157)

1. North Hopkins Street from a point north of West Douglas Avenue north to its terminus. The vacation of a variable width street.

S.E. 1/4 Sec. 27, T.8N., R.21E. (174)

1. Northwest corner of West Silver Spring Drive and North 60th Street. The vacation of a portion of excess street right-of-way.

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

1. Alley in the block bounded by West Mineral Street, West Walker Street, South 5th Street and South 6th Street. The vacation of the north-south 20-foot wide alley.

S.W. 1/4 Sec. 32, T.7N., R.22E. (432)

1. Alley, formerly know as South 7th Street, from West Washington Street north to its terminus. The vacation of a 47-foot wide alley.

2. South 8th Street from West Washington Street north to its terminus. The vacation of a 76-foot wide street.

3. Alley north of West Washington Street lying between vacated South 7th Street and South 8th Street. Vacation of the west 50 feet of the east-west 20-foot wide alley.

4. North-South Freeway north of West Washington Street between South 6th Street and South 8th Street. The sale of a portion of excess state right-of-way.

13TH ALDERMANIC DISTRICT S.W. 1/4 Sec. 19, T.6N., R.22E. (598)

1. South 27th Street (east side) from West Whitaker Avenue south to a point. The vacation of a portion of street right-of-way.

14TH ALDERMANIC DISTRICT S.E. 1/4 Sec. 4, T.6N., R.22E. (466)

1. Alley in the block bounded by East Becher Street, South Kinnickinnick Avenue, South Robinson Avenue and East Ward Street. The vacation of the northerly remnant of a 15-foot wide alley.

N.E. 1/4 Sec. 8, T.6N., R.22E. (498)

1. South 4th Street (west side) from West Klondike Place north to a point. The sale of a portion of excess state right-of-way.

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

1. South Herman Street (east side) from East Oklahoma Avenue north to a point. The vacation of a portion of street right-of-way.

N.W. 1/4 Sec. 18, T.6N., R.22E. (534)

1. Alley west of South 20th Street between West Holt Avenue and West Ohio Avenue. The opening of an east-west 34-foot wide alley.

2. Alley west of South 20th Street between West Holt Avenue and West Ohio Avenue. The vacation of the north 115 feet more or less of the north-south 18-foot wide alley.

3. West Ohio Avenue from South 20th Street west to its terminus. The vacation of an 18.09-foot wide street.

15TH ALDERMANIC DISTRICT S.E. 1/4 Sec. 8, T.8N., R.21E. (072)

1. North 97th Street from West Darnel Avenue north to the north line of said 1/4 Section. The opening of a 60-foot wide street.

N.W. 1/4 Sec. 31, T.8N., R.21E. (182)

1. North 124th Street (east side) from West Rohr Avenue to West Villard Avenue. The vacation of a portion of street right-of-way.

16TH ALDERMANIC DISTRICT S.W. 1/4 Sec. 24, T.7N., R.21E. (366)

1. North 37th Street from West Juneau Avenue to the Soo Line Railroad Company right-of-way. The vacation of a 60-foot wide street.

N.W. 1/4 Sec. 25, T.7N., R.21E. (387)

1. West Juneau Avenue from North 37th Street to North 38th Street. The vacation of a 70-foot wide street.

2. North 38th Street from West Highland Boulevard to West Juneau Avenue. The vacation of a 60-foot wide street.

3. Alley in the block bounded by West Highland Boulevard, West Juneau Avenue, North 37th Street and North 38th Street. The vacation of the north-south 14-foot wide alley.

4. North 41st Street (east side) between West State Street and North 39th Street. The vacation of a portion of street right-of-way.

N.W. 1/4 Sec. 35, T.7N., R.21E. (421)

1. South Hawley Road (west side) between West Dixon Street and South 59th Street. The sale of a portion of excess state right-of-way.

17TH ALDERMANIC DISTRICT S.E. 1/4 Sec. 18, T.7N., R.22E. (324)

1. Alleys in the block bounded by West Meinecke Avenue, West Wright Street, North 18th Street and North 19th Street. The opening of additional alley right-of-way to the east leg of the south east-west alley and a portion of the north-south alley to a width of 20 feet.

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

1. North 49th Street (west side) south of West Lisbon Avenue. The vacation of a portion of street right-of-way.

2. Southeast corner of West Lisbon Avenue and North 49th Street. The opening of additional street right-of-way to a width of 60 feet.

3. Northerly east-west alley in the block bounded by West Lisbon Avenue, West North Avenue, North 49th Street and North 50th Street. The vacation of an 18-foot wide alley.

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

1. Alleys in the block bounded by West Brown Street, West Vine Street, North 24th Place and North 25th Street. The opening of additional alley right-of-way to the east leg of the south east-west alley to a width of 20 feet and cutoffs to the north-south alley (west side) at the north and south east-west alleys.

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

1. North 16th Street from West Lloyd Street south to a point. The vacation of a 60-foot wide street.

2. Alley in the block bounded by West Brown Street, West Vine Street, North 19th Street and North 20th Street. The opening of additional alley right-of-way to the south 115.59 feet of the north-south alley to a width of 20 feet.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

- 2) [000109](#) Substitute resolution granting a special privilege to Shafton Family Limited Partnership for folding-type windows, metal rails and excessive door swing projections on the west side of North Murray Avenue within the public right-of-way at 2311-25 North Murray Avenue, in the 3rd Aldermanic District in the City of Milwaukee.

