



City of Milwaukee

Longform Minutes

COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Wednesday, July 12, 2006

9:00 AM

Common Council Chambers

The meeting was called to order at 9:13 a.m.

Present: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski, Hines Jr.

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

President Hines asked for a moment of silence in honor of the passing of former Mayor Frank Zeidler.

President Hines indicated that the Common Council would meet until approximately 10:30 a.m. and would then recess to permit Common Council members to attend the funeral for former Mayor Zeidler.

The question was put: Are there any corrections to the Common Council Journal of Proceedings for the regular meeting of June 20, 2006?

There being none, the minutes of the meeting were approved without objection.

Ald. Murphy moved that the Common Council convene into a committee of the whole for the purpose of making a presentation to Ms. Teen Wisconsin USA, Bishara Dorre. There was no objection.

Ms. Dorre was escorted to the dais by Aldermen Joe Davis, Joe Dudzik, Michael McGee, Jr., and Michael Murphy.

UNFINISHED BUSINESS:

1. [060222](#) Substitute resolution reserving and appropriating up to \$1.5 million from the 2006 Special Purpose Account - Community Services Staffing for the purpose of funding additional police recruit training and police overtime.

Sponsors: Ald. Bohl And Ald. Zielinski

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

Aye: 1 - McGee Jr.

No: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

Excused: 1 - Witkowiak

Sponsors: Ald. Bohl And Ald. Zielinski

Ald. Witkowski moved:

1. To amend the file to indicate that the \$750,000 for police overtime be "appropriated from" rather than "reserved in" the SPA - Community Services Staffing.

2. To amend the file by adding the following "Further Resolved" clause as the final "Further Resolved" clause:

"Further Resolved, That a Community Service Officer program consisting of 15 Community Service Officers be implemented with service provided by these officers to begin during the summer of 2007."

Ald. Zielinski requested suspension of the rules to permit him to submit an amendment to this motion without having it prepared in writing.

On the motion to suspend the rules: PASS, Donovan and Witkowiak EXCUSED.

Ald. Zielinski moved to strike the second portion of Ald. Witkowski's motion.

On Ald. Zielinski's motion: FAIL: Hamilton, Davis, D'Amato, Bauman, McGee, Wade, Puente, Murphy, Witkowski, and Hines NO; Witkowiak EXCUSED

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

Aye: 12 - Hamilton, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 2 - Davis McGee Jr.

Excused: 1 - Witkowiak

[060222](#)

Substitute resolution reserving and appropriating up to \$1.5 million from the 2006 Special Purpose Account - Community Services Staffing for the purpose of funding additional police recruit training and police overtime.

Sponsors: Ald. Bohl And Ald. Zielinski

Ald. D'Amato moved a substitute which would appropriate \$1.5 million from the Community Services Staffing SPA to the Police Department's Salaries and Wages Account to fund additional police overtime in 2006.

A motion was made by ALD. D'AMATO that this Resolution be SUBSTITUTED. This motion FAILED by the following vote:

Aye: 5 - Davis, D'Amato, Bauman, Wade Hines Jr.

No: 9 - Hamilton, Bohl, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski Zielinski

Excused: 1 - McGee Jr.

Sponsors: Ald. Bohl And Ald. Zielinski

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

Aye: 12 - Hamilton, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 2 - Davis D'Amato

Excused: 1 - McGee Jr.

THE LICENSES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. [060146](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

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

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

2. [060147](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

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

Sponsors: THE CHAIR

The court reporter was sworn in.

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee in this matter? All members indicated that they had done so.

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

3. [060290](#) Substitute motion relating to the revocation of the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) licenses for the premises at 618-24 N. Broadway ("Jungle").

Whereas, The Licenses Committee held a hearing on June 23, 2006 relative to the revocation of the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) license of the premises located at 618-24 N. Broadway ("Jungle"); and

Whereas, After hearing testimony presented at the committee hearing, the committee found that the evidence provided by the objecting neighbor and the Milwaukee Police Department did not support revocation of the license, but it did support a 90-day suspension; and

Whereas, The Licenses Committee approved a 90-day suspension of the license on June 23, 2006 by a vote of three (3) ayes and one (1) noes; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee hereby accepts the recommendation of the Licenses Committee for 90-day suspension of the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) license of the premises located at 618-24 N. Broadway ("Jungle").

Sponsors: THE CHAIR

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee in this matter? All members indicated that they had done so.

The question was put: Are Ms. Jodie Kornfehl or Mr. Don Arenson present and, if so, does either wish to address the Common Council?

Ms. Jodie Kornfehl was represented by Attorney Andrew Arena.

Mr. Don Arenson was represented by Attorney Aaron Bernstein.

Ald. Witkowiak moved that the Common Council enter the Committee of the Whole concerning this matter. There was no objection.

Attorney Andrew Arena addressed the Common Council.

Attorney Aaron Bernstein addressed the Common Council.

Assistant City Attorney Edward Ehrlich appeared and addressed the Common Council.

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Various commendatory and condolatory resolutions were read and approved without objection.
N.B. This matter was taken out of order with unanimous consent.

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [051702](#) A substitute ordinance relating to penalties for certain violations of ordinances in areas designated for cruising enforcement.
Whereas, The city finds that disturbances involving operators and passengers of motor vehicles continue to occur, especially at nighttime along streets designated as cruising areas; and

Whereas, The city finds that these disturbances include behaviors that are unlawful, disorderly, violent, unreasonably loud, obscene, profane and create substantial risk of injury to persons and to property; and

Whereas, The city finds that such disturbances in designated cruising areas have resulted in substantial costs to the city in enforcement including the commitment of law enforcement personnel and other resources and have drawn law enforcement personnel away from other city neighborhoods especially during nighttime hours; and

Whereas, The city finds that such disturbances often involve the obstruction of lawful traffic and travel; and

Whereas, The city finds that persons within the city have a right to lawfully travel that is protected by the constitution of the United States without undue obstruction or risks to personal safety or property; and

Whereas, The common council is authorized and empowered by the state of Wisconsin pursuant to the provisions of s. 62.11(5), Wis. Stats., and by charter authority pursuant to s. 4-10, Milwaukee city charter, to manage and control the highways for the government and good order of the city and for the health, safety and welfare of the public and may carry out its powers by regulation, suppression, fine, imprisonment, confiscation and other necessary or convenient means; now, therefore

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

Part 1. Section 79-16-1-c of the code is amended to read:

79-16. Penalty. 1. FORFEITURE.

c. Any person who violates ss. 79-11 or 79-12-1 shall forfeit not less than \$50 nor more than \$500 for the first offense and not less than \$100 nor more than \$500 for each subsequent offense >>and any offense occurring between the hours of 8:00 p.m. and 5:00 a.m. on a street designated as a cruising area under s. 101-20.5 including the

land within the street lines whether or not improved<<, and the costs and disbursements of such action, and in default thereof, shall be imprisoned in the county jail or house of correction for not less than 2 days nor more than 20 days, until such forfeiture costs are paid.

Part 2. Section 80-91 of the code is created to read:

80-91. Penalties For Violations in Cruising Areas. Any person violating the provisions of ss. 80-63 and 80-65 between the hours of 8:00 p.m. and 5:00 a.m. on a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved, shall be liable upon conviction to a forfeiture of not less than \$250 nor more than \$1,000 and, upon default, shall be imprisoned in the county jail or house of correction not less than 10 days nor more than 40 days.

Part 3. Section 101-20.5-5 of the code is amended to read:

5. PENALTY. Any person who violates this section shall upon conviction be subject to the following forfeitures together with the costs of prosecution, and, in default of payment be confined in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed [[8]]>>16<< days:

- a. Not more than [[50]]>>\$100<< if the person has not committed a previous violation within 12 months of the violation.
- b. Not more than [[100]]>>\$200<< if the person has committed an previous violation within 12 months of the violation.
- c. Not more than [[200]]>>\$400<< if the person has committed 2 or more violations within 12 months of the violation.

Part 4. Section 101-34-2-k of the code is created to read:

101-34. Stipulation Procedure; Nonmoving Traffic Violations.

2. FORFEITURE SCHEDULE.

k. Citations issued for violations of ss. 101-23, 101-23.5, 101-24, 101-24.1 and 101-24.2 occurring between the hours of 8:00 p.m. and 5:00 a.m. and occurring upon a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved: the forfeiture upon stipulation for violations provided in pars. b, f and g shall be increased by \$10.

Part 5. Section 101-34-7-k of the code is created to read:

7. PENALTY.

k. Violations of ss. 101-23, 101-23.5, 101-24, 101-24.1 and 101-24.2 occurring between the hours of 8:00 p.m. and 5:00 a.m. and occurring upon a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved: the lower extent of the range for violations provided in pars. b, f and h shall be increased by \$15.

Part 6. Section 105-2 of the code is amended to read:

105-2. Assault and Battery. Any person who shall commit an assault and battery upon another shall be punished by a fine of not more than \$500>>, and for offenses occurring between the hours of 8:00 p.m. and 5:00 a.m. and upon a street designated as a cruising area under s. 101-20.5, including the land within the street lines whether or not improved by a fine of not less than \$250 nor more than \$500,<<and in default of payment thereof by imprisonment in the house of correction of Milwaukee county not less than 10 days nor more than [[6 months]]>>20 days<<.

Part 7. Section 105-34-3-c and d of the code is created to read:

105-34. Carrying Dangerous Weapons.

3. PENALTY.

c. For offenses occurring between the hours of 8:00 p.m. and 5:00 a.m. and upon a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved, forfeit not less than \$300 nor more than \$500, and the costs and disbursements of prosecution, with respect to going armed with a concealed and dangerous weapon other than a firearm pursuant to sub. 1-a, and in default thereof, shall be imprisoned in the county jail or house of correction for not less than 12 days nor more than 20 days.

d. For offenses occurring between the hours of 8:00 p.m. and 5:00 a.m. and upon a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved, forfeit not less than \$750 nor more than \$1,000, and the costs and disbursements of prosecution, with respect to going armed with a concealed firearm pursuant to sub. 1-a or going armed with a firearm on or about their person pursuant to sub. 1-b, and in default thereof, shall be imprisoned in the county jail or house of correction for not less than 30 days nor more than 40 days.

Part 8. Section 105-138-3 of the code is amended to read:

105-138. Resisting or Obstructing Officer.

3. PENALTY. Any person violating this section shall upon conviction forfeit not less

than \$100 nor more than \$500, together with the costs of prosecution and in default of payment shall be imprisoned in the county jail or house of correction for a period not to exceed 20 days, or until the forfeiture and costs are paid>>; and for violations occurring between the hours of 8:00 p.m. and 5:00 a.m. upon a street designated as a cruising area under s. 101-20.5, including the land within the street lines whether or not improved, shall upon conviction forfeit not less than \$200 nor more than \$1,000, together with the costs of prosecution and in default of payment shall be imprisoned in the county jail for a period not to exceed 40 days, or until the forfeiture and costs are paid<<.

Part 9. Section 106-1 of the code is amended to read:

106-1. Disorderly Conduct. Whoever does any of the following may be fined not more than \$500: In a public or private place, engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance >>;and, for offenses occurring between the hours of 8:00 p.m. and 5:00 a.m. upon a street designated as a cruising area under s. 101-20.5, including the land within the street lines whether or not improved, shall be fined not less than \$200 nor more than \$1,000 and in default of payment shall be imprisoned in the county jail or house of correction for not more than 40 days, or until the fine and costs are paid<<.

Part 10. Section 106-1.8-2 of the code is amended to read:

106-1.8. Public Drinking and Possession of Alcohol Beverages.

2. PENALTY. Any person who violates this section shall upon being found guilty thereof, be subject to a forfeiture of not less than \$50 nor more than \$250, together with the costs and disbursements of prosecution and upon default thereof shall be imprisoned in the county jail or house of correction of Milwaukee county until such time costs and disbursements are paid, such imprisonment not to exceed 10 days >>;and, further, any person who violates this section between the hours of 8:00 p.m. and 5:00 a.m. upon a street designated as a cruising area under s. 101-20.5, including the land within the street lines whether or not improved, shall be subject to a forfeiture of not less than \$100 nor more than \$500, together with the costs and disbursements of prosecution and upon default thereof shall be imprisoned in the county jail or house of correction of Milwaukee county until such costs and disbursements are paid, such imprisonment not to exceed 20 days.<<

Part 11. Section 106-5 of the code is repealed and recreated to read:

Section 106-5. Indecent Exposure. 1. DEFINITION. In this section, "intimate part" means the anus, genitals or pubic area of a person or the areola of the female breast.

2. PROHIBITION; PENALTIES. Any person who publicly and indecently exposes an intimate part of his or her body shall upon conviction be punished by a fine of not less than \$50 nor more than \$250 and the costs of prosecution; and, further, any person who violates this section between the hours of 8:00 p.m. and 5:00 a.m. upon a street designated as a cruising area under s. 101-20.5, including the land within the street lines whether or not improved, shall be punished by a fine of not less than \$150 nor more than \$500 and the costs of prosecution.

3. EXCEPTIONS. a. Subsection 2 does not apply to a mother's breast-feeding of her child.

b. Subsection 2 does not apply to any performance having serious artistic, literary, scientific or educational value, if taken as a whole.

Part 12. Section 106-31-0 of the code is repealed and recreated to read:

106-31. Loitering or Prowling. The activities of loitering or prowling set forth in subs. 1 to 9 are unlawful within the limits of the city.

Part 13. Section 106-31-10 of the code is created to read:

10. PENALTIES. Any person who violates any provision of this section shall be fined not more than \$500 together with the costs of prosecution or, upon default of payment, shall be imprisoned in the county jail or house of correction for not more than 20 days; and, further, any person who violates any provision of this section between the hours of 8:00 p.m. and 5:00 a.m. upon a street designated as a cruising area under s. 101-20.5, including the land within the street lines whether or not improved, may be fined not less than \$150 nor more than \$500 or, upon default of payment thereof, shall be imprisoned in the house of correction of Milwaukee county for not more than 20 days.

Part 14. Noncodified provisions. On or before July 1, 2007, signs posted to identify cruising areas shall provide notice that penalties may be increased for violations of ordinances occurring in designated cruising areas.

Sponsors: Ald. Davis And Ald. Bohl

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

Aye: 12 - Hamilton, Davis, D'Amato, Bauman, Bohl, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 2 - McGee Jr. Wade

Excused: 1 - Witkowiak

2. [060075](#) A substitute ordinance relating to the prohibition, suppression and dispersal of unlawful assemblies and providing penalties.
- Sponsors:** Ald. Donovan, Ald. Zielinski, Ald. Murphy, Ald. Bohl, Ald. Bauman, Ald. Dudzik, Ald. Witkowski And Ald. Witkowiak
- A motion was made by ALD. MCGEE JR. that this Ordinance be ASSIGNED TO to the PUBLIC SAFETY COMMITTEE . This motion FAILED by the following vote:**
- Aye:** 6 - Hamilton, Davis, D'Amato, McGee Jr., Wade Hines Jr.
- No:** 9 - Bauman, Bohl, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski Zielinski
- Sponsors:** Ald. Donovan, Ald. Zielinski, Ald. Murphy, Ald. Bohl, Ald. Bauman, Ald. Dudzik, Ald. Witkowski And Ald. Witkowiak
- Ald. Bauman moved for the previous question.*
- On the motion: PASS*
- A motion was made by ALD. DONOVAN that this Ordinance be PASSED. This motion PREVAILED by the following vote:**
- Aye:** 10 - Davis, Bauman, Bohl, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski Zielinski
- No:** 5 - Hamilton, D'Amato, McGee Jr., Wade Hines Jr.
- Sponsors:** Ald. Donovan, Ald. Zielinski, Ald. Murphy, Ald. Bohl, Ald. Bauman, Ald. Dudzik, Ald. Witkowski And Ald. Witkowiak
- A motion was made by ALD. DAVIS that this Ordinance be RECONSIDERED. This motion FAILED by the following vote:**
- Aye:** 6 - Hamilton, Davis, D'Amato, McGee Jr., Wade Hines Jr.
- No:** 9 - Bauman, Bohl, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski Zielinski

The Common Council recessed at 10:39 a.m.

The Common Council returned from recess at 1:39 p.m.

Present: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski, Hines Jr.

