



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, February 8, 2000

9:00:00 AM

Common Council Chambers

PRESENTATIONS

Present: 15 -

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

Excused: 2 -

Schramm, Frank

UNFINISHED BUSINESS:

[961664](#)

Ordinance relating to the approval of a detailed plan for Phase 1 of a general planned development known as Good Hope Industrial Center and to change the zoning from General Planned Development to Detailed Planned Development, lands located on the south side of West Good Hope Road and east of North 68th Street extended, in the 9th Aldermanic District. (Department of City Development)

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

Part 1. There is hereby added to the Milwaukee Code a new section to read:

Section 295-810(2)(b).0092.

(1) In accordance with the provisions of Section 295- 810(1) of the Milwaukee Code relating to the establishment of planned development districts, the Common Council of the City of Milwaukee herewith approves the detailed plan for Phase 1 of a general planned development known as Good Hope Industrial Center, a copy of which is attached to this file as Exhibit "A" which is on file in the office of the City Clerk and made a part thereof as though fully set forth herein.

(2) The zoning map is hereby amended so as to change from General Planned Development (GPD) to Detailed Planned Development (DPD), the area bounded and described as follows:

Commencing at the northwest corner of the Northeast 1/4 of Section 22, Township 8 North, Range 21 East; thence North 89 deg. 25 min. 30 sec. East along the north line of said 1/4 section (West Good Hope Road) 664.95 feet to a point; thence South 00 deg. 00 min. 30 sec. East 1326.34 feet to a point; thence South 89 deg. 38 min. 10

sec. West 665.50 feet to a point on the west line of said 1/4 section; thence North along the west line of said 1/4 section 1324.50 feet to the point of commencement.

By this action, the Common Council herewith approves the detailed plan for Phase 1 of a general planned development known as Good Hope Industrial Center and amends the zoning map to designate the area described above as a Detailed Planned Development (DPD).

(3) The requirements set forth in said detailed plan attached to this file as Exhibit "A" constitute the zoning regulations for the area contained in such planned development district herein 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 Building Inspection, 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 Milwaukee Code of Ordinances.

Part 3. In accord with the provisions of Section 295- 814(4) of the Milwaukee Code, the City Clerk shall transmit a facsimile copy of the detailed plan and a certified copy of the action taken thereon by the Common Council in recordable form to the Department of City Development for recording of said plan and Common Council action in the Office of the Register of Deeds.

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 thereof. The Common Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion thereof 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. Richards

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

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

No: 0

Excused: 2 - Schramm Frank

[961665](#)

Ordinance relating to the approval of a general planned development known as Good Hope Industrial Center and to change the zoning from Single Family Residence (R/F-3/40) to General Planned Development, lands located on the south side of West Good Hope Road and east of North 68th Street extended, in the 9th Aldermanic District. (Department of City Development)

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

Part 1. There is hereby added to the Milwaukee Code a new section to read:

Section 295-810(2)(a).0036.

(1) In accordance with the provisions of Section 295- 810(1) of the Milwaukee Code relating to the establishment of planned development districts, the Common Council of the City of Milwaukee herewith approves the general plan for a general planned development known as Good Hope Industrial Center, a copy of which is attached to this file as Exhibit "A" which is on file in the office of the City Clerk and made a part thereof as though fully set forth herein.

(2) The zoning map is hereby amended so as to change from Single Family Residence (R/F-3/40) to General Planned Development (GPD), the area bounded and described as follows:

Commencing at the northwest corner of the Northeast 1/4 of Section 22, Township 8 North, Range 21 East; thence North 89 deg. 25 min. 30 sec. East along the north line of said 1/4 section (centerline of West Good Hope Road) 664.95 feet to a point; thence South 00 deg. 00 min. 30 sec. East 1326.34 feet to a point; thence South 89 deg. 38 min. 10 sec. West 665.50 feet to a point on the west line of said 1/4 section; thence North along the west line of said 1/4 section 1324.50 feet to the point of commencement.

By this action, the Common Council herewith approves the general plan for a general planned development known as Good Hope Industrial Center and amends the zoning map to designate the area described above as a General Planned Development (GPD).

(3) The requirements set forth in said general plan attached to this file as Exhibit "A" constitute the zoning regulations for the area contained in such planned development district herein described, except that construction shall not be permitted in any segment of said tract until a detailed plan prepared in accordance with Section 295-813(3) of the Milwaukee Code of Ordinances has been approved by the

Common Council and the zoning ordinance is amended; except that improvement may be permitted to the extent that such improvements are shown in detail and included in the approved general plan.

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

Part 3. In accord with the provisions of Section 295- 814(4) of the Milwaukee Code, the City Clerk shall transmit a facsimile copy of the detailed plan and a certified copy of the action taken thereon by the Common Council in recordable form to the Department of City Development for recording of said plan and Common Council action in the Office of the Register of Deeds.

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 thereof. The Common Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion thereof 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. Richards

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

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

No: 0

Excused: 2 - Schramm Frank

[990835](#)

A substitute ordinance relating to zoning regulations for existing transmission towers used to transmit or receive television signals.

Sponsors: Ald. Pratt, Ald. Kalwitz, Ald. Gordon, Ald. Hines Jr., Ald. Nardelli, Ms. Scherbert, Ald. Breier, Ald. Witkowiak and Ald. Frank

The City Clerk read the Mayor's veto message.

The Chair presented the question: "Shall the foregoing measure be adopted

notwithstanding the objection of the mayor? If you wish to override the veto you vote 'Aye'; if you wish to sustain the veto you vote 'No'."

Ayes: 8 - Ald. Pratt, Henningsen, Gordon, Butler, Scherbert, Witkowiak, Breier and Nardelli

Noes: 7 - Ald. D'Amato, Johnson-Odom, Richards, Pawlinski, Murphy, Hines, and Kalwitz

Excused: 2 - Ald. Schramm and Frank

The foregoing resolution thereupon failed of adoption (sustaining the Mayor's veto) by a 8 - 7 vote. (2/3 vote/12 votes required to override).

A motion was made by Ald. Kalwitz that this matter be VETO SUSTAINED. The motion carried by the following vote:

Aye: 8 - Pratt, Henningsen, Gordon, Butler, Scherbert, Witkowiak, Breier Nardelli

No: 7 - Kalwitz, D'Amato, Johnson-Odom, Richards, Pawlinski, Murphy Hines Jr.

Excused: 2 - Schramm Frank

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [991258](#) Substitute ordinance to further amend the 2000 offices and positions in the City Service under control of the Common Council.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 1 of ordinance File Number 990704 relative to offices and positions in the City Service is hereby amended as follows:

Under "Police Department", add footnote "(B)" to read: "(B) Community Safe Driver Program Grant" To expire 9/30/00 unless the Community Safe Driver Grant, available from the State of Wisconsin, Department of Transportation is extended."

Under "Department of Public Works-Water Works, Plants Decision Unit, Electrical Maintenance", delete one position of "Electrical Services Supervisor I" and one position of "Electrical Mechanic" and add one position of "Electrical Services Supervisor II" and one position of "Plant Automation Specialist."

Part 2. Section 1 of ordinance File Number 990704 relative to offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 1, 2000 - December 26, 1999):

Under "Department of Public Works, Parking Fund", delete one position of "Citation Enforcement Manager" and one position of "Parking Operations Manager (Y)" and add one position of "Parking Enforcement Manager" and one position of "Parking Financial Manager (Y)"; and under "Buildings and Fleet Division, Operations Section", delete one position of "Equipment Operations Manager" and add one position of "Operations and Dispatch Manager."

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

Part 4. The provisions of Part 2 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 2000 (December 26, 1999).

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 2) [991260](#) Substitute ordinance to further amend the 2000 rates of pay of offices and positions in the City Service under control of the Common Council.

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

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

Under Salary Grade 007, add the title "Plant Automation Specialist."

Part 2. Section 20 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 1998 - December 28, 1997):

Under Pay Range 853, add the footnote designation "2/" following the title "Heavy Equipment Operator" with the footnote to read: "2/ Employees who are promoted

from the Firefighter classification to the Heavy Equipment Operator classification shall be appointed at the top pay step."

Under Pay Range 856, add the footnote designation "1/" following the titles "Fire Paramedic Field Lieutenant", "Paramedic Lieutenant" and "Paramedic Field Lieutenant." Delete the existing footnote "1/" in its entirety and substitute the following: "1/ Employees promoted from the Firefighter classification to the Administrative Fire Lieutenant, Fire Lieutenant, Fire Paramedic Field Lieutenant, Paramedic Lieutenant, or Paramedic Field Lieutenant classifications shall be appointed at the fourth pay step."

Part 3. Section 2 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 1, 2000 - December 26, 1999):

Under Salary Grade 007, delete the title "Equipment Operations Manager 1/" and add the title "Parking Financial Manager."

Under Salary Grade 008, delete the title "Parking Operations Manager."

Under Salary Grade 009, add the title "Operations and Dispatch Manager 4/" and add footnote "4/" to read: 4/ The incumbents of positions in this class, if certified by the Commissioner of Public Works as being, when appropriate, regularly involved in snow and ice operations which result in an excessive amount of overtime work, to receive 4.8% additional biweekly compensation for such overtime work.

Under Salary Grade 010, add the title "Parking Enforcement Manager."

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

Part 5. The provisions of Part 2 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 1998 (December 28, 1997).

The provisions of Part 3 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 2000 (December 26, 1999).

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

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

Sponsors: THE CHAIR

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

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

No: 1 - Nardelli

Excused: 2 - Schramm Frank

ADOPTION OF THE FOLLOWING:

- 3) [991307](#) Substitute resolution authorizing the acceptance and expenditure of contributions received by the Milwaukee Police Department from federally forfeited tangible property or cash for increased or enhanced law enforcement efforts.
- Whereas, The federal government has established specific guidelines for expending funds received as a result of the asset forfeiture fund program; and
- Whereas, The Police Department currently has funds held in trust (Account 0678-2110-9xxx-D33X-662201) to increase or enhance law enforcement efforts in the City of Milwaukee; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is authorized to expend up to \$187,300 from the Police Department's Federal Forfeiture Trust Fund, account 0678-2110-xxxx-D33X-662201 to the contribution/revenue account entitled Federal Forfeiture Contribution Revenue Account (Number 0001-3311-985012); and, be it
- Further Resolved, That upon deposit of these funds, the City Comptroller is authorized and directed to transfer \$187,300 from the Federal Forfeiture Contribution Revenue Account to the Police Department's budget as follows:
- 001-3311-0001-D33X-06300 \$ 134,300
001-3311-0001-D33X-06800 \$ 53,000
- ; and, be it
- Further Resolved, That all funds are to be expended to enhance law enforcement efforts in the City of Milwaukee in the following categories and corresponding amounts:
- CATEGORY AMOUNT
- Administrative Fees \$ 5,000

| | |
|--------------------------------|-----------|
| Canine unit | \$ 5,000 |
| Capital Court | \$ 10,000 |
| Cellular Phones | \$ 21,000 |
| MDC Fees/Software Maintenance | \$ 5,000 |
| Entry Team Equipment | \$ 2,500 |
| Training | \$ 10,000 |
| Walkers Square | \$ 2,500 |
| Mounted Patrol | \$ 70,000 |
| Computers | \$ 6,000 |
| Carbines | \$ 17,000 |
| Portable Teleprompter | \$ 5,000 |
| Replacement Personal Computers | \$ 15,000 |
| Fingerprint kits | \$ 3,300 |
| | ----- |
| | \$187,300 |

; and, be it

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

Further Resolved, That the balance in the 1997 Asset Forfeiture Special Purpose Accounts (3311-0001-D337-6300 and 3311-0001-D337-6800) be transferred to the Asset Forfeiture Trust Account (Account 0678-2110-XXXX-D33X-662201) prior to the close of 1999 as part of this resolution.

Sponsors: THE CHAIR

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

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

No: 1 - Nardelli

Excused: 2 - Schramm Frank

- 4) [991347](#) Substitute resolution appropriating funds from the 1999 Common Council Contingent Fund to the various accounts in the Department of Public Works.
- Whereas, Expenses related to snow and ice control were significantly higher than anticipated in the 1999 budget during the period from January through March of 1999; now, therefore, be it

Resolved, That the City Comptroller is authorized and directed to transfer up to \$2,300,000 from the 1999 Common Council Contingent Fund to various accounts in the Department of Public Works as needed due to shortfalls as a result of higher than anticipated snow and ice control expenses.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 5) [991446](#) Substitute resolution providing pension benefits for 2000 for certain retired City employees.