Whereas, Shafton Family Limited Partnership is seeking permission to install folding-type windows, metal rails and excessive door swing projections encroaching into the west sidewalk area adjacent to 2311-25 North Murray Avenue; and

Whereas, Said folding-type windows, metal rails and excessive door swing projections 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 Shafton Family Limited Partnership c/o Bieck Management Inc., 5205 North Ironwood Road, Glendale, WI 53217, is hereby granted the following special privileges:

1. To install and maintain folding-type windows on the first floor level on the front of the building at 2311-25 North Murray Avenue, which open in a folding-type fashion into the 11-foot wide fully concrete paved sidewalk area on the west side of North

Murray Avenue. When the windows are fully open, they will extend approximately 1-foot 9-inches into the sidewalk area, occurring approximately 8 feet above the sidewalk.

2. To install and maintain 6-inch diameter metal rails placed approximately 8 feet 6 inches above the sidewalk grade at the building known as 2311-25 North Murray Avenue. Five metal rails extending approximately 2 feet 6 inches into the public right-of-way will be placed above the folding-type windows at five separate locations. These locations are as follows:

1. Commencing approximately 86 feet north of the northline of East North Avenue and extending north approximately 11 feet.
2. Commencing approximately 105 feet north of the northline of East North Avenue and extending north approximately 10 feet.
3. Commencing approximately 126 feet north of the northline of East North Avenue and extending north approximately 7 feet.
4. Commencing approximately 146 feet north of the northline of East North Avenue and extending north approximately 13 feet.
5. Commencing approximately 162 feet north of the northline of East North Avenue and extending north approximately 7 feet.

3. To install use and maintain six excess door swing encroachments at the building known as 2311-25 North Murray Avenue that, when fully open, project into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of Ordinances. The doorways are centered approximately 85, 101, 117, 141, 174 and 179 feet north of the northline of East North Avenue, respectively, and their maximum encroachment is approximately 1-foot 6-inches into the 11-foot wide sidewalk area.

Said windows, metal rails and doors shall be installed and maintained to the approval of the Commissioners of Neighborhood Services and Public Works. All required permits shall be procured prior to installation.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Shafton Family Limited Partnership, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$5,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$204.20. 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: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 3) [000317](#) Substitute resolution authorizing and directing the Commissioner of Public Works to

execute a Memorandum of Understanding with the Milwaukee Metropolitan Sewerage District, Milwaukee County, and the City of Wauwatosa for the planning, designing and construction of a storm water detention facility at Timmerman Airport.

WHEREAS, The Grantosa Creek experiences flooding during large rain events; and

WHEREAS, Several engineering studies performed for the Grantosa Creek Watershed have recommended the construction of a storm water detention facility on Timmerman Airport to reduce the existing flooding; and

WHEREAS, The Milwaukee Metropolitan Sewerage District (District) has prepared a Memorandum of Understanding with Milwaukee County(County), the City of Milwaukee and the City of Wauwatosa regarding the planning, designing and construction of a storm water detention facility at Timmerman Airport; and

WHEREAS, The Memorandum of Understanding (Memorandum) requires the cost to design and construct the storm water detention facility to be equally shared by the District, the County and the City of Wauwatosa; and

WHEREAS, The maintenance costs of the facility shall be shared by the District and the County; and

WHEREAS, The Memorandum requires the City of Milwaukee to issue any necessary permits for the storm water detention facility and provide any necessary inspection related to those permits at no cost to the other parties of this agreement; 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 execute the Memorandum of Understanding, a copy of which is attached to and made part of this file, for the planning, designing and construction of a storm water detention facility at Timmerman Airport.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 4) [000360](#) Resolution authorizing the transfer of \$55,748.47 from Department Project/Grant Numbers ST22080100, ST22080300, ST22080400 for the installation of a new traffic signal at the intersection of West Hampton Avenue and North 22nd Street in

the 1st Aldermanic District. (Infrastructure Services Division)

Whereas, Traffic control signals have been requested for this intersection by area residents; and

Whereas, The total estimated cost of this installation is \$55,000 which is being provided by funds from Department accounts; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to install traffic control signals at the intersection of West Hampton Avenue and North 22nd Street; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create the appropriate Project/Grant Number for this installation as indicated:

Location:

West Hampton Avenue and North 22nd Street.

Transfer from: Project/Grant Number ST22080100-\$22,729.03, Project/Grant Number ST22080300-\$17,775.47, Project/Grant Number ST22080400-\$15,243.97.

Total to be transferred to Project/Grant Number ST220000201-\$55,748.47.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 5) [000365](#) Resolution relative to the cost participation and installation of traffic control devices in conjunction with the Federal/State Aid paving of West Morgan Avenue from West Beloit Road to South 84th Street in the 11th Aldermanic District. (Infrastructure Services Division)

Whereas, The Surface Transportation Program provides cost participation for traffic control improvements in conjunction with the paving of highways located on the Federal/State Aid Highway System; and

Whereas, Common Council Resolution File Number 981051, adopted November 24, 1998, authorized and directed the Commissioner of Public Works to execute an agreement for programming and construction of the improvement of West Morgan

Avenue from West Beloit Road to South 84th Street with Federal/State Aid under the Surface Transportation Program; and

Whereas, The total estimated cost of these projects is \$31,000 for the alteration and upgrading of traffic control signals and the upgrading of traffic control signs; and

Whereas, Twenty percent of the participating costs or \$6,200 is non-reimbursable and is included in the Division's 2000 Capital Purpose Project/Grant Number ST32090000; and

