



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Agenda PUBLIC WORKS COMMITTEE

**ALD. ROBERT BAUMAN, CHAIR**

**Ald. Joseph Dudzik, Vice-Chair**

**Ald. Willie Wade, Ald. Robert Donovan, and Ald. Robert Puente**

**Staff Assistant, Tobie Black, 286-2231**

**Fax: 286-3456, [tblack@milwaukee.gov](mailto:tblack@milwaukee.gov)**

**Legislative Liaison, Aaron Cadle, 286-8666,**

**[acadle@milwaukee.gov](mailto:acadle@milwaukee.gov)**

---

Wednesday, February 15, 2012

9:00 AM

Room 301-B, City Hall

---

**AMENDED 2-10-12- Item numbered #8 (File 111361) has been added.**

1. [111370](#) Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.  
**Sponsors:** THE CHAIR  
**Attachments:** [Cover Letter](#)  
[Official Notice Number 83](#)  
[Hearing Notice List](#)
  
2. [111369](#) Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$75,000 for a total estimated cost of these projects being \$846,000.  
**Sponsors:** THE CHAIR  
**Attachments:** [Proposed Substitute A](#)  
[Hearing Notice List](#)
  
3. [111371](#) Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$428,996.24 for a total estimated cost of these projects being \$3,438,598.47.  
**Sponsors:** THE CHAIR  
**Attachments:** [Hearing Notice List](#)
  
4. [111372](#) Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$23,000 for a total estimated cost of these projects being \$30,000.  
**Sponsors:** THE CHAIR  
**Attachments:** [Hearing Notice List](#)
  
5. [111308](#) Resolution relative approval of funding for the 2012 Department of Public Works,

Administration Division, Public Safety Communications Capital Improvement Program.

**Sponsors:** THE CHAIR

**Attachments:** [Fiscal Impact Statement](#)  
[Hearing Notice List](#)

6. [111320](#) Resolution authorizing the transfer of funds from the City Hall Foundation and Hollow Walk account to the City Hall Restoration Program.
- Sponsors:** THE CHAIR
- Attachments:** [Cover Letter](#)  
[Fiscal Impact Statement](#)  
[Hearing Notice List](#)
7. [111374](#) Communication from the Department of Public Works relative to special event permits for 2011.
- Sponsors:** THE CHAIR
- Attachments:** [Special Events Report](#)  
[Hearing Notice List](#)
8. [111361](#) Substitute resolution relating to application, acceptance and funding of a USDA Forest Service Great Lakes Restoration Initiative Grant (Department of Public Works) "Restoring Milwaukee's Tree Canopy on Residential Property in Response to Emerald Ash Borer."
- Sponsors:** THE CHAIR
- Attachments:** [Operating Grant Budget](#)  
[Grant Analysis Form](#)  
[Hearing Notice List](#)
9. [111391](#) Resolution directing the Department of City Development to prepare a resolution to vacate a portion of public frontage along the south side of East Thomas Avenue, between North Cramer Street and North Murray Avenue, in the 3rd Aldermanic District.
- Sponsors:** THE CHAIR
- Attachments:** [Hearing Notice List](#)
10. [111394](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by East Bottsford Avenue, South Lenox Street, South Pine Street and East Van Norman Avenue extended, in the 13th Aldermanic District.
- Sponsors:** THE CHAIR
- Attachments:** [Hearing Notice List](#)
11. [111396](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of the north-south alley in the block bounded by South Chase Avenue, West Hayes Avenue, South 3rd Street extended and South 4th Street, in the 14th Aldermanic District.
- Sponsors:** THE CHAIR

**Attachments:** [Hearing Notice List](#)

12. [111398](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by West Manitoba Street, West Oklahoma Avenue, South 10th Street and South 11th Street, in the 14th Aldermanic District.

**Sponsors:** THE CHAIR

**Attachments:** [Hearing Notice List](#)

13. [111400](#) Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by West Cleveland Avenue, West Harrison Avenue, South 10th Street and South 11th Street, in the 12th Aldermanic District.

**Sponsors:** THE CHAIR

**Attachments:** [Hearing Notice List](#)

14. [111423](#) Substitute resolution authorizing an easement with the Milwaukee Metropolitan Sewerage District for an existing underground pipe line at 1600 East College Avenue, in the 13th Aldermanic District.

**Sponsors:** Ald. Witkowski

**Attachments:** [Easement Map and Plat](#)

[Easement](#)

[Hearing Notice List](#)

15. [111359](#) Resolution authorizing the Commissioner of Public Works to execute a Revised Project Agreement titled "State/Municipal Agreement for a Highway Improvement project" between the City of Milwaukee and Wisconsin Department of Transportation for the reconstruction of the South Whitnall Avenue Bridge over the Union Pacific Rail Road with 80 percent Federal and State construction aid under the Local Bridge Replacement and Rehabilitation Program and to provide 100 percent local funds for the revised engineering costs with a City of Milwaukee Share of \$201,000 and a grantor share of \$0.

**Sponsors:** THE CHAIR

**Attachments:** [Revised Agreement](#)

[Comptroller Certificate](#)

[Hearing Notice List](#)

16. [111363](#) Resolution directing the Commissioner of Public Works to execute documents titled "State/Municipal Agreement for a Connecting Highway Improvement Project" with the Wisconsin Department of Transportation for the programming and construction of East Wells Street (USH 18) from North 6th Street to North Prospect Avenue at an estimated total cost of \$7,228,000 at a 93 percent State and Federal share of which the preliminary engineering cost is \$828,000, with the city's share being \$207,000 and the grantor's share being \$621,000 and West Highland Avenue (USH 18) from North 27th Street to North 12th Street at an estimated total cost of \$4,390,000 at a 93 percent State and Federal share of which preliminary engineering cost is \$300,000 with the city's share being \$75,000 and the grantor's share being \$225,000.

**Sponsors:** THE CHAIR

**Attachments:** [Agreement- 12th Street to 27th Street](#)  
[Agreement- 6th Street to Prospect Avenue](#)  
[Comptroller Certificate](#)  
[Hearing Notice List](#)

17. [111373](#) Resolution authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee's preliminary engineering and construction costs being \$95,896.62 with the City's share being \$65,000 and the grantor's share being \$30,896.62.

**Sponsors:** THE CHAIR

**Attachments:** [Comptroller Certificate](#)  
[Hearing Notice List](#)

18. [111393](#) Resolution authorizing the City Engineer to apply for a State of Wisconsin Department of Natural Resources Municipal Flood Control Grant allowing the City of Milwaukee to acquire and raze three residential properties and maintain the sites as stormwater management areas to prevent or reduce future flood related damages.

**Sponsors:** Ald. Witkowski

**Attachments:** [Cover Letter](#)  
[Hearing Notice List](#)

This meeting will be webcast live at [www.milwaukee.gov/channel25](http://www.milwaukee.gov/channel25).

Common Council members who are not members of this committee may attend this meeting to participate or to gather information. This meeting may constitute a meeting of the Common Council or any of its standing committees although no formal action will be taken at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Parking for persons attending City Hall meetings is available at reduced rates (5 hour limit) at the Milwaukee Center (southwest corner of E. Kilbourn Ave. and N. Water St.) Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.



Legislation Details (With Text)

**File #:** 111370      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY IMPROVEMENTS, PUBLIC IMPROVEMENTS, STREET IMPROVEMENTS

**Attachments:** Cover Letter, Official Notice Number 83, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111370  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR  
Title

Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

Requestor  
INFRASTRUCTURE SERVICES DEPARTMENT  
Drafter  
MLD:dr  
Report 8  
02/01/2012

February 1, 2012

File Number 111370

To the Honorable, the Common Council

Dear Council Members:

The Common Council has adopted preliminary resolutions which determined it necessary and in the public interest to make various public improvements and to make special assessments therefore.