Whereas, The City of Milwaukee has provided supplementary pension benefits to certain retired City employees since 1975; and

Whereas, The 2000 City Budget includes \$886,000 in a special purpose account "Retirees' Benefit Adjustment Fund" for the purpose of providing supplementary pension benefits; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the formula for pension supplementary payment to members of the Employees' Retirement System of the City of Milwaukee, who were employed by the City of Milwaukee with the Milwaukee Police Department, Milwaukee Fire Department or General City, and the Firemen's Annuity and Benefit Fund of Milwaukee, for 2000 shall be related to the members' retirement allowance as follows:

Retirement Date Amount Supplement

Pre- 1949 400%

1950 through 1952 300%

1953 through 1954 200%

1955 through 1958 165%

1959 through 1961 120%

1962 90%

1963 85%

1964 80%

1965 75%

1966 through 1967 60%

1968 through 1969 45%

1970 through 1973 25%

1974 through 1975 14%

1976 through 1979 7%

1980 through 1982 6%

1983 3%

; and, be it

Further Resolved, That this supplement is being granted under the following terms and conditions, without limitation by enumeration:

1. This supplement is granted to qualified retirees under the Employees' Retirement System, Firemen's Annuity and Benefit Fund, and to former Town of Lake retirees.
2. No retired member or his or her surviving spouse beneficiary, who is eligible to receive a supplemental benefit during 2000, shall have his or her retirement allowance together with supplemental benefit exceed \$1,180 monthly under this resolution. The supplemental benefit shall be reduced in the amount so that the supplemental benefits together with the retirement allowance does not exceed \$1,180 monthly.
3. a. Except for members of the Policemen's Annuity and Benefit Fund and the Firemen's Annuity and Benefit Fund, there shall be a minimum "pension plus supplement" benefit of \$250 per month or \$3,000 per year for full career service pensions. This minimum combination of pension and supplement benefit shall be prorated for those with at least 10 years but less than 25 years of service with the City. The yearly proration shall be based on 40% of the minimum "pension plus supplement" benefit for retirees with 10 years of service and 100% of such minimum

for those retirees with 25 or more years of service.

b. Any member of the Policemen's Annuity and Benefit Fund or the Firemen's Annuity and Benefit Fund who is receiving an annuity, including widows of members, shall be eligible to receive a minimum annuity plus supplement of \$300 per month or \$3,600 per year.

c. Any member of the Policemen's Annuity and Benefit Fund or the Firemen's Annuity and Benefit Fund who is receiving an annuity, including widows of members, shall be eligible to receive a lump-sum supplement equal to the Retirement Date Component and the Need-Based Component. The Retirement Date Component and the Need-Based Component shall be related to the members' retirement allowance as follows:

Retirement Date Component

Pre- 1950 3.02%
1950 through 1959 2.45%
1960 through 1969 1.88%
1970 through 1979 1.31%
1980 and after 0.74%

Need-Based Component

15.5% of the difference between \$7,974 and the members' retirement allowance for single members whose retirement allowance is less than \$7,974, and 15.5% of the difference between \$10,050 and the members' retirement allowance for married members whose retirement allowance is less than \$10,050. Single members whose retirement allowance is equal to or greater than \$7,974 and married members whose retirement allowance is equal to or greater than \$10,050 are not eligible to receive the Need-Based Component.

4. a. No supplement exceeding \$415 per month shall be paid. Applicable supplement percentages may be adjusted to enable compliance with this provision.

b. Retirement allowances and ordinary disability retirement allowances under the Firemen's Annuity and Benefit Fund are covered. Duty disability retirement allowances are excluded from coverage under the supplement.

c. The retirement allowances from the former Town of Lake are covered.

d. Ordinary disability retirement allowances under the Employees' Retirement System are covered.

e-1. Retirement allowances under the Employees' Retirement System which are not eligible for a catch-up adjustment under s. 36-05-1-i-1-a or b of the City Charter, as enacted by Charter Ordinance File Number 942016, are covered.

e-2. Retirement allowances under the Employees' Retirement System which are eligible for a catch-up and cost-of-living adjustment under s. 36-05-1-i-1-a or b of the City Charter, enacted by Charter Ordinance File Number 942016, are eligible for a partial supplement which shall represent the difference between their total monthly benefits provided under s. 36-05, including any benefits enacted by Charter Ordinance File Number 942016, and their total 1995 monthly benefits provided under s. 36-05 and Common Council Resolution File Number 941620.

e-3. Duty disability allowances paid under s. 36-05-03 or survivorship allowances paid under s. 36-05-8 are excluded from coverage under the supplement.

5. Retired employees with 10 or more years of creditable service and the recipients of survivor pensions who were married to eligible retired employees or who were married to employees at the time a protective survivorship option was elected are eligible for the 2000 supplementary pension benefits, provided they meet other eligibility provisions. The surviving spouse supplement shall be related to the survivor benefits and the applicable surviving spouse supplement percentage shall be related to the member's retirement date.

6. a. Retirees who were eligible to receive the supplement in 1987, but who had less than 10 years of creditable service at the time of their retirement, shall not receive the supplement provided for in this resolution. Such retirees shall receive a 2000 supplement computed on the basis of the formula provided by Common Council Resolution File Number 85-933.

b. Notwithstanding this provision, surviving spouse beneficiaries of individuals killed in the line of duty prior to 1/1/84 shall be eligible for the 2000 supplementary pension benefits provided for in this resolution. For the purpose of calculating these benefits, the year in which the death in the line of duty occurred shall be the "retirement date" and shall be considered a full career service pension.

7. The supplement percentages described above shall be non-compounding, that is, they shall be applied to the retiree's pension amount as of his or her effective retirement date.

8. The 2000 pension supplementary payments provided for in this resolution shall not be made part of the pension laws governing the respective City pension systems (Employees' Retirement System and Firemen's Annuity and Benefit Fund.)

9. The 2000 pension supplementary payments provided for in this resolution shall be deemed non-precedential and shall not be construed as pension supplements after 2000;

and, be it

Further Resolved, That the Water Department is authorized and directed to pay directly for the cost of supplemental benefits attributable to its former employees; and, be it

Further Resolved, That the 2000 supplemental benefit program shall make the same offer of pension supplements to all retirees and their beneficiaries who are eligible for 2000 supplemental pension benefits; and, be it

Further Resolved, That individual retirees or their beneficiaries who are eligible for 2000 supplemental pension benefits shall have the choice of accepting supplemental pension benefits as provided under this resolution, or to reject in whole or in part this offer of supplemental pension benefits for 2000; and, be it

Further Resolved, That the proper City officials are authorized and directed to implement the appropriate procedure to enable such acceptance or rejection in whole or in part of this offer of supplemental pension benefits for 2000; and, be it

Further Resolved, That adoption of this resolution shall supersede all provisions of Resolution File Number 981252.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 6) [991563](#) Resolution relative to acceptance and funding of a Books to Read and Experience Grant. (Library)
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin for the purpose of providing large print materials and talking book kits to parents and agencies that serve children with disabilities; and

Whereas, The operation of this grant from 01/01/00 to 12/31/00 would cost \$25,576

of which \$576(2%) would be provided by the city and \$25,000(98%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Public Library shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue--Grant and Aid Projects, the following amounts for the project titled "Books to Read and Experience Grant:"

| Proj/Grant | Fund | Org | Program | BuYr |
|----------------|------|------|---------|------|
| GR000000000000 | 0150 | 9990 | 0001 | 0000 |

| Subclass | Acct | Project | Amount |
|----------|--------|---------------|----------|
| R999 | 000600 | Grantor Share | \$25,000 |

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

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

Further Resolved, That these funds are budgeted for Milwaukee Public Library 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. Expend from the 2000 grant budget funds for specific items of equipment.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 7) [991564](#) Resolution relative to acceptance and funding of a Books to Go: Renewing Service to Preschoolers Grant. (Library)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin for the purpose of providing library services to children 5 years of age and younger who are currently unserved; and

Whereas, The operation of this grant from 01/01/00 to 12/31/00 would cost \$50,035 of which \$3,135(6%) would be provided by the city and \$46,900(94%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Public Library shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue--Grant and Aid Projects, the following amounts for the project titled "Books to Go: Renewing Service to Preschoolers Grant:"

| Proj/Grant | Fund | Org | Program | BuYr |
|----------------|------|------|---------|------|
| GR000000000000 | 0150 | 9990 | 0001 | 0000 |

| Subclass | Acct | Project | Amount |
|----------|--------|---------------|----------|
| R999 | 000600 | Grantor Share | \$46,900 |

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

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

Further Resolved, That these funds are budgeted for Milwaukee Public Library 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. Expend from the 2000 grant budget funds for specific items of equipment.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 8) [991565](#) Substitute resolution authorizing the Department of Employee Relations to enter into an agreement with the Milwaukee County Transit System relating to a reduced bus fare program for city employees.

Whereas, The Milwaukee County Transit System is discontinuing the current employee bus fare discount program; and

Whereas, The reduced bus fare program, begun in 1989, has increased bus ridership by city employees; and

Whereas, The Commuter Value Pass Program has been promoted by the Transit System as an alternative to the discontinued program; and

Whereas, The city still wishes to continue to offer employees a reduced bus fare program to encourage bus ridership; and

Whereas, This program currently requires that city employees pay \$15 per month for unlimited use of Milwaukee County Transit buses; and

Whereas, The city would currently pay \$20 per month per employee participating in the program; 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 the Milwaukee County Transit System pertaining to the Commuter Value Pass Program; and, be it

Further Resolved, That the Department of Employee Relations is authorized and directed to institute a payroll deduction system for the employee-share of this program; and, be it

Further Resolved, That the Department of Employee Relations is authorized and directed to prepare a written report for the Council, at the end of the pilot period, evaluating the program.

Sponsors: THE CHAIR

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

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

No: 1 - Nardelli

Excused: 2 - Schramm Frank

- 9) [991567](#) Resolution relative to application, acceptance and funding of a Community Safe Driver Program Grant (Police Department).

Sponsors: THE CHAIR

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

Aye: 5 - D'Amato, Scherbert, Pawlinski, Breier Nardelli

No: 10 - Pratt, Kalwitz, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Witkowiak, Murphy Hines Jr.

Excused: 2 - Schramm Frank

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Department of Transportation, Bureau of Transportation Safety, for a Community Safe Driver Program; and

Whereas, The operation of this grant from 10/01/1999 to 9/30/2000 would cost \$70,513 of which \$20,513 (30%) would be provided by the city and \$50,000 (70%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the State of Wisconsin Department of Transportation, Bureau of Transportation Safety is authorized and that the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council file 940843; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 1999 Special Revenue-Grant and Aid Projects, the following amount for the program titled: "Community Safe Driver Program Grant":

| Project/Grant | Fund | Org | Program | BY | Subclass | Account |
|---------------|------|------|---------|------|----------|---------|
| GR0009000000 | 0150 | 9990 | 0001 | 0000 | R999 | 00600 |

| Project | Amount |
|---------------|----------|
| Grantor Share | \$50,000 |

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 1999 and 2000 Positions Ordinance be amended as follows to reflect the following footnote (B):

(B) Community Safe Driver Program Grant: To expire 9/30/2000 unless the Community Safe Driver Grant, available from the State of Wisconsin, Department of Transportation is extended.

Sponsors: THE CHAIR

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

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

No: 1 - Nardelli

Excused: 2 - Schramm Frank

10) [991583](#) Resolution relating to an indemnification agreement between City of Milwaukee and the Annuity and Pension Board. (City Attorney)

Whereas, The city and the ERS entered into an indemnification agreement for a term of five years dated June 30, 1992 and such indemnification agreement has been extended by mutual agreement to run through December 31, 2000, and

Whereas, The ERS has requested the city to include the members of the Medical Council or Medical Panel, while acting in their official capacity, to be included in the term "Indemnatee," and

Whereas, The city and ERS have reached an agreement, now, therefore, be it

Resolved, By the Common Council that the amendment to the indemnification agreement dated June 30, 1992, between the City of Milwaukee and the Employees' Retirement System, annexed to the file, be and hereby is approved and the proper city officers be and hereby are authorized to execute same on behalf of the city.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 11) [991584](#) Resolution authorizing attendance at conventions during April to December by employees of city departments.
- Whereas, Funding of \$55,000 for convention travel for city employees and Board and Commission members has been included in the 2000 Budget in the Special Purpose Account-Convention and Travel Expenses Fund; and
- Whereas, This resolution is in accordance with travel regulations and procedures in Section 350-181 of the Milwaukee Code of Ordinances; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that attendance at conventions during April to December, 2000 as listed on Exhibit A attached to Common Council File No. 991584, is hereby authorized; and, be it
- Further Resolved, That the funds for attendance at these conventions is provided from the SPA-Convention and Travel Expense Fund (Account No. 0001-9990-S800-006300); and, be it
- Further Resolved, That the dollar amount shown for each authorized convention listed in Exhibit A is an estimate of the convention attendance expenses and is included to facilitate the necessary dollar advances for such purposes; and, be it
- Further Resolved, That ACTUAL city payment (or reimbursement) for convention expenses incurred and reported by the convention attendee, reporting requirements, control procedures, etc., shall be in accordance with the Authorized Travel Regulations and Procedures Ordinance (Section 350-181) of the Milwaukee Code of Ordinances; and, be it
- Further Resolved, That the Comptroller is hereby authorized and directed to transfer appropriations on an as-needed basis to the individual sub-accounts and to transfer

excess appropriations from the sub-accounts back to the Special Purpose Account (No. 0001-9990-S800-006300) (parent account) for subsequent transfer.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 12) [991590](#) Substitute resolution appropriating \$11,009,527 to the Department of City Development from the 2000 Special Purpose Account - Reimbursable Services Advance Fund.
- Resolved, By the Common Council of the City of Milwaukee, that \$11,009,527 be and hereby is appropriated from the 2000 Reimbursable Services Advance Fund (Account Number 0007-9990-0001-R999-RM000000000) to the Department of City Development for the expenses associated with the Housing Authority; and, be it

Further Resolved, That the procedures for handling and advancing funds in anticipation of reimbursable revenue are in accordance with those set forth in Common Council File 80-1513.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 13) [991592](#) Resolution relating to authorizing receipt and expenditure of Wisconsin Census 2000 Education Grant funds and application, receipt and expenditure of additional Census 2000 funds.