Whereas, Eighty percent of the participating project cost or \$24,800 is reimbursable from the Wisconsin Department of Transportation, and this amount is not included in Division accounts, and should be earmarked for this project in the 2000 Capital Grant and Aid Projects Fund Project/Grant Number SP03290100; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to execute a contract with the Wisconsin Department of Transportation pertaining to the cost participation for the installation and/or modification of traffic control facilities in conjunction with the improvements to West Morgan Avenue from West Beloit Road to South 84th Street with agreed unit prices based on a predetermined estimate prepared under the Federal/State aided highway program; and, be it

Further Resolved, That upon approval of this contract, the Commissioner of Public Works is authorized and directed to install or modify the traffic control facilities necessary in conjunction with the paving of these Federal/State aided highway improvements; and, be it

Further Resolved, That upon approval of this contract, the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Number for this project and transfer to this number the amounts required under the contract provisions but not to exceed a ten percent increase in those amounts set aside for the Grantor's Share and the City's Share as follows:

Location:

West Morgan Avenue from West Beloit Road to South 84th Street, ID #2405-00-92.

Transfer from Project/Grant Number SP03290100, Grantor's Share (WISDOT), Estimated Cost - \$24,800.

Transfer from Project/Grant Number ST32090000, City's Share, Estimated Cost -

\$6,200.

Total to be transferred to Project/Grant Number ST32090115, \$31,000.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 6) [000368](#) Substitute resolution authorizing and directing the proper City Officers to execute an Out-of-Program Agreement between August Urbanek and the City of Milwaukee for construction of public improvements to support development of a four lot single family subdivision as part of the Heritage Heights residential community.

Whereas, August Urbanek plans to develop a four lot, single family home subdivision as the next phase of the Heritage Heights residential community; and

Whereas, Heritage Heights is located generally westerly of North 107th Street and north of West Kiehnau Street; and

Whereas, The planned four lot addition to Heritage Heights will require water and public street improvements; and

Whereas, Certain unfinished street segments in the immediate area require the laying of a new base course; and

Whereas, The developer now desires to enter into an Out-of-Program Agreement with the City of Milwaukee to provide for the construction and funding of the required public improvements; and

Whereas, The water main improvements referenced in the Agreement will create a closed loop water distribution system for the entire neighborhood thereby benefitting a substantially larger area than the four lots in this development; and

Whereas, The Agreement provides that the City will refund the non-assessable portion of the water improvement cost to reflect this broader public benefit; and

Whereas, The Out-of-Program Agreement for this project is attached to this file; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee hereby approves the

Out-of-Program Agreement attached to the file and that the proper City Officers are hereby authorized and directed to execute said agreement on behalf of the City; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to make minor non-substantive changes to the agreement prior to its execution.

Sponsors: Ald. Nardelli

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

7) Resolutions authorizing and directing the proper City officers to execute the release of various easements:

a) [000369](#) Resolution authorizing and directing the proper City officers to execute Sewer Easement Release SER-2236, Parcels 1-4 located in lands from 120 feet m/l north of West Green Tree Road to 705 feet m/l north of West Green Tree Road and from 10 feet m/l east of North 50th Street to 120 feet m/l west of North 50th Street.
(Infrastructure Services Division)

Whereas, On June 7, 1979, the City of Milwaukee was granted Sewer Easement SE-2236, Parcels 1-4, located in lands from 120 feet m/l north of West Green Tree Road to 705 feet m/l north of West Green Tree Road and from 10 feet m/l east of North 50th Street to 120 feet m/l west of North 50th Street; and

Whereas, The area where the easement is located has been vacated per Common Council File No. 990652, dated February 29, 2000; and

Whereas, There are no sewer facilities in the easement area, and the easement is not needed for drainage purposes, and hence no longer serves the interests of the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers are hereby authorized and directed to execute Sewer Easement Release SER-2236, Parcels 1-4, a copy of which is attached to this Common Council File No. 000369 and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That after said Sewer Easement Release has been executed by the proper City officers, it shall be forwarded to the Office of the City Attorney for approval as to execution and then to the City Real Estate Section for recording and

proper distribution.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- b) [000425](#) Substitute resolution authorizing and directing the proper City officers to execute the Release of Water Main Easement W.E. 502D.

Whereas, Easement W.E. 502C was obtained on April 22, 1988 by the City of Milwaukee for the installation of 8" water main; and

Whereas, The new owner of the land proposes to construct a building on the property and will pay the requisite abandonment fee for the water main, which is no longer needed in its present location; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers are hereby authorized and directed to execute Release W.E. 502D, a release of Easement W.E. 502C, a copy of which is attached to this file; and be it

Further Resolved, That after execution of this release, the document shall be forwarded to the City Attorney for approval and to the Department of City Development, Real Estate Section, for recording; and, be it

Further Resolved, That after the release is recorded, a copy be transmitted to the City Comptroller's Office for safekeeping.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 8) [000370](#) Substitute resolution accepting one water easement, one sewer easement, and one public access easement in the proposed Cherokee Point Subdivision, located generally north of West Howard Avenue and east of South 43rd Street.