The Commissioner of Public Works is filing this report consisting of a list of projects. This report is subject to amendment at the next Public Works Committee Hearing. The plans and specifications of said improvements are on file in the City Engineer's Office.

I am herewith submitting a report regarding the above matter and recommend adoption of the amended resolution approving same.

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

MLD:dr  
Afr 8  
Report Appended

**OFFICIAL NOTICE NUMBER 83  
PUBLIC HEARING ON PROPOSED IMPROVEMENTS  
AND SPECIAL ASSESSMENTS**

There will be a public hearing held by the Public Works Committee of the Common Council of the City of Milwaukee concerning the following improvements and special assessments. The Commissioner of Public Works has determined these improvements are necessary and in the public interest.

The hearing will be held at the date and time shown below:

<p><b>WEDNESDAY</b></p> <p><b>FEBRUARY 15, 2012</b></p> <p><b>ROOM 301-B – CITY HALL</b></p> <p><b>9:00 A.M.</b></p>
--

**1st Aldermanic District**

**Alley between W. Fairmount Ave., W. Stark St., N. Teutonia Ave., N. 27th St., and N. 28th St. (ST212040114):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

**Alley between W. Hope Ave., W. Roosevelt Dr., N. 29th St., and N. 30th St. (ST21210122):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

**2nd Aldermanic District**

**W. Hope Ave. – N. 60th St. to N. 62nd St. (ST211110144):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6-7 foot width of tree border area), and grading.

**W. Marion St. – N. 66th St. to N. 68th St. (ST211120141):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6-8 foot width of tree border area), and grading.

**3rd Aldermanic District**

**Alley between N. Bremen St., E. Center St., N. Fratney St., and E. Hadley St. (ST212080107):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

## **5th Aldermanic District**

### **W. Carmen Ave. – N. Lovers Lane Rd. to N. 124th St. (ST211120139):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (1-12 foot width of tree border area), and grading.

### **W. Chambers St. – N. 90th St. to N. 92nd St. (ST211100104):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6 foot width of tree border area), and grading.

### **N. 83rd St. – W. Congress St. to W. Ruby Ave. (ST211110122):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (8 foot width of tree border area), and grading.

### **N. 87th St. – W. Townsend St. to W. Lisbon Ave. (ST211060108):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (8 foot width of tree border area), and grading.

### **N. 117th St. – W. Carmen Ave. to W. Florist Ave. (ST211120129):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (12 foot width of tree border area), and grading.

## **6th Aldermanic District**

### **Alley between N. Buffum St., E. Clarke St., N. Holton St., and E. Wright St. (ST21200113):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

## **7th Aldermanic District**

### **N. 41st St. – W. Burleigh St. to W. Auer Ave. (ST211020126):**

Pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (7 foot width of tree border area), tree removal where necessary, and grading.

### **Alley between W. Nash St., W. Vienna Ave., N. 58th Blvd., and N. 60th St. (ST21210120):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

## **10th Aldermanic District**

### **W. Dana St. – A Point east of S. 84th St. to S. 84th St. (ST211120153):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (2-4 foot width of tree border area), and grading.



**Alley between W. Appleton Ave., W. Beckett Ave., W. Chapman Pl., and W. Melvina St. (ST212070106):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

**Alley between W. Dixon St., W. O'Connor St., S. 75th St., and S. 76th St. (ST212030115):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

**11th Aldermanic District**

**W. Wilbur Ave. – S. 96th St. to S. 97th St. (ST211120113):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6 foot width of tree border area), traffic calming speed humps, and grading.

**W. Wilbur Ct. – S. 71st St. to a point west of S. 71st St. (ST211120132):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding, and grading.

**Alley between W. Van Beck Ave., S. 50th St., S. 51st St., and the W.E.P. Co. Right-of-Way (ST212050112):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

**13th Aldermanic District**

**S. 17th St. – W. Morgan Ave. to W. Ohio Ave. (ST211120102):**

Pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (7 foot width of tree border area), and grading.

**14th Aldermanic District**

**Alley between S. Austin St., E. Dewey Pl., S. Howell Ave., and E. Schiller St. (Northerly East-West and Northerly North-South Leg) (ST21290140):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

**Alley between W. Dakota St., S. 13th St., S. 14th St., and the Union Pacific Railroad Co. Right-of-Way (ST212130109):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

**Alley between E. Euclid Ave., S. Griffin Ave., S. Howell Ave., and E. Ohio Ave. (ST21200128):**

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

You may examine a copy of the report recommending these projects in Room 908, 841 North Broadway, Milwaukee, Wisconsin during the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday.

This notice is published by authority of the Common Council of the City of Milwaukee in accordance with Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances.

Office of the City Clerk, Milwaukee

---

Ronald D. Leonhardt, City Clerk

January 31, 2012





Legislation Details (With Text)

**File #:** 111369      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$75,000 for a total estimated cost of these projects being \$846,000.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY IMPROVEMENTS, PUBLIC IMPROVEMENTS, STREET IMPROVEMENTS

**Attachments:** Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/13/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111369

Version  
ORIGINAL

Sponsor  
THE CHAIR

Title  
Resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$75,000 for a total estimated cost of these projects being \$846,000.

Analysis  
This resolution authorizes engineering studies and directs the Commissioner of Public Works to determine any benefits or damages which would result if the projects were to be constructed. After the Commissioner files his report, a Public Hearing will be held on those projects determined assessable. A resolution will be submitted after the Public Hearing authorizing construction. The City cost for engineering these projects is estimated to be \$75,000 with the total cost estimated to be \$846,000.

Body  
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 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

5th Aldermanic District

New Street - Metro Boulevard to W. Good Hope Rd. (ST210120102): Engineering, labor and materials relating to the out of program agreements for the development. (Nonassessable New Paving Fund -- \$50,000). The total estimated cost for this project including the requested amount is \$250,000. This project is anticipated to be completed during the 2012-2013 construction season.

8th Aldermanic District

Alley between W. Manitoba St., W. Oklahoma Ave., S. 32nd St., and S. 33rd St. (ST212030102): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$7,000, Additional Funds). The total estimated cost for this project including the requested amount is \$102,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

W. Main St. - S. Hawley Rd. to S. 70th St. (ST211110139): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$410,000. This project is anticipated to be completed during the 2012 construction season.

14th Aldermanic District

Alley between E. Euclid Ave., S. Griffin Ave., S. Howell Ave., and E. Ohio Ave. (ST21200128): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$8,000, Additional Funds). The total estimated cost for this project including the requested amount is \$84,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

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

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

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

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

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

Requestor  
Infrastructure Services Division

Drafter  
MLD:dr  
Apr 8  
02/01/2011

..Number

111369

..Version

Proposed Substitute A

..Sponsor

THE CHAIR

..Title

Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$99,200 for a total estimated cost of these projects being \$1,456,000.

..Analysis

This resolution authorizes engineering studies and directs the Commissioner of Public Works to determine any benefits or damages which would result if the projects were to be constructed. After the Commissioner files his report, a Public Hearing will be held on those projects determined assessable. A resolution will be submitted after the Public Hearing authorizing construction. The City cost for engineering these projects is estimated to be \$95,200 with the total cost estimated to be \$1,456,000.