Whereas, The Common Council adopted Common Council File No. 991302 on November 29, 1999, which authorized the Department of Administration (DOA) to apply for a Census 2000 Education Grant to facilitate the City's Complete Count Plan for the 2000 federal census; and

Whereas, Pursuant to Common Council File No. 991302, DOA was awarded a

Census 2000 Education Grant of \$200,000, and it is appropriate to authorize DOA to accept and expend these funds; and

Whereas, Approximately \$87,000 in additional Census 2000 Grant funds may be made available by the Wisconsin Department of Administration and, if so, DOA will be required to immediately submit an application for such additional funds; and

Whereas, If additional Census 2000 grant funds are awarded to DOA, it is appropriate to authorize DOA to accept and expend these funds without further Common Council action; and

Whereas, All Census 2000 Grant funds received by DOA will be expended to facilitate the Complete Count Plan provided to the City by its consultant, Cannon & Associates; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration (DOA) is authorized to accept and expend \$200,000 in State Education Grant funds to facilitate the City's Complete Count Plan, application for which was authorized in Common Council File No. 991302, adopted by the Common Council on November 29, 1999; and, be it

Further Resolved, That DOA shall accept this grant without further approval unless the terms of the grant change as indicated in s. 304-81; and, be it

Further Resolved, That the City Comptroller is authorized to commit funds within the DOA budget for the Census 2000 Project:

| Proj/Grant | Fund | Org | Program | BY | Subclass | Account |
|----------------|------|------|---------|------|----------|---------|
| GR000000000000 | 0150 | 9990 | 0001 | 0000 | R999 | 006000 |

Project Grantor Share Amount: \$200,000

; and, be it

Further Resolved, That these funds are budgeted for DOA, which is authorized to expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date; and, be it

Further Resolved, That DOA is authorized to apply to the Wisconsin Department of Administration, Demographic Services Center, for approximately \$87,000 in additional Census 2000 Education Grant funding to facilitate the City's Complete Count Plan; and, be it

Further Resolved, That DOA is authorized to accept and expend any additional amount received in State Education Grant funds up to \$87,000 to facilitate the City's Complete Count Plan, application for which is authorized by this resolution; and, be it

Further Resolved, That if DOA is awarded such additional funds, DOA shall accept this grant without further approval unless the terms of the grant change as indicated in s. 304-81; and, be it

Further Resolved, That, if DOA is awarded such additional funds, the City Comptroller is authorized to commit the funds received within the DOA budget for the Census 2000 Project:

| Proj/Grant | Fund | Org | Program | BY | Subclass | Account |
|---------------|------|------|---------|------|----------|---------|
| GR00000000000 | 0150 | 9990 | 0001 | 0000 | R999 | 006000 |

Project Grantor Share Amount: \$87,000

; and, be it

Further Resolved, That these funds are budgeted for DOA, 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. Pratt that this matter be ADOPTED. The motion carried by the following vote:

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

No: 0

Excused: 2 - Schramm Frank

CONFIRMATION OF THE FOLLOWING:

- 14) [991582](#) Appointment of Randy Gschwind to serve as Chief Information Officer effective April 30, 2000 by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

PLACING ON FILE THE FOLLOWING:

- 15) [990859](#) Resolution appropriating funds from the 1999 Special Purpose Account-Reimbursable Services Advance Fund. (Budget & Management Division)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 16) [991356](#) Resolution authorizing contingent fund transfer to the Minority and Disadvantaged Business Joint Certification special fund of approximately \$48,024.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 17) [991539](#) Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for City Service Commission action.

Sponsors: THE CHAIR

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

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

No: 1 - Nardelli

Excused: 2 - Schramm Frank

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

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

- 1) [990912](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.
- The Common Council of the City of Milwaukee hereby accepts the recommendations of the Utilities and Licenses Committee as contained in the listings attached to this file.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Gordon that this matter be APPROVED. The motion carried by the following vote:**
- Aye:** 15 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Schramm Frank

PLACING ON FILE THE FOLLOWING:

- 2) [991579](#) Communication from the Public Service Commission transmitting a notice of hearings relative to the Wisconsin Electric Power Company.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Gordon that this matter be PLACED ON FILE. The motion carried by the following vote:**
- Aye:** 15 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Schramm Frank

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

- 3) [990913](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.
- The Common Council of the City of Milwaukee hereby accepts the recommendations

of the Utilities and Licenses Committee as contained in the listings attached to this file.

Sponsors: THE CHAIR

BY ALD. GORDON ---

by recommending approval of said motion.

THE CLERK swore in the Court Reporter--

Recommendation of nonrenewal of the Class "B" Tavern License of Dennis B. Robinson for the premises at 401 North 35th Street ("DBR Sports Bar & Grill") in the 16th Aldermanic District. Written objections have been filed by the licensee. (Committee Vote: 5 Ayes; 0 Noes; Expiration Date: 2-10-00).

THE CHAIR questioned wheither all the Common Council members had read the Report and Recommendations and written exceptions if filed by the licensee.

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

Noes: 0.

Excused: 2 - Ald. Schramm and Ald. Frank.

ALD. BUTLER moved that the Common Council do now resolve itself into a Committee of the Whole for the purpose of hearing from Attorney Andrew Franklin, Assistant City Attorney Bruce Schrimpf relative to the foregoing matter.

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Attorney Andrew Franklin and Assistant City Attorney Bruce Schrimpf appeared relative to the foregoing matter.

ALD. WITKOWIAK moved that the committee do now rise.

THE CHAIR moved for adoption of the Committee Report.

The motion prevailed.

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

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

No: 0

Excused: 2 - Schramm Frank

[990914](#)

Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

Sponsors: THE CHAIR

Recommendation of nonrenewal of the Class "D" Bartender License of Wesley A. Kittleson. Written objections have not been filed by the licensee. (Committee Vote: 3 Ayes; 2 Noes; Expiration Date: 12-31-98).

ALD. BUTLER moved to refer the Class "D" Bartender License of Wesley A. Kittleson back to Committee.

The motion prevailed by the following vote:

Ayes: 14 - Ald. Pratt, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Murphy, Hines and President Kalwitz.

Noes: 0.

Excused: 3 - Ald. Schramm, Frank and Nardelli.

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

Sponsors: THE CHAIR

Recommendation of nonrenewal of the Class "D" Bartender License of Donell Ragsdale. Written objections have not been filed by the licensee. (Committee Vote: 5 Ayes; 0 Noes; Expiration Date: 12-31-98).

Donell Ragsdale not present.

THE CHAIR moved to adopt the Utilities and Licenses Committee Report.

The motion prevailed.

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

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

No: 0

Excused: 3 - Schramm, Frank Nardelli

THE JUDICIARY AND LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [991456](#) A substitute ordinance repealing the tax-exempt property reporting fee.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 81-123 of the code is repealed.

Part 2. Section 307-2 of the code is repealed and recreated to read:

307-2. Tax-Exempt Property Report. By March 31 of each even-numbered year, the owner of each parcel of tax-exempt property shall obtain from and return to the commissioner of assessments, a form, as provided in s. 70.337, Wis. Stats., concerning the characteristics of the tax-exempt property.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank
- 2) [991566](#) An ordinance increasing the number of members of the equal rights commission who must be present at meetings to constitute a quorum or conduct business.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 109-15-3 of the code is amended to read:

109-15. Equal Rights Commission.

3. ~~[[Three]]~~ >>Four<< members shall constitute a quorum for the purpose of conducting business, and ~~[[3]]~~ >>4<< votes shall be required to pass any commission decision.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

ADOPTION OF THE FOLLOWING:

- 3) [990883](#) Substitute resolution relative to various legislative bills.

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

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

664-A, relating to Handgun Purchasing. (Support with amendment);and, be it

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

232-S, relating to Lead Paint. (Oppose, unless amended).

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 2 - Schramm Frank

- 4) [991438](#) Resolution to settle claim of Attorney Steven R. Kohn, Steven R. Kohn Law Office, for defense of Police Officer Lamont Hodnett. (City Attorney)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 5) [991495](#) Substitute resolution to settle claim of Lonzell Williams for property damage.
- Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check for \$500, payable to Lonzell Williams, 4165 N. 50th Street, 53216, to reimburse him for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 2 - Schramm Frank

- 6) [991520](#) Resolution authorizing the cancellation of 1,597 uncollectible delinquent personal property tax accounts in the total amount of \$811,562.27.
- Whereas, The City Treasurer has identified certain delinquent personal property tax accounts as unenforceable and uncollectible; 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 cancel as accounts receivable the 1,597 delinquent personal property tax accounts totaling \$811,562.27, determined to be legally unenforceable and uncollectible, as delineated in the schedule of accounts attached to the file and herein made part of the resolution; and be it

Further Resolved, That the City Treasurer be and hereby is authorized and directed to

remove the aforementioned cancelled accounts from the tax receivable file.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 7) [991580](#) Resolution approving a revised Municipal Court deposit schedule.

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 8) [991589](#) Resolution amending file number 991003 and settling the claim of Attorney Kenneth J. Murray of Adelman, Adelman & Murray, S.C., for defense of Police Officer Barry Koch. (City Attorney)

Whereas, The Common Council on November 9, 1999 adopted file number 991003 which authorized settling the claim of Eggert Law Offices, S.C. for the defense of various Police Officers in the amount of \$18,074.25 which inadvertently included \$968.00 which was due to Attorney Kenneth Murray, Adelman, Adelman and Murray, S.C. for the defense of Barry Koch; and

Whereas, The Eggert Law office on 12/28/99 submitted their check no. 1956 in the amount of \$968.00 to the City of Milwaukee for reimbursement of the erroneous

amount paid to that law office; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that file number 991003 be amended to change the amount of \$18,074.25 to \$17,106.25 as the amount paid to Eggert Law Offices, S.C. and to delete Barry Koch \$968.00, and be it

Further Resolved, That the proper city officers be and they hereby are authorized and directed to issue a check in the sum of \$968.00 payable to Attorney Kenneth J. Murray, Adelman, Adelman & Murray, S.C., 845 North 11th Street, 53233, to reimburse him for legal fees for defense of Barry Koch in the amount of \$968.00; 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 the Damages and Claims Account No. 636505, Fund -001, Organization - 1490, Program - 263, Sub Class - S118.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

CONFIRMATION OF THE FOLLOWING:

- 9) [991523](#) Appointment of Brentell Handley to the Equal Rights Commission by the Mayor. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

DISALLOW AND INDEFINITELY POSTPONE THE FOLLOWING:

10) Various claims against the City:

- a) [991364](#) Appeal of Robert and Linda Kurth relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- b) [991423](#) Appeal of Jason Jones relative to claim for property damage. (9th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- c) [991492](#) Communication from the City Attorney's Office transmitting a communication from D'Angelo & Nancy Carr relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- d) [991493](#) Communication from the City Attorney's Office transmitting a communication from Robert & Advenice Sisk relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- e) [991494](#) Communication from the City Attorney's Office transmitting a communication from Jerry Benston, Jr. relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- f) [991542](#) Appeal of William Vontrel relative to claim for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- g) [991543](#) Communication from the City Attorney's Office transmitting a communication from Mary Abdurahman relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- h) [991544](#) Communication from the City Attorney's Office transmitting a communication from Laura Matthews relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- i) [991545](#) Communication from the City Attorney's Office transmitting a communication from Laura Matthews relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- j) [991546](#) Communication from the City Attorney's Office transmitting a communication from Julious Miller relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- k) [991547](#) Communication from the City Attorney's Office transmitting a communication from Albert Holmes relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- l) [991548](#) Communication from the City Attorney's Office transmitting a communication from James Franklin relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- m) [991549](#) Communication from the City Attorney's Office transmitting a communication from Emmet Ramsey relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- n) [991550](#) Communication from the City Attorney's Office transmitting a communication from Ralph Gene Mays relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- o) [991551](#) Communication from the City Attorney's Office transmitting a communication from La Monica Sallis relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

- p) [991552](#) Communication from the City Attorney's Office transmitting a communication from First, Blonids, Albrecht, Bangert & Novotnak, S.C. on behalf of Christine Moertl relative to claim for personal injuries.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- q) [991553](#) Communication from the City Attorney's Office transmitting a communication from Lester & Essie Barnes relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 13 - Kalwitz, D'Amato, Henningsen, Johnson-Odom, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 2 - Pratt Gordon

Excused: 2 - Schramm Frank

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [991255](#) 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 101-13-8 of the Code relating to School Speed 20 MPH is amended by adding the following:
- On N. Sherman Boulevard from W. Rohr Avenue to W. Custer Avenue
- On E. Howard Avenue from S. Kansas Avenue to S. Brust Avenue
- Part 2. Section 101-16-1 of the Code relating to Stop signs is amended by striking the following:
- "On W. Chambers Street at N. 11th Street"
- Part 5. Section 101-16-1 of the Code relating to Stop signs is amended by adding the following:
- W. Chambers Street at N. 11th Street in all directions
- N. Holton Street and E. Vienna Avenue in all directions
- On N. 50th Street at W. Marion Street
- On N. 77th Street at W. Hope Avenue
- On W. Potomac Avenue at W. Hope Avenue
- On W. Hope Avenue at N. 72nd Street
- On W. Locust Street at N. 78th Street
- Sponsors:** THE CHAIR
- A motion was made by Ald. Murphy that this matter be PASSED. The motion carried by the following vote:**
- Aye:** 15 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Schramm Frank

- 2) [991256](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.