Whereas, The Common Council of the City of Milwaukee will consider, under Resolution File Number 990397, approval of a Subdivision Plat for the Cherokee

Point Subdivision; and

Whereas, Certain public easements are necessary for future operation and maintenance of water distribution and storm water collection systems, and for enhanced pedestrian access within the subdivision; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the following easements offered the City:

Water Easement WE-865 executed by Cherokee Point Bau Werk, Incorporated, a Wisconsin corporation, for a permanent water easement in Outlot 2 of Block 2 of Cherokee Point Subdivision.

Sewer Easement SE-2650, executed by Cherokee Point Bau Werk, Incorporated, a Wisconsin corporation, for a permanent storm sewer easement in lots 17, 18, and Outlot 3 of Block 2 of Cherokee Point Subdivision.

A Public Access Easement, executed by Cherokee Point Bau Werk Incorporated, a Wisconsin corporation, for a permanent pedestrian access easement over a portion of Outlot 3 of Block 2 of Cherokee Point Subdivision

are accepted, subject to the City Attorney's approval as to form and execution, ordered recorded by the Department of City Development, and thereafter kept on file in the Office of the City Comptroller.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 9) [000371](#) Substitute resolution authorizing and directing the proper City officers to execute Permit and Agreement documents allowing Continental 107 Fund, LLC to construct portions of buildings within the limits of the sewer easements on the property at 3555 South 27th Street.

Whereas, On November 10, 1938, the City of Milwaukee was granted an easement SE-2275, for sewer purposes in an area located east of Point Terrace from West Morgan Avenue to West Loomis Road, and whose address is 3555 South 27th Street; and

Whereas, There is an existing City of Milwaukee 8-inch diameter sanitary sewer in

said easement SE-2275; and

Whereas, On November 15, 1962, the City of Milwaukee was granted an easement SE-1588, Parcels A,B and C for sewer purposes in the area at the above address; and

Whereas, There is an existing 84-inch diameter storm sewer in said easement SE-1588, Parcel A; and

Whereas, There is an existing 12-inch diameter storm sewer in said easement SE-1588, Parcel B; and

Whereas, There is an existing 42-inch diameter storm sewer in said easement SE-1588, Parcel C; and

Whereas, On April 22, 1986 the City of Milwaukee was granted an easement SE-2421, for sewer purposes in an area located at 3555 South 27th Street; and

Whereas, The present owner, Continental 107 Fund, LLC has requested the City's permission to construct portions of buildings over the aforementioned sewer easements; and

Whereas, The City will allow the construction of said portions of buildings in the easement areas, subject to conditions stipulated in Permit and Agreement documents known as SA-1588, Parcels A,B and C, SA-2275 and SA-2421; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers are hereby authorized and directed to execute Permit and Agreement documents SA-1588, Parcels A,B and C, SA-2275 and SA-2421, copies of said Permit and Agreements being attached to the Common Council Resolution File Number 000371 and incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That after said Permit and Agreement documents have been executed by the proper City officers, they shall be forwarded to the Office of the City Attorney for approval as to form and execution and then to the Office of City Real Estate for recording and proper distribution.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 10) [000372](#) Resolution determining it necessary to make various nonassessable public improvements at various locations. (Infrastructure Services Division)
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:

4th Aldermanic District

N. 27th St. - W. Highland Ave. to W. Juneau Ave. (SM495010519): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$25,000)

17th Aldermanic District

N. 26th St. - W. Walnut St. to 170 feet m/l north of W. Walnut St. (SM495010520): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$11,000)

;and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 11) [000373](#) 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:

17th Aldermanic District

N. 36th St. - W. North Ave. to a point 200 feet m/l north of W. North Ave. (ST211010149) File Number 991916: Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where needed, sodding, and grading. (Nonassessable Reconstruction Paving Fund -- \$42,400; Assessable Reconstruction Paving Fund -- \$15,000)

N. 37th St. - W. North Ave. to W. Meinecke Ave. (ST211010150) File Number 991916: Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where needed, sodding, and grading. (Nonassessable Reconstruction Paving Fund -- \$78,200; Assessable Reconstruction Paving Fund -- \$35,700)

;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 projects N. 36th St. (ST211010149) and N. 37th St. (ST211010150) will be billed after January 1, 2002, but not before 12 months after the project contract has been completed.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 12) [000374](#) Substitute resolution approving construction of nonassessable public improvement projects at various locations.

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

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

3rd Aldermanic District

N. Holton St. Viaduct (East Side) - E. Brady St. to E. Pearson St. (Brady Plaza) (ST230000105): Sidewalk replacement and special treatment. (Sidewalk Replacement Funds -- \$15,000; Block Grant Funds -- \$10,000; DCD Funds -- 17,500)

9th Aldermanic District

Easement 1085 feet m/l south of W. Good Hope Rd. - 1390 feet m/l west of N. 60th St. to 1980 feet m/l west of N. 60th St. and Easement 1965 feet m/l west of N. 60th St. - 1085 feet m/l south of W. Good Hope Rd. to W. Good Hope Rd. (SW172000105) File Number 991189: Install sanitary and storm sewers. (Developer Sewer Fund -- \$283,000)

11th Aldermanic District

S. Point Terr. - W. Morgan Ave. to W. Lyndale Ave. (SW172000107) File Number 991286: Install sanitary and storm sewers. (Developer Sewer Fund -- \$169,000)

15th Aldermanic District

Proposed N. 94th St. - 340 feet m/l south of Proposed W. Ryan Ct. to Proposed W. Ryan Ct. (SW172000101) File Number 991899: Install sanitary and storm sewers. (Developer Sewer Fund -- \$134,000)