..Body

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 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

5th Aldermanic District

New Street – Metro Boulevard to W. Good Hope Rd. (ST210120102): Engineering, labor and materials relating to the out of program agreements for the development. (Nonassessable New Paving Fund -- \$50,000). The total estimated cost for this project including the requested amount is \$250,000. This project is anticipated to be completed during the 2012-2013 construction season.

8th Aldermanic District

Alley between W. Manitoba St., W. Oklahoma Ave., S. 32nd St., and S. 33rd St. (ST212030102): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$7,000, Additional Funds). The total estimated cost for this project including the requested amount is \$102,000. This project is anticipated to be completed during the 2012 construction season.

10th Aldermanic District

W. Main St. – S. Hawley Rd. to S. 70th St. (ST211110139): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$410,000. This project is anticipated to be completed during the 2012 construction season.

#### 13th Aldermanic District

W. Parnell Ave. – S. 27th St. to W. Ramsey Ave. (ST211090121): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Assessable Reconstruction Paving Fund -- \$10,200). The total estimated cost for this project including the requested amount is \$515,000. This project was constructed 2010.

Alley between W. Holt Ave., W. Morgan Ave., S. 18th St., and S. 19th St. (ST212120122): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$14,000, Additional Funds). The total estimated cost for this project including the requested amount is \$95,000. This project is anticipated to be completed during the 2013 construction season.

#### 14th Aldermanic District

Alley between E. Euclid Ave., S. Griffin Ave., S. Howell Ave., and E. Ohio Ave. (ST21200128): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$8,000, Additional Funds). The total estimated cost for this project including the requested amount is \$84,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

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

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

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

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



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

..Requestor  
Infrastructure Services Division  
..Drafter  
MLD:dr  
Apr 8  
02/10/2012





Legislation Details (With Text)

**File #:** 111371      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$428,996.24 for a total estimated cost of these projects being \$3,438,598.47.

**Sponsors:** THE CHAIR

**Indexes:** BRIDGES, EXPRESSWAY, SEWER IMPROVEMENTS, WATER MAINS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111371

Version  
ORIGINAL

Sponsor  
THE CHAIR

Title

Resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$428,996.24 for a total estimated cost of these projects being \$3,438,598.47.

Analysis

This resolution authorizes engineering studies on projects which by City Charter are nonassessable. After design plans and estimates of costs have been prepared, a resolution authorizing construction will be submitted to the Common Council. The City cost for engineering these projects is estimated to be \$428,996.24 with the total cost estimated to be \$3,438,598.47.

Body

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:

13th Aldermanic District

I-94 North-South Corridor, Mitchell Interchange reconstruction (ST320083448) (1030-02-72) File Number 091457: City of Milwaukee costs for construction engineering and state review services.

Grantor Reimbursable Paving Fund -- \$49,996.24

These funds are to be transferred to the construction engineering account (ST3200834XX).

Previously authorized for Construction Engineering and State Review: \$0.00

Current estimated cost of total project including this resolution: \$2,908,598.47

Original estimated cost of total project (080400): \$2,858,602.23

This project is anticipated to be completed in December 2012.

#### 15th Aldermanic District

W. Center St. - N. 13th St. to N. Teutonia Ave. (SM495100110): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000, Additional Funds). The total estimated cost for this project including the requested amount is \$140,000. This project is anticipated to be completed during the 2012 construction season.

#### Various Aldermanic Districts

Alterations by Milwaukee Water Works Distribution Prior to Paving (WT410120730): (Nonassessable Water Fund Budget Line 6410 -- \$5,000). The total estimated cost for this project including the requested amount is \$10,000. This project is anticipated to be completed during the 2012 construction season.

Water Main Alterations by Private Contractor prior to paving (WT410120750): (Nonassessable Water Fund Budget Line 6410 -- \$1,000). The total estimated cost for this project including the requested amount is \$10,000. This project is anticipated to be completed during the 2012 construction season.

Water Main Alterations by Private Contractor prior to sewer construction (WT410120770): (Nonassessable Water Fund Budget Line 6410 -- \$1,000). The total estimated cost for this project including the requested amount is \$10,000. This project is anticipated to be completed during the 2012 construction season.

Water Main Material Inspection (WT410120880): (Nonassessable Water Fund Budget Line 6410 -- \$10,000). The total estimated cost for this project is \$10,000. This project is anticipated to be completed during the 2012 construction season.

Bridge Indirect and Administration (BR100012101): Preliminary engineering and administration of bridge projects. (City Share Non-assessable Structure Fund -- \$150,000). The total estimated cost for this project is \$150,000. This project is anticipated to be completed during the 2012 construction season.

Bridge Safety Inspection (BR100120102): Federal and State mandated safety inspection of in-service bridges. (City Share Non-assessable Structure Fund -- \$150,000). The total estimated cost for this project is \$150,000. This project is anticipated to be completed during the 2012 construction season.

#### Suburbs

Review of Consultant Prepared Suburban Construction Plans (WT440120800): (Nonassessable

Water Fund Budget Line 5010 -- \$30,000; Nonassessable Water Fund Budget Line 6410 -- \$20,000). The total estimated cost for this project is \$50,000. This project is anticipated to be completed during the 2012 construction season.

; and, be it

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

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

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

Requestor  
Infrastructure Services Division  
Drafter  
MLD:dr  
Npr 8  
02/01/2011





Legislation Details (With Text)

**File #:** 111372      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$23,000 for a total estimated cost of these projects being \$30,000.

**Sponsors:** THE CHAIR

**Indexes:** SEWER IMPROVEMENTS, WATER MAINS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

111372

Version

ORIGINAL

Reference

111371

Sponsor

THE CHAIR

Title

Resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$23,000 for a total estimated cost of these projects being \$30,000.

Analysis

This resolution directs the installation and construction of certain public improvements which have been determined to be nonassessable by the Commissioner of Public Works. The City cost of the projects approved by this resolution is estimated to be \$23,000. The total estimated cost of these projects is \$30,000.

Body

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:

Various Aldermanic Districts

Alterations by Milwaukee Water Works Distribution Prior to Paving (WT410120730) File Number

111371: (Nonassessable Water Fund Budget Line 6410 -- \$5,000). The total estimated cost for this project including the requested amount is \$10,000. This project is anticipated to be completed during the 2012 construction season.

Water Main Alterations by Private Contractor prior to paving (WT410120750) File Number 111371: (Nonassessable Water Fund Budget Line 5010 -- \$1,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$10,000. This project is anticipated to be completed during the 2012 construction season.

Water Main Alterations by Private Contractor prior to sewer construction (WT410120770) File Number 111371: (Nonassessable Water Fund Budget Line 5010 -- \$1,000; Nonassessable Water Fund Budget Line 6410 -- \$8,000). The total estimated cost for this project including the requested amount is \$10,000. This project is anticipated to be completed during the 2012 construction season.

; now, therefore, be it

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

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

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

Requestor  
Infrastructure Services Division  
Drafter  
MLD:dr  
Nfr 8  
02/01/2011







Legislation Details (With Text)

**File #:** 111308      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relative approval of funding for the 2012 Department of Public Works, Administration Division, Public Safety Communications Capital Improvement Program.

**Sponsors:** THE CHAIR

**Indexes:** CAPITAL IMPROVEMENTS, DEPARTMENT OF PUBLIC WORKS

**Attachments:** Fiscal Impact Statement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111308  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR  
Title

Resolution relative approval of funding for the 2012 Department of Public Works, Administration Division, Public Safety Communications Capital Improvement Program.

Analysis

This resolution provides for labor, materials and services for the Public Safety Communications Program in 2012.