Excused: 1 - Witkowiak

3. [060100](#) A substitute ordinance relating to parking of vehicles for periods exceeding 24 hours.
- Whereas, Residents of areas in which 2-sided night parking is allowed are often employed within walking distance of their homes; and

Whereas, Residents who are otherwise permitted to park overnight and throughout the day in their neighborhoods are currently required to move their vehicles to another parking place on the street before the expiration of 24 hours; and

Whereas, Moving parked vehicles to other on-street locations to comply with the 24-hour parking restriction does not reduce parking congestion, but does increase traffic and vehicle emissions; and

Whereas, Encouragement of transportation alternatives including walking, bicycling and mass transit, is beneficial to the City of Milwaukee, promotes a healthier urban environment and contributes to the well-being of its citizens; now, therefore

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

Part 1. Section 101-27-1.5 of the code is created to read:

101-27. All Night Parking.

1.5. EXCEPTION; PILOT PROGRAM. The restriction provided in sub. 1-a shall be suspended through November 30, 2007, except for the period December 1, 2006, through March 1, 2007, inclusive, for purposes of a pilot program to be conducted within the area bounded by and including N. Jefferson St., E. Pleasant St., East Ogden St. and N. Franklin Pl. No vehicle shall be permitted to stand in one place on a highway in the pilot program area for more than 5 days consecutively during the course of the program. All other parking restrictions and parking permit requirements currently in force or which may be enacted shall remain in effect in the pilot program area. The commissioner of public works shall provide a report to the common council prior to the conclusion of the pilot program concerning the efficacy of the program and its impact on parking enforcement procedures together with recommendations.

Sponsors: Ald. D'Amato

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

Aye: 9 - Hamilton, D'Amato, Bauman, McGee Jr., Wade, Donovan, Murphy, Witkowski Hines Jr.

No: 5 - Davis, Bohl, Puente, Dudzik Zielinski

Excused: 1 - Witkowiak

4. [060140](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.

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

Part 1. Section 101-23-2 of the Code relating to No Stopping or Parking is amended by striking the following:

“On the north side of West Wells Street from North 9th Street to North 10th Street from 7:00 AM to 9:00 AM except Saturday and Sunday”

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

On the north side of West Wells Street from North James Lovell Street to a point 287 feet west from 8:00 AM to 3:00 PM except Saturday, Sunday and buses

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

“On the north side of West State Street from North 6th Street to North 7th Street at any time”

“On the north side of West State Street from North 7th Street to North 8th Street at any time”

“On the north side of West State Street from the east curb line of North 8th Street to a point 70 feet east thereof at any time”

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

“On the north side of West Wells Street from North James Lovell Street to North 8th Street 8:00 AM to 6:00 PM Saturday”

“West Lapham Street from South 9th to South 12th Streets”

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

On the north side of West State Street from North 6th Street to North 8th Street Saturday

On West State Street from North 9th Street to North 10th Street Saturday

On the north side of West Wells Street from North 9th Street to North 10th Street Saturday

On West Lapham Boulevard from South 9th Street to South 10th Street

On the south side of West Lapham Boulevard from South 10th Street to South 11th Street

Part 6. Section 101-23-4-e of the Code relating to Three-Hour Parking is amended by striking the following:

“On South 29th Street between West Harrison and West Cleveland Avenues”

“On South 30th Street between West Forest Home and West Cleveland Avenues, excepting Saturday, Sunday and holidays”

Part 7. Section 101-27-3-b-1 of the Code relating to Alternate Side Night Parking is amended by adding the following:

On South 26th Street from West Maple Street to West Burnham Street

On South Ellen Street from East Estes Street to East Rusk Street

On South Pine Avenue from East Potter Avenue to East Russell Avenue

Part 8. Section 101-32-3-d-1 of the Code relating to Two-Hour Meter Parking is amended by striking the following:

“On the north side of West Wells Street between North 9th Street and North 10th Street”

Part 9. Section 101-32-3-d-4 of the Code relating to Two-Hour Meter Parking is amended by striking the following:

“On the north side of West Wells Street from North James Lovell Street to North 8th Street 8:00 AM to 6:00 PM Monday through Friday”

Part 10. Section 101-32-3-d-4 of the Code relating to Two-Hour Meter Parking is amended by adding the following:

On the north side of West State Street from North 6th Street to North 8th Street from 8:00 AM to 6:00 PM Monday through Friday

On West State Street from North 9th Street to North 10th Street from 8:00 AM to 6:00 PM Monday through Friday

On the north side of West Wells Street from north 9th Street to North 10th Street from 8:00 Am to 6:00 PM Monday through Friday

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

5. [060217](#)

A substitute ordinance relating to private alarm system business licensing.

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

Part 1. Section 105-75-3-d of the code is amended to read:

105-75. Private Alarm Systems and Regulations.

3. LICENSE REQUIRED.

d. All applicants shall be fingerprinted. If the applicant is a corporation, the agent [[, and all officers and directors as well as stockholders owning 20% or more of the stock of the corporation]] shall be fingerprinted. If the applicant is a partnership, each partner shall be fingerprinted. This requirement shall not apply to a person already licensed by the city when that person is renewing the license. The fingerprinting requirement shall also not apply to the officers and directors of nonprofit corporations which apply for a license, except that the fingerprinting requirement shall apply to the agent of such corporations. If a set of fingerprints is on file with the police department, an additional set shall not be required unless expressly requested by the police department for purposes of verification.

□

Part 2. Section 105-75-4-c of the code is created to read:

4. CHANGES TO BE REPORTED.

c. If there is a change of agent by the licensee, the new agent shall be fingerprinted within 10 days of such change.

LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

Sponsors: Ald. Witkowiak

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

6. [060330](#) A substitute ordinance relating to ambulance conveyance rates.

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

Part 1. Section 75-15-14-c-1 to 3 of the code is amended to read:

75-15. Ambulance Certification Regulations.

14. AMBULANCE RATE.

c-1. For patients who are residents of the city of Milwaukee, for Basic Life Support, [[376]] >>\$396<< and, for Basic Life Support - Emergency, [[376]] >>\$396<<. In addition, for Advanced Life Support for patients who are residents of the city of Milwaukee conveyed under the terms of the Private Provider Interfacility Unit protocol, [[553]] >>\$582<<. This charge shall in no way be construed so as to circumvent the role of the fire department as the designated responder to Advanced Life Support service calls.

c-2. For patients who are not residents of the city of Milwaukee, for Basic Life Support, [[435]] >>\$458<< and, for Basic Life Support - Emergency, [[435]] >>\$458<<. In addition, for Advanced Life Support for patients who are not residents of the city of Milwaukee conveyed under the terms of the Private Provider Interfacility Unit protocol, [[553]] >>\$582<<. This change shall in no way be construed so as to circumvent the role of the fire department as the designated responder to Advanced Life Support service calls.

c-3. In addition to the charges provided in subds. c-1 and 2, a charge of [[10.39]] >>\$11.75<< per mile shall be assessed for mileage, mileage to be defined as the distance traveled with the patient in the ambulance from the point of patient origin to destination.

Sponsors: Ald. Donovan

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

ADOPTION OF THE FOLLOWING:

7. [060225](#) Substitute resolution relating to continuation of periodic Police Department reports and trends concerning major reportable criminal offenses in the City of Milwaukee. Whereas, Common Council resolution File Number 68-2494 adopted on March 4, 1969, authorized the Police Department to issue monthly reports to all aldermen concerning major reportable crimes within the census tracts of the City of Milwaukee; and
- Whereas, Information technology upgrades and developing tracking software for law enforcement purposes in the Police Department's data services division has interrupted the consistent and timely flow of crime data to members of the Common Council; and
- Whereas, It appears that these significant data collection and reporting difficulties experienced by the Police Department have been resolved; and
- Whereas, In order to make informed policy decisions for the City of Milwaukee and for the Police Department, the Common Council must be provided with necessary information regarding conditions and crime trends in their respective aldermanic districts, and citywide, as well; and
- Whereas, Information related to major reportable crimes within the aldermanic districts is a valuable resource for understanding the issues and concerns of the constituents of each district and the citizens of the City of Milwaukee; and
- Whereas, The information provided by the Police Department on a quarterly basis would assist aldermen in a better understanding of police services available in the respective aldermanic districts; and
- Whereas, This information would further assist aldermen in better understanding the needs of the Police Department related to police services; and
- Whereas, This information and the timelines requested for the communication of this information to the Common Council would be consistent with the Police Department's policy to keep elected officials apprised of the conditions and service needs in the aldermanic districts; now, therefore be it
- Resolved, By the Common Council of the City of Milwaukee, that resolution File Number 68-2494, adopted on March 4, 1969, authorizing the Police Department to issue monthly reports to all aldermen concerning major reportable crimes within the census tracts of the City of Milwaukee, is rescinded; and, be it

Further Resolved, That in lieu thereof, the Police Department shall provide to each alderman a quarterly report which includes major reportable crimes and trends in the respective aldermanic districts and the City as a whole with the reporting quarter to close every March 31, June 30, September 30 and December 31, and that this report shall be submitted in a format congruent with the Police Department reporting capabilities; and, be it

Further Resolved, That these quarterly reports shall be submitted to the members of the Common Council within 2 months of the close of the respective quarter; and, be it

Further Resolved, That the Chief of Police, or a representative of the Chief, shall appear before the appropriate Council committee to review and discuss the findings and the trends contained in the quarterly report.

Sponsors: Ald. Witkowski, Ald. Murphy, Ald. Puente, Ald. Davis And Ald. McGee Jr.

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

8. [060264](#) Resolution relative to application, acceptance and funding of the Congenital Disorders Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services to screen newborns for over 26 rare disorders; and

Whereas, The operation of this grant program from 07/01/06 to 06/30/07 would cost \$121,627 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 030712 (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 2006 Special Revenue-Grant and Aid Projects Fund, the following amounts for the project titled Congenital Disorders Grant:

Project/Grant	GR0000600000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$121,627

2. Create the necessary Special Revenue Fund - Grant and Aid Project/Grant and Project Levels; budget to these Project/Grant values the amounts required under the grant agreement; and be it

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

Expend from the amount budgeted 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. DONOVAN that this Resolution be ADOPTED. This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

9. [060265](#) Resolution relative to application, acceptance and funding of the Energy Conservation and Lead Abatement - WE Energies Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from We Energies for eradicating childhood lead poisoning by calendar year 2010; and

Whereas, The operation of this grant project from 07/01/06 to 12/31/06 would cost \$360,000 provided by the grantor based on donations received; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to We Energies 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 030712 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2006 Special Revenue Grant and Aid Projects fund, the following amounts for the project titled Energy Conservation and Lead Abatement - We Energies:

Project Grant	GR0000600000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$360,000

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

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

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

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

10. [060267](#) Resolution relative to application, acceptance and funding of the Milwaukee Alliance for Sexual Health Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Medical College through the State of Wisconsin Division of Health and Family Services to propose new planning and community mobilization efforts to better coordinate existing and new resources to implement proven public health methods for reducing rates of sexually transmitted diseases and unintended pregnancies; and

Whereas, The operation of this grant project from 06/01/06 to 11/30/06 would cost

\$27,815 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 030712 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent of the 2006 Special Revenue-Grant and Aid Projects Funds, the following amounts for the project titled MASH Grant:

Project/Grant	GR0000600000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$27,815

2. Create the necessary Special Revenue Fund - Grant and Aid Project/Grant and Project Levels; budget to these Project/Grant values the amounts required under the grant agreement; and be it

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

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date; and,
2. Enter into contracts and leases as specified in the grant budget.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

11. [060321](#) Substitute resolution amending Resolution File Number 041449, relating to Law Enforcement Services Grant Agreement with the Milwaukee Brewers Baseball Club. Whereas, The Common Council adopted Resolution File Number 041449 on February 22, 2005, approving a Law Enforcement Services Grant Agreement with the Milwaukee Brewers Baseball Club ("Brewers"); and

Whereas, Grant funding for law enforcement services provided to the Brewers for the grant contract period of February 25, 2005, to October 31, 2006, was originally estimated at \$800,000; and

Whereas, An additional funding of \$400,000 is required from the Brewers for a grant total of \$1,200,000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Resolution File Number 041449, adopted on February 22, 2005, is amended by deleting the amount "\$800,000.00" in the 3rd "Further Resolved" clause under Item 1, and inserting in lieu thereof the amount "\$1,200,000.00", thereby increasing the grantor share by \$400,000.

Sponsors: Ald. Donovan

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

APPROVAL OF THE FOLLOWING:

12. [060187](#) Motion relating to the recommendations of the Public Safety Committee relative to various licenses. The Common Council of the City of Milwaukee hereby accepts the recommendations of the Public Safety Committee as contained in the listings attached to this file.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

CONFIRMATION OF THE FOLLOWING:

13. [060114](#) Reappointment of Ms. Daisy Cubias to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.
- Sponsors:** THE CHAIR
- A motion was made by ALD. DONOVAN that this Appointment be CONFIRMED.**
This motion PREVAILED by the following vote:
- Aye:** 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
- Excused:** 1 - Witkowiak
14. [060115](#) Reappointment of Ms. Janice Cummings to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.
- Sponsors:** THE CHAIR
- A motion was made by ALD. DONOVAN that this Appointment be CONFIRMED.**
This motion PREVAILED by the following vote:
- Aye:** 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
- Excused:** 1 - Witkowiak
15. [060117](#) Reappointment of Ms. Alvience Sue Lamb to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.
- Sponsors:** THE CHAIR
- A motion was made by ALD. DONOVAN that this Appointment be CONFIRMED.**
This motion PREVAILED by the following vote:
- Aye:** 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
- Excused:** 1 - Witkowiak
16. [060118](#) Reappointment of Ms. Bakwajkwe Madosh to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.
- Sponsors:** THE CHAIR
- A motion was made by ALD. DONOVAN that this Appointment be CONFIRMED.**
This motion PREVAILED by the following vote:
- Aye:** 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

17. [060119](#) Reappointment of Ms. Stormy Mercadel to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.

Sponsors: THE CHAIR

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

Aye: 12 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski Zielinski

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

Abstain: 1 - Hines Jr.

18. [060121](#) Reappointment of Ms. Ann Ranfranz to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

19. [060122](#) Reappointment of Ms. Roberta Rieck to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

20. [060123](#) Reappointment of Ms. Kathie Stolpman to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan,
Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

21. [060191](#) Reappointment of Assistant District Attorney Paul Tiffin to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Milwaukee County District Attorney.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan,
Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

22. [060192](#) Appointment of Assistant District Attorney Lori Kornblum to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Milwaukee County District Attorney.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan,
Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

23. [060193](#) Reappointment of Assistant District Attorney Paul Dedinsky to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Milwaukee County District Attorney.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan,
Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

24. [060201](#) Reappointment of Elvira Asuncion to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

25. [060202](#) Reappointment of Deborah Donovan to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

26. [060203](#) Reappointment of Maryann Clesceri to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

27. [060205](#) Reappointment of T. Anthony Zielinski to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

28. [060207](#) Appointment of Mariana Rodriguez to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

29. [060208](#) Appointment of Leslie Myers to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

30. [060213](#) Appointment of Jennifer Ward to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

31. [060232](#) Reappointment of Susette Gordon to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Milwaukee Division of Children and Family Services.

Sponsors: THE CHAIR

A motion was made by ALD. DONOVAN that this Appointment be CONFIRMED.

This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

PLACING ON FILE THE FOLLOWING:

35. [060204](#) Reappointment of Liz Marquardt to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.
- Sponsors:** THE CHAIR
- A motion was made by ALD. DONOVAN that this Appointment be PLACED ON FILE. This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
32. [060116](#) Reappointment of Ms. Sue Deutsch to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.
- Sponsors:** THE CHAIR
- A motion was made by ALD. DONOVAN that this Appointment be PLACED ON FILE. This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
36. [060211](#) Appointment of Raisa Litmanovich to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Common Council President.
- Sponsors:** THE CHAIR
- A motion was made by ALD. DONOVAN that this Appointment be PLACED ON FILE. This motion PREVAILED by the following vote:**
- Aye:** 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
- Excused:** 1 - Witkowiak

33. [060120](#) Reappointment of Ms. Anita R. O'Connor to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

37. [060141](#) 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 101-15 of the Code relating to Yield signs is amended by striking the following:

“East Fernwood Avenue (East and West Bound) traffic to stop for South Pennsylvania Avenue”

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

On West Hassel Lane and North 52nd Street in all directions

On East Fernwood Avenue and South Pennsylvania Avenue in all directions

On West Chambers Street and North 18th Street in all directions

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

On West Chambers Street at North 18th Street

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowski

34. [060129](#) Communication from the Milwaukee Police Department transmitting a report relative to motor vehicles acquired from citizens in conjunction with criminal investigations.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Witkowiak

THE PUBLIC SAFETY COMMITTEE MAY FURTHER RECOMMEND:

PASSAGE OF THE FOLLOWING:

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [060017](#) Substitute ordinance to further amend the 2006 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 1 of ordinance File Number 050456 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):

Under Pay Range 036 add the title "Member, Employees' Retirement System, Annuity and Pension Board."