Proposed N. 94th St. - 340 feet m/l south of Proposed W. Ryan Ct. to Proposed W. Ryan Ct. (ST21490141) File Number 991899: Asphalt pavement construction, place curb and gutter, sidewalk and driveway approaches where needed, sodding, and grading. (Developer Paving Fund -- \$70,000)

Proposed W. Edgewater Dr. - N. 91st St. to Proposed N. 94th St. (SW172000104) File Number 991899: Install sanitary and storm sewers. (Developer Sewer Fund -- \$271,000)

Proposed W. Edgewater Dr. - N. 91st St. to Proposed N. 94th St. (ST21490142) File Number 991899: Asphalt pavement construction, place curb and gutter, sidewalk and driveway approaches where needed, sodding, and grading. (Developer Paving Fund -- \$160,000)

Proposed W. Ryan Ct. - 400 feet m/l east of Proposed N. 94th St. to Proposed N. 94th St. (SW172000103) File Number 991899: Install sanitary and storm sewers. (Developer Sewer Fund -- \$231,000)

Proposed W. Ryan Ct. - 400 feet m/l east of Proposed N. 94th St. to Proposed N. 94th St. (ST21490140) File Number 991899: Asphalt pavement construction, place curb and gutter, sidewalk and driveway approaches where needed, sodding, and grading. (Developer Paving Fund -- \$100,000)

16th Aldermanic District

W. Chester St. - 900 feet m/l east of N. 92nd St. to N. 92nd St. (ST21490137) File Number 970754: Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where needed, sodding, and grading. (Developer Paving Fund -- \$130,300)

17th Aldermanic District

W. Vine St. - N. 22nd St. to N. 26th St. (SM495000404) File Number 991497: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$456,000)

;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: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 13) [000375](#) Resolution determining it necessary to make various assessable public improvements at various locations. (Infrastructure Services Division)

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:

14th Aldermanic District

Alley between W. Holt Ave., W. Morgan Ave., S. 20th St. and C & NW Railroad Right-of-Way (ST212010147): Concrete alley pavement reconstruction, replace some abutting sidewalk or driveway approach, and grading. (Nonassessable Alley Paving Fund -- \$1,000)

;and, be it

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

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

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

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

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 14) [000456](#) Resolution authorizing the Commissioner of Public Works to grant permission to Milwaukee County allowing them to construct and maintain an off-road bicycle trail either wholly or partially in the public right-of-way of West Good Hope Road between North 115th Street and North 124th Street. (Infrastructure Services Division)

Whereas, Milwaukee County Department of Parks, Recreation and Culture proposes to expand their bicycle route system into Milwaukee's northwest side; and

Whereas, One link in the County's proposed expansion of the bicycle route system is along West Good Hope Road between North 115th Street and North 124th Street; and

Whereas, The City of Milwaukee and the Wisconsin Department of Transportation have scheduled the improvement of West Good Hope Road between North 124th Street and North 115th Street for 2000 construction; and

Whereas, Milwaukee County has requested that the bicycle route along West Good Hope Road be on an off-road asphalt trail either wholly or partially in the public sidewalk area and that the asphalt trail be constructed as part of the West Good Hope Road paving project; and

Whereas, Construction of an asphalt bicycle trail within the public way can only be granted with the approval of the Common Council; 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 grant permission to Milwaukee County for the construction and maintenance of an asphalt bicycle trail either wholly or partially in the public right-of-way of West Good Hope Road between North 115th Street and North 124th Street in accordance with the following procedures and conditions:

1. The County may construct or cause to construct an off-road bicycle trail either wholly or partially in the public right-of-way of West Good Hope Road between North 115th Street and North 124th Street at no cost to the City and in accordance with the plans and specifications under State Project 2130-08-71.

2. The County accepts all responsibility for the construction, maintenance (including the removal of snow in accord with the provisions of Chapter 116-8 of the Milwaukee Code of Ordinances for any section of the bike trail designated as a mixed-use facility), repair, reconstruction or replacement and removal of the bike trail system to the satisfaction of the Commissioner of Public Works and upon removal restore the public way areas used by the bike trail system to its original condition or better at no cost to the City of Milwaukee.

3. The bike trail shall be designed and constructed in accordance with the American Association of, State Highway and Transportation Official's "Guide for the Development of Bicycle Facilities" dated 1999 and the construction standards and regulations of the City of Milwaukee.

4. The County agrees to save the City harmless from any and all claims, demands, causes of action or obligations, whatsoever, which may or shall arise in connection with the installation, operation, maintenance, removal or use by the public of the bike trail system, except those claims resulting from the negligence of officers, employees or agents of the City.

5. The City reserves the right to enter upon the area adjacent to or under the bike trail system for the purpose of repairing, maintaining, constructing or reconstructing any City facilities which are in said area or for any other reason dictated by public interest.

6. Any governmental agencies and utility companies having the right to install and maintain facilities within the public way will continue to enjoy these rights.

7. The County will construct portions of the bike trail system as needed following any repair, maintenance, construction or reconstruction of the City facilities by the City and/or others enjoying rights as indicated in Number 6 above, at no cost to the City.

8. The Commissioner of Public Works has the authority and is directed to prepare a written notification to the County to remove within 30 days any portion of the bike trail system that is found to be detrimental to the public use of the area.