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

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

"On the north side of W. Vliet Street from the east curb line of N. 59th Street to a point 60 feet east thereof at any time"

"On the north side of W. Wisconsin Avenue between N. 52nd and N. 53rd Streets from one hour before to one hour after Milwaukee County Stadium events"

"On the south side of W. Vienna Avenue from N. 29th Street to the first north/south alley east thereof from 7:00 AM to 5:00 PM except Sunday"

"On the east side of N. Water Street from E. Wells Street to E. Kilbourn Avenue at any time"

"On the south side of W. Auer Avenue between N. 34th Street and W. Fond du Lac Avenue at any time"

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

On the south side of W. Auer Avenue from N. 34th Street to N. 35th Street at any time

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

"On the south side of W. St. Paul Avenue from N. 41st Street to the Menomonee River"

"On the west side of N. Teutonia Avenue from N. 20th Street to W. Melvina Street from 7:00 AM to 7:00 PM except Sunday"

"On the west side of N. 5th Street from W. Highland Avenue to W. Juneau Avenue from 7:00 AM to 7:00 PM except Sunday"

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

"E. State Street from N. Jefferson Street to N. Prospect Avenue"

"On W. Townsend Street between N. 22nd Street and N. 23rd Street except Saturdays, Sundays and Holidays"

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 3) [991569](#) An ordinance relating to the responsibility for enforcing various code provisions relating to parking.
- The Mayor and Common Council of the City of Milwaukee do ordain as follows:
- Part 1. Section 101-23-3 of the Code relating to No Parking is amended by striking the following:
- "On the north side of W. Vliet Street from the east curb line of N. 59th Street to a point 60 feet east thereof at any time"
- "On the north side of W. Wisconsin Avenue between N. 52nd and N. 53rd Streets from one hour before to one hour after Milwaukee County Stadium events"
- "On the south side of W. Vienna Avenue from N. 29th Street to the first north/south alley east thereof from 7:00 AM to 5:00 PM except Sunday"
- "On the east side of N. Water Street from E. Wells Street to E. Kilbourn Avenue at any time"
- "On the south side of W. Auer Avenue between N. 34th Street and W. Fond du Lac Avenue at any time"
- Part 2. Section 101-23-3 of the Code relating to No Parking is amended by adding the following:
- On the south side of W. Auer Avenue from N. 34th Street to N. 35th Street at any time
- Part 3. Section 101-23-4-d of the Code relating to Two Hour Parking is amended by striking the following:

"On the south side of W. St. Paul Avenue from N. 41st Street to the Menomonee River"

"On the west side of N. Teutonia Avenue from N. 20th Street to W. Melvina Street from 7:00 AM to 7:00 PM except Sunday"

"On the west side of N. 5th Street from W. Highland Avenue to W. Juneau Avenue from 7:00 AM to 7:00 PM except Sunday"

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

"E. State Street from N. Jefferson Street to N. Prospect Avenue"

"On W. Townsend Street between N. 22nd Street and N. 23rd Street except Saturdays, Sundays and Holidays"

Sponsors: THE CHAIR

4) [991588](#)

An ordinance relating to the environmental health board and appeals of health department lead hazard orders.

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

Part 1. Section 66-22-13-b of the code is repealed and recreated to read:

66-22. Lead Poisoning Prevention and Control Regulations.

13. APPEALS TO ENVIRONMENTAL HEALTH BOARD.

b. Upon receipt of a written appeal, the board shall within 10 days notify the appellant of the date, time and place of the hearing.

Part 2. Section 66-61-3 of the code is repealed and recreated to read:

66-61. Appeals to Environmental Health Board.

3. Upon receipt of a written appeal, the board shall within 10 days notify the appellant of the date, time and place of the hearing.

Part 3. Section 75-40-3 of the code is created to read:

75-40. Environmental Health Board.

3. FUNCTION. Each board member serves as an officer of the city exercising a

quasi-judicial function within the scope of s. 893.80, Wis. Stats.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

ADOPTION OF THE FOLLOWING:

- 5) [991568](#) Resolution relative to application, acceptance and funding of an Operation Ceasefire Program Grant (Police Department).

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

Whereas, The operation of this grant from 1/01/2000 to 9/30/2000 would cost \$132,381 of which \$54,381 (41%) would be provided by the city and \$78,000 (59%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Department of the Treasury, Bureau of Alcohol, Tobacco, and Firearms is authorized and that the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common council file 940843; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue-Grant and Aid Projects, the following amount for the program titled: "Operation Ceasefire Grant":

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

| Project | Amount |
|---------------|----------|
| Grantor Share | \$78,000 |

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.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 6) [991578](#) Resolution authorizing acceptance and expenditure of a Local Law Enforcement Block Grant (Police Department).
- Whereas, Under the terms of CFDA #16.592 the City of Milwaukee appears to be eligible for grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a Local Law Enforcement Block Grant; and
- Whereas, The operation of this grant program from October 1, 1999 to September 30, 2001 would cost \$1,237,401 of which \$123,740 (10%) would be provided by the city and \$1,113,661 (90%) would be provided by the grantor; and
- Whereas, A resolution providing authority to apply for a Local Law Enforcement Block Grant was approved in Common Council file #990340 ; and
- Whereas, The Local Law Enforcement Block Grant requires that prior to obligation of funds at least one public hearing will be held regarding the proposed use of the grant in relation to its entire budget; and
- Whereas, The public notice of this grant resolution and the public meeting of the Committees and Council will serve this purpose; and
- Whereas, An advisory board has reviewed and approved the grant; and

Whereas, The grant funds must receive any interest earned on funds advanced to the city under Local Law Enforcement Block Grant federal guidelines; and

Whereas, The City Treasurer could establish a segregated investment account on the city's books to insure that interest earnings are accumulated as required by the grant guidelines; 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 940843; and, be it

Further Resolved, That the City Treasurer is authorized to establish a segregated investment account for the grant proceeds with all of the interest earnings accruing to the grant project; and, be it

Further Resolved, That the funds received under the Local Law Enforcement Block Grant will be deposited in accordance with the applicable federal guidelines and the procedures established by the City Comptroller's Office; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 1999 Special Revenue -Grant and Aid Projects, the following amounts for the program titled: "Local Law Enforcement Block Grant":

| Proj/Grt | Fund | Org | Program | BY | Subclass | Acct |
|--------------|------|------|---------|------|----------|--------|
| GR0009000000 | 0150 | 9990 | 0001 | 0000 | R999 | 000600 |

| Project | Amount |
|---------------|-------------|
| Grantor share | \$1,113,661 |

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. Expend from the 1999 grant budget funds for specific items of equipment.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

PLACING ON FILE THE FOLLOWING:

- 7) [991443](#) Communication transmitting the Police Department's Annual Asset Forfeiture Spending Plan for fiscal year 2000.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 8) [991445](#) Resolution authorizing the Health Department to accept and expend the Lead Detection Grant funded by the State of Wisconsin Division of Health and Family Services. (Health Dept.)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 9) [991452](#) An ordinance relative to exceptions to night parking regulations.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

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

THE ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [991571](#) Substitute resolution approving Contribution Agreements between the City of Milwaukee and the Boards of various Business Improvement Districts for the 2000 budget year.

Whereas, Pursuant to Section 66.608, Wisconsin Statutes, the City of Milwaukee ("City") created Business Improvement Districts ("BIDs") No. 2 (Historic Third Ward), No. 4 (Greater Mitchell Street), No. 5 (Westtown), No. 8 (Historic King Drive), No. 10 (Avenues West) and No. 21 (Downtown Management District) and adopted their initial Operating Plans; and

Whereas, Acting pursuant to Section 66.608(3)(b), Wisconsin Statutes, the Business Improvement District Boards ("Boards") and the City have thereafter considered and approved annual changes to the Operating Plans; and

Whereas, The Operating Plans as changed for 2000 ("2000 Operating Plans") provides for contributions from the City to the Boards to fund, in part, the activities authorized under the 2000 Operating Plans; and

Whereas, The City, by the adoption of its 2000 budget, has authorized the expenditure of \$129,000 to fund, in part, the activities authorized under the 2000 Operating Plans; and

Whereas, The City's contributions are made pursuant to Section 66.608(4), Wisconsin Statutes, which authorizes the City to make "appropriations for the benefit of the business improvement district"; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to execute Contribution Agreements with the Boards of the respective BIDs for the following amounts:

1. No. 2 (Historic Third Ward), \$18,000

2. No. 4 (Greater Mitchell Street), \$25,000

3. No. 5 (Westown), \$18,000

4. No. 8 (Historic King Drive), \$21,000

5. No. 10 (Avenues West), \$12,000

6. No. 21 (Downtown Management District), \$35,000

; and, be it

Further Resolved, The Contribution Agreements shall be in a standard format, a copy of which is attached to this Common Council File.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

CONFIRMATION OF THE FOLLOWING:

- 2) [991500](#) Reappointment of William DeLind 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. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:

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

No: 0

Excused: 2 - Schramm Frank

- 3) [991501](#) Reappointment of Michael Hool 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. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:

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

No: 0

Excused: 2 - Schramm Frank

- 4) [991502](#) Reappointment of Janet Kusko 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. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:

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

No: 0

Excused: 2 - Schramm Frank

- 5) [991503](#) Reappointment of George Vignyvich 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. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:

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

No: 0

Excused: 2 - Schramm Frank

- 6) [991506](#) Appointment of Dan Eder to the Business Improvement District #25 (Riverworks) by the Mayor. (6th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 7) [991507](#) Appointment of Jeff Clark to the Business Improvement District #25 (Riverworks) by the Mayor. (6th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 8) [991508](#) Appointment of Bill Swanson to the Business Improvement District #25 (Riverworks) by the Mayor. (6th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 9) [991509](#) Appointment of Samih Omari to the Business Improvement District #25 (Riverworks) by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 10) [991510](#) Appointment of Ed Elias to the Business Improvement District #25 (Riverworks) by the Mayor. (6th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 11) [991511](#) Appointment of Don Johnson to the Business Improvement District #25 (Riverworks) by the Mayor. (6th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 12) [991513](#) Appointment of Tom Frentzel to the Business Improvement District #25 (Riverworks) by the Mayor. (6th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 13) [991514](#) Appointment of Brenda Brown to the Business Improvement District #25 (Riverworks) by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 14) [991515](#) Appointment of Gerard Severson to the Business Improvement District #25 (Riverworks) by the Mayor.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**
- Aye:** 15 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Schramm Frank
-
- 15) [991516](#) Appointment of Ann Pieper to the Business Improvement District #25 (Riverworks) by the Mayor. (4th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**
- Aye:** 15 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Schramm Frank
-
- 16) [991524](#) Reappointment of Sandra Hoeh to the Business Improvement District Board No. 13 (Oakland Avenue) by the Mayor.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**
- Aye:** 15 - Pratt, Kalwitz, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Schramm Frank
-
- 17) [991525](#) Reappointment of Norman Siegel to the Business Improvement District Board No. 22 (Edgewood/Oakland Avenue) by the Mayor. (3rd Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**

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

No: 0

Excused: 2 - Schramm Frank

- 18) [991526](#) Reappointment of Wade Starck to the Business Improvement District Board No. 22 (Edgewood/Oakland Avenue) by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 19) [991527](#) Reappointment of George Gomez to the Business Improvement District Board No. 22 (Edgewood/Oakland Avenue) by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990966](#) Substitute ordinance relating to the change in zoning from Multi-Family Residence (R/D/40), Parking (P/D/40) and Local Business (L/D/40) to Industrial (I/D/40), on land located on the South Side of West Meinecke Avenue and East of North 25th Street, in the 7th Aldermanic District.

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

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

Section 295-520(4).0010. The zoning map is amended to change the zoning for the area bounded by the centerline of West Meinecke Avenue, the centerline of West Medford Avenue, the centerline of North 24th Street, the section line of West North Avenue, the centerline of North 24th Place, a line 200 feet South and parallel to the south line of West Meinecke Avenue, a line 132 feet West and parallel to the west line of North 24th Street, a line 75 feet South and parallel to the south line of West Meinecke Avenue and the centerline of North 25th Street, from Multi-Family Residence (R/D/40), Parking (P/D/40) and Local Business (L/D/40) to Industrial (I/D/40).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 2) [991068](#) Ordinance to establish a Development Incentive Zone for land located in the blocks bounded by West Meinecke Avenue, West Medford Avenue, North 24th Street, West North Avenue and North 25th Street, in the 7th Aldermanic District. (DCD)
The Mayor and Common Council of the City of Milwaukee ("Common Council") do ordain as follows:

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

Section 295-91.0038. The zoning map is amended to establish the Development Incentive Zone for the area bounded by the centerline of West Meinecke Avenue, the centerline of West Medford Avenue, the centerline of North 24th Street, the centerline of West North Avenue and the centerline of North 25th Street.

Part 2. In accordance with the provisions of Section 295-83(4) of the Code relating to the establishment of Development Incentive Zones, the Common Council approves the list of permitted and prohibited uses, 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 thereof as though fully set forth herein.