Body

Whereas, A program for the expansion and improvement of Public Safety Communications facilities during 2012 was prepared by the Technology Support Services Section of the Administrative Services Division of the Department of Public Works, within budget and management guidelines; and

Whereas, The funds required for this program were appropriated in the 2012 Capital Improvements Budget of the Department of Public Works, Administrative Services Division; 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 undertake the following capital improvement projects; and, be it

Further Resolved, That the Comptroller's Office is authorized and directed to transfer 2012 Budget unallocated capital improvement funds totaling \$500,000 for the Department of Public Works, Administration Division Public Safety Communications Program to an allocated capital account

ST270120000, for this purpose.

Requestor  
Department of Public Works  
Drafter  
DPW Administrative Services  
PJH  
1/13/2012



# City of Milwaukee Fiscal Impact Statement

**A** **Date** 1/13/2012 **File Number** \_\_\_\_\_  **Original**  **Substitute**

**Subject** Resolution relative approval of funding for the 2012 Department of Public Works, Administration Division, Public Safety Communications Capital Improvement Program

**B** **Submitted By (Name/Title/Dept./Ext.)** Patrick Hartmann/DPW-Finance and Planning Manager/2329

**C** **This File**

- Increases or decreases previously authorized expenditures.
- Suspends expenditure authority.
- Increases or decreases city services.
- Authorizes a department to administer a program affecting the city's fiscal liability.
- Increases or decreases revenue.
- Requests an amendment to the salary or positions ordinance.
- Authorizes borrowing and related debt service.
- Authorizes contingent borrowing (authority only).
- Authorizes the expenditure of funds not authorized in adopted City Budget.

**D** **Charge To**

- Department Account
- Capital Projects Fund
- Debt Service
- Other (Specify) \_\_\_\_\_
- Contingent Fund
- Special Purpose Accounts
- Grant & Aid Accounts

	Purpose	Specify Type/Use	Expenditure	Revenue
<b>E</b>	Salaries/Wages		\$300,000.00	\$0.00
			\$0.00	\$0.00
	Supplies/Materials		\$200,000.00	\$0.00
			\$0.00	\$0.00
	Equipment		\$0.00	\$0.00
			\$0.00	\$0.00
	Services		\$0.00	\$0.00
			\$0.00	\$0.00
	Other		\$0.00	\$0.00
			\$0.00	\$0.00
	<b>TOTALS</b>		<b>\$500,000.00</b>	<b>\$ 0.00</b>

**F**Assumptions used in arriving at fiscal estimate. Schedule of work similar to previous two years**G**

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

 1-3 Years     3-5 Years 1-3 Years     3-5 Years 1-3 Years     3-5 Years**H**

List any costs not included in Sections D and E above. \_\_\_\_\_

**I**

Additional information. \_\_\_\_\_

**J**This Note     Was requested by committee chair.





Legislation Details (With Text)

**File #:** 111320      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing the transfer of funds from the City Hall Foundation and Hollow Walk account to the City Hall Restoration Program.

**Sponsors:** THE CHAIR

**Indexes:** CITY HALL, PUBLIC BUILDINGS

**Attachments:** Cover Letter, Fiscal Impact Statement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/13/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/13/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111320  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR  
Title

Resolution authorizing the transfer of funds from the City Hall Foundation and Hollow Walk account to the City Hall Restoration Program.

Analysis

Body

Whereas, The inspection of City Hall's exterior terra cotta has been paid for by the Department of Public Works available reimbursable authority, specifically project grant account RE545180005; As of January 19, 2012, this account has expensed and encumbered \$1,304,879; and

Whereas, The Department of Public Works estimates the total cost of investigation to be approximately \$2,588,000; and

Whereas, The City Hall Restoration Program, Account No. BU110000300 has a balance of \$26,724; and

Whereas, The City Hall Foundation and Hollow Walk project, Account No. BU110080800, has existing and previously approved borrowing authority of \$7,712,786; and

Whereas, The City Hall Restoration Program has insufficient funds to reimburse the reimbursable account, therefore, be it

Resolved, By the Common Council of Milwaukee, that the City Comptroller is directed to transfer the amount of \$2,600,000 from the City Hall Foundation and Hollow Walk project, Account No. BU110080800, to the City Hall Restoration Program, Account No. BU110000300 to offset the expenses for City Hall's exterior terra cotta inspection funded by reimbursable Account No. RE545180005; and, be it

Further Resolved, The Department of Public Works will report to the appropriate Committee of the Council the status and cost of the investigation on a quarterly basis beginning in April; and, be it

Further Resolved, That if the City receives any reimbursements of the project expenditures, the revenue should be deposited in the Debt Service Fund to redeem debt issued for this project.

Requestor  
Department of Administration  
Budget and Management Division  
Ref: BR  
January 20, 2012  
I:\FINANCE\Resolutions\Transfer for City Hall reimbursable account.rtf





Department of Administration  
Budget and Management

**Tom Barrett**  
Mayor

**Sharon Robinson**  
Administration Director

**Mark Nicolini**  
Budget and Management Director

January, 18 2012

Ref: 12017

Common Council  
City of Milwaukee

**Subject:** Resolution Authorizing the Transfer of Funds from the City Hall Foundation and Hollow Walk Account to the City Hall Restoration Program

Dear Honorable Members:

We are submitting the attached resolution for introduction at the February 7, 2012, Common Council meeting. The resolution's fiscal note is also attached.

The resolution being introduced is to transfer funding between the Department of Public Works' capital accounts to reimburse the reimbursable account used to pay for the City Hall exterior terra cotta inspection. Please contact Bryan Rynders of my staff at ext. 8524 for further information regarding this request.

Respectfully submitted,

Mark Nicolini  
Budget and Management Director

BJR:dmr  
Attachment  
Finance/City Hall Terra Cotta/CityHallTransfer-Letter



**City of Milwaukee  
Budget and Management  
Intra-Office Memo**

**To:** Public Works Committee

**From:** Mark Nicolini, Budget and Management Director

**Date:** February 13, 2012

**Subject:** Transfer of Funds from City Hall Foundation and Hollow Walk Project to City Hall Restoration Program

---

Common Council File No. 111320 contains a resolution transferring previously approved borrowing authority from the City Hall Foundation and Hollow Walk project to the City Hall Restoration program.

In 2011, the City began an investigation of City Hall's exterior terra cotta. The investigation is essential to provide information for the City to protect public safety, and to determine the cause of the failure and the proper repairs. The investigation will also provide factual information which will help determine the legal case the City may pursue to require warranty and contract responsibility or assert damage claims in regard to the terra cotta repair.

The expenses for the investigation are paid for through the Department of Public Works reimbursable authority. Reimbursable accounts are expected to be reimbursed at year end. To date, the City has received no reimbursement for these costs. The remaining funding available in the City Hall Restoration program is insufficient and the transfer is necessary to avoid a deficit in the reimbursable account. If the City receives any reimbursements for the project expenditures, the revenue should be deposited in the Debt Service Fund to redeem debt issued for this project.

As of February 13<sup>th</sup>, 2012 approximately \$1,650,000 has been expended or encumbered. The transfer amount provides funding to offset this amount and potential additional costs up to \$2,600,000.



# City of Milwaukee Fiscal Impact Statement

Date

File Number

Original

Substitute

A

Subject

B

Submitted By (Name/Title/Dept./Ext.)

C

This File

- Increases or decreases previously authorized expenditures.
- Suspends expenditure authority.
- Increases or decreases city services.
- Authorizes a department to administer a program affecting the city's fiscal liability.
- Increases or decreases revenue.
- Requests an amendment to the salary or positions ordinance.
- Authorizes borrowing and related debt service.
- Authorizes contingent borrowing (authority only).
- Authorizes the expenditure of funds not authorized in adopted City Budget.