9. The County agrees to make periodic inspections of all portions of the bike trail system and to take the necessary action to keep the system in a reasonable condition so as not to create a hazard or nuisance

;and, be it

Further Resolved, That the asphalt bicycle trail will be constructed as part of the paving of West Good Hope Road between North 124th Street and North 115th Street with all costs associated with its construction borne by Milwaukee County; and, be it

Further Resolved, That the City Clerk is authorized and directed, upon the adoption of this resolution, to send a certified copy of this resolution to Milwaukee County.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 15) [000463](#) Substitute Resolution approving Grant of Easement Agreement for the Captain Frederick Pabst Theater.

Whereas, 815 Water Street Limited Partnership (hereinafter referred to as "Grantor") is the fee simple owner of that certain parcel of land and the improvements thereon located in the City of Milwaukee, Wisconsin, and more particularly described as Parcel 1 of Certified Survey Map No. 5053 (hereinafter referred to as the "Office Parcel"); and

Whereas, The City is the owner of that certain parcel of land and the improvements thereon located in the City of Milwaukee, Wisconsin, and more particularly described as Parcel 2 of Certified Survey Map No. 4657 (hereinafter referred to as the "Pabst Parcel"); and

Whereas, Pursuant to the provisions of sec. 229.27, Stats., and sec. 16.12 of the City Charter of the City of Milwaukee, Wisconsin, the Board of the Captain Frederick Pabst Theater (hereinafter referred to as the "Board," with the City and the Board collectively referred to as the "Grantee") regulates and controls the operation, maintenance and use of the Theater presently located on the Pabst Parcel (hereinafter referred to as the "Pabst Theater"); and

Whereas, The Board is desirous of making certain improvements to the Pabst Theater which will require the Board to gain a certain measure of control over a portion of the Office Parcel hereinafter referred to as the "Easement Premises"; and

Whereas, The Grantee desires to obtain an easement, in accordance with the terms

and conditions of the Agreement attached to this file, from Grantor for the Easement Premises; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers are hereby authorized and directed to execute the Grant of Easement Agreement attached to this file.

Further Resolved, That the City Attorney is authorized to make minor, non-substantive modifications to the Grant of Easement Agreement prior to the execution.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

16) Resolutions approving renewal/extension of various lease agreements:

a) [000468](#) Resolution approving Renewal of a new Lease Agreement with Edward E. Gillen for 2.0 acres of off-waterfront bare ground, commencing June 1, 2000 and continuing month-to-month thereafter. (Port of Milwaukee)

Resolved, By the Common Council of the City of Milwaukee that said Common Council hereby ratifies and approves the renewal of a new modified Lease Agreement with Edward E. Gillen with the City of Milwaukee, by and through its Board of Harbor Commissioners for lease of 2.0 acres of off-waterfront bare ground located on the South Harbor Tract, for the term, June 1, 2000 and continuing month-to-month until cancelled by either party; and, be it

Further Resolved, That the designated officers of said government and said Board are hereby authorized and directed to execute an agreement to carry out this purpose as prepared by the City Attorney's office.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

b) [000469](#) Resolution approving Extension of Lease Agreement with Ruan Transportation for 2.5

acres of land on the South Harbor Tract, for one year commencing January 1, 2001 through December 31, 2001. (Port of Milwaukee)

Resolved, By the Common Council of the City of Milwaukee that said Common Council hereby ratifies and approves the extension of Lease Agreement with Ruan Transportation with the City of Milwaukee, dated 1/3/85, by and through its Board of Harbor Commissioners for lease of 2.5 acres of Port property located on the South Harbor Tract, for the term, 1 January 2001 through 31 December 2001; and, be it

Further Resolved, That the designated officers of said government and said Board are hereby authorized and directed to execute an agreement to carry out this purpose as prepared by the City Attorney's office.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 17) [000478](#) Resolution authorizing the City Comptroller to transfer funds to undertake surface distress survey and roughness testing of pavements and retain additional consultant services to provide enhancements to the existing Pavement Management Administration System. (Infrastructure Services Division)
- Whereas, The Department of Public Works (DPW) previously implemented a Pavement Management Administration System to assist in preparing the roadway paving programs; and
- Whereas, The Common Council has previously adopted Resolution Number 941631 on February 14, 1995, which authorized and directed the Commissioner of Public Works to engage a Consultant to assist the DPW in upgrading and expanding the existing Pavement Management Administration System; and
- Whereas, The DPW has engaged a Consultant; and
- Whereas, The Pavement Management Administration System requires timely data for proper implementation and presently most of the data is outdated and not compatible with the new system; and
- Whereas, Surface distress survey and roughness testing data is necessary to evaluate the current condition of the pavements and thus assure proper implementation of the Pavement Management Administration System; and

Whereas, The Consultant would undertake surface distress and roughness testing and provide enhancements to the Pavement Management Administration System software; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is hereby authorized and directed to transfer \$150,000 from the Major Street Improvement parent account 0333-ST320000000, to the expenditure account previously created within the Capital Improvement Fund - Grant and Aid Projects for this project; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer additional amounts as required for the work, but not to exceed a 10 percent increase in the amount as set aside above; and, be it

Further Resolved, That the City Engineer is authorized to expend funds necessary for the surface distress and roughness testing, additional services and/or enhancements to the existing Pavement Management System.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

18) Various Appointments:

a) [000401](#) Appointment of Preston Cole to the Milwaukee Metropolitan Sewerage District by the Mayor. (16th 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: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

b) [000402](#) Appointment of Angelo Verdin to the Citizens' Advisory Committee on Naming Public Buildings and Streets by the Mayor. (15th 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: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

- 19) [000431](#) Communication from the Wisconsin Department of Natural Resources relative to a notice of intent to reissue a Wisconsin Pollutant Discharge Elimination System Municipal Storm Water Permit.