Part 2. Section 2 of ordinance File Number 050456 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2006 - January 1, 2006):

Under Salary Grade 004, add the title "Health Project Coordinator-ACHP."

Part 3. Section 5 of ordinance File Number 050456 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Create new Pay Range 465 as follows:

Pay Range 465 (ALEASP)

Official Rate-Biweekly

\$1,461.60	1,527.20	1,588.00	1,651.20	1,717.60
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Police Services Specialist-Investigator

Part 4. Section 23 of ordinance File Number 050456 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2006 - January 1, 2006):

Under Pay Range 929, in footnote "2)", delete the hourly rates of \$13.18 and \$13.92 (2005) and substitute the hourly rates of \$13.58 and \$14.34 (2006).

Part 5. Section 25 of ordinance File Number 050456 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period - 12, 2006 - June 4, 2006):

Under Pay Ranges 974 through 978, delete the hourly rates of pay shown and substitute in lieu thereof the following official hourly rates of pay:

Pay Range 974

Official Rate-Hourly

\$17.09 18.25 19.70 21.15

Pay Range 975

Official Rate-Hourly

\$13.76 16.51 20.64 24.77

Pay Range 978

Official Rate-Hourly

\$27.52

Part 6. Part II. Section 8 of ordinance File Number 050456 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under "Administrative Review Appeals Board", delete the rate of \$180 per meeting and substitute in lieu thereof "\$187.00 per meeting."

Part 7. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 8. The provisions of Part 1 of this ordinance are deemed to have been in force and effect from and after Pay Period 1, 2000 (December 26, 1999).

The provisions of Parts 2 and 4 of this ordinance are deemed to have been in force and effect from and after Pay Period 1, 2006 (January 1, 2006).

The provisions of Part 5 of this ordinance are deemed to have been in force and effect from and after Pay Period 12, 2006 (June 4, 2006).

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 9. 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. MURPHY that this Ordinance be PASSED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

2. [060098](#) A substitute ordinance relating to vacation benefits for certain city employees.

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

Part 1. Section 350-40-3-a-1 of the code is amended to read:

350-40. Vacations.

3. TIME EARNED FOR ANNUAL VACATION PERIOD. a. Full time Employees.

a-1. Management pay plan employees, except >>the executive director of the employees' retirement system and<< public officials appointed pursuant to s. 62.51 Wis. Stats., and their deputies, and nonrepresented, nonmanagement employees, except police aides, shall earn vacation time for a fiscal year on a pay period basis in the following manner:

Part 2. Section 350-40-3-a-2 of the code is repealed and recreated to read:

a-2. Public officials appointed pursuant to s. 62.51 Wis. Stats., as well as the executive director of the employees' retirement system, shall earn vacation time for a fiscal year on a pay period basis in the following manner:

a-2-a. Officials who have completed less than 9 years of active service shall earn 5.3 hours per pay period.

a-2-b. Officials who have completed at least 9 years but less than 14 years of active service shall earn 6.8 hours per pay period.

a-2-c. Officials who have completed at least 14 years of active service shall earn 8.4 hours per pay period.

a-2-d. Officials who have completed at least 21 years of active service shall earn 9.9 hours per pay period.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

3. [060143](#) Substitute ordinance to further amend the 2006 offices and positions in the City Service under control of the Common Council.

Sponsors: THE CHAIR

Ald. Davis moved to amend the positions ordinance to reclassify 10 vacant positions of Police Services Specialist, PR 939, to Police Services Specialist - Investigator, PR 465, instead of 13 positions.

A motion was made by ALD. DAVIS that this Ordinance be AMENDED. This motion FAILED by the following vote:

Aye: 4 - Davis, McGee Jr., Wade Hines Jr.

No: 10 - Hamilton, D'Amato, Bauman, Bohl, Donovan, Puente, Murphy, Dudzik, Witkowski Zielinski

Excused: 1 - Witkowiak

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

4. [060323](#) A substitute ordinance relating to the mayoral designee serving on the city information management committee.

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

Part 1. Section 320-31-1-a of the code is amended to read:

320-31. City Information Management Committee.

1. COMPOSITION.

a. The mayor[[.]] or a designee [[who shall be in salary grade 10 or above]].

Sponsors: Ald. Hamilton

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

Aye: 15 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

ADOPTION OF THE FOLLOWING:

5. [060018](#) Substitute resolution authorizing attendance at conventions, seminars and other travel.

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

1. Three Aldermen (CC-CC); "83rd Annual National League of Cities, Congress of Cities and Exposition"; December 5-9, 2006; Reno, Nevada; \$5,295.00.

2. Two Aldermen (CC-CC); "League of Wisconsin Municipalities, 2006 Annual Conference"; Middleton, WI; October 11-13, 2006; 1,783.58.

; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

6. [060266](#) Resolution relative to application, acceptance and funding of the West Nile Virus Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services to conduct West Nile Virus surveillance and mosquito surveillance; and

Whereas, The operation of this grant project from 01/01/06 to 12/31/06 would cost \$22,500 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 030712 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2006 Special Revenue-Grant and Aid Projects Fund, the following amounts for the project titled West Nile Virus Grant:

Project/Grant	GR0000600000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$22,500

2. Create the necessary Special Revenue Fund-Grant and Aid Project/Grant and Project/Grant Levels; budget against these Project/Grant values the amount required under the grant agreement; and, be it

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

Expend from the amount budgeted sums 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 2006 Positions Ordinance C.C. File Number 050457, should be amended as follows:

Health Department

Amend footnote (KKK) as follows:

One position partially funded by the West Nile Virus Grant. Grant expires 12/31/06 unless funding is extended; and

Amend footnote (CCC) as follows:

One position partially funded by the Beach Monitoring Grant. Grant expires 09/30/06 unless funding is extended; and

Delete footnote (UU).

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

7. [060279](#) Substitute resolution transferring \$160,000 from the 2006 Common Council Contingent Fund to the Unemployment Compensation Special Purpose Account; and reserving an additional \$160,000 within the 2006 Common Council Contingent Fund for the purposes of further augmenting the Unemployment Compensation Special Purpose Account.

Whereas, The Department of Employee Relations - Unemployment Compensation Special Purpose Account was funded in 2006 at \$780,000; and

Whereas, \$751,085 of the \$780,000 budget has already been expended; and

Whereas, The Department of Employee Relations and the Budget Office agree that the projected expenditures in 2006 for Unemployment Compensation will be at least \$933,532; and

Whereas, Considerable uncertainty still exists regarding the ultimate level of unemployment compensation costs for 2006; and

Whereas, These expenditures are non-discretionary; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that an amount not to exceed \$160,000 be transferred from the 2006 Common Council Contingent Fund (0001-9990-001-C001-006300-2006) to the Unemployment Compensation Special Purpose Account (006100-0001-1650-0001-S172-2006); and, be it

Further Resolved, That an additional \$160,000 be reserved within the 2006 Common Council Contingent Fund for the purposes of further augmenting the Unemployment Compensation Special Purpose Account; and, be it

Further Resolved, That the appropriate City officials are authorized and directed to take whatever steps are necessary to fulfill the intent of this resolution.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

8. [060281](#) Resolution authorizing the Commissioners of the Public Debt to market general obligation promissory notes under section 67.12(12), Wisconsin Statutes, of Contingent Borrowing Authority in the amount of \$1,000,000 for Development Fund purposes.

Whereas, The 2006 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 in the sum of \$110,000,000; and

Whereas, Resolution File Number 051694 adopted on May 9, 2006 authorized \$1,000,000 of development fund expenditures, to be funded by contingent borrowing, in order to pay a portion of the costs associated with settlement agreement with the United States of America relating to a complaint filed under the Americans with Disabilities Act; and

Whereas, The Common Council is desirous of issuing and selling \$1,000,000 of promissory notes to provide funding for the authorized expenditure; 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 promissory

notes in an amount not to exceed \$1,000,000 for paying development fund expenditures; and, be it

Further Resolved, That said promissory notes be sold by the Commissioners of the Public Debt at a private sale; or public competitive sale; or to the Public Debt Amortization Fund for the purpose of investment; or to the Public Debt Amortization Fund for immediate cancellation; 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 in the event the Commissioners of the Public Debt advise the Common Council that said notes have been sold at a private sale or public competitive sale or to the Public Debt Amortization Fund as an investment, the Common Council hereby declares that it will levy an irrevocable tax sufficient to pay each installment of principal and interest as it becomes due and payable; and, be it

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

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

Further Resolved, That such general obligation promissory notes shall be dated as of the date of delivery, or the first or fifteenth day of the month in which they are issued, bear interest, payable semi-annually, at coupon rates as determined by the Commissioners of the Public Debt, not to exceed 9.25%; 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 interest on or principal of the notes falling due at any time when there shall be on hand insufficient funds from proceeds of the tax levy for the payment of such interest or principal shall be paid promptly when due from other funds of the City, which funds shall be reimbursed thereof out of the proceeds of the taxes above levied when such taxes shall have been collected; and, be it

Further Resolved, That 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 same-day funds. Notices, if any, given by the City to the registered owner of the notes will be given to the Depository Trust Company. In the event that the securities depository relationship with the Depository Trust Company for the notes is terminated and the City does not appoint a successor securities depository, the City will prepare, authenticate and deliver at its expense fully-registered certificated notes in the denominations of \$5,000 or in the integral multiple thereof in the aggregate principal amount by maturity then outstanding to the beneficial owners of the notes; provided however, that should any notes be owned by the Public Debt Amortization Fund, such note may be registered in the name of the Public Debt Amortization Fund; and, be 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 Continuing Disclosure Certificate, in substantially the form of the Supplemental Certificate authorized by File Number 031384 adopted on

February 10, 2004, is authorized to be executed and delivered by the Comptroller for the notes; and, be it

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

Further Resolved, That 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.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

9. [060282](#) Resolution authorizing the issuance and sale of up to \$210,000,000 of revenue anticipation notes under Section 67.12(1), Wisconsin Statutes, for the purpose of financing the operating budget of the Milwaukee Public Schools on an interim basis. Whereas, The Milwaukee Public Schools (the "MPS") is a department of the City of Milwaukee (the "City") authorized by Sections 65.05 and 119.46, Wisconsin Statutes, to establish a School Operations Fund, and to determine its expenditures and the taxes to be levied; and
- Whereas, MPS is temporarily in need of funds in the amount not to exceed \$210,000,000 to meet the immediate expenses of operating and maintaining the public instruction in MPS during the 2006-2007 fiscal year commencing July 1, 2006 and ending June 30, 2007 (the "Fiscal Year"); and
- Whereas, The Milwaukee Board of School Directors (the "Board") has deemed it necessary and in the best interest of MPS that funds be borrowed and revenue anticipation notes be issued to fund the temporary need, and has requested the City to so issue such notes; and
- Whereas, The City is a municipality authorized by the provision of Section

67.12(1)(a), Wisconsin Statutes, to borrow money in anticipation of revenues for school purposes; and

Whereas, The City deems it necessary and in the best interest of MPS that funds be borrowed and revenue anticipation notes be issued pursuant to the provisions of Section 67.12(1)(a), Wisconsin Statutes, for the purpose of financing the operating budget of the Milwaukee Public Schools on an interim basis; and

Whereas, In accordance with Section 67.12(1)(a), Wisconsin Statutes, the total amount borrowed shall not exceed 60% of MPS's total actual and anticipated receipts in the fiscal year, and shall be repaid no later than 18 months after the first day of the fiscal year; and

Whereas, The tax for the operations and maintenance of schools of MPS for the Fiscal Year has been voted by the Board to be collected on the next tax roll; and

Whereas, To the best of the knowledge, information and belief of the Board, MPS complies with the revenue limits set forth in Sections 121.91 and 121.92, Wisconsin Statutes; 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 school revenue anticipation notes (the "RANs") pursuant to the provisions of Section 67.12(1), Wisconsin Statutes, in an amount not to exceed \$210,000,000; and, be it

Further Resolved, That the RANs shall be sold by the Commissioners of the Public Debt in one or more series, at one or more time or times, at a true interest cost not to exceed 6.00% at public competitive or private sale; or to the Public Debt Amortization Fund for the purpose of investment and/or cancellation; and, be it

Further Resolved, That the RANs shall be dated no later than December 31, 2006, shall mature on or before November 1, 2007, shall be registrable in the name of CEDE & Co. as nominee of the Depository Trust Corporation, New York, New York, shall bear interest at a rate not to exceed 7.00% per annum, and shall not be subject to redemption prior to maturity; provided however, that RANs purchased by the Public Debt Amortization Fund shall be registered to the same; and, be it

Further Resolved, That the RANs shall be designated as determined by the Commissioners of the Public Debt, and that each series of RANs shall be numbered consecutively beginning with the number 1; and, be it

Further Resolved, That in accordance with authorization from the Board for the purpose of securing payment, when due, of the principal on the RANs, the proper

City officers are hereby authorized and directed to segregate within the School Operations Fund state general school aid revenue payments under Section 121.15, Wisconsin Statutes, received in June of the Fiscal Year, in the amount of the principal of the RANs; and, be it

Further Resolved, In accordance with authorization from the Board, that the Common Council hereby declares that it irrevocably pledges as security for the repayment of the RANs and interest thereon, all revenues of the School Operations Fund attributable to the Fiscal Year which are due MPS, in the Fiscal Year, and not yet paid as of the date of delivery of the RANs, and which are not otherwise pledged and/or applied; and, be it

Further Resolved, That surplus revenues in the Debt Service Fund be and hereby are pledged to the payment, when due, of interest on the RANs, and that the proper City officers be and hereby are authorized and directed to create a separate account in the Debt Service Fund from surplus revenues within the fund in the amount of interest due on the RANs to maturity; and, be it

Further Resolved, That the proper City officers be and hereby are authorized to execute an addendum to the agreement with the City's Fiscal Agent with respect to the RANs; and, be it

Further Resolved, That the proper City officers be and hereby are authorized and directed to deposit with the City's Fiscal Agent on or before the end of the Fiscal Year pledged revenues to purchase direct obligations of the U.S. Government in an amount sufficient together with earnings thereon to pay, when due, the principal of and interest on the RANs to maturity; and, be it

Further Resolved, That should the RANs mature on or before the end of the Fiscal Year as determined by the Commissioners of the Public Debt, City officers may determine whether it is desirable or not to have a Fiscal Agent to make the payment on the RANs. If it is determined that a Fiscal Agent is not desirable, the City officers need not execute the Addendum, and are directed to pay directly, when due, the principal of and interest on the RANs; and, be it

Further Resolved, That the RANs shall not constitute an indebtedness for purposes of determining the City's constitutional debt limitation, and no tax shall be levied to pay the RANs; and, be it

Further Resolved, That the City Comptroller be and hereby is authorized and directed to prepare an official statement in connection with the issuance of the RANs and to execute on behalf of the City all certifications which may be required in connection with the official statement; and, be it

Further Resolved, That the City covenants to take all actions necessary to preserve the exemption of interest on the RANs from federal income taxation. No use of the proceeds of the sale of the RANs shall be made which, if such use had been reasonably expected on the date of issue of the RANs, would have caused such RANs to be "arbitrage bonds" as defined in Subsection (d)(2) of Section 103 and Section 148 of the U.S. Internal Revenue Code of 1986. The City shall comply with the requirements of Sections 141 through 150 of said Internal Revenue Code and the applicable regulations of the Internal Revenue Service adopted thereunder throughout the term of the RANs. The provisions of this section shall be a covenant with the purchasers of the RANs; and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

10. [060284](#) Resolution relative to application, acceptance and funding of a Beat Patrol Program Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin, Office of Justice Assistance for additional beat patrol officers to work with the residents to identify and resolve crime and quality of life issues which impact upon the neighborhood; and

Whereas, The operation of this grant from 01/01/2006 to 12/31/2006 would cost \$461,383 of which \$150,000 (33%) would be provided by the grantor and \$311,383

(67%) would be provided by the city; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File# 030712; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2006 Special Revenue Grant and Aid Projects fund, the following amount for the program titled: "Beat Patrol Program Grant":

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0000600000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$150,000

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

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

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

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

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

Further Resolved, that the 2006 Positions Ordinance be amended as follows to reflect the change:

Amend footnote (S) as follows:

(S) State Beat Patrol Grant: To expire 12/31/2006 unless the Beat Patrol Grant, available from the State of Wisconsin, Office of Justice Assistance is extended.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

11. [060324](#) Substitute resolution directing City departments to prepare reports on positions that have been vacant for 12 calendar months or more.
- Whereas, The City of Milwaukee 2006 Adopted City Budget includes authority for approximately 8,800 full-time, part-time, seasonal and temporary positions, including 3,105 positions within the various divisions of the Department of Public Works, 2,961 positions in the Police Department, and 1,151 positions in the Fire Department; and
- Whereas, Positions in City departments may be funded from a variety of sources, including the property tax levy, grants, and enterprise funds, and vacancies in positions may occur at any time in the budget year due to such factors as the discontinuation or expiration of grant funding, revenue shortfalls, and operating efficiencies or other changes in a department's delivery of services; and
- Whereas, It is in the best interest of the City of Milwaukee and its taxpayers to review and evaluate the need to retain or eliminate positions which have been vacant for more than 12 calendar months, to enhance transparency in the City's budget process and to provide a clearer focus on each department's staffing and funding needs for strategic planning purposes; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that all City departments are directed to provide to the Common Council a complete listing of all positions that have been vacant for the last 12 calendar months (since July 1, 2005) or more; and, be it
- Further Resolved, That the requested vacancy report shall indicate each position's salary grade, the date each position was vacated, and whether the position is full-time, part-time, seasonal or temporary; and, be it
- Further Resolved, That the requested vacancy report shall further specify the source of funding for each of the vacant positions and a brief explanation as to the reason the positions continue to remain vacant; and, be it
- Further Resolved, That all departments shall prepare and submit their vacancy reports to the Common Council by September 1, 2006.