D

This Note

- Was requested by committee chair

E

Charge To

- Department Account
- Contingent Fund
- Capital Projects Fund
- Special Purpose Accounts
- Debt Service
- Grant & Aid Accounts
- Other (Specify)

F

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other			
<b>TOTALS</b>			

**For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.**

G

1-3 Years     3-5 Years

1-3 Years     3-5 Years

1-3 Years     3-5 Years

**List any costs not included in Sections E and F above.**

H

**Assumptions used in arriving at fiscal estimate.**

I

**Additional information.**

J





Legislation Details (With Text)

**File #:** 111374      **Version:** 0

**Type:** Communication-Report      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Communication from the Department of Public Works relative to special event permits for 2011.

**Sponsors:** THE CHAIR

**Indexes:** REPORTS AND STUDIES, SPECIAL EVENT SALES

**Attachments:** Special Events Report, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

111374

**Version**

Original

**Reference**

**Sponsor**

The Chair

**Title**

Communication from the Department of Public Works relative to special event permits for 2011.

**Drafter**

CC

dkf

2/1/12

Department of Public Works  
Special Event Permit Office



---

2011 REPORT

---

## 2011 Special Event Permit Overview

Bicycle Events (rides, races)	8
Block Parties	290
Block Parties (sponsored)	89
DPW Sites (Catalano Sq., Media Garden, Arlington Heights Park, Civic Center Plaza, Water Tower Park, Kilbourn Park, etc.)	12
Festivals	51
Filming	27
Hotel Parking	71
Miscellaneous Events	229
Nighttime Trick-or-Treat Events	18
Parades/Processions	62
Parking Events	197
Runs/Walks	43
City Street Poles (Banners, Flags, Holiday Decorations)	19
Cross Street Banner Display	5
<b>TOTAL</b>	<b>1,121</b>



## 2011 Special Event Permit Fees Assessed

DPW EQUIPMENT	TOTAL	FEES
<b>Sanitation</b>		
Barricades	9,301	\$27,803
Garbage Carts	64	\$1,350
Dumpsters	62	\$3,600
Snow Fence	106	\$1,484
Roll Off Boxes	13	\$1,300
<b>DPW Administration</b>		
Meter Hoods	7,623	\$147,305
<b>Infrastructure</b>		
Traffic Control Plan	19	\$5,760
Traffic Signs	5,640	\$81,456
Street Poles	826	\$7,920
Cross Street Banners	9	\$270
Miscellaneous		\$1,848
<b>POLICE</b>		
Class A Events	23	\$99,550
Class B Events	16	\$6,400
Class C Events	30	\$3,300
Class D Events	1,052	0
<b>TOTAL</b>	<b>1,121</b>	<b>\$389,343</b>

### Permits Issued

2011	1,121
2010	1,156

### Permit Fees

2011	\$389,343
2010	\$362,164

## Aldermanic District Inventory of Special Events

Aldermanic District	Bike Events	Block Parties	Sponsored Events	DPW Events	Festivals	Filming Events	Hotel Parking	Misc. Events	Trick or Treat	Parades/Processions	Parking Events	Runs /Walks	Street Poles	Cross St. Banner	TOTAL
District 1	0	8	2	0	2	0	0	12	0	5	0	0	2	0	31
DISTRICT 2	0	6	1	0	0	0	0	5	0	1	0	0	0	0	13
DISTRICT 3	1	39	9	5	7	3	0	16	4	3	29	4	2	5	127
DISTRICT 4	2	2	11	2	19	16	71	46	0	10	160	20	11	0	370
DISTRICT 5	0	23	1	2	0	0	0	5	1	1	1	4	0	0	38
DISTRICT 6	2	39	15	0	3	1	0	27	0	5	0	1	1	0	94
DISTRICT 7	0	24	9	0	1	0	0	12	0	5	0	0	0	0	51
DISTRICT 8	0	12	5	3	4	0	0	14	2	5	1	2	0	0	48
DISTRICT 9	0	5	3	0	1	0	0	1	0	1	1	0	0	0	12
DISTRICT 10	0	56	4	0	0	1	0	13	1	4	0	3	0	0	82
DISTRICT 11	0	12	0	0	3	0	0	3	2	1	0	0	0	0	21
DISTRICT 12	0	3	7	0	6	4	0	25	0	10	1	2	1	0	59
DISTRICT 13	0	8	0	0	1	0	0	6	8	1	0	0	2	0	26
DISTRICT 14	3	18	9	0	4	2	0	12	0	8	1	2	0	0	59
DISTRICT 15	0	35	13	0	0	0	0	32	0	2	3	5	0	0	90
<b>TOTALS</b>	<b>8</b>	<b>290</b>	<b>89</b>	<b>12</b>	<b>51</b>	<b>27</b>	<b>71</b>	<b>229</b>	<b>18</b>	<b>62</b>	<b>197</b>	<b>43</b>	<b>19</b>	<b>5</b>	<b>1121</b>

**2011 UNPAID SPECIAL EVENT PERMIT FEES**  
 (18 permits issued remain unpaid for a total of \$623.00)

Permittee	Permit #	Permit Type	Amount Owed	Ald. District
Mr. Jesus Hernandez 1300 South Layton Boulevard Milwaukee, WI 53215	201108-0259	Block Party sponsored by Southside Organizing Committee	\$20.00	13
Mr. Jesus Hernandez 1300 South Layton Boulevard Milwaukee, WI 53215	201108-0009	Block Party sponsored by Southside Organizing Committee	\$20.00	13
Mr. Dominic Kissinger BTW Lounge 231 East Buffalo Street Milwaukee, WI 53202	201112-0251	Info Magazine Release Party	\$95.00	4
Pastor Willie Brooks Upper Room Church 2200 West Center Street Milwaukee, WI 53206	201112-0192	Block Party sponsored by Upper Room Church	\$20.00	15
Ms. Monique Gardner 1607 West Meinecke Avenue Milwaukee, WI 53206	201112-0361	Birthday/Graduation Party	\$20.00	15
Mr. Ryan Antczak 2209 South 29 <sup>th</sup> Street Milwaukee, WI 53215	201113-0900	Block Party sponsored by Boy Scout/Venture Crew II	\$31.00	8
Ms. Brenda Rodriguez 1330 South 15 <sup>th</sup> Place Milwaukee, WI 53204	201111-0028	Baptism Event	\$20.00	12
Ms. Chiquita Moore 2862A North 34 <sup>th</sup> Street Milwaukee, WI 53210	201113-0365	Birthday Party	\$20.00	7
Ms. Maribel Alvarez 1720 South 6 <sup>th</sup> Street Milwaukee, WI 53215	201109-0012	Birthday Party	\$31.00	14

Permittee	Permit #	Permit Type	Amount Owed	Ald. District
Ms. Janas Jones 827 West Hadley Street Milwaukee, WI 53206	201114-0436	Family Reunion	\$31.00	15
Ms. Valerie Moore 2648 North 56 <sup>th</sup> Street Milwaukee, WI 53210	201116-0315	Summer Activities	\$20.00	10
Ms. Deborah Steward Milwaukee Public Library 3310 West Villard Avenue Milwaukee, WI 53209	201107-0288	Villard Avenue Library's Carnival Days	\$31.00	1
Ms. Bactivia Scott 1349 North 22 <sup>nd</sup> Street Milwaukee, WI 53205	201116-0286	Birthday Party	\$31.00	4
Ms. Denise Burnham 1961 West Vienna Avenue Milwaukee, WI 53206	201118-0062	Birthday Party	\$31.00	6
Ms. Kenya Bentley Joshua Possessing the Promise Ministries 3300 West Burleigh Street Milwaukee, WI 53210	201117-0339	Block Party sponsored by Joshua Possessing the Promise Ministries	\$20.00	7
Ms. Kate Strzok Broadway Paper 191 North Broadway Milwaukee, WI 53202	201118-0158	Parking for an Interactive Event at Broadway Paper	\$131.00	4
Ms. Regina Martin 2338 North 6 <sup>th</sup> Street Milwaukee, WI 53212	201118-0319	Birthday Party	\$20.00	6
Mr. Nakia Solocheh Children Outing Association 2320 West Burleigh Street Milwaukee, WI 53206	201119-0500	Rally sponsored by Children Outing Association	\$31.00	6
		TOTAL	\$623.00	18 PERMITS







Legislation Details (With Text)

**File #:** 111361      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution relating to application, acceptance and funding of a USDA Forest Service Great Lakes Restoration Initiative Grant (Department of Public Works) "Restoring Milwaukee's Tree Canopy on Residential Property in Response to Emerald Ash Borer."