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: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE PUBLIC IMPROVEMENTS COMMITTEE FURTHER RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 20) [000493](#) Resolution authorizing the Commissioner of Public Works to issue a permit allowing excavation in the 1000 block of West State Street where the pavement is less than three (3) years old. (Department of Public Works)

Whereas, Wisconsin Electric Power Company has requested permission to cut pavement less than 3 years old in the 1000 block of West State Street; and

Whereas, The purpose of the pavement cut is to upgrade WEPCO underground facilities in the area; and

Whereas, The 1000 block of West State Street has been recently paved and is under 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 allowing a pavement cut in the 1000 block of West State 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: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE STEERING & RULES COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000172](#) A substitute ordinance relating to establishing oversight fees for common council charter schools.

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

Part 1. Section 330-27 of the code is repealed and recreated to read:

330-27. Continuing Oversight of Charter Schools; Oversight Fee. 1. The committee shall have responsibility for ongoing review of the financial, educational, staffing and facility status of charter schools pursuant to s. 320-41.

2. Beginning in the 2000-01 school year, each charter school shall pay an oversight fee for each charter student in the school, as provided in this section. The number of charter students in a school shall be the number of students for which the Wisconsin department of public instruction pays the school under s. 118.40(2r)(e), Wis. Stats.

3. The oversight fee for each full-time equivalent charter student shall be \$125 per year and shall be paid by the school operator in the following installments:

a. A payment of \$30 per student no later than the 21st calendar day after the school operator receives the September payment from the Wisconsin department of public instruction, under s. 118.40(2r)(e), Wis. Stats.

b. A payment of \$30 per student no later than the 21st calendar day after the school operator receives the December payment from the Wisconsin department of public instruction, under s. 118.40(2r)(e), Wis. Stats.

c. A payment of \$30 per student no later than the 21st calendar day after the school operator receives the February payment from the Wisconsin department of public instruction, under s. 118.40(2r)(e), Wis. Stats.

d. A payment of \$35 per student no later than the 21st calendar day after the school operator receives the June payment from the Wisconsin department of public instruction, under s. 118.40(2r)(e), Wis. Stats.

4. A pro-rated oversight fee shall be paid for each charter student who is less than full-time equivalent.

a. The amount of the pro-rated oversight fee shall be \$125 multiplied by the ratio of the amount paid by the Wisconsin department of public instruction for that student to the amount the Wisconsin department of public instruction pays for a full-time equivalent charter school student.

b. The oversight fee for a student who is less than full-time equivalent shall be paid by the school operator in 4 equal installments at the times specified in sub. 3-a to d.

5. A charter school shall pay its oversight fee to the city treasurer to be held in trust for the exclusive benefit of the charter school program. Expenditures from such trust fund shall be authorized by the charter school review committee.

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

APPROVAL OF THE FOLLOWING:

- 2) [000167](#) Substitute motion amending the Common Council Procedure and Rules relating to the order of business by requiring an invocation before each regular common council meeting.

Part 1. Article I, Section 4, subsections 2 to 12, Common Council Procedure and Rules is renumbered subsections 3 to 13.

Part 2. Article I, Section 4, subsection 2, Common Council Procedure and Rules is created to read:

ARTICLE I MEETINGS

Section 4. Order of Business.

2. Invocation.

Sponsors: Ald. Bohl and Ald. Cameron

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

Aye: 14 - Pratt, Herron, D'Amato, Henningsen, Bohl, Gordon, Donovan, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

No: 3 - Johnson-Odom, Richards Nardelli

CONFIRMATION OF THE FOLLOWING:

- 3) [000132](#) Reappointment of James Gultry to the Charter School Review Committee by the Common Council President. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

- 4) [000248](#) Reappointment of Mary Diez to the Charter School Review Committee by the Mayor. (11th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

THE FOLLOWING FILES WERE PRESENTED FOR IMMEDIATE ADOPTION:

[000563](#) Resolution restricting construction in Beerline "C" Redevelopment Project Sub-Area 1 in the 6th Aldermanic District. (Redevelopment Authority)

Whereas, On May 19, 2000, the Common Council of the City of Milwaukee ("Council") adopted File No. 991645 that approved the Redevelopment Plan for Beerline "C" Redevelopment Project Sub-Area 1 ("Plan"); and

Whereas, In the communication, which is part of this Common Council File, the Redevelopment Authority of the City of Milwaukee certified the attached Plan as a true and correct copy pursuant to Subsection 66.431(6)(e), Wisconsin Statutes, and

requested that all new construction within the Project Area not consistent with the Plan be permanently restricted as mandated by Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that no new construction (including substantial remodeling, conversion, rebuilding, enlargement, extension, or major structural improvements on existing buildings, but not including ordinary maintenance, remodeling, or changes necessary to continue occupancy) in the Beerline "C" Redevelopment Project Sub-Area 1 shall be permitted or authorized by any agencies, boards, or commissions of the City of Milwaukee under local codes or ordinances without the prior approval of the Redevelopment Authority of the City of Milwaukee; and, be it

Further Resolved, That the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Commissioner of Neighborhood Services, the Commissioner of the Department of City Development, the Commissioner of Health, and to such other agencies, boards, and commissions of the City of Milwaukee having administrative jurisdiction in the premises described in the approved Plan.