Part 3. In accordance with the provisions of Section 295-83(4) of the Code relating to the establishment of Development Incentive Zones, the Common Council approves the performance standards, a copy of which is attached to this Common Council File

as Exhibit "B" which is on file in the Office of the City Clerk and made a part thereof as though fully set forth herein.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 3) [991274](#) Substitute ordinance relating to the change in zoning from Industrial (I/E/40) to Detailed Planned Development (DPD) for a planned development, on land located on the South Side of West Heather Avenue and West of North 91st Street, in the 15th Aldermanic District.

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

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

Section 295-810(2)(b).0138.

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

(2) The zoning map is amended to change the zoning for the area bounded and described by:

Lots 1 and 2 of Certified Survey Map No. 6431, recorded on November 11, 1997 on Reel 4197, Images 1727 to 1731 as Document No. 7447474, being a redivision of all of Lot 2 of Certified Survey Map No. 6362, Document No. 7380457 located in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 08, Township 08 North, Range 21 East, City of Milwaukee, County of Milwaukee, State of Wisconsin.

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

location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed plan.

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 4) [991409](#) Substitute ordinance relating to the change in zoning from Local Business (L/C/40) and Parking (P/D/40) to Multi-Family Residence (R/C/40), on land located on the North Side of West Walnut Street and East of North 22nd Street, in the 17th Aldermanic District.

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

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

Section 295-130(5).0013. The zoning map is amended to change the zoning for the

area bounded by the centerline of West Walnut Street, the centerline of North 21st Street, a line 150 feet North and parallel to the north line of West Walnut Street, a line 165.24 feet West and parallel to the centerline of North 21st Street, a line 234.70 feet South and parallel to the south line of West Barbee Street and the centerline of North 22nd Street, from Local Business (L/C/40) and Parking (P/D/40) to Multi-Family Residence (R/C/40).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

ADOPTION OF THE FOLLOWING:

- 5) [991315](#) Resolution to review and approve modifications to the contract used by the Community Block Grant Administration for 2000 community development activity and to authorize execution of contracts and subcontracts by City departments.
- Whereas, The Common Council of the City of Milwaukee has previously approved funding recommendations for the City's 2000 Community Development Block Grant program in Resolutions No. 991079, 991080, 991081, 991082, 991083, 991084, 991085, 991086, 991087, 991088, 991089, 991090, 991091, 991092, 991093, 991094, 991095, 991096, 991097, 991098 (hereinafter referred to as the "2000 CDBG Funding Resolutions"); and
- Whereas, Pursuant Common Council Resolution No. 74-92-5v, the Common Council now wishes to make certain modifications to the form of contract to be used in the implementation of the CDBG program for 2000; to authorize the execution of contracts and subcontracts by such City departments; and to authorize an Interdepartmental Cooperation Agreement to be executed by CBGA and each City department which receives CDBG funding in 2000; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the form of contract for use in implementation of the 2000 Community Development Block Grant program with entities other than City departments or agencies receiving CDBG funds, in the form on file with the Common Council as Exhibit A, (Form CDA-8, Contract for Services and Vendors) is hereby approved, subject to such revisions and modifications as may be required from time to time by the City Attorney; and
- Further Resolved, That the form of contract for use in implementation of the 2000

Community Development Block Grant program by City departments and agencies receiving Community Development Block Grant funds, in the form attached hereto as Exhibit B, (Interdepartmental Cooperation Agreement) is also hereby approved, subject to such revisions and modifications as may be required from time by the City Attorney; and, be it

Further Resolved, That the various City departments identified in the 2000 CDBG Funding Resolutions (including City Comptroller, the Department of City Development, the Department of Neighborhood Services, the Health Department, the Department of Public Works, and the Department of Administration/CBGA/EEOP) are hereby authorized to enter into such contracts and subcontracts as may be required within the limits of the respective approved project budgets set forth in the 2000 CDBG Funding Resolutions, subject to the terms of the Interdepartmental Cooperation Agreement referred to in the preceding paragraph and entered into between CBGA and each such City department.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 6) [991521](#) Resolution amending Resolution File Number 980854 relating to the conveyance of a portion of the City-owned property at 2221 West Auer Avenue and a portion of the City-owned property under the jurisdiction of the Milwaukee Board of School Directors at 2319 West Auer Avenue to the Milwaukee Police Athletic League for the construction of a youth activity center.

Whereas, By Resolution File Number 980854, adopted October 9, 1998, the Common Council authorized the conveyance of 2 City-owned properties, one at 2221 West Auer Avenue and the other at 2319 West Auer Avenue, to the Milwaukee Police Athletic League, Inc., (MPAL), subject to certain conditions, for the purpose of constructing a youth activity center; and

Whereas, One of the conditions for the conveyance of the properties required that the MPAL provide satisfactory evidence that it had funds available to complete construction of the proposed center before December 31, 2001; and

Whereas, The MPAL, because it does not yet own the properties, has been unable to complete a necessary Phase II environmental assessment of the properties, without which the MPAL is unable to determine whether it has sufficient funds available to

complete construction of the center or not; and

Whereas, The MPAL has so far raised over \$2.7 million for construction of the center; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Resolution File Number 980854, adopted October 9, 1998, is amended by deleting the first "Further Resolved" clause and inserting in lieu thereof the following:

"Further Resolved, That said properties shall be conveyed to the Milwaukee Police Athletic League, Inc., for \$1 and other valuable considerations provided the Police Athletic League meets the following contingencies:

1. Submission to, and approval by, the Department of City Development of site and building plans.
2. Closing of the sale within 18 months of the adoption of this resolution by the Common Council of the City of Milwaukee. If construction of the center is not completed by December 31, 2001, the conveyance shall be null and void and the ownership of the properties shall revert to the City of Milwaukee.

Sponsors: Ald. Butler

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

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

No: 0

Excused: 2 - Schramm Frank

- 7) [991531](#) Resolution permitting a minor modification to Phase 2 of the Detailed Planned Development known as Southgate Marketplace for the Marcus cinema, located West of South 27th Street and North of West Morgan Avenue, in the 11th Aldermanic District. (DCD)

Whereas, Section 295-814(5) of the Milwaukee Code of Ordinances permits variation to planned developments after approval of the Common Council; and

Whereas, Phase 2 of a Detailed Planned Development known as Southgate Marketplace was approved by the Common Council of the City of Milwaukee on November 9, 1999, under File No. 990520; and

Whereas, The proposed changes to the colors of the exterior elevations of the Marcus cinema are 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 modifications to the colors of the exterior elevations of the Marcus cinema is approved.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 8) [991535](#) Substitute resolution declaring as surplus and approving the conveyance of vacant land to Crosswinds Communities, Inc., for residential construction in conjunction with the City of Milwaukee and the Wisconsin Housing and Economic Development Authority's housing development joint venture, in the 17th Aldermanic District.
- Whereas, The City of Milwaukee through the Neighborhood Improvement Development Corporation ("NIDC") has entered into an agreement with the Wisconsin Housing and Economic Development Authority ("WHEDA") to partner in the construction of new homes in the Lindsay Heights neighborhood; and
- Whereas, The NIDC has identified City-owned lots, as listed on Exhibit A, a copy of which is attached to this Common Council File, suitable for this initiative; and
- Whereas, The Department of City Development ("DCD") has reviewed the potential lots and has approved their reservation for this program at a sale price of \$1.00 each; and
- Whereas, WHEDA has selected Crosswinds Communities, Inc., as an eligible builder for the Lindsay Heights program; and
- Whereas, Crosswinds Communities, Inc., is proposing a rent-to-own tax credit development of fifty scattered sites in the Lindsay Heights neighborhood; and
- Whereas, The DCD recommends sale of these vacant lots contingent upon the following:
1. Approval of a WHEDA tax credit application in the Winter of 2000 or this offer is

null and void.

2. Crosswinds Communities, Inc., must submit site and building plans for the DCD's review and approval prior to closing.

3. The lots may be purchased as one group, or taken down as required to meet the development schedule.

4. Crosswinds Communities, Inc., must submit a summary description of its long-term operating and management plan for the rental development.

5. Closing must occur and construction must commence within twelve months of this resolution adoption.

6. Crosswinds Communities, Inc., must submit a financing plan to the NIDC to document the need for the NIDC to pay infrastructure expenses, or in the alternative, a letter from WHEDA authorizing the expenditure of funds for same; and

Whereas, The City Plan Commission has approved the acceptance of said Offer, the sale of said lots to be consummated in the manner provided for in the sale of other City-owned/tax deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said vacant lots are declared surplus, that sale to Crosswinds Communities, Inc., is approved, and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lots in accordance with the above contingencies and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106; and, be it

Further Resolved, That said lots are being conveyed in an "as is" condition and the City of Milwaukee makes no representations as to subsoil conditions.

Sponsors: Ald. Hines Jr.

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

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

No: 0

Excused: 2 - Schramm Frank

9) [991536](#) Substitute resolution declaring as surplus and authorizing the sale of improved,

City-owned/tax deed properties located in various aldermanic districts.

Whereas, The Commissioner of the Department of City Development recommends the sale of the following City-owned/tax deed properties in "as is" condition via the open listing method:

PROPERTY ADDRESS, LISTING PRICE, ALDERMANIC DISTRICT

1572 South 3rd Street, TK #462-1190-8 \$14,600 12th

2732 North 15th Street, TK #311-0209-100-3 \$30,000 17th

937-39 North 19th Street*, TK #363-2602-6 \$1,000 4th

*Given the historic nature of the property, in addition to the offer amount, the Commissioner of City Development will take into consideration the estimated level of investment to be made in the property, the quality of restoration plans, and the buyer's ability to fund the project. Preference will be given to owner-occupants. Use is restricted to single-family or duplex use only.

1545 South 20th Street, TK #459-0402-5 \$12,000 12th

3173 North 20th Street, TK #285-0102-3 \$14,600 10th

3067 North 21st Street, TK #310-0826-4 \$15,200 7th

3220 North 21st Street, TK #285-0135-3 \$14,000 10th

2724 North 24th Street, TK #310-0417-0 \$11,600 7th

3049 North 27th Street, TK #309-0105-3 \$15,000 10th

2820-22 North 29th Street, TK #309-0350-6 \$12,000 7th

2019-21 North 31st Street, TK #349-2509-1 \$8,000 17th

1747-49 North 33rd Street, TK #349-2327-2 \$16,000 17th

3068 North 34th Street, TK #309-0903-1 \$8,000 10th

5244 North 45th Street, TK #191-0509-8 \$16,000 9th

5321 North 47th Street, TK #191-9899-3 \$34,000 1st

5956 North 65th Street, TK #174-0596-1 \$24,000 9th

4149 North 71st Street, TK #251-0436-1 \$52,000 2nd

6110 West Calumet Road, TK #083-0685-110-2 \$34,800 9th

2465 West Center Street, TK #325-1337-7 \$8,000 7th

909-11 West Chambers Street, TK #312-1420-X \$10,000 6th

1232-34 West Concordia Avenue, TK #283-0172-0 \$10,000 10th

2209 West Greenfield Avenue, TK #459-0188-3 \$14,000 12th

2736-38 South Herman Street, TK #504-1020-4 \$82,000 14th

5813-15 West Vliet Street, TK #368-0643-X \$60,000 16th

2706 West Wright Street, TK #326-1161-121-7 \$8,000 7th

; and

Whereas, Any adjoining City-owned/tax deed vacant lot may be sold with an improved property to enhance its disposition and by this resolution is declared surplus; and

Whereas, The City Plan Commission and the Public Improvements Committee have determined that said properties have no possible municipal use and are surplus to the City's needs and recommends sale of them to the highest acceptable offer; and

Whereas, The Zoning, Neighborhoods and Development Committee has determined that said properties should be sold via the open listing method pursuant to Section 304-49 of the Milwaukee Code of Ordinances under the following terms and conditions:

A. The Offer conforms in all respects with the sales procedure.

B. The net offer (offer less sale's commission) is greater than 75 percent of the listing price.

C. The buyer is not delinquent in the payment of real estate taxes on any properties that he/she may own in the City of Milwaukee.

D. The buyer has not been convicted, within twelve months preceding the date of the Offer, of failure to comply with an order from the Commissioner of the Department of Neighborhood Services of the City of Milwaukee to correct code violations; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said properties are declared surplus and that the Commissioner of the Department of City Development or designee is authorized and directed to advertise and list said properties for sale to the highest acceptable offer; and, be it

Further Resolved, That the Commissioner of the Department of City Development or designee is authorized and directed to accept Offers to Purchase on behalf of the City of Milwaukee and to perform such acts as are necessary to close the transactions under the terms and conditions as set forth above; and, be it

Further Resolved, That if no offer is received for any property after advertising it on two occasions, the asking price will be reduced by up to 25 percent; and, be it

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

Further Resolved, That the proceeds remaining from the sale of surplus property after payment of commissions and other closing related expenses be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 10) [991541](#) Substitute resolution relating to the interim designation for St. Joseph's Convent (South Day Care Center of St. Joseph's, Inc.), 3249-3275 South 18th Street.
- Whereas, On December 20, 1999, the Historic Preservation Commission imposed interim historic designation on the property located at 3249-3275 South 18th Street, commonly known as South Day Care Center of St. Joseph's, Inc.; and

Whereas, The Felician Sisters of the United States of America - Chicago Providence, have requested review of the commission's decision on interim historic designation; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the decision of the Historic Preservation Commission relating to interim designation of the property located at 3249-3275 South 18th Street is reversed.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

CONFIRMATION OF THE FOLLOWING:

- 11) [991528](#) Reappointment of Ferdinand Leyva to the Redevelopment Authority by the Mayor. (11th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 12) [991529](#) Reappointment of Matthew Jarosz to the Historic Preservation Commission by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [981491](#) A substitute ordinance changing the name of West Kiehnau Avenue west of North 107th Street to North 111th Street extended to West Heritage Drive, in the 15th Aldermanic District.