**Sponsors:** THE CHAIR

**Indexes:** FEDERAL GRANTS, TREES

**Attachments:** Operating Grant Budget, Grant Analysis Form, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		

Number  
111361

Version  
SUBSTITUTE 1  
Reference

Sponsor  
THE CHAIR  
Title

Substitute resolution relating to application, acceptance and funding of a USDA Forest Service Great Lakes Restoration Initiative Grant (Department of Public Works) "Restoring Milwaukee's Tree Canopy on Residential Property in Response to Emerald Ash Borer."

Analysis

This resolution authorizes the Department of Public Works - Operations (Forestry Section) to apply for, accept and fund a USDA Forest Service Great Lakes Restoration Initiative Grant "Restoring Milwaukee's Tree Canopy on Residential Property in Response to Emerald Ash Borer (EAB)." This grant aims to demonstrate the importance of Milwaukee's tree canopy through targeted assistance to mitigate the threat of EAB and lead residents to take action to treat or remove and replace ash trees in advance of disease. The total project cost is \$272,821, of which 100% will be provided by the grantor with no cost-share from the City required. The program will include the following components:

1. Provide targeted financial assistance to Milwaukee homeowner-occupied residents for eligible EAB treatment alternatives to preserve and restore Milwaukee's tree canopy on residential property:
  - a. Ash tree chemical injection
  - b. Ash tree removal and replacement
2. Target financial assistance based on eligibility criteria:

- a. Full-cost assistance for residence within the Neighborhood Strategic Program (NSP) area
  - b. 70% cost-assistance for residence outside the Neighborhood Strategic Program (NSP) area up to a maximum of \$140 for ash tree chemical injection and \$1,000 for ash tree removal and tree replacement
3. Maintain ecological services provided by Milwaukee's tree canopy to protect the health and function of Lake Michigan and area rivers.

Body

Whereas, The City of Milwaukee appears to be eligible for a Great Lakes Restoration Initiative Grant from the USDA Forest; and

Whereas, The Department of Public Works-Operations Division (Forestry Section) would use this grant to preserve and restore Milwaukee's tree canopy on residential property; and

Whereas, This project would include the following components:

1. Provide targeted financial assistance to Milwaukee homeowner-occupied residents for eligible EAB treatment alternatives to preserve and restore Milwaukee's tree canopy on residential property:
  - a. Ash tree chemical injection
  - b. Ash tree removal and replacement
2. Target financial assistance based on eligibility criteria:
  - a. Full-cost assistance for residence within the Neighborhood Strategic Program (NSP) area
  - b. 70% cost-assistance for residence outside the Neighborhood Strategic Program (NSP) area up to a maximum of \$140 for ash tree chemical injection and \$1,000 for ash tree removal and tree replacement
3. Maintain ecological services provided by Milwaukee's tree canopy to protect the health and function of Lake Michigan and area rivers.

; and

Whereas, "Restoring Milwaukee's Tree Canopy on Residential Property in Response to EAB" will cost \$272,821, of which 100% will be provided by the grantor with no cost-share required by the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is authorized to apply, accept and fund "Restoring Milwaukee's Tree Canopy on Residential Property in Response to EAB" in the amount of \$272,821 from the USDA Forest Service without further Common Council approval, unless the terms of the grant change in a manner described in s. 304-81 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Encumber in the parent accounts of the 2012 Special Revenue Accounts-Grant and Aid Projects the following amounts for the project titled Urban Forestry Grant:

Project/Grant	GR0001200000
---------------	--------------



Fund	0150
Org	9990
Program	0001
Budget Year	0000
Sub Class	R999
Account	000600
Project	Grantor Share
Amount	\$272,821

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

3. Establish the necessary Grant and Aid performance sub-measures.  
; and, be it

Further Resolved, That these funds are appropriated to the Department of Public Works-Operations Division (Forestry Section), which is authorized to:

1. Make expenditures from these funds for specified purposes as indicated in the program budget, a copy of which is attached to this file.

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% or more.

3. Enter into subcontracts and leases to the extent detailed in the project budget.

Requestor  
Department of Public Works-Operations Division  
2/10/12

# CITY OF MILWAUKEE OPERATING GRANT BUDGET

NOTE: The highlighted cells include formulas to automatically total dollar amounts. If you insert additional rows, you may need to copy the formulas into the inserted rows.  
 Make sure to check the formulas to ensure they are calculating the numbers correctly.

PROJECT/PROGRAM

TITLE: Restoring Milwaukee's Tree Canopy on Residential Property in Response to EAB

PROJECT/PROGRAM YEAR: 2012

CONTACT PERSON: Kimberly Kujoth x5453

NUMBER OF POSITIONS		LINE DESCRIPTION	PAY RANGE/ UNITS	GRANTOR SHARE	IN-KIND SHARE	CASH MATCH A/C #	TOTAL
NEW	EXISTING						
		<b>TOTAL PERSONNEL COSTS</b>					
		<b>FRINGE BENEFITS</b>					
		<b>TOTAL FRINGE BENEFITS</b>					
		<b>OPERATING EXPENDITURES</b>					
		Chemical Ash Tree Injections		\$20,000			\$20,000
		Ash Tree Removals & Replacements		\$240,000			\$240,000
		Resident Outreach		\$12,821			\$12,821
		<b>TOTAL OPERATING EXPENDITURES</b>		<b>\$272,821</b>			<b>\$272,821</b>
		<b>EQUIPMENT</b>					
		<b>TOTAL EQUIPMENT</b>					
		<b>INDIRECT COSTS</b>					
		<b>TOTAL INDIRECT COSTS</b>					
		<b>TOTAL COSTS</b>		<b>\$272,821</b>			<b>\$272,821</b>

# GRANT ANALYSIS FORM

## OPERATING & CAPITAL GRANT PROJECTS/PROGRAMS

Department/Division: Department of Public Works – Operations Division, Forestry

Contact Person & Phone No: Kimberly Kujoth x5453

Category of Request

New Grant

Grant Continuation

Change in Previously Approved Grant

Previous Council File No. \_\_\_\_\_

Previous Council File No. \_\_\_\_\_

Project/Program Title: Great Lakes Restoration Initiative – Restoring Milwaukee's Tree Canopy on Residential Property in Response to Emerald Ash Borer

Grantor Agency: USDA Forest Service

Grant Application Date: \_\_\_\_\_

Anticipated Award Date: \_\_\_\_\_

1. Description of Grant Project/Program (Include Target Locations and Populations):

*Restoring Milwaukee's Tree Canopy on Residential Property in Response to EAB* will assist homeowners mitigate the risk of Emerald Ash Borer (EAB) through a demonstration of targeted financial assistance for ash tree chemical injections or ash tree removals and replacements. The goal of the project is to lead residents to take appropriate action to either treat or remove and replace ash trees in advance of disease. These actions will reduce risk associated with EAB killed trees and save millions of dollars in ecological services that directly benefit the health and quality of Lake Michigan and Milwaukee's waterways in reduced stormwater runoff and nonpoint pollution.