Sponsors: Ald. Johnson-Odom

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

[000564](#)

Resolution amending the disposition of the surplus, improved, tax deed properties located at 1937 South Muskego Avenue and 1967 South 5th Place, in the 8th and 12th Aldermanic Districts. (DCD-Real Estate)

Whereas, Common Council File No. 991624, adopted on February 29, 2000, and Common Council File No. 000212, adopted on June 13, 2000, declared surplus and directed that the Department of City Development sell 1937 South Muskego Avenue and 1967 South 5th Place via the open listing method; and

Whereas, The Neighborhood Improvement Development Corporation, a nonprofit organization, has a need to acquire the privately-owned property at 1915 North 21st Street for the CityHomes Program; and

Whereas, Kenneth M. Herro and Elaine J. Parsons-Herro, owners of the property at 1915 North 21st Street, are willing to convey their property to the Neighborhood Improvement Development Corporation in exchange for the surplus, improved, tax deed properties located at 1937 South Muskego Avenue and 1967 South 5th Place; 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 convey the surplus properties at 1937 South Muskego Avenue, Tax Roll Key No. 470-2706-1, and 1967 South 5th Place, Tax Roll Key No. 467-0317-5, to Herro provided Herro conveys clear title to 1915 North 21st Street, Tax Roll Key No. 350-1727-X, to the Neighborhood Improvement Development Corporation to facilitate the CityHomes Program; 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 exchange of said properties; and, be it

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

Sponsors: Ald. Hines Jr.

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

[000568](#)

Resolution relating to the Governor's Blue Ribbon Commission on State and Local Partnerships and the Badger Birthright.

Whereas, The coming of the Progressive Era in Wisconsin produced a huge improvement in the financing of state and local government; and

Whereas, In 1911, hundreds of confusing and dysfunctional local taxes were eliminated as part of the creation of Wisconsin's progressive income tax and the sharing with local governments of the proceeds of that tax; and

Whereas, The revenue sharing programs for local government, principally State Shared Revenue (SSR) and the Expenditure Restraint Program (ERP), ensure that communities with low equalized property value per person are nonetheless able to provide their residents and businesses with essential municipal services--police protection, fire suppression, garbage pick-up, recycling, snow plowing, street maintenance, building inspection, public health, libraries and others--at tax rates that are comparable to more affluent communities that have high property values per

person; and

Whereas, Revenue sharing and tax base equalization constitute the foundation of a Badger Birthright, allowing residents of Wisconsin throughout the state, and regardless of the size or location or affluence of their community, to receive core municipal services at comparable tax rates; and

Whereas, For the City of Milwaukee, given the City's relatively low equalized property value per person, shared revenue in its various forms provides approximately \$245 million and covers 35% of the City's operating budget; and

Whereas, If the Shared Revenue program were eliminated, property taxes in the City of Milwaukee would rise dramatically, almost tripling from the current \$9.71 per \$1,000 of property value to over \$25.00 per \$1,000 of property value; and

Whereas, The municipal and county Shared Revenue programs have been funded at \$951 million since 1995, with no increases for inflation, which means that as a whole shared revenue has declined by 15% in real, inflation-adjusted dollars; and

Whereas, The SSR and ERP payments that Milwaukee received for its 2000 City budget was \$2.8 million lower than the prior year; and

Whereas, There is no other credible substitute for State Shared Revenue, such as a local option sales tax, that would allow residents of Milwaukee to continue to enjoy their Badger Birthright at tax rates comparable to most of the communities that surround the City; and

Whereas, Municipal government spending and State Shared Revenue have at times been identified as a cause of the fiscal difficulties faced by the State of Wisconsin, thus giving rise to an interest in repealing State Shared Revenue; and

Whereas, In fact Milwaukee's spending has risen at an annual average rate of only 1.8% since 1994, compared to a 2.5% annual average inflation rate and a 10% annual average rate in the growth of State general purpose spending (GPR) for programs other than State Shared Revenue; and

Whereas, Spending by all municipalities and counties has also risen at an annual average rate that is less than State GPR spending; and

Whereas, State Shared Revenue has declined dramatically from 13.2% of State general purpose tax revenue to 9.3% during the last 6 years; and

Whereas, The Governor's Blue-Ribbon Commission on State/Local Partnerships for

the 21st Century, commonly called the Kettl Commission after its chair Professor Donald Kettl of the University of Wisconsin-Madison, has been charged with engaging in a fundamental reexamination of the entire relationship between the State of Wisconsin and its local governments, and is considering fundamental changes in the financing of local government; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee supports the continued existence and viability of State Shared Revenue programs that equalize the ability of local governments to meet their residents' and businesses' needs at stable, comparable property tax rates; and, be it

Further Resolved, That the Badger Birthright that all Wisconsin residents do and should continue to enjoy necessitates the preservation of State Shared Revenue programs; and, be it

Further Resolved, That the City of Milwaukee, joining together with other local governments, on behalf of the people of Wisconsin whom they serve and represent, requests Governor Thompson and the Wisconsin legislature to make no changes in State Shared Revenue programs that would destroy or erode their equalizing purpose and effect, and urge the Governor and Legislature to allow funding for the programs to grow at the rate of inflation or, if lower during a time of general economic downturn, to grow at the rate of the State's own revenues.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

Aye: 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

*There being no further business the Council thereupon adjourned (1:20 P.M.)
Ronald D. Leonhardt, City Clerk*