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

Part 1. The name of West Kiehnau Avenue west of North 107th Street to North 111th Street extended, in the 15th Aldermanic District, is changed to West Heritage Drive.

Part 2. This ordinance shall take effect 90 days after common council passage.

Part 3. This ordinance is passed notwithstanding the provisions of s. 113-3 of the Milwaukee code.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

ADOPTION OF THE FOLLOWING:

- 2) [990739](#) Substitute resolution to vacate North Commerce Street between North Dr. Martin Luther King Jr. Drive and West Cherry Street, in the 6th Aldermanic District.
- Whereas, It is proposed that North Commerce Street between North Dr. Martin Luther King Jr. Drive and West Cherry Street be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, This proposed vacation has been reviewed in accordance with Section 81-308-28, Milwaukee Code of Ordinances; now, therefore, be it

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

All of North Commerce Street in the Southeast 1/4 of Section 20, Township 07 North, Range 22 East, described as follows: Commencing at the point of intersection

of the east line of North Dr. Martin Luther King Jr. Drive and the westerly line of North Commerce Street; thence Northeasterly along said westerly line to its point of intersection with the south line of West Cherry Street, said point also being the northeast corner of Lot 1 in Block 30 of Plat of the Town of Milwaukee on the West Side of the River, a recorded subdivision, in said 1/4 Section; thence Easterly along the easterly extension of said south line 12.39 feet to a point of curve; thence Southeasterly 99.01 feet along the arc of said curve which has a radius of 115.00 feet with its center lying to the south having a central angle of 49 deg. 19 min. 39 sec. and a chord of 95.98 feet to its point of intersection with the point of intersection of the present southwesterly line of West Cherry Street and the northerly line of Lot 1 in Block 31 of said subdivision, said point lying 24.36 feet Southeasterly of the northwesterly corner of Lot 1 in Block 31, as measured along said northerly line; thence Northwesterly along said northerly line 24.36 feet to said northwesterly corner; thence Southwesterly along the easterly line of North Commerce Street to its point of intersection with the east line of North Dr. Martin Luther King Jr. Drive; thence Northerly to the point of commencement, is vacated; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

3) Substitute resolutions amending/granting various special privileges:

a) [991011](#) Substitute resolution amending a special privilege granted to Bayou L.L.C., to place a covered walk and two movable sidewalk planters at the west side of North Water Street within the public right-of-way at the 1133-37 building entrance to now change the name of the grantee of the special privilege to Badger Blitz L.L.C., in the 4th Aldermanic District in the City of Milwaukee.

Whereas, Bayou L.L.C., was granted a special privilege under Common Council

Resolution File Number 981404, adopted on March 2, 1999, to keep and maintain a covered walk and two movable sidewalk planters within the public right-of-way at the North Water Street entrance to the building located at 1133-37 North Water Street; and

Whereas, The new corporate name of the business is Badger Blitz L.L.C., and should now be named as the grantee of the special privilege; and

Whereas, Said covered walk and sidewalk planters may only legally occupy the public right-of-way by the granting of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 981404 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Badger Blitz L.L.C., 1139 North Water Street, Milwaukee, WI 53202, is hereby granted the following special privileges:

1. To keep and maintain a covered walk at the property known as 1133-37 North Water Street. Said covered walk, 7 feet 5 inches in width, is centered approximately 47 feet south of the southline of East Juneau Avenue and encroaches approximately 10 feet into the 12-foot wide fully concrete paved sidewalk area on the west side of North Water Street at the 1133-37 North Water Street address. The covered walk is supported by the building and by two vertical supports near each corner closest to the curb along each side of the covered walk. Each vertical support nearest the curb is centered approximately 2 feet from the curblane. There is an approximately 7-foot 5-inch wide opening between the vertical supports, which parallel the curb face. The minimum vertical clearance between the skirt of the covered walk and the sidewalk below shall be 8 feet. Draperies at the front corners shall be allowed as long as they are in good taste and do not cause a hazard.

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 and wind pressure of 20 pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The covering shall be of approved material.

All fixtures and materials for illumination of covered walk shall be indicated upon the 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 name, street number, or character of the business may be indicated only on the vertical portion of the covering and shall not exceed 24 inches in height.

The grantee will be required to keep a "Loading Zone" or have a "No Parking" status adjacent to the covered walk as long as the covered walk occupies the public right-of-way.

Said covered walk shall be constructed, installed, maintained and used to the approval of the Departments of Public Works and Neighborhood Services.

2. To keep and maintain two 24-inch diameter above-ground flower pots/planters within the 12-foot wide fully concrete paved public sidewalk area at the west side of North Water Street abutting the building at 1133-37 North Water Street. Said planters shall be placed on either side of the main entrance to the building, which is centered approximately 47 feet south of the southline of East Juneau Avenue.

Said flower pots/planters shall be placed and maintained to the approval of the Departments of Public Works and Neighborhood Services. The plant material shall be approved by and maintained to the satisfaction of the City Forester.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Badger Blitz L.L.C., 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 \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$105.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- b) [991160](#) Substitute resolution amending a special privilege granted to Campus Neighborhood Associates, Inc., to install, use and maintain an excessive door swing projection encroaching into the public right-of-way abutting the premises at 1625 West Wells Street, to now change the name of the grantee of the special privilege to Hilltop Enterprises, Inc., in the 4th Aldermanic District in the City of Milwaukee.

Whereas, Campus Neighborhood Associates, Inc. was granted a special privilege to install, use and maintain an excessive door swing projection encroaching on the north side of West Wells Street adjacent to the premises at 1625 West Wells Street; and

Whereas, The current owner of the property is Hilltop Enterprises, Inc. and should now be named as grantee of the special privilege; and

Whereas, Said encroachment may only legally occupy the public way by the granting of a special privilege; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 921893 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Hilltop Enterprises, Inc., P.O. Box 1881, Milwaukee, WI 53201-1881, is hereby granted the following special privilege:

To use and maintain an excess door swing encroachment at the building known as 1625 West Wells Street that, when fully open, projects into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of Ordinances. The doorway is centered approximately 66.5 feet east of the eastline of North 17th Street and its maximum encroachment is approximately 2.75 feet into the approximate 10-foot wide sidewalk area.

Said door shall be used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Hilltop Enterprises, Inc. , 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. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- c) [991290](#) Substitute resolution granting a special privilege to Ms. Christine Findley to keep and maintain two groundwater monitoring wells, one in West North Avenue and one in the east-west alley bounded by West Meinecke Avenue, West North Avenue, North 54th Street and North 55th Street, adjacent to 5400 West North Avenue, in the 16th Aldermanic District in the City of Milwaukee.

Whereas, The Wisconsin Department of Natural Resources has deemed it necessary to conduct an environmental assessment for a site located at 5400 West North Avenue to determine petroleum product migrational patterns; and

Whereas, It has been determined that, in addition to the proposed monitoring wells needed to be placed on private property, two locations need to be monitored within the public right-of-way for an extended period of time; and

Whereas, These two monitoring wells may only legally remain in the public right-of-way by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Ms. Christine Findley, 11707 West North Avenue, Milwaukee, WI 53226, is hereby granted the following special privilege:

To keep and maintain two flush-mounted monitoring wells in the vicinity of 5400 West North Avenue as follows: one well is located in the sidewalk area on the south side of West North Avenue, centered approximately 133 feet west of the westline of North

54th Street and 5 feet north of the southline of West North Avenue; and one well is located in the east-west alley bounded by West Meinecke Avenue, West North Avenue, North 54th Street and North 55th Street, centered approximately 70 feet west of the westline of North 54th Street and 18 feet north of the southline of the alley.

These monitoring wells shall be maintained and used/removed to the satisfaction of the Departments of Public Works and Neighborhood Services in accordance with the City of Milwaukee Building Codes and Zoning Ordinances. All necessary permits shall be obtained from the Departments of Public Works and Neighborhood Services/City Development of the City of Milwaukee.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Ms. Christine Findley, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$2,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- d) [991379](#) Substitute resolution amending a special privilege granted to Universal Foods Corporation to install and maintain a vehicle detector loop in the public right-of-way adjacent to their property located at 6143 North 60th Street, to now change the name of the grantee of the special privilege to Molecular Biology Resources, Inc., in the 9th Aldermanic District in the City of Milwaukee.

Whereas, Universal Foods Corporation was granted a special privilege under Common Council Resolution File Number 970101, on June 3, 1997, to install and maintain a vehicle detector loop in the public right-of-way on the south side of West Douglas Avenue adjacent to the premises at 6143 North 60th Street; and

Whereas, The current owner of the property is Molecular Biology Resources, Inc. and should now be named as the grantee of the special privilege; and

Whereas, The vehicle detector loop may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 970101 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Molecular Biology Resources, Inc., 6143 North 60th Street, Milwaukee, WI 53218, is hereby granted the following special privilege:

To keep and maintain detector loop wire in a driveway approach located in the public

right-of-way of West Douglas Avenue, approximately 320 feet west of the westline of North 60th Street, adjacent to a loading dock and surface parking lot at 6143 North 60th Street. The 14-gauge detector loop wire is laid in a 1/4-inch wide cut, forming a 4-foot wide by 20-foot long loop approximately one-inch below the surface of the driveway approach pavement. A wire also extends from the loop located in the approach, onto private property via a conduit beneath the sidewalk to the control box. This system provides for automatic closing operation of a security gate at this location.

Appropriate Departments of Public Works and City Development/Neighborhood Services permits shall have been obtained prior to installation of the detector loop. Said item shall be used, kept and maintained to the approval of the Commissioners of Public Works and Neighborhood Services.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Molecular Biology Resources, Inc. 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 \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$55.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee

shall be entitled to no damages due to the alteration and/or removal for such purposes.

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- e) [991385](#) Substitute resolution amending a special privilege granted to Charles O. Conrad to use and maintain an excessive door swing projection encroaching into the public right-of-way abutting the premises at 2241-45 North Hubbard Street, to now change the name of the grantee of the special privilege to Frank and Nuha Awadallah, in the 6th Aldermanic District in the City of Milwaukee.

Whereas, Charles O. Conrad was granted a special privilege to use and maintain an excessive door swing projection encroaching on the south side of East North Avenue adjacent to the premises at 2241-45 North Hubbard Street; and

Whereas, The current owner of the property is Frank and Nuha Awadallah and should now be named as grantee of the special privilege; and

Whereas, Said encroachment may only legally occupy the public way by the granting of a special privilege; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 82-310 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Frank and Nuha Awadallah, 235 East North Avenue, Milwaukee, WI 53212, is hereby granted the following special privilege:

To use and maintain an excess door swing encroachment on the south side of East

North Avenue at the building known as 2241-45 North Hubbard Street that, when fully open, projects into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of Ordinances. The doorway is centered approximately 19 feet west of the westline of North Hubbard Street and its maximum encroachment is approximately 41 inches into the approximate 13.7-foot wide sidewalk area.

Said door shall be used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantees, Frank and Nuha Awadallah, 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. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- f) [991483](#) Substitute resolution to grant a special privilege to Gino Fazzari, the owner of Calderone Club, to place a covered walk on the east side of Old World Third Street with a door swing projection beneath the covered walk, and another door swing projection within the public right-of-way, adjacent to 840 Old World Third Street, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, The applicant desires to place and maintain a covered walk at the Old World Third Street entrance to the premises located at 840 Old World Third Street, being the site of his restaurant, Calderone Club; and

Whereas, Field investigation found two doors adjacent to 840 Old World Third Street that when fully opened, encroach into the public right-of-way of Old World Third Street and West Kilbourn Avenue by more than the 12 inches allowable by Section 245-4-8 of the Milwaukee Code of Ordinances; and

Whereas, Said covered walk and door swing encroachments 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 Gino Fazzari, the owner of Calderone Club, 840 North Old World Third Street, Milwaukee, WI 53203, is hereby granted the following special privileges:

1. To erect and maintain a covered walk at the property known as 840 Old World Third Street. Said covered walk, 6 feet 6 inches in width, is to be centered approximately 27 feet south of the southline of West Kilbourn Avenue and shall encroach approximately 13 feet 8 inches into the 15-foot wide fully concrete paved sidewalk area on the east side of Old World Third Street at the 840 Old World Third Street premises.

The covered walk shall be supported by the building and by two vertical supports near each corner closest to the curb along each side of the covered walk. Each vertical support nearest the curb will be centered approximately 2 feet 8 inches from the present curbline. There shall be an approximately 6-foot 6-inch wide opening between the vertical supports which parallel the curb face. The minimum vertical clearance between the skirt of the covered walk and the sidewalk below shall be 8 feet 6 inches.

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 and wind pressure of 20 pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The covering shall be of approved material.

All fixtures and materials for illumination of covered walk shall be indicated upon the 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 name, street number, or character of the business may be indicated only on the vertical portion of the covering. Although the proposed logo is to be 20 inches by 48 inches, the height of the letters shall be no greater than 6 inches.

The grantee will be required to keep a "Loading Zone" or have a "No Parking" status adjacent to the covered walk as long as the covered walk occupies the public right-of-way unless otherwise provided.