2. Relationship to City-Wide Strategic Goals and Departmental Objectives:

*Restoring Milwaukee's Tree Canopy on Residential Property in Response to EAB* supports the goal of urban forest preservation and restoration through increased tree canopy. Milwaukee's current tree canopy coverage is 21.6% and is comprised of trees on both public and private property. Based on the experience of Dutch Elm disease where the loss of tree canopy has yet to be fully replaced, the greatest threat of lost tree canopy from EAB is on private property. Overall, the City's goal is to increase tree canopy coverage to 40% and planting trees on private property to replace ash trees will prevent further tree canopy loss. In addition, the targeted financial assistance will aid residents who would otherwise have to incur the full cost of ash tree removals as they become infested with EAB.

3. Need for Grant Funds and Impact on Other Departmental Operations (Applies only to Programs):

NA

4. Results Measurement/Progress Report (Applies only to Programs):

NA

5. Grant Period, Timetable and Program Phase-Out Plan:

Targeted completion October 31, 2012.

6. Provide a list of Subgrantees:

NA

7. If Possible, complete Grant Budget Form and attach to back.  
Attached







Legislation Details (With Text)

**File #:** 111391      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution directing the Department of City Development to prepare a resolution to vacate a portion of public frontage along the south side of East Thomas Avenue, between North Cramer Street and North Murray Avenue, in the 3rd Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** PUBLIC LIBRARY, STREET VACATIONS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111391  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution directing the Department of City Development to prepare a resolution to vacate a portion of public frontage along the south side of East Thomas Avenue, between North Cramer Street and North Murray Avenue, in the 3rd Aldermanic District.

Analysis  
This resolution directs the Department of City Development to prepare a resolution to vacate said portion of right-of-way in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of City Development for the redevelopment of the East Library parcel.

Body  
Whereas, It has been proposed by the Department of City Development that a portion of public frontage along the south side of East Thomas Avenue, between North Murray Avenue and North Farwell Avenue, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

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

Drafter  
DCD:EAR:ear  
02/07/12/I





Legislation Details (With Text)

**File #:** 111394      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by East Bottsford Avenue, South Lenox Street, South Pine Street and East Van Norman Avenue extended, in the 13th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111394  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by East Bottsford Avenue, South Lenox Street, South Pine Street and East Van Norman Avenue extended, in the 13th Aldermanic District.

Analysis  
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body  
Whereas, It has been proposed by the Department of City Development that the unimproved north-south alley in the block bounded by East Bottsford Avenue, South Lenox Street, South Pine Street and East Van Norman Avenue extended be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

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

Drafter  
DCD:EAR:ear  
02/07/12/G







Legislation Details (With Text)

**File #:** 111396      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of the north-south alley in the block bounded by South Chase Avenue, West Hayes Avenue, South 3rd Street extended and South 4th Street, in the 14th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111396  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved portion of the north-south alley in the block bounded by South Chase Avenue, West Hayes Avenue, South 3rd Street extended and South 4th Street, in the 14th Aldermanic District.

Analysis  
This resolution directs the Department of City Development to prepare a resolution to vacate said portion of alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said portion of alley is not needed for public purposes.

Body  
Whereas, It has been proposed by the Department of City Development that the unimproved portion of north-south alley in the block bounded by South Chase Avenue, West Hayes Avenue, South 3rd Street extended and South 4th Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

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

Drafter  
DCD:VLK:ear  
02/07/12/E





Legislation Details (With Text)

**File #:** 111398      **Version:** 0  
**Type:** Resolution      **Status:** In Committee  
**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by West Manitoba Street, West Oklahoma Avenue, South 10th Street and South 11th Street, in the 14th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111398  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by West Manitoba Street, West Oklahoma Avenue, South 10th Street and South 11th Street, in the 14th Aldermanic District.

Analysis  
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body  
Whereas, It has been proposed by the Department of City Development that the unimproved north-south alley in the block bounded by West Manitoba Street, West Oklahoma Avenue, South 10th Street and South 11th Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

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

Drafter  
DCD:EAR:ear  
02/07/12/C





Legislation Details (With Text)

**File #:** 111400      **Version:** 0  
**Type:** Resolution      **Status:** In Committee  
**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by West Cleveland Avenue, West Harrison Avenue, South 10th Street and South 11th Street, in the 12th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111400  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution directing the Department of City Development to prepare a resolution to vacate the unimproved north-south alley in the block bounded by West Cleveland Avenue, West Harrison Avenue, South 10th Street and South 11th Street, in the 12th Aldermanic District.

Analysis  
This resolution directs the Department of City Development to prepare a resolution to vacate said alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Department of Public Works, since said alley is not needed for public purposes.

Body  
Whereas, It has been proposed by the Department of City Development that the unimproved north-south alley in the block bounded by West Cleveland Avenue, West Harrison Avenue, South 10th Street and South 11th Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

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

Drafter  
DCD:EAR:ear  
02/07/12/A





Legislation Details (With Text)

**File #:** 111423      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing an easement with the Milwaukee Metropolitan Sewerage District for an existing underground pipe line at 1600 East College Avenue, in the 13th Aldermanic District.

**Sponsors:** ALD. WITKOWSKI

**Indexes:** EASEMENTS, SEWER EASEMENTS

**Attachments:** Easement Map and Plat, Easement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111423  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
ALD. WITKOWSKI

Title  
Substitute resolution authorizing an easement with the Milwaukee Metropolitan Sewerage District for an existing underground pipe line at 1600 East College Avenue, in the 13th Aldermanic District.

Analysis  
This substitute resolution authorizes an easement for an existing underground pipe line on City-owned property.

Body  
Whereas, In June 1961, the City of Milwaukee ("City") granted to West Shore Pipe Line Company a 10-foot wide pipe line easement along the east property line at a former City landfill at 1600 East College Avenue that transmitted petroleum products to Mitchell Airport, but the easement has expired; and

Whereas, West Shore no longer transmits petroleum products through the pipe line and intends to convey the pipe line to the Milwaukee Metropolitan Sewerage District ("MMSD") for a Landfill Gas Pipe Line from East College Avenue to Jones Island; and

Whereas, The pipe line is located under the portion of the property that is leased to the United States of America for access to the 128th Air National Guard facility at Mitchell Field, but the 128th Air National Guard has indicated its consent to a new easement with MMSD; and

Whereas, MMSD has requested that the City grant it a new 15-foot wide permanent easement at 1600 East College Avenue for the use of and access to the existing pipe line as illustrated on a map and plat, a copy of which is attached to this Common Council File; and



Whereas, The City Attorney and MMSD staff have completed negotiation of the terms of easement, a draft of which is attached to this Common Council File; and

Whereas, The City shall not require compensation for the easement due to the public benefits provided by reusing landfill gas; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the easement with Milwaukee Metropolitan Sewerage District for the existing underground pipe line at the property at 1600 East College Avenue is approved; and, be it

Further Resolved, That the Commissioner of the Department of City Development, or designee, is authorized to execute the easement on behalf of the City upon recommendation of the City Attorney.