Sponsors: Ald. Witkowski, Ald. Davis And Ald. Murphy

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

12. [060339](#) Substitute resolution authorizing and approving the use of a Medicare Part D Prescription Drug Plan and a Medicare Part D Wrap plan in 2007 for Medicare retirees.
- Whereas, It is the desire of the City and the Medicare retirees to control their health care costs; and
- Whereas, It is the desire of the City and the Medicare retirees to maintain their current benefit structure; and
- Whereas, The federal government has provided opportunities to use the Medicare Part D drug plan to provide reimbursement for Medicare formulary drugs for Medicare retirees; and
- Whereas, Navitus Health Solutions, the City's current Prescription Benefit Manager for the Basic Plan, and Dean Health Care, have prepared an administrative plan to provide a Medicare Part D benefit to retirees in the Basic Plan without changing their benefits; and
- Whereas, The rates in exhibit A attached to this file shows a 75% cost share for the City of Milwaukee Basic Plan for Medicare retirees are significantly reduced by this Medicare Part D plan; and
- Whereas, The City agrees to allow retirees to return to the current Basic Plan drug plan administered by Navitus Health solutions if the Medicare Part D program were to be eliminated by the federal government or to the extend it is modified to the disadvantage of the retiree when compared to the current plan; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that in 2007 the City will provide all Medicare Retirees selecting the Basic Plan, will have a Medicare Part D PDP and a Medicare D Wrap, and further authorizing the Department of employee Relations to enter into a three party contract with Navitus Health Solutions and Dean Health Care to administer this program.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

13. [060343](#) Substitute Resolution authorizing an agreement with Wisconsin Physicians Service Insurance Corporation for runout of subrogation recovery services.

Whereas, The City of Milwaukee and Wisconsin Physician Services Corporation (WPS) have an agreement to pay the fees and expenses to perform Subrogation and Recovery Services through December 31, 2005, detailed in Section VI.B.6 of the current agreement, under terms and conditions provided in Section II.c.(5) of such agreement; and

Whereas, The City desires that these services shall be limited to claims or open cases received by WPS prior to January 1, 2006 involving claims against third parties and/or Plan participants under any rights of subrogation, reimbursement, unjust enrichment restitution, indemnity or contribution under any provision of the Plan including but not limited to those dealing with subrogation, workers compensation and coordination of benefits against first party automobile coverage; and

Whereas, This agreement shall expire upon the resolution of all subrogation case opened prior to January 1, 2006 or at such time as the parties shall mutually agree to its termination; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Employee Relations is authorized to enter into an Agreement with WPS.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

14. [060338](#) Substitute resolution approving the Basic Plan rates for 2007.

Whereas, The City of Milwaukee and Willis of Wisconsin have a contract that provides for Willis to prepare the Basic Plan rates for the City of Milwaukee Basic

Plan, based on the utilization and experience data received from CMS, Navitus and WPS; and

Whereas Willis of Wisconsin using their in house actuary services has prepared such Basic Plan rates for City of Milwaukee active and retired employees; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the rates list in the report prepared by Willis of Wisconsin attached to this file be approved and used to prepare rate sheets for active and retired employees for 2007.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

15. [060340](#) Substitute resolution approving utilizing the City of Milwaukee's Flexible Benefits Plan in 2007 and approving a contract extension with ProcessWorks to administer the City of Milwaukee Flexible Benefits Plans in 2007, including a Flexible Benefits Parking Plan.

Whereas, ProcessWorks currently administers the City of Milwaukee Flexible Benefits Medical Plan; and

Whereas, ProcessWorks currently administers the City of Milwaukee Flexible Benefits Dependent Care account; and

Whereas, The City of Milwaukee has requested that ProcessWorks administer a Flexible Benefits Parking Plan to reimburse City employees for parking on a pre-tax basis reducing the cost for both the City and the employees; and

Whereas, The City currently avoids FICA taxes of \$520,000 on pre-tax of health and dental contributions, \$70,800 through pre-tax of medical savings accounts, \$18,800 through pre-tax of dependent care accounts, and anticipates avoiding up to \$10,000 through pre-tax of parking plan; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Employee Relations is authorized to extend the current contract with ProcessWorks for Medical Savings and Dependent Care, and to extend the contract to include the administration of a Flexible Spending Parking fund for 2007.

Sponsors: Ald. Murphy

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

PLACING ON FILE THE FOLLOWING:

16. [060134](#) Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for Fire and Police Commission action.
- Sponsors:** THE CHAIR
- A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE. This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
17. [060240](#) Communication from the Department of Employee Relations relative to amending the wage rates for Journeyman Wiremen represented by IBEW, Local 494.
- Sponsors:** THE CHAIR
- A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE. This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
18. [060248](#) Communication from the Department of Administration - Budget and Management Analysis Division transmitting various vacancy requests, fund transfers and equipment requests.
- Sponsors:** THE CHAIR
- A motion was made by ALD. MURPHY that this Communication be PLACED ON FILE. This motion PREVAILED by the following vote:**

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

19. [060262](#) 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. MURPHY that this Communication be PLACED ON FILE. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

20. [060294](#) Communication relative to compensation for the members of the Administrative Review Appeals Board.

Sponsors: Ald. D'Amato

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

21. [060337](#) Communication from the Department of Employee Relations relative to an update on the Diabetes Ten City Challenge.

Sponsors: THE CHAIR

A motion was made by ALD. MURPHY that this Communication-Report be PLACED ON FILE. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [060322](#) A substitute ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 77-5-4 of the code is repealed.

(Note: the provisions being repealed read as follows:

77-5. Pesticide.
4. WARNING SIGNS TO BE POSTED.
a. Required. Warning signs informing occupants, adjacent property owners and the public of the hazards associated with the application of pesticides, shall be posted on the premises prior to the application. The provisions of this subsection shall apply to anyone applying a pesticide as provided in sub. 2, including the owner or occupant of a single, 2-family or multifamily dwelling of 8 or less units if a pesticide is applied by a noncommercial applicator, as well as commercial pesticide applicators.
b. Size and Wording. The warning signs shall:
b-1. Be a minimum of 4 inches by 5 inches in size, be professionally printed with red lettering on a white background, attached to a stable supporting device and made of a rigid material durable enough so that a sign can be easily read at least 72 hours after posting, notwithstanding reasonably foreseeable adverse conditions.
b-2. Include language and a symbol that warns people to stay off the premises on which the pesticide is to be applied. Each sign shall contain the universal symbol depicting an adult, child and pet in a circle, with a diagonal line across the circle. Each sign shall bear the words, in not less than 36-point type, "PESTICIDE APPLICATION", and "PLEASE KEEP OFF."
b-3. State the name of the pesticide to be applied as well as the name and phone number of the applicator who will apply the pesticide, if the applicator is other than the owner or resident at the premises.
b-4. The date and time of the pesticide application and when the sign may be removed. Each sign shall also bear the words, in not less than 9-point type, "DO NOT REMOVE UNTIL SUNSET THE DAY FOLLOWING APPLICATION" and "FOR ADDITIONAL INFORMATION ON THIS APPLICATION OR ANY FUTURE APPLICATIONS CALL [name and telephone number of the commercial applicator's business] OR THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION AT 608-266-LAWN."
c. Removal. Warning signs shall remain on the property on which a pesticide is to be applied until sunset the day following the application.
d. Exemptions. This subsection shall not apply to:

- d-1. The city, when a pesticide is applied to the concrete portion of a median.
- d-2. The necessary application of a pesticide in either an emergency or nonemergency condition, as determined by the commissioner, to protect the public health or safety.)

Part 2. Section 84-56-1-c of the code is amended to read:

84-56. Qualifications.

1. AMUSEMENT MACHINE DISTRIBUTOR.

c. Residency. No amusement machine distributor's license shall be granted to any person or partner not a resident of this state for at least one year prior to the date of the filing of the application. In the case of a corporate applicant, a one year state residency requirement shall apply to the agent [[and all officers and directors of the corporation must be residents of the state at least one year prior to the date of the filing of the application]].

Part 3. Section 106-21-3-a of the code is amended to read:

106-21. Unlawful Library Acts.

3. FAILURE TO RETURN LIBRARY MATERIAL.

a. [[No]] >>After notice has been sent to the last known address, no<< person may fail to return overdue, borrowed library material [[after having received a written notice to return the material]].

Part 4. Section 200-33-9-b of the code is amended to read:

200-33. Fees.

9. COPIES OF RECORDS; CERTIFIED.

b. The fee for reproducing any size or type of record shall be set by the commissioner of neighborhood services or commissioner of city development equivalent to the actual cost of reproduction. A list of the reproduction fees shall be posted in the appropriate department [[and shall be filed with the city clerk on an annual basis]].

Part 5. Section 244-18-6 of the code is repealed and recreated to read:

244-18. Temporary Banners and Other Nonrigid Signs.

6. COPIES OF CODE PROVISIONS. The election commission shall furnish copies of this section to candidates for public office.

Part 6. Section 295-107-2 (table) of the code is amended to read:

295-107. Zoning Districts.

TABLE 295-107-2 ZONING DISTRICTS

District	Map Indicator	Most Similar District(s)	Under the Previous Code
Subchapter	Reference		
Residential Districts			
Single-Family	RS1, RS2, RS3, RS4, RS5 and RS6	R/F-1/40, R/F-2/40, R/F-3/40, R/F-4/40 and R/F-5/40	5
Two-Family	RT1, RT2, RT3 and RT4	R/D-1/40, R/C-1/40 and R/E/40	5
Multi-Family	RM1	R/D/40	5
Multi-Family	RM2	R/C/40	5
Multi-Family	RM3	R/D/40, R/D/60 and R/D/85	5
Multi-Family	RM4	R/C/40, R/C/60, R/C/85 and R/C/125	5
Multi-Family	RM5	R/B/40	5
Multi-Family	RM6	R/B/60	5
Multi-Family	RM7	R/B/85, R/A/85 and R/A/125	5
Residential and Office	RO1, RO2	all O and RO districts	5
Commercial Districts			
Neighborhood Shopping	NS1, NS2	all S districts	6
Local Business	LB1, LB2	all L districts	6
Commercial Service	CS	all CS districts	6
Regional Business	RB1, RB2	all RS districts	6
Central Business	C9A-C9H	C9A-C9H	7
Industrial Districts			
Industrial-Office	IO	M/D/40, M/C/60, I/D/40 and I/E/40	8
Industrial- Light	IL	M/B/85, M/A/125, I/C/60, I/D/40, I/D/60 and I/E/60	8
Industrial-Mixed	IM	none	8
Industrial-Heavy	IH	I/A125 and I/B/85	8
Special Districts and Overlay Zones			
Parks	PK	none	9
Institutional	TL	all T districts	9
Planned Development	PD and DPD	GPD and DPD	9
>>Redevelopment	RED	none	9<<
Neighborhood Conservation	NC	none	10
Interim Study	IS	none	10
Development Incentive	DIZ	DIZ	10
Site Plan Review	SP	SPROD	10
Floodplain	FW, FF and FSD	FP1 and FP2	10
Shoreland-Wetland	WL	Shoreland-Wetland	10
Lakefront	LF	LF/C/60	10
Master Sign Program	MSP	none	10

Part 7. Section 313-05 of the code is repealed. (Note: the provisions being repealed read as follows:

313-05. Monthly Reports of Services; Orders for Salaries. The chief engineer shall report to the comptroller on or before the last day in each month the names of all the members of the department, with the amount due each for services for the current month, on which, audited by the comptroller, the city clerk shall make out orders in accordance with the provisions of the law, fixing salaries for members of the fire department.)

Part 8. Section 350-207-3 of the code is amended to read:

350-207. Bonds for Officers and Employees.

3. APPROVAL. All bonds shall be approved as to form and execution by the city attorney [[and thereafter filed in the office of the city clerk]].

Part 9. Wherever the term "utilities and licenses committee" appears in the following sections of the code, the term "appropriate licensing committee of the common council" is substituted: 99-6-1-0 and 99-6-2-k.

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Ordinance be PASSED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

ADOPTION OF THE FOLLOWING:

2. [060233](#) Resolution authorizing settlement of the lawsuit entitled Metropolitan Property & Casualty Insurance Company v. City of Milwaukee, Case No. 05-C-005461.
- Whereas, Metropolitan Property & Casualty Insurance Company has filed a lawsuit against the City of Milwaukee seeking \$18,147.20 plus costs, disbursements and fees; and
- Whereas, The claimant has agreed to settle the lawsuit in the amount of \$18,147.20; and
- Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to pay this lawsuit; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and are hereby authorized and directed to issue a City check in the amount

of \$18,147.20, payable to the order of the Deutch & Weiss, LLC Client Trust Account, 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, City of Milwaukee charged to the Damages and Claims Fund, Account No. 0001 1490 S118 006300.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

3. [060234](#) Resolution authorizing settlement of the claim made by Robert Ragsdale.
- Whereas, The claimant, Robert Ragsdale, has filed a claim against the City of Milwaukee; and
- Whereas, Mr. Ragsdale has agreed to settle his claim in the amount of \$45,000; and
- Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$45,000, payable to the order of the Law Offices of First, Blondis, Albrecht & Novotnak, S.C. and Robert Ragsdale, 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 Claims Fund, Account No. 0001-1490-0001-S118-006300.
- Sponsors:** THE CHAIR
- A motion was made by ALD. D'AMATO that this Resolution be ADOPTED. This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
4. [060235](#) Resolution authorizing payment of the claim of Matthew Maudlin, C.I. File No. 04-L-136.

Whereas, The claimant, Matthew Maudlin, through his attorneys, Eggert & Cermele, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 66.189, for injuries and damages incurred on September 28, 2004, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$7,500.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$7,500.00, payable to Matthew Maudlin and Eggert & Cermele, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

5. [060236](#) Resolution authorizing payment of the claim of Justin Tollefson, C.I. File No. 05-L-132.

Whereas, The claimant, Justin Tollefson, through his attorneys, Eggert & Cermele, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 66.189, for injuries and damages incurred on February 6, 2003, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$2,000.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$2,000.00, payable to Justin Tollefson and Eggert & Cermele, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

6. [060237](#) Substitute resolution relating to an appeal from Atty. Jake Jossetti on behalf of Susan Rettler for property damage. (3rd Aldermanic District)

Whereas, Members of the Judiciary and Legislation Committee have reviewed the records relating to this appeal in the amount of \$14,056.72 relating to the towing of a privately owned vehicle on April 20, 2005. Based on this review, members of the Committee, despite the recommendation of the City Attorney, recommend the claimant be reimbursed \$1,628.18 in payment of this claim; now, therefore, be it

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 \$1,628.18 payable to Susan Rettler, 2631 N. Cramer St., #204, Milwaukee WI 53211, to reimburse her for the loss; 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. This resolution would release the city from any further liability arising from this incident.