Prior to installation, permits shall be obtained from the Departments of Public Works and Neighborhood Services/City Development for the covered walk structure itself and from the Department of Public Works to occupy the right-of-way during construction, as necessary.

2. To use and maintain one door at the building known as 840 Old World Third Street that, when fully opened, projects into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of Ordinances. The door, located on the east side of Old World Third Street, is centered approximately 27 feet south of the southline of West Kilbourn Avenue, and its maximum encroachment is approximately 3 feet 5 inches into the 15-foot wide sidewalk area.

3. To use and maintain one door at the building known as 840 Old World Third Street that, when fully opened, projects into the public right-of-way in excess of the 12-inch maximum distance permissible under Section 245-4-8 of the Milwaukee Code of

Ordinances. The door, located on the south side of West Kilbourn Avenue, is centered approximately 32 feet east of the eastline of Old World Third Street and its maximum encroachment is approximately 3 feet into the 14-foot wide sidewalk area.

Said covered walk and door swing encroachments shall be constructed, installed, used and/or maintained to the approval of the Departments of Public Works and Neighborhood Services.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Gino Fazzari, 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 \$1,000,00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$84.97. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 4) [991422](#) Substitute resolution granting permission to owner of the property located at 4360 North Green Bay Avenue in the City of Glendale to connect to the City of Milwaukee's storm sewer system.

Whereas, On November 22, 1999 the City of Glendale adopted a resolution requesting permission for a storm sewer connection of the property located at 4360 North Green Bay Avenue; and

Whereas, A portion of this industrial property lies in the City of Milwaukee and a portion in the City of Glendale; and

Whereas, The adequacy of the storm sewer facility in North Green Bay Avenue has been reviewed and found to have adequate capacity; and

Whereas, The owner/developer of the property will submit a final Storm Water Management Plan (SWMP) in compliance with Chapter 120 of the Milwaukee Municipal Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that permission is hereby granted to allow the connection of a storm lateral from the property at 4360 North Green Bay Avenue, to the City of Milwaukee storm sewer existing in North Green Bay Avenue under the following conditions:

1. That all work shall be done at no cost to the City of Milwaukee.
2. That the regular and customary sewer connection fee shall be paid to the City of Milwaukee.
3. That the owner's contractor shall obtain a permit for excavating in a public right-of-way and other applicable permits from the Commissioner of Public Works of

the City of Milwaukee before commencing work.

4. That all work done in connection with building storm sewers must be done in conformance with the rules and regulations of the Milwaukee Metropolitan Sewerage District (MMSD), City of Milwaukee Plumbing Code and State of Wisconsin Plumbing Code.

5. That written notice shall be given by the plumbing contractor to the City of Milwaukee Sewer Maintenance Field Section three (3) days prior to making connections to the City of Milwaukee sewers.

6. That the owner shall be responsible for the maintenance of the building storm sewer and its connections to the City of Milwaukee facility in the City of Milwaukee right-of-way.

Sponsors: Ald. Pratt

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

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

No: 0

Excused: 2 - Schramm Frank

- 5) [991496](#) Resolution determining it necessary to make various assessable public improvements at various locations. (Infrastructure Services Division)
- Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

3rd Aldermanic District

N. Newhall St. - E. Hartford Ave. to E. Newport Ave. (ST21110144): 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)

10th Aldermanic District

Alley between W. Concordia Ave., W. Townsend St., N. 25th St, N. 26th St.

(ST21210137): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$2,000)

;and, be it

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 6) [991497](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations.
- 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:

1st Aldermanic District

W. Olive St. - N. 44th Pl. to N. 45th St. (RM52314014): New asphalt construction, place curb and gutter, sidewalk, driveways, sodding, and grading.

Parklawn Development Area bounded by W. Marion St., W. Hope Ave., N. Sherman Blvd., N. 47th St. (WK68320007/RE17190216): Installing storm and sanitary sewers.

N. 44th Pl. - W. Hope Ave. to W. Olive St. (RM52314014): New asphalt construction, place curb and gutter, sidewalk, driveways, sodding, and grading.

N. 45th St. - W. Olive St. to W. Marion St. (RM52314014): New asphalt construction, place curb and gutter, sidewalk, driveways, sodding, and grading.

N. 45th Pl. - W. Hope Ave. to W. Olive St. (RM52314014): New asphalt construction, place curb and gutter, sidewalk, driveways, sodding, and grading.

Alley between W. Hope Ave., W. Olive St., N. 44th Pl., N. 45th St. (RM52314014): Concrete alley construction and grading.

Alley between W. Marion St., W. Olive St., N. 44th Pl., N. 45th St. (RM52314014): Concrete alley construction and grading.

Alley between W. Marion St., W. Olive St., N. 45th St., N. 45th Pl. (RM52314014): Concrete alley construction and grading.

5th Aldermanic District

N. 92nd St. - W. Elmore Ct. (Ext'd) to W. Melvina St. (SM495000405): Relaying storm sewer. (Nonassessable Relief and Relay Sewer Fund -- \$6,600)

6th Aldermanic District

N. Dr. Martin Luther King Jr. Dr. - 128 ft. m/l south of W. Ring St. to 324 ft. m/l north of W. Concordia Ave. (SM495000255): Relay combined sewer.

12th Aldermanic District

W. St. Paul Ave. - N. 10th St. to N. 12th St. (SM495000402): Relaying combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$6,100)

13th Aldermanic District

S. 13th St. (East Side) - W. College Ave. to a point 750 feet m/l north of W. College Ave. (ST210000101): Concrete walk construction. (Nonassessable New Paving Fund -- \$1,000)

17th Aldermanic District

W. Vine St. - N. 22nd St. to N. 26th St. (SM495000404): Relaying combined

sewer. (Nonassessable Relief and Relay Sewer Fund -- \$20,000)

;and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 7) [991498](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations.

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

1st Aldermanic District

N. 40th St. - W. Hampton Ave. to W. Stark St. (ST21100112) File Number 880413: Asphalt pavement reconstruction, replace all curb and gutter, sidewalk and driveway approaches where needed, sodding and grading. (Nonassessable Reconstruction Paving Fund -- \$65,100; Assessable Reconstruction Paving Fund -- \$22,600)

4th Aldermanic District

N. 6th St. (East Side) - W. Michigan St. to W. Wisconsin Ave. (ST21190230) File Number 971863: Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where needed, sodding and grading. (Nonassessable Reconstruction Paving Fund -- \$33,600; Assessable Reconstruction Paving Fund -- \$5,000)

7th, 10th and 17th Aldermanic Districts

N. 35th St. - W. North Ave. to W. Burleigh St. (ST30681801) File Number 960092: Concrete pavement reconstruction, replace all curb and gutter, sidewalk and driveway approaches where needed, sodding and grading. (Nonassessable State Aid Fund -- \$204,900; Assessable State Aid Fund -- \$190,400; State or Federal Funds -- \$1,343,900; State/Federal Grantor Paving Fund -- \$237,200)

10th Aldermanic District

N. 35th St. - W. Burleigh St. to W. Townsend St. (ST30681801) File Number 960092: Asphalt pavement resurfacing, replace all curb and gutter, sidewalk and driveway approaches where needed, sodding and grading. (Nonassessable State Aid Fund -- \$54,700; Assessable State Aid Fund -- \$23,400; State or Federal Funds -- \$265,500; State/Federal Grantor Paving Fund -- \$46,900)

14th Aldermanic District

S. St. Clair St. - E. Russell Ave. to E. Potter Ave. (ST21100152) File Number 870477: Asphalt pavement resurfacing, replace all curb and gutter, sidewalk and driveway approaches where needed, sodding and grading. (Nonassessable Reconstruction Paving Fund -- \$30,300; Assessable Reconstruction Paving Fund -- \$13,900)

15th Aldermanic District

W. Heather Ave. - N. 107th St. to N. 114th St. (ST21090128) File Number 981179: New concrete pavement construction, construct all curb and gutter, driveway approaches, seeding, and grading. (Nonassessable New Paving Fund -- \$5,000; Assessable New Paving Fund -- \$14,100)

;and

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

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

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

Further Resolved, That said Commissioner of Public Works is authorized and directed

to proceed with said work in accordance with said report pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

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

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

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

Further Resolved, That the City Engineer and the Commissioner of Public Works are hereby authorized to negotiate and enter into an agreement with the State of Wisconsin, Department of Transportation for the City to undertake construction management duties on the following projects:

N. 35th St. (ST30681801) Concrete; N. 35th St. (ST30681801) Asphalt; 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 projects:

N. 35th St. (ST30681801) Concrete; N. 35th St. (ST30681801) Asphalt; and, be it

Further Resolved, That upon the completion of projects N. 35th St. (ST30681801) Concrete and N 35th St. (ST30681801) Asphalt 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 projects N. 40th St. (ST21100112), N. 35th St. (ST30681801), and S. St. Clair St. (ST21100152) will be billed after January 1, 2002, but not before 12 months after the project contract has been completed; and, be it

Further Resolved, That the following projects be deleted from the 2000 Paving Program. 14th Aldermanic District E. Stewart St. - S. Marina Dr. to S. Hilbert St. (ST21100147) File Number 85-381.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

8) [991499](#) Substitute resolution approving construction of nonassessable public improvement projects at various locations.

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

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

1st Aldermanic District

W. Marion St. - N. 43rd St. to N. 44th St. and N. 46th St. to N. 47th St.
(RM52314014) File Number 990843: Asphalt pavement construction, place curb and gutter, sidewalk, driveways, sodding, and grading. (Housing Authority Fund -- \$148,500)

W. Olive St. - N. 44th Pl. to N. 45th St. (RM52314014) File Number 991497: New asphalt construction, place curb and gutter, sidewalk, driveways, sodding, and grading. (Housing Authority Fund -- \$54,000)

Parklawn Development Area bounded by W. Marion St., W. Hope Ave., N. Sherman Blvd., N. 47th St. (WK68320007/RE17190216) File Number 991497: Installing storm and sanitary sewers. (Housing Authority Fund -- \$500,000)

N. 44th Pl. - W. Hope Ave. to W. Olive St. (RM52314014) File Number 991497: New asphalt construction, place curb and gutter, sidewalk, driveways, sodding, and grading. (Housing Authority Fund -- \$65,000)

N. 45th St. - W. Olive St. to W. Marion St. (RM52314014) File Number 991497: New asphalt construction, place curb and gutter, sidewalk, driveways, sodding, and grading. (Housing Authority Fund -- \$45,500)

N. 45th Pl. - W. Hope Ave. to W. Olive St. (RM52314014) File Number 991497:

New asphalt construction, place curb and gutter, sidewalk, driveways, sodding, and grading. (Housing Authority Fund -- \$65,000)

Alley between W. Hope Ave., W. Olive St., N. 44th Pl., N. 45th St. (RM52314014)
File Number 991497: Concrete alley construction and grading. (Housing Authority Fund -- \$39,000)

Alley between W. Marion St., W. Olive St., N. 44th Pl., N. 45th St. (RM52314014)
File Number 991497: Concrete alley construction and grading. (Housing Authority Fund -- \$23,300)

Alley between W. Marion St., W. Olive St., N. 45th St., N. 45th Pl. (RM52314014)
File Number 991497: Concrete alley construction and grading. (Housing Authority Fund -- \$23,300)

4th Aldermanic District

N. Harbor Dr./I-794 Transit Ramp (ST32091001) File Number 991497: Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (State or Federal Funds -- \$68,000; Nonassessable State Aid Fund -- \$3,500; State/Federal Grantor Paving Fund -- \$8,500; Deposit Paving Fund -- \$5,050)

W. Wisconsin Ave. - N. 11th St. to N. 12th St. (SM495000306) File Number 971958: Install combined sewer. (Nonassessable Sewer Funds -- \$92,000)

6th Aldermanic District

N. Dr. Martin Luther King Jr. Dr. - 128 ft. m/l south of W. Ring St. to 324 ft. m/l north of W. Concordia Ave. (SM495000255) File Number 991497: Install combined sewer. (Nonassessable Sewer Funds -- \$180,000)

7th Aldermanic District

W. Burleigh St. - N. 44th St. to N. 57th St. Exclude from N. 51st St. to N. 54th St. (SM495000233) File Number 971680: Relay sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$494,000)

8th Aldermanic District

W. Harrison Ave. - S. 8th St. to S. 13th St. and S. 8th St. - W. Harrison Ave. to Kinnickinnic River (SM495000172) File Number 990049: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$1,924,000)

S. 8th St. - W. Arthur Ave. to W. Harrison Ave. (SM495000227) File Number 971680: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$70,000)

S. 9th St. - 200 ft. m/l south of W. Harrison Ave. to W. Cleveland Ave. (SM495000236) File Number 971680: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$71,000)

11th Aldermanic District

W. Euclid Ave. - W. Forest Home Ave. to S. 51st St. (SM495000167) File Number 990530: Relay sanitary and storm sewers. (Nonassessable Relief and Relay Sewer Fund -- \$450,000)

S. 51st St. - 270 ft. m/l south of W. Oklahoma Ave. to W. Euclid Ave. (SM495000166) File Number 990049: Relay storm sewer. (Nonassessable Relief and Relay Sewer Fund -- \$41,000)

14th Aldermanic District

S. 6th St. - W. Dakota St. to W. Manitoba St. (SM495000401) File Number 971680: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$145,000)

17th Aldermanic District

W. Brown St. - N. 31st St. to N. 32nd St. (SM495000253) File Number 971958: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$49,000)

W. Garfield Ave. - N. 34th St. to N. 35th St. (SM495000251) File Number 971958: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$63,000)

N. 10th St. - W. Clarke St. to W. Center St. (SM495000268) File Number 971958: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$113,000)

N. 11th St. - W. Wright St. to W. Clarke St. (SM495000269) File Number 971958: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$149,000)

N. 16th St. - W. Lloyd St. to a point 272 ft. m/l north of W. Lloyd St. (SM495000178) File Number 990530: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$73,000)

;now, therefore, be it

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

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

Further Resolved, That the City Engineer and the Commissioner of Public Works are hereby authorized to negotiate and enter into an agreement with the State of Wisconsin, Department of Transportation for the City to undertake construction management duties on the following project: N. Harbor Dr./I-794 Transit Ramp (ST32091001).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 9) [991556](#) Resolution relating to directing the Department of Public Works to negotiate an agreement for operation of the City Hall cafeteria.
- Whereas, The Common Council adopted Common Council File No. 990095 on July 29, 1999, which directed the Department of Public Works (DPW) to solicit bids for operation of the cafeteria in the City Hall complex; and
- Whereas, DPW has received 3 bids for cafeteria operation, and the bid from Elliotts' Off-Broadway Deli proposes to provide both deli food and vending machine service; and
- Whereas, DPW has determined that the bid from Elliotts' Off-Broadway Deli offers the best proposal package and meets the requirements of the City; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Common Council approves the proposal of Elliotts' Off-Broadway Deli to operate the cafeteria in the City Hall complex, provided that a satisfactory agreement can be negotiated by DPW; and, be it

Further Resolved, That DPW is authorized and directed to negotiate a contract with Elliotts' Off-Broadway Deli to operate the cafeteria in the City Hall complex, and, if satisfactory agreement can be reached, to execute such a contract.