Sponsors: THE CHAIR

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

Aye: 12 - Hamilton, Davis, D'Amato, Bauman, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowski, Zielinski Hines Jr.

No: 2 - Bohl Dudzik

Excused: 1 - Witkowiak

7. [060280](#) Resolution relating to the claim of Coca-Cola Bottling of Wisconsin in the amount of \$2,600 for loss of business.

Whereas, The Judiciary and Legislation Committee reviewed the records of this claim at its meeting of May 22, 2006 and approved settlement of this claim in the amount of \$2,600 by a vote of 4 ayes and one excused; and

Whereas, The settlement was mistakenly charged to the Damages and Claims Account, rather than the Water Account; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the final "Further Resolved" clause of Common Council file 060099 is deleted and the following text is inserted in lieu thereof:

"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. 0006300, Fund - 0410, Organization - 6410, Program - 2631, Sub Class R643. This resolution would release the City from any further liability arising from this incident."

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowski, Zielinski Hines Jr.

No: 1 - Dudzik

Excused: 1 - Witkowiak

8. [060336](#) Resolution authorizing settlement of the lawsuits entitled Arthur L. Jones v. City of Milwaukee, Appeal No. 05-1008 and Arthur L. Jones v. City of Milwaukee, Appeal No. 05-4510.
- Whereas, Arthur L. Jones has filed two lawsuits against the City of Milwaukee and certain City officials; and
- Whereas, The claimant has agreed to settle the lawsuits for the total amount of \$10,000.00; and
- Whereas, The City of Milwaukee's outside counsel deems it is expeditious to settle these lawsuits; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and are hereby authorized and directed to issue a City check in the amount of \$10,000.00, payable to the order of "Machulak, Robertson & Sodos, S.C. In Trust" in full and final settlement of these lawsuits, upon receipt of a Release of Claims, approved as to form and execution by the City Attorney, City of Milwaukee charged to the Damages and Claims Fund, Account No. 0001 1490 S118 006300.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Zielinski Hines Jr.

No: 1 - Witkowski

Excused: 1 - Witkowiak

CONFIRMATION OF THE FOLLOWING:

9. [060305](#) Appointment of Jennifer Gonda to the Community Relations-Social Development Commission by the Mayor.
- Sponsors:** THE CHAIR
- A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED. This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
10. [060308](#) Appointment of Donald Fraker to the Administrative Review Appeals Board by the Mayor.

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED.

This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

PLACING ON FILE THE FOLLOWING:

11. [041758](#) Resolution establishing a sister city relationship between the City of Milwaukee and Ningbo, China.

Sponsors: Ald. Murphy

A motion was made by ALD. D'AMATO that this Resolution be PLACED ON FILE.

This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

12. [060230](#) Communication from the Ethics Board transmitting their 2005 Annual Report.

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Communication-Report be PLACED ON FILE. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

13. Various claims against the city.

- a. [060178](#) Resolution relating to an appeal from Martin Kaye for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - Bohl

Excused: 1 - Witkowiak

- b. [060288](#) Resolution relating to a claim from Eisenberg, Weigel, Carlson, Blau & Clemens, S.C. on behalf of Elizabeth Crespo-Rivers for personal injuries. (12th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be ASSIGNED TO to the JUDICIARY & LEGISLATION COMMITTEE . This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- c. [060289](#) Resolution relating to a claim from Mattie Roberts for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [051570](#) Ordinance relating to the change in zoning from a General Planned Development to a Detailed Planned Development known as Kane Commons, Phase 2, on land located on the North Side of East Kane Place and West of North Cambridge Avenue, in the 3rd Aldermanic District.

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

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

Section 295-907(2)(b).0094.

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

(2) The zoning map is revised to change the zoning for the area bounded and described by the zoning line within the right-of-way of East Kane Place, a line 405.58 feet East and parallel to the east line of North Humboldt Avenue, a line 317.26 feet East and parallel to the east line of North Humboldt Avenue and the zoning line within the Milwaukee River.

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

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

Part 3. In accordance with the provisions of Section 295-907 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. D'AMATO that this Ordinance be PASSED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

2. [060035](#) Ordinance relating to the Fifth Amendment to the General Planned Development (GPD) known as Milwaukee Metro Center, on land located South of West Good Hope Road between West Fond du Lac Avenue and U.S. Highway 41 and 45, in the 5th Aldermanic District.

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

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

Section 295-907(2)(a).0025.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and establishment of planned development districts, the Common Council approves the subject amended 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 re-affirms the zoning for the following area bounded and described by Lot 1 of Metro Auto Park, Lots 1 and 2 of Certified Survey Map No. 7026, and lands in the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest

1/4 of the Northeast 1/4 of Section 19, Township 8 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Northeast 1/4 Section; thence South 00 deg. 49 min. 45 sec. East along the west line of said 1/4 Section 1122.01 feet to a point; thence North 82 deg. 01 min. 15 sec. East 226.76 feet to a point on the east line of U.S. Highway 41 and 45 and the point of beginning of this description; thence North 09 deg. 27 min. 15 sec. East 100 feet to a point; thence South 80 deg. 32 min. 45 sec. East 40 feet to a point; thence North 09 deg. 27 min. 15 sec. East 100 feet to a point; thence North 80 deg. 32 min. 45 sec. West 40 feet to a point; thence North 09 deg. 27 min. 15 sec. East 80 feet to a point; thence North 31 deg. 43 min. 43 sec. East 225.30 feet to a point; thence North 77 deg. 49 min. 15 sec. East 598.61 feet to a point; thence South 88 deg. 34 min. 45 sec. East 151.76 feet to a point; thence South 57 deg. 13 min. 19 sec. East 815.02 feet to a point; thence South 45 deg. 11 min. 45 sec. East 444.66 feet to a point; thence Southeasterly 296.91 feet along the arc of a curve whose center lies to the Southwest whose radius is 494.16 feet whose chord bears South 62 deg. 28 min. 12 sec. East 292.46 feet to a point; thence South 45 deg. 15 min. 29 sec. East 49.65 feet to a point; thence South 43 deg. 15 min. 15 sec. West 375.98 feet to a point; thence South 00 deg. 53 min. 19 sec. East 155.31 feet to a point; thence North 87 deg. 10 min. 09 sec. East 496.40 feet to a point on the centerline of North 107th Street; thence South 00 deg. 53 min. 19 sec. East along said centerline 267.99 feet to a point; thence South 87 deg. 10 min. 09 sec. West 1893.19 feet to a point; thence South 00 deg. 49 min. 45 sec. East 28.73 feet to a point; thence South 87 deg. 10 min. 09 sec. West 564.89 feet to a point; thence North 00 deg. 49 min. 45 sec. West 366.21 feet to a point; thence North 12 deg. 45 min. 03 sec. East 199.02 feet to a point; thence North 05 deg. 36 min. 21 sec. West 200.92 feet to a point; thence North 00 deg. 49 min. 45 sec. West 396.86 feet to the point of beginning.

(3) The requirements set forth in said amended 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 amended general plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended general plan to all conditions and limitations set forth in such amended 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 295-907(2) 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. Bohl

A motion was made by ALD. D'AMATO that this Ordinance be PASSED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

3. [060301](#) An ordinance relating to unsafe or vacant noncompliant buildings.

Whereas, Boarded vacant buildings are a blight on the community and harm the image and reputation of a neighborhood, decreasing the economic value of the surrounding property; now, therefore,

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

Part 1. Section 218-9-1-a-2 of the code is amended to read:

218-9. Unsafe or Vacant Noncompliant Buildings.

1. NUISANCE DECLARATION

a. Requirements For Declaration.

a-2. The building is unsafe and has been ordered closed, pursuant to s. 200-11, or the building is vacant and has been ordered secured pursuant to s. 275-32-7 or s. 218-4 >> , or the building has been secured by the boarding of one or more window or door openings in whole or in part for at least 6 months and is unoccupied.<<.

Sponsors: Ald. Murphy, Ald. Puente, Ald. Donovan, Ald. Bauman, Ald. Hamilton And Ald. McGee Jr.

A motion was made by ALD. D'AMATO that this Ordinance be PASSED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

ADOPTION OF THE FOLLOWING:

4. [050191](#) Substitute resolution approving The Historic Third Ward Neighborhood Design Guidelines 2006 Edition for property located in the Historic Third Ward, 4th Aldermanic District.
- Whereas, Section 308-71-2-d, Milwaukee Code of Ordinances, requires Common Council approval of design guidelines for new construction and the alteration or rehabilitation of any exterior building, structure or site in the Historic Third Ward District; and
- Whereas, The Common Council initially approved design guidelines in 1991 and then amended them via File No. 970959 on October 14, 1997; and
- Whereas, The Common Council adopted File No. 010679 on October 12, 2001, which appropriated \$20,000 from the Advance Planning Fund for a tax incremental district analysis in the Historic Third Ward and authorized the proper City officials to enter into a Cooperation Agreement with the Historic Third Ward Association for said analysis; and
- Whereas, The scope of work for this project was expanded via File No. 021016 to include a plan and updated design guidelines for the Historic Third Ward; and
- Whereas, An updated set of design guidelines has been prepared, titled The Historic Third Ward Neighborhood Design Guidelines 2006 Edition ("Guidelines"), a copy of which is attached to this Common Council File; and
- Whereas, The Guidelines are consistent with the Third Ward Neighborhood Comprehensive Plan adopted by the Common Council on May 20, 2005, via File No. 041781 and amended on July 12, 2006, via File No. 051460; now, therefore, be it
- Resolved, That the Common Council of the City of Milwaukee, approves The Historic Third Ward Neighborhood Design Guidelines 2006 Edition; and, be it

Further Resolved, That the Guidelines, as approved, shall provide guidance and serve as the basis for review and approval of development proposals by the Historic Third Ward Architectural Review Board.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

5. [051460](#) Substitute resolution amending the Third Ward Neighborhood Comprehensive Plan to change recommended building heights in part of the 4th Aldermanic District.

Whereas, The Common Council of the City of Milwaukee adopted File No. 041781 on May 20, 2005, which approved the Third Ward Neighborhood Comprehensive Plan ("Plan") as an element of Milwaukee's Overall Comprehensive Plan; and

Whereas, The Plan sets forth recommendations for land uses, urban design and redevelopment strategies that are based on a synthesis of analysis and public involvement; and

Whereas, The Plan states in the first paragraph under the subheading "Buildings" in Chapter III: Neighborhood Land Use Strategies and Policies, Section 3.1 Overall Strategies and Policies (Applies to all Land Uses), Subsection C. Form Policies, that "Multi-story buildings with a minimum height of 30 feet should be required. A maximum height greater than the width of the fronting street right-of-way should be prohibited. Stated alternatively, the ratio of building height to street width should not exceed 1:1. This recommendation is consistent with the Historic Third Ward Design Guidelines;" and

Whereas, The Plan identifies Area A - Historic Third Ward District as one of six districts within the neighborhood that pose unique opportunities and provides specialized recommendations for each; and

Whereas, Since 1990, "Design Guidelines for the Historic Third Ward District" have provided flexibility while maintaining a general continuity of height at the street edge and harmony of street spaces by stating, "The height of street facades within the Historic District shall be contained within the range of 70% to 130% of adjacent building heights but not less than three stories (30 feet);" and

Whereas, Stakeholders in the neighborhood, including the Architectural Review Board, have said that the cited paragraph in the Plan unnecessarily restricts flexibility that has existed since the adoption of the 1990 Design Guidelines; and

Whereas, From time-to-time as conditions change and development opportunities present themselves, the City considers amending its comprehensive plans at the request of developers, landowners and elected officials; and

Whereas, On September 21, 2004, the Common Council adopted File No. 040565, setting forth an Evaluation, Update and Amendment Procedure for amending comprehensive plans; and

Whereas, That procedure, including a properly noticed public hearing, has been complied with; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee, approves the amendment of the Third Ward Neighborhood Comprehensive Plan so that the first paragraph under the subheading "Buildings" in Chapter III: Neighborhood Land Use Strategies and Policies, Section 3.1 Overall Strategies and Policies (Applies to all Land Uses), Subsection C. Form Policies, is deleted and replaced with the following text:

"In Area A - Historic Third Ward District, heights of new buildings should be comparable to that of adjacent historic buildings in a manner further specified in 'The Historic Third Ward Neighborhood Design Guidelines 2006 Edition.' Elsewhere, multi-story buildings with a minimum of 30 feet should be required and a maximum height greater than the width of the fronting street right-of-way is not recommended. Stated alternatively, the ratio of building height to street width should not exceed 1:1."

; and, be it

Further Resolved, That the Commissioner of the Department of City Development is authorized and directed to send copies of the amended Plan to the parties identified in it as having responsibility for implementation of the Plan for their reference and use.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

6. [060150](#) Resolution permitting a minor modification to the Detailed Planned Development (DPD) known as Milwaukee Women's Pre-Release Facility located on the West Side of North 6th Street and South of West Keefe Avenue, in the 6th Aldermanic District.
- Whereas, Section 295-907-3(i) of the Milwaukee Code of Ordinances permits variation to planned developments after approval of the Common Council of the City of Milwaukee ("Common Council"); and
- Whereas, The detailed plan for a planned development known as Milwaukee Women's Pre-Release Facility was approved by the Common Council on December 21, 2001, under File No. 011159; and
- Whereas, The proposed modification to the fence and landscaping is consistent with the spirit and intent of the approved plan and will not adversely affect surrounding development and 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; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the minor modification to the approved plan located on the West Side of North 6th Street and South of West Keefe Avenue is approved.
- Sponsors:** Ald. McGee Jr.
- A motion was made by ALD. D'AMATO that this Resolution be ADOPTED. This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
7. [060254](#) Resolution permitting a minor modification to the Detailed Planned Development (DPD) known as Trinity Court (f/k/a Freedom Village), located on the East Side of North 72nd Street and North of West Dean Road, in the 9th Aldermanic District.
- Whereas, Section 295-907-3(i) of the Milwaukee Code of Ordinances permits variation to planned developments after approval of the Common Council; and
- Whereas, The detailed plan for a planned development known as Freedom Village was approved by the Common Council of the City of Milwaukee on October 11, 1988, under File No. 881129; and
- Whereas, The proposed conversion from rental units to condominium units is

consistent with the spirit and intent of the approved plan and will not adversely affect surrounding development and 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; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the minor modification to the approved plan permitting the conversion of Freedom Village, an age-restricted rental community, to an age-restricted condominium community known as Trinity Court is approved.

Sponsors: Ald. Puente

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

CONFIRMATION OF THE FOLLOWING:

8. [060309](#) Reappointment of Sandra McSweeney to the Historic Preservation Commission by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

PLACING ON FILE THE FOLLOWING:

9. [060070](#) Communication from the Milwaukee Housing Trust Fund Task Force transmitting its final report and recommendations.

Sponsors: Ald. Murphy

A motion was made by ALD. D'AMATO that this Communication be PLACED ON FILE. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [060276](#) Substitute resolution relating to the award of funding to Bishops Creek for activities relating to Housing Production.
Whereas, Bishops Creek is eligible to receive HOME funding as a CHDO (Community Housing Development Organization); and

Whereas, Bishops Creek has requested the amount of \$522,000 in HOME CHDO funds to complete housing production activities on 9 units; and

Whereas, The amount of available funds in the previously funded Housing Tax Credit Pools is \$550,000; and

Whereas, The Community and Economic Development Committee recommends awarding the HOME funds in the amount of \$522,000 to Bishop Creek; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Community Development Grants Administration is authorized to award HOME CHDO funding to Bishop Creek; and, be it

Further Resolved, That Bishops Creek shall submit budget and activity reports in amounts and according to any conditions approved by the Common Council and in accordance with File Number 74-92-5v, to the Community Development Grants Administration and the City Comptroller for review and approval; and, be it

Further Resolved, That payments for HOME cost incurred shall be paid in accordance with approved HOME reimbursement policy based on the approval by the Community Development Grants Administration and the City Comptroller; 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 2006 Community Development Entitlement Funding Program.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

2. [060298](#) Resolution authorizing an expenditure from the Development Fund for public transit improvements along Canal Street in the Menomonee Valley, in the 8th and 12th Aldermanic Districts.