Sponsors: Ms. Scherbert

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

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

No: 1 - Henningsen

Excused: 2 - Schramm Frank

- 10) [991570](#) Resolution relative to the cost participation and installation of traffic signal improvements at the intersections of West National Avenue and South 2nd Street, West National Avenue and South 5th Street, West Center Street and North 7th Street, West Center Street and North 8th Street, and West Center Street and North 20th Street in the 6th, 7th, 12th and 17th Aldermanic Districts. (Infrastructure Services Division)
- Whereas, The Federal Surface Transportation-Safety provides cost participation for traffic control improvements at locations having accident reduction potential; and
- Whereas, Common Council Resolution File Number 980707, adopted September 29, 1998 authorized and directed the Commissioner of Public Works to execute an agreement for programming and construction of traffic control improvements at five locations under the 1998-1999 Surface Transportation Program-Safety; and
- Whereas, The total estimated cost of this project is \$40,000 for the modification of traffic signal facilities; and
- Whereas, Ten percent of the participating project cost or \$4,000 is non-reimbursable and is included in the Division's 2000 Capital Purpose Project/Grant Number ST320000000; and
- Whereas, Ninety percent of the participating project cost or \$36,000 is reimbursable from the Wisconsin Department of Transportation, and this amount is not included in Division accounts, and should be earmarked for this project in the 2000 Capital Grant and Aid Projects Fund Project/Grant Number SP032000100; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to execute a contract with the Wisconsin Department of Transportation pertaining to the cost participation for the modification of traffic signal facilities at five locations with approved unit prices based

on a predetermined estimate prepared under the Federal/State aided highway program; and, be it

Further Resolved, That upon approval of this contract, the Commissioner of Public Works is authorized and directed to modify the traffic signal facilities at the locations identified below; and, be it

Further Resolved, That upon approval of this contract, the City Comptroller is hereby authorized to create within the Capital Grant and Aid Projects Fund the appropriate Project/Grant Number for this project and transfer to this number the amounts required under the contract provisions but not to exceed a ten percent increase in those amounts set aside for the Grantor's Share and the City's Share as follows:

Locations

West National Avenue and South 2nd, South 5th Streets.
West Center Street and North 7th, North 8th, North 20th Streets.
ID 2984-19-90

Transfer from Project/Grant Number SP0320000000,
Grantor's Share (WISDOT), Estimated Cost - \$36,000

Transfer from Project/Grant Number ST32090000,
City's Share, Estimated Cost - \$4,000

Total to be transferred to Project/Grant Number
ST32090315, \$40,000

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 11) [991572](#) Substitute resolution authorizing and directing the Commissioner of Public Works to execute documents titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming and construction of various projects with Federal and/or State aid under the Surface Transportation Program.

Whereas, Preliminary approval has been requested and received from the Wisconsin

Department of Transportation (WISDOT) along with agreements to be executed by the City of Milwaukee for the programming and construction of the following projects with Federal and/or State aid under the Surface Transportation Program:

Aldermanic Project

District Location

4 West Wisconsin Avenue
 North 20th Street to
 North 11th Street

4 North 16th Street
 West Clybourn Street to
 West Wisconsin Avenue

4 North 12th Street
 West Wisconsin Avenue to
 West Highland Boulevard

;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 agreements for the programming and construction of the aforementioned projects with Federal and/or State aid under the Surface Transportation Program, copies of which are attached to Common Council Resolution File Number 991572, and are 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 preliminary engineering for the improvement of the aforementioned projects and to reimburse the WISDOT for preliminary engineering costs they incur for the improvement; and, be it

Further Resolved, That the CPW is hereby authorized and directed to enter into an agreement with the WISDOT pertaining to the cost participation for the installation and/or modification of traffic control facilities in conjunction with the improvements of the aforementioned projects; and, be it

Further Resolved, That the CPW is hereby authorized and directed to install the traffic control facilities necessary in conjunction with the aforementioned projects, following the execution of the traffic control agreement the cost of which will be included in future resolutions; 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 Values for preliminary engineering for the projects (Expenditure) and transfer to any of these accounts the amount required under the grant agreement and City Accounting Policy but not to exceed a 10 percent increase of the total amount for the grantor's share and local share or \$5,000, whichever is greater, as follows:

Infrastructure Services Division Accounts

West Wisconsin Avenue
North 20th Street to
North 11th Street
City Share Account Number ST320000000
Fund 0333
\$24,000

Grantor Share Account Number SP032000100
Fund 0306
\$86,400

Grantor Share (Non-Reimbursable)
Account Number SP032000100
Fund 0306
9,600

Estimated Total \$120,000

North 16th Street
West Clybourn Street to
West Wisconsin Avenue

City Share Account Number ST320000000
Fund 0333
\$4,700

Grantor Share Account Number SP032000100
Fund 0306
\$16,920

Grantor Share (Non-Reimbursable)
Account Number SP032000100
Fund 0306
\$1,880

Estimated Total \$23,500

North 12th Street
West Wisconsin Avenue to
West Highland Boulevard

City Share Account Number ST320000000
Fund 0333
\$13, 800
Grantor Share Account Number SP032000100
Fund 0306
\$49,680

Grantor Share (Non-Reimbursable)
Account Number SP032000100
Funds 0306
\$5,520

Estimated Total \$69,000

;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 City's share of costs of the above projects.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 12) [991573](#) Resolution relative to the 2000 Capital Improvement Program to provide funds for street lighting work at various locations. (Infrastructure Services Division)
Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is hereby authorized and directed to modify and/or install street lighting at various locations; and, be it

Further Resolved, That the Comptroller's Office is authorized and directed to transfer

the following amounts from the Street Lighting budget, Account Number ST240000000, to the general purpose sub-accounts indicated, said amounts being a portion of the funds authorized (as shown) for the purpose indicated:

General Engineering Account Number ST240000100 Funds Trans. \$145,000 2000
Funds Authorized \$145,000

Substation Repair Account Number ST240000200 Funds Trans. \$100,000 2000
Funds Authorized \$100,000

Substation Enclosure Maintenance Account Number ST240000300 Funds Trans.
\$10,000 2000 Funds Authorized \$10,000

Street Lighting Related to Paving Account Number ST240000400 Funds Trans.
\$2,655,000 2000 Funds Authorized \$2,950,000

Convert Street and Alley Lighting Account Number ST240000500 Funds Trans.
\$625,000 2000 Funds Authorized \$625,000

Remove Overhead Street Lighting Account Number ST240000600 Funds Trans.
\$170,000 2000 Funds Authorized \$170,000

Remove Series Circuitry Account Number ST240000700 Funds Trans. \$300,000
2000 Funds Authorized \$300,000

Pole, Cable & Misc. Replacement Account Number ST240000800 Funds Trans.
\$200,000 2000 Funds Authorized \$200,000

Total Funds Trans. \$4,155,000 Total 2000 Funds Authorized \$5,000,000

and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer additional funds as required without further Common Council authorization, the total amount of such additional transfer shall not exceed the amount authorized in the 2000 Street Lighting budget.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 13) [991575](#) Resolution amending the City Personal Communications Services (PCS) Policy for the leasing of City facilities for the provision of wireless telecommunications services. (DOA)

Resolved, By the Common Council of the City of Milwaukee, that item 7 of the City Personal Communications Services (PCS) Policy included in Common Council File No. 960170, passed by the Common Council on June 25, 1996, is amended to read as follows:

"7. DOA is negotiating agent: The City designates the Department of Administration as its sole negotiating agent for marketing City-owned sites to communication services vendors. City departments, divisions and agencies of the City shall not negotiate their own PCS agreements."

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 14) [991576](#) Resolution authorizing the Commissioner of Public Works to accept deposit monies from Wilson Realty Company of Wisconsin, Inc. to cover the cost of preliminary engineering and design services for public sanitary and storm sewer, water main, and roadway improvements to serve a proposed industrial subdivision to be located on the south side of West Good Hope Road at North 68th Street extended. (DPW)

Whereas, Wilson Realty Company of Wisconsin, Inc., a developer, desires to enter into an out-of-program agreement with the City of Milwaukee to provide for the installation of sanitary and storm sewer, water main, and a new concrete roadway to serve a proposed industrial subdivision to be located on the south side of West Good Hope Road and North 68th Street extended; and

Whereas, The out-of-program agreement for this development has not yet been prepared; and

Whereas, The developer wishes to expedite design engineering for the preparation of plans, specifications, and cost estimates for the proposed public improvements; and

Whereas, The developer is willing to deposit the necessary amount of money to cover the design engineering costs; and

Whereas, The proposed design engineering work will be done at no cost to the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized to accept, from the developer, deposit monies sufficient to cover the cost of, and to proceed with, preparation of plans, specifications, and cost estimates for public improvements to serve the proposed industrial subdivision.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 15) [991577](#) Resolution relative to authorizing subaccount funding for the 2000 Capital Improvement Program - Communications and Control, for Paving Related Projects, City-Wide Telephone System Expansion and Improvements, and general Engineering and Transmission Plan Expansion, within various Aldermanic Districts.
- Whereas, A program for the expansion and improvement of communications facilities during 2000 was prepared by the Communications Engineering Unit of the Buildings and Fleet Division and the Department of Public Works Administration Division within budget and management guidelines; and
- Whereas, The funds required for this program were appropriated in the 2000 Capital Improvements Budget of the Buildings and Fleet Division; and
- Whereas, These accounts are part of the total Buildings and Fleet Division's Communication's Unit 2000 Budget program; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to undertake the following Capital Improvement Projects; and be it
- Further Resolved, That the Comptroller's Office is authorized and directed to transfer the following amounts from the Buildings and Fleet Division's budget to the subaccounts authorized for the purpose indicated; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer additional funds, as required, without further Common Council authorization, the total amount of such additional funds transfer(s) shall not exceed the amount authorized in the 2000 Buildings and Fleet Division's budget

2000 Capital Improvements Program
Administration Division/Technology Support Services

2000 Funds

Project Account No. Authorized

1. Paving projects, ST270000200 \$ 25,000
temporary facilities and/or permanent expansion and improvements of underground and aerial communications facilities on paving projects.

2. Telephone Systems, ST270000800 \$ 50,000
City-Wide Expansion and improvement.
Expand switches with circuit cards,
test, repair and/or replace KSU's
software and services to manage
Records (\$35,000)

b. Upgrade small telephone systems (\$15,000)

3. General Engineering ST270000300 \$ 75,000
Engineering function includes: Planning, design,
estimates, and reports related to the Capital
Improvements Program

4. Transmission Plant ST270000700 \$350,000
Expansion using
Fiber Optic and/or Copper Cable

TOTAL \$500,000

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

CONFIRMATION OF THE FOLLOWING:

- 16) [991465](#) Appointment of Richard Cimpl to the Citizen's Advisory Committee on Naming Public Buildings and Streets by the Mayor. (8th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

- 17) [991530](#) Reappointment of John Gurda to the Citizens' Advisory Committee on Naming Public Buildings and Streets by the Mayor. (14th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Schramm Frank

[991627](#) Resolution approving various final certified survey maps.

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

| NAME | TAX KEY NUMBER(s) |
|------------------------|------------------------------|
| Ruth Shurilla | 181-0361 |
| Ezekiel Community Dev. | 363-0864-100 |
| RACM | 350-1864-5, -1865-0, -1866-6 |
| RACM | 350-0460-100-7 |

Sponsors: ZONING and NEIGHBORHOODS & DEVELOPMENT COMMITTEE

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

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

No: 0

Excused: 2 - Schramm Frank