Sponsors: Ald. Donovan And Ald. Witkowiak

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

Aye: 6 - Hamilton, Davis, Bauman, Donovan, Witkowski Hines Jr.

No: 8 - D'Amato, Bohl, McGee Jr., Wade, Puente, Murphy, Dudzik Zielinski

Excused: 1 - Witkowiak

Sponsors: Ald. Donovan And Ald. Witkowiak

Ald. Bohl moved that this matter be placed on file, notwithstanding the recommendation of the committee.

Ald. Davis moved that this file be held in council for one cycle. The chair ruled that this motion took precedence.

Subsequently, Ald. Davis withdrew his motion in the hope that the earlier vote to refer to committee would be reconsidered.

Ald. Bohl moved reconsideration of the vote to refer to committee. Reconsideration was granted without objection.

A motion was made by ALD. BOHL that this Resolution be ASSIGNED TO to the PUBLIC WORKS COMMITTEE . This motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Davis, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 2 - D'Amato McGee Jr.

Excused: 1 - Witkowiak

3. [060299](#) Substitute resolution authorizing a \$5,000 appropriation from the Economic Development Committee Fund special purpose account to the Milwaukee Economic Development Corporation relating to the fall meeting of the National League of Cities' Community and Economic Development Policy and Advocacy Steering Committee

meeting being held in Milwaukee, September 7-9, 2006.

Whereas, The National League of Cities is an organization representing municipal governments throughout the United States, with a mission to strengthen and promote cities as centers of opportunity, leadership and governance, by working in partnership with 49 state municipal leagues and serving as a resource to more than 18,000 cities, villages and towns; and

Whereas, The league provides support on critical city issues and enhances the national image of local government, gives local leaders the tools and knowledge to better serve their communities, and offers training and education programs; and

Whereas, The Community and Economic Development Policy and Advocacy Steering Committee of the National League of Cities, which deals with housing, community and economic development, land use, recreation and parks, historic preservation and international competitiveness, is meeting in Milwaukee, September 7-9, 2006; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council appropriates \$5,000 from the Economic Development Committee Fund special purpose account, Account No. 0001-1310-S123-006300, to the Milwaukee Economic Development Corporation for the National League of Cities for the purpose of supporting league's Community and Economic Development Policy and Advocacy Steering Committee meeting in Milwaukee, September 7-9, 2006; and, be it

Further Resolved, That the appropriate City officials are authorized to negotiate and enter into an agreement with the Milwaukee Economic Development Corporation for the purpose of accepting City funds for use by the National League of Cities' Community and Economic Development Policy and Advocacy Steering Committee meeting in Milwaukee.

Sponsors: Ald. Davis

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

Aye: 12 - Hamilton, Davis, D'Amato, Bauman, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowski, Zielinski Hines Jr.

No: 2 - Bohl Dudzik

Excused: 1 - Witkowiak

CONFIRMATION OF THE FOLLOWING:

4. [060306](#) Appointment of Richard Ruvin to the Milwaukee Symphony Orchestra Board by the Mayor.

Sponsors: THE CHAIR

A motion was made by ALD. DAVIS that this Appointment be ASSIGNED TO to the COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE . This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

5. [060314](#) Reappointment of Joseph Ullrich to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

6. [060315](#) Reappointment of Marie Myskowski to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

7. [060316](#) Reappointment of Dextra Hadnot to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

8. [060317](#) Reappointment of William Zeidler to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

9. [060319](#) Appointment of Scott Welsh to the Business Improvement District Board #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [050146](#) Substitute resolution to vacate a portion of North 20th Street located on the South Side of West Purdue Street, in the 1st Aldermanic District.
Whereas, It is proposed that a portion of North 20th Street located on the South Side of West Purdue Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been authorized and directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 840.11, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

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

Resolved, By the Common Council of the City of Milwaukee, that said portion of street as indicated by Exhibit A and bound and described by:

All of that part of North 20th Street as platted in Block 4 of Homestead Terrace, a recorded subdivision, in the Northwest 1/4 of Section 6, Township 7 North, Range 22 East, lying between the southerly line of West Purdue Street extended and the northerly line of the Wisconsin & Southern Railroad Company right-of-way, is vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

Further Resolved, That upon deposit of the funds required, the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all

rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said portion of street had not been vacated.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

2. [051239](#) Substitute resolution to vacate North 6th Street from West St. Paul Avenue South to the Menomonee River, in the 4th Aldermanic District.

Whereas, It is proposed that North 6th Street from West St. Paul Avenue South to the Menomonee River be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been authorized and directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 840.11, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

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

Resolved, By the Common Council of the City of Milwaukee, that said street as indicated by Exhibit A and bound and described by:

All of North 6th Street as presently laid out in the Southeast 1/4 and the Southwest 1/4 of Section 29, Township 7 North, Range 22 East, lying between the south line of West St. Paul Avenue extended and the left bank of the Menomonee River, established per Ordinance No. 702, Common Council File No. 67-2150, passed on November 14, 1967, is vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

Further Resolved, That the Commissioner of Public Works and/or the City Engineer

are authorized to implement the actions listed in the coordinated report relating to said vacation; and, be it

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

3. [060135](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$182,000 for a total estimated cost of \$190,000.

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:

11th Aldermanic District

S. 74th St. - W. Tripoli Ave. to W. Crawford Ave. (ST211060156) File Number 060138: Asphalt pavement overlay, replace curb and gutter and sidewalk where necessary, and sodding. (Assessable Reconstruction Paving Fund -- \$19,000; Nonassessable Reconstruction Paving Fund -- \$50,000). The total estimated cost for this project including the requested amount is \$70,000 This project is anticipated to be completed during the 2006 construction season.

W. Duluth Ave. - S. Massachusetts Ave. to W. Crawford Ave. (ST211050105) File Number 030748: Asphalt pavement overlay, replace curb and gutter and sidewalk where necessary, and sodding. (Assessable Reconstruction Paving Fund -- \$10,600; Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$35,000. This project is anticipated to be completed during the 2006 construction season.

14th Aldermanic District

Alley between S. Austin St., E. Dewey Pl., S. Howell Ave., E. Schiller St. (Westerly North-South Leg, Southerly East-West Leg, and Easterly North-South Leg) (ST21290120) File Number 030635: Concrete alley pavement construction, place some abutting sidewalk or driveway approach. (Assessable Alley Paving Fund -- \$32,400; Nonassessable Alley Paving Fund -- \$50,000). The total estimated cost for this project including the requested amount is \$85,000. This project is anticipated to be completed during the 2006 construction season.

; and

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

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

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

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

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

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

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts; 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: S. 74th St. (ST211060156), W. Duluth Ave. (ST211050105), and Alley S. Austin St. (ST21290120) will be billed after January 1, 2008, but not before 12 months after the project contract has been completed; and, be it

Further Resolved, That the following project be deleted from the 2006 Paving Program:

5th Aldermanic District

W. Bobolink Ave. - W. Appleton Ave. to N. Lovers Lane Rd. (ST211060140) File Number 050805.

11th Aldermanic District

W. Crawford Ave. - W. Tripoli Ave. to S. 73rd St. (Including S. 73rd St. - W. Tripoli Ave. to W. Crawford Ave.) (ST211060150) File Number 060138.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

4. [060167](#) Substitute resolution approving construction of the non-assessable public improvement project of the Erie Street Plaza in the 4th Aldermanic District, and appropriating funds for this purpose with the City engineering cost estimated to be \$660,000 for a total estimated cost of this project being \$760,000.

Whereas, The Common Council of the City of Milwaukee adopted Resolution 051286 determining it necessary and in the public interest to enter into a professional service contract for the design of the Erie Street Plaza; and

Whereas, The Common Council of the City of Milwaukee has previously approved the project plan for the Tax Increment District Number 56; and

Whereas, That plan includes funds for the design and development of a public plaza at the eastern terminus of East Erie Street; and

Whereas, The Department of City Development has established account number TD05684007 for the purpose of funding the detailed design and development work;

and

Whereas, Plans, specifications and cost estimates have been prepared for the Erie Street Plaza improvements; now, therefore, be it

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

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work for hard costs only totaling \$660,000; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer the amount of \$1,374,949.94 plus capitalized interest (estimated at \$137,495), from the 2006 TID parent TID Account to project TD05680000, raising the Project Account to \$7,000,001 for the purpose of providing funds necessary to implement the Project Plan; which are available for this purpose to the appropriate capital Project/Grant accounts.

Sponsors: THE CHAIR

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

Aye: 12 - Hamilton, Davis, D'Amato, Bauman, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowski, Zielinski Hines Jr.

No: 2 - Bohl Dudzik

Excused: 1 - Witkowiak

5. [060244](#) Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$95,000 for a total estimated cost of these projects being \$822,000.

Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

3rd Aldermanic District

Proposed N. Commerce St. - E. North Ave. to a point 300 feet north of E. North Ave. (ST210070101): Construct concrete pavement, concrete walk, concrete curb and gutter, and concrete island. Nonassessable New Paving Fund -- \$15,000). The

total estimated cost for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2007 construction season.

5th Aldermanic District

N. 97th St. - W. Sarasota Pl. to W. Fiebrantz Ave. (Sponsored by the City of Wauwatosa) (ST211070157): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$2,000). The total estimated cost for this project including the requested amount is \$25,000. This project is anticipated to be completed during the 2007 construction season.

Alley between W. Grantosa Dr., W. Marion St., N. 99th St., and N. 100th St. (Sponsored by the City of Wauwatosa) (ST212070115): Paving the alley with asphalt. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000). The total estimated cost for this project including the requested amount is \$40,000. This project is anticipated to be completed during the 2007 construction season.

15th Aldermanic District

N. 34th St. - W. Brown St. to W. North Ave. (ST211070156): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$33,000). The total estimated cost for this project including the requested amount is \$265,000. This project is anticipated to be completed during the 2007 construction season.

N. 37th St. - W. Lisbon Ave. to W. North Ave. (ST211070155): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$43,000). The total estimated cost for this project including the requested amount is \$342,000. This project is anticipated to be completed during the 2007 construction season.

; and, be it

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

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

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

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

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

6. [060243](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$113,000 for a total estimated cost of these projects being \$2,089,000.

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

3rd Aldermanic District

N. Summit Ave. - E. Kenwood Blvd. to E. Hartford Ave. (SM495060040):
Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$250,000. This project is anticipated to be completed during the 2007 construction season.

7th and 15th Aldermanic Districts

W. Locust St. - N. 29th St. to the Soo Line Railroad Right of Way (SM495060042):
Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$5,000). The total estimated cost for this project including the requested amount is \$142,000. This project is anticipated to be completed during the 2007 construction

season.

8th Aldermanic District

S. 23rd St. - W. Scott St. to W. Greenfield Ave. (SM495060045): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$9,000). The total estimated cost for this project including the requested amount is \$118,000. This project is anticipated to be completed during the 2007 construction season.

10th Aldermanic District

W. McKinley Ave. - N. 55th St. to 150 feet m/l west of N. 55th St. (SM495060046): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$7,000). The total estimated cost for this project including the requested amount is \$71,000. This project is anticipated to be completed during the 2007 construction season.

N. 55th St. - 235 feet m/l south of W. McKinley Ave. to W. McKinley Ave. (SM495060037): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$98,000. This project is anticipated to be completed during the 2007 construction season.

11th Aldermanic District

S. 37th St. - W. Ohio Ave. to W. Morgan Ave. (SM495060038): Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$96,000. This project is anticipated to be completed during the 2006/2007 construction season.

12th Aldermanic District

S. 8th St. - W. Lincoln Ave. to W. Arthur Ave. (SM495060041): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$204,000. This project is anticipated to be completed during the 2007 construction season.

14th Aldermanic District

S. Clement Ave. - E. Holt Ave. to E. Warnimont Ave. (SM495060029): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$5,000). The total estimated cost for this project including the requested amount is \$484,000. This project is anticipated to be completed during the 2006/2007 construction season.

S. Logan Ave. - E. Dakota St. to E. Idaho St. (SM495060043): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$5,000). The total estimated cost for this project including the requested amount is \$75,000. This project is anticipated to be completed during the 2007 construction season.

E. Nock St. - 150 feet m/l east of S. Shore Dr. to S. Shore Dr. (SM495060036): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$5,000). The total estimated cost for this project including the requested amount is \$20,000. This project is anticipated to be completed during the 2006 construction season.

15th Aldermanic District

W. Center St. - N. 9th St. to N. 13th St. (SM495060039): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$366,000. This project is anticipated to be completed during the 2007 construction season.

N. 32nd St. - W. Meinecke Ave. to W. Wright St. (SM495060044): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$165,000. This project is anticipated to be completed during the 2007 construction season.

; and, be it

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

Further Resolved, That the 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. BAUMAN that this Resolution be ADOPTED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

7. [060245](#) Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering

cost estimated to be \$17,842,000 for a total estimated cost of these projects being \$23,511,000.

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

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

3rd Aldermanic District

E. Brady St. at N. Astor St. (ST211060177) File Number 051443: Remove and replace concrete curb and gutter, sidewalk and driveway approaches. (Nonassessable Reconstruction Paving Fund -- \$32,000). The total estimated cost for this project including the requested amount is \$35,000. This project is anticipated to be completed during the 2006 construction season.

4th Aldermanic District

W. Kilbourn Ave. Bridge (and approaches) over the Milwaukee River (ST32090701/BR32090701) (2207-02-70) File Number 972004: Bridge rehabilitation and concrete approaches replacement. (Grantor Paving Fund -- \$331,000; Grantor Paving Reimbursable Cash Fund -- \$50,000; City Share Non-assessable Paving Fund -- \$96,000; Grantor Structure Fund -- \$10,887,000; Grantor Structure Reimbursable Cash Fund -- \$1,633,000; City Share Non-assessable Structure Fund -- \$ -- \$3,130,000). These funds are to be transferred to the construction account ST32090710/BR32090710 (2207-02-70). The total estimated cost for this project including the requested amount is \$17,627,000, with the City Share of \$3,526,000 and the Grantor Share of \$14,101,000. This project is anticipated to be completed during the 2007 construction season.

6th Aldermanic District

N. 18th St. - A point 200 feet m/l north of W. Locust St. to W. Chambers St. (SM495050027) File Number 050136: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$92,000). The total estimated cost for this project including the requested amount is \$103,000. This project is anticipated to be completed during the 2006 construction season.

6th and 15th Aldermanic Districts

N. 11th Ln. - W. Center St. to W. Burleigh St. (SM495050041) File Number

050136: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$262,000). The total estimated cost for this project including the requested amount is \$299,000. This project is anticipated to be completed during the 2006 construction season.

7th Aldermanic District

N. Sherman Blvd. - W. Burleigh St. to W. Auer Ave. (SM495050017) File Number 050136: Storm Sewer Lining. (Nonassessable Sewer Maintenance Relay Fund -- \$740,000). The total estimated cost for this project including the requested amount is \$778,000. This project is anticipated to be completed during the 2006/2007 construction season.

12th Aldermanic District

S. 15th St. - W. Burnham St. to W. Forest Home Ave. (ST211050158) File Number 050258: Remove and replace concrete curb and gutter and sidewalk, and construct concrete curb and gutter and sidewalk. (Nonassessable Reconstruction Paving Fund -- \$40,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2006 construction season.

15th Aldermanic District

W. Brown St. - N. 20th St. to N. 26th St. (SM495040181) File Number 051442: Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$549,000, additional funds) The total estimated cost for this project including the requested amount is \$4,609,000. This project is anticipated to be completed during the 2006 construction season.

; now, therefore, be it

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

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

Further Resolved, That the City Engineer and the Commissioner of Public Works are hereby authorized to negotiate and enter into an agreement with the State of Wisconsin, Department of Transportation for the City to undertake construction management duties on the following project: W. Kilbourn Ave. Bridge (and approaches) over the Milwaukee River (ST32090701/BR32090701) (2207-02-70);

and, be it

Further Resolved, That the City Engineer is authorized and directed to approve and make periodic payments to the State of Wisconsin, Department of Transportation after receipt of invoices from said State for the city's share of the costs for said project: W. Kilbourn Ave. Bridge (and approaches) over the Milwaukee River (ST32090701/BR32090701) (2207-02-70); and, be it

Further Resolved, That upon the completion of project: W. Kilbourn Ave. Bridge (and approaches) over the Milwaukee River (ST32090701/BR32090701) (2207-02-70); and a determination of the actual costs, it is understood that if the City of Milwaukee's share is less than the amount previously paid, the difference will be refunded to said City; and, be it

Further Resolved, That 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. BAUMAN that this Resolution be ADOPTED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

8. [060258](#) Resolution directing the Department of City Development to prepare a resolution to vacate a portion of right-of-way on the East Side of North Milwaukee Street between East Lyon Street and North Water Street, in the 3rd Aldermanic District.

Whereas, It has been proposed by the Department of City Development that a portion of right-of-way on the East Side of North Milwaukee Street between East Lyon Street and North Water Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said right-of-way in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

9. [060270](#) Substitute resolution authorizing the Department of Public Works to issue a Request for Proposal for the provision of outreach, educational, and promotional services to increase participation in the City of Milwaukee's recycling program.
- Whereas, The City of Milwaukee has experienced a downward trend in the tonnage of recyclables collected since its peak in 1997; and
- Whereas, Materials diverted from the waste stream into recycling result in net savings to the City through revenues received from sale of recyclables and through avoided landfill fees; and
- Whereas, Expanding global markets for recyclable materials have created unprecedented demand, resulting in a steady and sustained rise in prices for recyclable commodities, increasing revenues from recycling for communities; and
- Whereas, Recycling conserves natural resources and landfill space; and manufacturing with recycled materials conserves energy versus manufacturing with virgin materials, thus reducing our dependence on high cost, polluting forms of energy; and
- Whereas, The City has not invested in a large scale educational and promotional campaign to encourage recycling since the early 1990's; and
- Whereas, Resolution File Number 060164 adopted on June 20, 2006 authorized the Commissioner of Public Works to apply for, accept and expend, a 2007 State of Wisconsin Recycling Efficiency Incentive Grant of \$226,850 for recycling programs; and
- Whereas, The Department of Public Works' contract for processing and marketing its recyclables stipulates \$50,000 per year from the contractor to be spent specifically and exclusively on recycling promotion; now therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that it hereby and herewith authorizes and declares its purpose for the Department of Public Works to issue a Request for Proposal for the provision of outreach, educational, and promotional services to increase participation in the City of Milwaukee's recycling program; and, be it

Further Resolved, That said Request for Proposal be prepared by the Department of Public Works according to City guidelines; and, be it

Further Resolved, That said Request for Proposal stipulate a maximum budget amount of \$150,000, all of which is to be funded by the State of Wisconsin Recycling Efficiency Incentive Grant and Waste Management Recycle America, the City's recycling contractor; and, be it

Further Resolved, That the Department of Public Works obtain Common Council approval prior to awarding a contract as a result of this Request for Proposal.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

10. [060271](#) Substitute resolution authorizing and directing the Commissioner of Public Works to execute a Revised Project Agreement titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the rehabilitation of two local bridges with 80% Federal and/or State aid under the Local Bridge Replacement Program with an estimated total cost of the projects at \$19,552,000, which is an increase of \$8,005,000, and to set up the railroad portion (\$5000) of the Teutonia project.

Whereas, A project agreement has been executed by Wisconsin Department of Transportation (WISDOT) and the City of Milwaukee for the rehabilitation of the North Teutonia Avenue Bridge over Union Pacific Railroad with Federal/State aid under the Local Bridge Replacement Program in accordance with Common Council Resolution File Number 040864, adopted on November 3, 2004; and

Whereas, A project agreement has been executed by WISDOT and the City of Milwaukee for the rehabilitation of the West Kilbourn Avenue Bascule Bridge over the Milwaukee River with Federal/State aid under the Local Bridge Replacement Program in accordance with Common Council Resolution File Number 040863, adopted on November 3, 2004; and

Whereas, Preliminary engineering activities have begun and the construction costs for the bridge rehabilitation have increased from the original agreement; and

Whereas, Revised project agreements with the updated construction costs have been

received from WISDOT to be executed by the City of Milwaukee for the two (2) aforementioned projects with 80% Federal and/or State aid under the Local Bridge Program; and

Whereas, Construction funds for the projects, single year funded projects, will be included in future resolutions; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than five percent without prior Department of Public Works (DPW) approval; and

Whereas, DPW shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project cost overruns and/or changes in scope approved by DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100% liable for any such project cost overruns and/or changes in scope as approved by DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute revised project agreements for the rehabilitation of the two (2) aforementioned projects with 80% Federal/State aid under Local Bridge Replacement Program, copies of which are attached to Common Council Resolution File No.060271 and are incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield Value for the railroad portion (ST32001950) and transfer to this account the amount required under the agreement and City accounting policy but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

State I.D. 2080-06-50
North Teutonia Avenue over Union Pacific Railroad

City Share Non-Assessable Paving Fund
ST320060000
Fund 0333

\$1,000

Grantor Reimbursable Paving Fund

SP032060100

Fund 0306

\$4,000

Estimated total cost for Railroad	\$304,000
Total previous estimate for the total project:	\$3,404,000
Total current estimated total project cost:	\$3,409,000

State I.D. 2207-02-00

West Kilbourn Avenue Bascule Bridge over the Milwaukee River

Previously authorized for bridge and street Preliminary Engineering:	\$1,500,000
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Total previous estimate for the total project	\$8,143,000
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Total current estimated total project cost:	\$16,143,000
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Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

11. [060275](#) Resolution authorizing and directing the Commissioner of Public Works to execute a document titled "State/Municipal Agreement For A Highway Improvement Project" with the Department of Transportation for the programming of a project known as Downtown to Bay View Bike Route with a total cost of the project including preliminary engineering and construction being \$2,428,851.

Whereas, The City of Milwaukee has actively promoted the expansion of bicycle and pedestrian facilities; and

Whereas, The Wisconsin Department of Transportation (WISDOT) sponsored a study to plan a facility which would enhance the use of bicycles as an alternative mode of transportation for both commuter and recreational travel with an emphasis on commuter travel; and

Whereas, Federal earmark funds from ISTEA and State Enhancement Program Funds will fund the federal portion of the project; and

Whereas, WISDOT has submitted a Project Agreement to be executed by the City of

Milwaukee for the programming of the project; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5% without prior Department of Public Works (DPW) approval; and

Whereas, The DPW shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project overruns and/or changes in scope approved by DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100% liable for any such project cost overruns and/or changes in scope as approved by DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute the Project Agreement for the programming of the Downtown to Bay View Bicycle Route, a copy of which is attached to Common Council Resolution File Number 060275 and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized and directed to undertake or engage a consultant to undertake the above-mentioned project and to reimburse WISDOT for costs they incur for the project; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Chartfield Value for this project; and transfer to these accounts the amount required under the grant agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater as follows:

Downtown to Bay View Bicycle Route
Preliminary Engineering
Project I.D. 1300-06-01

Local Share
Fund Number 0333
Project Grant Number ST320060000
\$81,000.00

Federal Grantor Reimbursable Share
Fund Number 0306
Project Grant Number SP032060100
\$324,000.00

Estimated Project Cost \$405,000.00

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to approve and make periodic payments to WISDOT upon receipt of invoices for the local share of the project.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - Bohl

Excused: 1 - Witkowiak

12. [060292](#) Resolution identifying portions of the Hartung Quarry site, located south of West Keefe Avenue and west of North 99th Street, as the site of a future park to be known as "Hartung Park".

Whereas, Hartung Quarry, located on a site located generally south of West Keefe Avenue and west of North 99th Street, has been used by the City for disposal of "clean fill" waste material for over 30 years; and

Whereas, It is anticipated that Hartung Quarry will be filled to capacity, closed and capped within the next few years; and

Whereas, It is incumbent upon the City of Milwaukee to ensure that, following closure of the landfill, the Hartung Quarry site is used in a manner that is most beneficial to residents and property owners in surrounding neighborhoods and in the city as a whole; and

Whereas, The Hartung Park Community Association, an organization of Milwaukee and Wauwatosa residents living in the vicinity of Hartung Quarry, has developed a plan for redevelopment of the site primarily as a passive-recreation public park, with approximately 10 single-family home sites on the perimeter of the redevelopment area; and

Whereas, The plan for the proposed Hartung Park (dated April 25, 2006), a copy of which is attached to and made a part of this file, calls for development of a park that includes woodland and prairie meadow plantings, scenic overlooks, a natural limestone amphitheater with labyrinth, a sledding hill, a multi-purpose play field and playground equipment; and

Whereas, While the City will develop Hartung Park initially, cooperative arrangements relating to ownership and maintenance issues are being explored with the City of Wauwatosa and Milwaukee County; and

Whereas, In developing the Hartung Park Plan, the Hartung Park Community Association received input, assistance and/or advice from the Department of Public Works, the Department of City Development, UW-Milwaukee and the Milwaukee County Parks Department; and

Whereas, It is anticipated that the bulk of the funds needed to pay for implementation of the Hartung Park Plan will come from grants and from the sale of residential lots; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that portions of the site of Hartung Quarry, located south of West Keefe Avenue and west of North 99th Street, are identified as the site of a future park to be known as "Hartung Park"; and, be it

Further Resolved, That the "Hartung Quarry Park Conceptual Development Plan and Proposed Site Features" dated April 25, 2006, which is attached to this file, is adopted by the City of Milwaukee as the plan for future development of Hartung Park; and, be it

Further Resolved, That the Department of City Development is directed to include the proposed Hartung Park, as shown on the adopted Hartung Park Plan, in the City's 2006-2011 Public Outdoor Recreation Plan; and, be it

Further Resolved, That the Department of Public Works is directed to take the adopted Hartung Park Plan into consideration as it continues to deposit fill at the Hartung Quarry site.

Sponsors: Ald. Bohl

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

13. [060304](#) Substitute resolution directing the Commissioner of Public Works to restore the median on East Kilbourn Avenue, between Prospect Avenue and Marshall Street, with a total estimated project cost not to exceed \$250,000, developer funded, and no city share.

Whereas, The Common Council of the City of Milwaukee adopted File Number 020968 on November 11, 2002 accepting the proposal for the sale of surplus City-owned real estate at 923 East Kilbourn Avenue for the construction of Kilbourn Tower; and

Whereas, The Common Council of the City of Milwaukee File Number 030390, adopted June 15, 2003, authorized the Commissioner of Public Works to issue a permit allowing the occupancy of the eastbound lanes along with the median of East Kilbourn Avenue between North Prospect Avenue for certain staging and construction activities related to the construction of the Kilbourn Tower; and

Whereas, The median's plantings and grass were removed during its occupancy; and

Whereas, The Kilbourn Tower has been completed and the occupancy of the median has ended; and

Whereas, The median has not been restored to a condition acceptable to the residents who live along or near East Kilburn Avenue; and

Whereas, The terms and conditions of the Term Sheet attached to Common Council File Number 020968 includes a provision that the Kilbourn Tower developer provide \$250,000 to the City for public improvements immediately after the first mortgage lender has been paid and prior to any investors or developer being paid; and

Whereas, The 2006 City of Milwaukee Budget provides authority for \$400,000 for developer financed street improvements; and

Whereas, The Kilbourn Tower developer anticipates fulfilling the public improvement provision contained in the Term Sheet by paying the City \$250,000 in the spring of 2007; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is directed to restore, in 2006, the median on East Kilbourn Avenue, between Prospect Avenue and Marshall Street with the developer to reimburse city expenditures; and, be it

Further Resolved, That the total estimated project cost is not to exceed \$250,000, a developer share not to exceed \$250,000 and no city share; and be it

Further Resolved, That the City Comptroller is authorized and directed to make the fund transfers and accounting changes necessary to implement this resolution; and, be it

Further, Resolved, That a committee consisting of certain East Kilbourn Avenue property owners or their representatives and tenants be established to advise the Commissioner of Public Works on matters regarding the median's restoration. The committee shall consist of the owners of or representatives of the following properties:

The Regency House	929 North Astor Street
Kilbourn Tower	923 East Kilbourn Avenue
The La-Sall Apartments	913 East Kilbourn Avenue
The La-Marr Apartments	903 East Kilbourn Avenue
The St. Clair Apartments	921 North Marshall Street
Kilbourn Row	902 North Cass Street
The Wayland Apartments	839 North Marshall Street

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

14. [060346](#) Resolution authorizing and directing the Commissioner of Public Works to execute a document titled "Federal/State/Project Sponsor Transportation, Congestion Mitigation Air Quality Program, Project Agreement" with the Department of Transportation for the programming of a project known as Bicycle Lane Delineation (Non-highway) Project - total construction costs of project including preliminary engineering and construction will be \$500,000.

Whereas, The City of Milwaukee has actively promoted the expansion of bicycle and pedestrian facilities; and

Whereas, Congestion Mitigation Air Quality Program (CMAQ) Funds will fund the federal portion of the project; and

Whereas, Wisconsin Department of Transportation (WISDOT) has submitted a Project Agreement to be executed by the City of Milwaukee for the programming of

the project; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5% without prior Department of Public Works (DPW) approval; and

Whereas, The DPW shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project overruns and/or changes in scope approved by DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100% liable for any such project cost overruns and/or changes in scope as approved by DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute the Project Agreement for the programming of the Bicycle Lane Delineation (Non-highway) Project, a copy of which is attached to Common Council Resolution File Number 060273 and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized and directed to undertake or engage a consultant to undertake the above-mentioned project and to reimburse WISDOT for costs they incur for the project; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Chartfield Value for Preliminary Engineering for this project; and transfer to these accounts the amount required under the grant agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater as follows:

Bicycle Lane Delineation
Preliminary Engineering
Project I.D. 2984-41-00

Local Share
Fund Number 0333
Project Grant Number ST320060000
\$4,000

Federal Grantor Reimbursable Share
Fund Number 0306
Project Grant Number SP032060100
\$16,000

Estimated Project Cost \$20,000

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to approve and make periodic payments to WISDOT upon receipt of invoices for the local share of the project.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowski, Zielinski Hines Jr.

No: 1 - Dudzik

Excused: 1 - Witkowiak

15. [060347](#) Resolution directing the Commissioner of Public Works to execute a document titled Transportation Congestion Mitigation Air Quality Program Project Agreement with the Department of Transportation for the programming of a project known as North Avenue Pedestrian Improvements (non-highway) Project with a total construction cost of the project including preliminary engineering and construction being \$509,914. Whereas, The City of Milwaukee has actively promoted the expansion of bicycle and pedestrian facilities; and
- Whereas, West North Avenue has been identified as a location that has experienced a trend of disinvestment; and
- Whereas, The North Avenue Pedestrian Improvements (non-highway) Project is a proposed project which creates a more pedestrian and bicycle friendly atmosphere; and
- Whereas, Increased pedestrian and bicycle activity is one element in attracting new private investment to revitalize the neighborhood retail district; and
- Whereas, Bicycle and pedestrian projects such as the North Avenue Pedestrian Improvements (non-highway) Project are eligible for the state's Congestion Mitigation Air Quality (CMAQ) program; and

Whereas, The City of Milwaukee applied for CMAQ funds to undertake the North Avenue Pedestrian Improvements (non-highway) Project; and

Whereas, The Wisconsin Department of Transportation (WISDOT) has approved this application and submitted a Project Agreement to be executed by the City of Milwaukee for the programming of the project with federal aid under the STP-Discretionary program; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5 percent without prior Department of Public Works (DPW) approval; and

Whereas, The DPW shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project overruns and/or changes in scope approved by the DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100 percent liable for any such project cost overruns and/or changes in scope as approved by the DPW; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any such project cost incurred by the State should the City decide to withdraw from the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works (CPW) is hereby authorized and directed to execute the Project Agreement for the programming of the North Avenue Pedestrian Improvements (non-highway) Project, a copy of which is attached to Common Council Resolution File Number 040259 and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the CPW is hereby authorized and directed to undertake or engage a consultant to undertake the above mentioned project and to reimburse the WISDOT for costs they incur for the project; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create with the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield values for preliminary engineering for the project (Expenditure), and transfer to these accounts the amount required under the grant agreement and City Accounting Policy, but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

North Avenue Pedestrian Improvements
 Preliminary Engineering
 Project I.D. 2135-04-00

Federal Grantor Reimbursable Share
 Fund Number 0306
 Project Grant Number SP032060100
 \$62,140

Local Share
 Fund Number 0333
 Project Grant Number ST320060000
 \$15,535

Estimated Preliminary Engineering
 Total = \$77,675

; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to approve and make periodic payments to the WISDOT upon receipt of invoices for the local share of the project.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

16. Substitute resolutions relating to various special privileges:

a. [051388](#) Substitute resolution to grant a special privilege to Ernesto Nava to construct and maintain two platforms, one with barrier-free access ramp and stairs and one only with stairs, and one entrance step for the premises at 2011 West Forest Home Avenue, in the 8th Aldermanic District in the City of Milwaukee.

Whereas, The applicant is in the process of renovating the building at 2011 West Forest Home Avenue; and

Whereas, As part of the building renovation, the applicant would like to construct two platforms, one only with stairs and the other with stairs and a barrier-free access

ramp; and

Whereas, An entrance step, which appears to have been rebuilt as part of the building renovation, also projects into the public right-of-way; and

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

Resolved, By the Common Council of the City of Milwaukee, that Ernesto Nava, 2004 South 13th Street, Milwaukee, Wisconsin 53204, is hereby granted the following special privileges:

1. To construct, keep and maintain a platform with barrier-free access ramp and steps with railing that projects 6 feet 8 inches into the 12-foot wide, west sidewalk area of South 20th Street. Said platform with barrier-free access ramp and steps commences at a point approximately 131 feet south of the southline of West Becher Street and continues south for 24 feet 2 inches.
2. To construct, keep and maintain a platform with steps that projects 4 feet 7 inches into the 12-foot wide, west sidewalk area of South 20th Street. Said platform with steps commences at a point approximately 49 feet south of the southline of West Becher Street and continues south for 10 feet 6 inches.
3. To keep and maintain a portion of an entrance step that encroaches into the 12-foot wide, west sidewalk area of South 20th Street. Said step is centered approximately 3 feet south of the southline of West Becher Street.

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

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

; and, be it

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

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State

of Wisconsin, or duly licensed to do business in this State, in the sum of \$5,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee, which has an initial amount of \$150.95. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- b. [051643](#) Substitute resolution amending a special privilege to JWK Management, LLC for change of ownership for an excess door swing and to grant permission for a second

excess door swing for the premises at 1201 East Brady Street, in the 3rd Aldermanic District in the City of Milwaukee.

Whereas, Julilly W. Kohler petitioned for a special privilege to keep and maintain a sidewalk café, excess door swing, ventilation ducts and a gas meter enclosure in the public right-of-way; and

Whereas, Permission for said items was granted in 1993 under Common Council File Number 930956; and

Whereas, JWK Management, LLC now owns the property; and

Whereas, A special privilege is no longer required for a sidewalk café per Section 245-4.28 of the Milwaukee Code of Ordinances; and

Whereas, The aforementioned gas meter enclosure was never constructed and the ventilation ducts have been removed from the public right-of-way; and

Whereas, For the liability to be formally transferred to the current property owner for the previously permitted excess door swing, the Common Council needs to adopt an amending resolution; and

Whereas, The second excess door swing may only legally encroach into the public right-of-way by the granting of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council File Number 930956 is hereby rescinded; and, be it

Further Resolved, That JWK Management, LLC, 1224 East Brady Street, Milwaukee, Wisconsin 53202 is hereby granted the following special privileges:

1. To keep and maintain an excess door swing, which, when fully open, projects 3 feet into the east, 15.32-foot wide sidewalk area of North Franklin Place. Said door is centered approximately 29 feet south of the southline of East Brady Street and projects in excess of the 12 inches allowed under Section 245-4.8 of the Milwaukee Code of Ordinances.

2. To keep and maintain an excess door swing, which, when fully open, projects 3 feet 6 inches, into the south, 13-foot wide sidewalk area of East Brady Street. Said door swing is centered approximately 24 feet east of the eastline of North Franklin Place and projects in excess of the 12 inches allowed under Section 245-4.8 of the Milwaukee Code of Ordinances.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

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

; and, be it

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

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or

before July 1st of each year.

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- c. [051699](#) Substitute resolution to grant a special privilege to El Rey II, LLC to construct and maintain a backup driveway in the public right-of-way for the premises at 916 South Cesar E. Chavez Drive, in the 12th Aldermanic District in the City of Milwaukee.
- Whereas, El Rey Mexican Products, Incorporated is in the process of constructing a new grocery store at 916 South Cesar E. Chavez Drive that will include the construction of a backup driveway to serve two loading docks for the new building; and
- Whereas, El Rey Mexican Products, Incorporated initially filed the petition for special privilege, however, El Rey II, LLC is the property owner of record; and
- Whereas, Special privileges are granted to the property owner of record; and
- Whereas, Said backup driveway may only legally encroach into the public right-of-way by the granting of a special privilege resolution adopted by the Common Council; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that El Rey II, LLC, 1023 South Cesar E. Chavez Drive, Milwaukee, Wisconsin 53204 is hereby granted the following special privilege:
- To construct, use and maintain a 49-foot wide backup driveway in West Walker Street to serve two, 18-foot wide loading dock doors. Said driveway will be centered approximately 142 feet east of the eastline of South Cesar Chavez Drive in the 15-foot wide, south sidewalk area of West Walker Street. The West Walker Street right-of-way is 76 feet wide. Vehicles shall occupy the sidewalk area and a portion of the roadway and shall be parked in such a manner so as not to project 8 feet beyond

the south curb face of West Walker Street. Grantee is to provide sufficient traffic control to allow for continued two-way traffic while backup driveway is being used.

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

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

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, El Rey II, LLC, shall:

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

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$10,000.00 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$100,000 covering bodily injury to any one person and \$200,000 covering bodily injury to more than one person in any one accident and \$40,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$539.88. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

Waive the right to contest in any manner the validity of Section 66.0425 of the

Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

7. Owner must ensure sufficient traffic control while using the back up driveway to allow continued, safe traffic flow on West Walker Street. Traffic control measures may include, but are not limited to flag persons and traffic cones.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- d. [060027](#) Substitute resolution to grant a special privilege to Triple Net Properties, LLC to construct and maintain electrical outlets and associated electrical conduit for the premises at 411 East Wisconsin Avenue, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, Triple Net Properties, LLC desires to install electrical outlets within the area of the new planters to be installed as part of the East Wisconsin Avenue Streetscape project; and

Whereas, MB Real Estate, LLC, a previous management company for the premises at 411 East Wisconsin Avenue, made the initial petition for special privilege for said items, however Triple Net Properties, LLC is the property owner; and

Whereas, Special privileges are generally only granted to the property owner; and

Whereas, The property owner has made a concerted effort to coordinate with the city's staff and contractor so that the outlets and associated electrical conduit can be installed as the streetscape work allows; and

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

Resolved, By the Common Council of the City of Milwaukee, that Triple Net Properties, LLC, 411 East Wisconsin Avenue, Suite 500, Milwaukee, Wisconsin 53202, is hereby granted the following special privileges:

To construct and maintain electrical wiring from the building to six in-ground planters in the south 20-foot wide sidewalk area of East Wisconsin Avenue. Said electrical wiring commences from the southline of East Wisconsin Avenue at a point approximately 43 feet west of the westline of North Jefferson Street, then 18 feet northeast to a point 30 feet 6 inches west of the westline of North Jefferson Street. The electrical wiring continues west to a point approximately 222 feet west of the westline of North Jefferson Street. The total length of the electrical wiring is approximately 240 feet.

To install and maintain six electrical outlets in the south, 20-foot wide sidewalk area of East Wisconsin Avenue. Said outlets are centered approximately 13 feet north of the southline of East Wisconsin Avenue and 30.5, 65.5, 89, 173, 195.5, and 222 feet west of the westline of North Jefferson Street.

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

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

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Triple Net Properties, LLC shall:

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

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$300.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- e. [060127](#) Substitute resolution amending a special privilege to JRB VIII, LLC for change of ownership for concrete risers previously granted permission for the premises at 324 North 12th Street, in the 4th Aldermanic District in the City of Milwaukee.
- Whereas, Cutler Hammer, Inc. petitioned for a special privilege to keep and maintain concrete risers in the public right-of-way; and
- Whereas, Permission for said concrete risers was granted in 1965 under Common Council File Number 65-973; and
- Whereas, JRB VIII, Inc. now owns the property; and
- Whereas, For the liability to be formally transferred to the current property owner, the

Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council File Number 65-973 is hereby rescinded; and, be it

Further Resolved, That JRB VIII, LLC, PO Box 674, Milwaukee, Wisconsin 53201 is hereby granted the following special privilege:

To keep and maintain three, 8-foot long concrete risers in the south sidewalk area of West St. Paul Avenue, which varies between 15 and 11 feet in width. Said steps project 3 feet into the public right-of-way and start at a point approximately 48 feet east of the eastline of North 12th Street. The handrail for the risers is allowed in the public right-of-way.

Said above-mentioned concrete risers shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

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

; and, be it

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

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

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$35.00. The

subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- f. [060198](#) Substitute resolution amending a special privilege to Flanders Westborough Delaware, Inc. for change of ownership for a covered walk previously granted permission for the premises at 330 East Kilbourn Avenue, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, Kilbourn Investors Limited Partnership petitioned for a special privilege to keep and maintain a covered walk in the public right-of-way; and

Whereas, Permission for said items was granted in 1998 under Common Council File Number 971503; and

Whereas, Flanders Westborough Delaware, Inc. now owns the property; and

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

Resolved, By the Common Council of the City of Milwaukee, that Common Council File Number 971503 is hereby rescinded; and, be it

Further Resolved, That Flanders Westborough Delaware, Inc., c/o Tishman Speyer Properties, 330 East Kilbourn Avenue, Suite 805, Milwaukee, Wisconsin 53202 is hereby granted the following special privilege:

To keep and maintain a covered walk at the East Kilbourn Avenue entrance to the building at 330 East Kilbourn Avenue. Said covered walk, 10 feet in width, is centered approximately 69 feet west of the westline of North Milwaukee Street and projects approximately 13 feet 6 inches into the north, 15-foot wide sidewalk area of East Kilbourn Avenue. The covered walk is supported by the building at one end and by one vertical support at each corner closest to the curb. Two additional supports are located approximately 5 feet north of the corner supports. All of the vertical supports are each supported by a foundation. The area, perpendicular to the curb, between the corner support and the northerly support is allowed to be in-filled with clean tempered glazing. The structure is approximately 1 foot 6 inches from the curb. The minimal vertical clearance between the bottom edge of the structure and the sidewalk below shall be 8 feet.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 7 feet above the sidewalk level. The covering shall be of any approved material.

All fixtures and materials for illumination of covered walks shall be indicated upon construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walk. The business may be indicated only on the vertical portion of the covering and shall not exceed 8 inches in height.

The grantee is required to keep and maintain "Loading Zone" or "No Parking Zone" status adjacent to the covered walk location for as long as the covered walk occupies the public right-of-way.

Said above-mentioned covered walk shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

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

; and, be it

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

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

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000.00 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$75.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

g. [060199](#) Substitute resolution amending a special privilege to Flanders Westborough Delaware, Inc. for change of ownership for tree grates with guards and raised planter areas previously granted permission for the premises at 330 East Wells Street, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, Kilbourn Investors Limited Partnership petitioned for a special privilege to keep and maintain tree grates with guards and raised planter areas in the public right-of-way; and

Whereas, Permission for said items was granted in 1998 under Common Council File Number 971505; and

Whereas, Flanders Westborough Delaware, Inc. now owns the property; and

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

Resolved, By the Common Council of the City of Milwaukee, that Common Council File Number 971505 is hereby rescinded; and, be it

Further Resolved, That Flanders Westborough Delaware, Inc., c/o Tishman Speyer Properties, 330 East Kilbourn Avenue, Suite 805, Milwaukee, Wisconsin 53202 is hereby granted the following special privileges:

1. To keep and maintain thirteen, 4-foot square tree grates with guards. Said tree grates with guards are located as follows: two in the east, 20-foot wide sidewalk area of North Broadway centered approximately 17.5 feet west of the eastline of North Broadway and 49 and 168 feet north of the northline of East Wells Street; six in the north, 10-foot wide sidewalk area of East Wells Street, all centered approximately 7 feet south of the northline of East Wells Street at 14.5, 46.5, 78.5, 110.5, 142.5 and 174.5 feet east of the eastline of North Broadway; and five in the west, 12-foot wide sidewalk area of North Milwaukee Street, all centered approximately 9.5 feet east of the westline of North Milwaukee Street at 46, 78, 110, 142 and 174 feet north of the northline of East Wells Street.

2. To keep and maintain three raised planter areas surrounded by 8-inch thick concrete walls. Said planters encroach a maximum of 3 feet 9 inches into the east, 20-foot wide sidewalk area of North Broadway. An 8-foot long planter is centered approximately 5 feet north of the northline of East Wells Street. A 58-foot long planter commences approximately 57 feet north of the northline of East Wells Street. Finally, a 17-foot long planter commences approximately 158 feet north of the northline of East Wells Street.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

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

; and, be it

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

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

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$254.94. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

Whenever this special privilege is discontinued for any reason whatsoever, including

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

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

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

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

CONFIRMATION OF THE FOLLOWING:

17. [060307](#) Reappointment of Kristine Martinsek to the Harbor Commission by the Mayor. (14th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

PLACING ON FILE THE FOLLOWING:

18. [050462](#) Resolution to vacate a portion of North 124th Street located on the South Side of West Bobolink Avenue to a point South, in the 5th Aldermanic District.

Sponsors: THE CHAIR

A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.

This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

19. [060218](#) Resolution authorizing the Department of Administration to negotiate an agreement with Cellnet Technologies relating to the construction of a citywide wireless network.

Sponsors: Ald. Bohl

A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.

This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

20. [060241](#) Communication from the Commissioner of Public Works relating to Wisconsin Avenue Streetscaping.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

21. [060242](#) Communication from the Commissioner of Public Works relating to the State Street Bridge project.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

22. [060291](#) Communication from the Department of Public Works Environmental Services, Forestry Section relative to briefing on the emerald ash borer and its potential effects on the city's tree population.

Sponsors: Ald. Murphy

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

THE STEERING & RULES COMMITTEE RECOMMENDS:

PLACING ON FILE THE FOLLOWING:

1. [051321](#) Communication transmitting the report and recommendations of the Community Service Staffing Task Force.
Sponsors: THE CHAIR
A motion was made by ALD. MURPHY that this Communication-Report be PLACED ON FILE. This motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak
2. [051605](#) Resolution relating to establishing a process for the expedited review of issues pertaining to the City Hall exterior restoration project.
Sponsors: THE CHAIR
A motion was made by ALD. MURPHY that this Resolution be PLACED ON FILE. This motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak
3. [060303](#) Communication from the Department of Employee Relations transmitting a report relative to the Fire and Police Commission's Best Practices Review.
Sponsors: THE CHAIR
A motion was made by ALD. MURPHY that this Communication-Report be PLACED ON FILE. This motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak

THE STEERING AND RULES COMMITTEE MAY FURTHER RECOMMEND:

ADOPTION OF THE FOLLOWING:

4. [060334](#) Substitute resolution relating to endorsement and implementation of the recommendations of the Community Service Staffing Task Force.

Sponsors: Ald. Witkowski

A motion was made by ALD. BOHL that this Resolution be ASSIGNED TO to the STEERING & RULES COMMITTEE . This motion FAILED by the following vote:

Aye: 3 - Bohl, Donovan Zielinski

No: 11 - Hamilton, Davis, D'Amato, Bauman, McGee Jr., Wade, Puente, Murphy, Dudzik, Witkowski Hines Jr.

Excused: 1 - Witkowiak

Sponsors: Ald. Witkowski

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

Aye: 10 - Hamilton, Davis, D'Amato, Bauman, McGee Jr., Wade, Puente, Murphy, Witkowski Hines Jr.

No: 4 - Bohl, Donovan, Dudzik Zielinski

Excused: 1 - Witkowiak

Various communications from city officers were read and ordered on file without objection.

RESOLUTIONS FOR IMMEDIATE ADOPTION:

[060348](#) Resolution approving various final certified survey maps.

Resolved, By the Common Council of the City of Milwaukee, that the following certified survey maps be and hereby are approved:

NAME	TAX KEY NUMBER(S)
Inner City Redevelopment Corporation (DCD #2516)	2821526100, 2821536100
Housing Authority of the City of Milwaukee (DCD #2554)	3250769100, 3250770000
Housing Authority of the City of Milwaukee (DCD #2555)	3642951000
Housing Authority of the City of Milwaukee (DCD #2557)	3250425000, 3250424000, 3250421100
Housing Authority of the City of Milwaukee (DCD #2560)	3250502100

Sponsors: THE CHAIR

A motion was made by ALD. WADE that this Resolution-Immediate Adoption be ADOPTED. This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - McGee Jr.

Various announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 4:40 p.m.