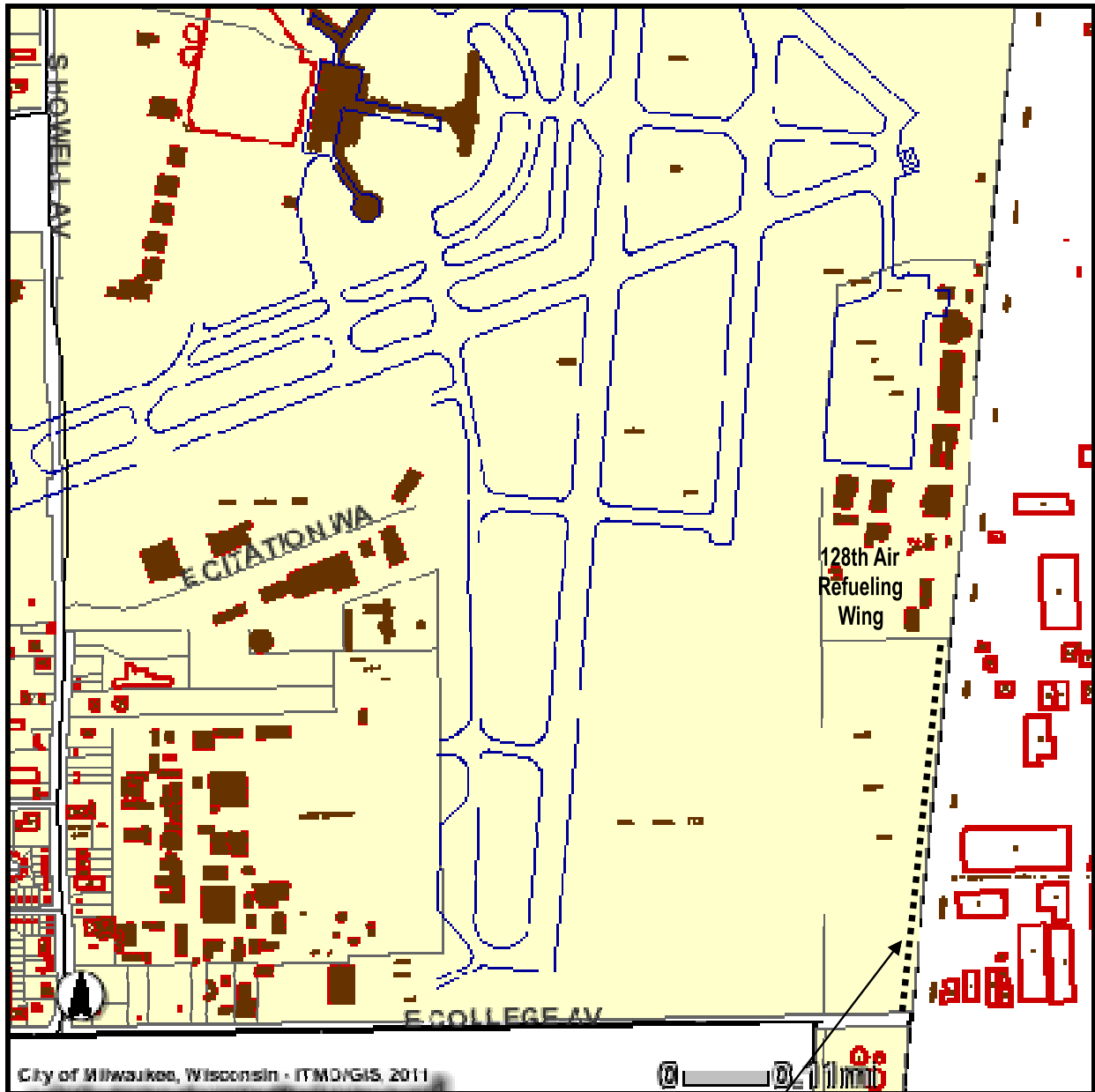
Drafter

DCD/Real Estate

EMM:bmm

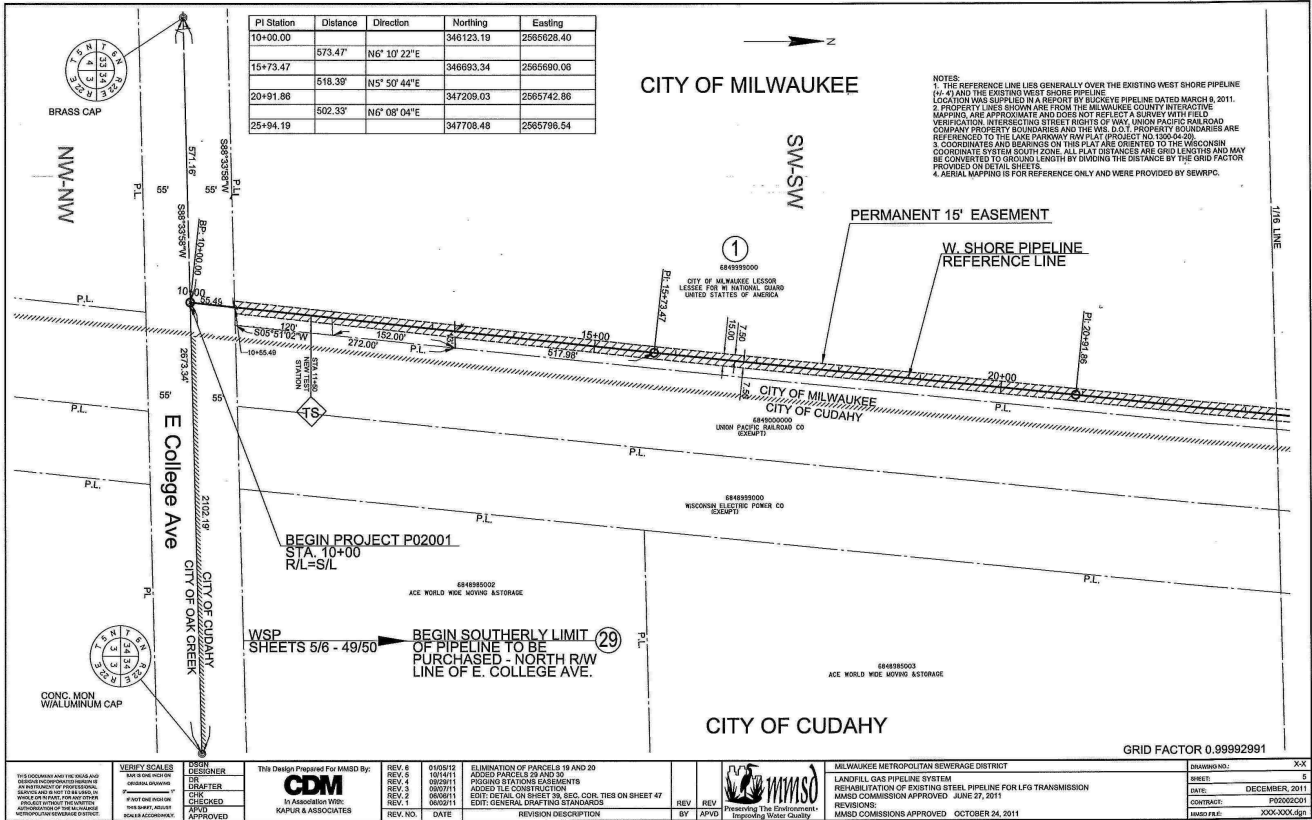
02/09/12

Proposed Underground Pipe Line Easement  
City of Milwaukee – Milwaukee Metropolitan Sewerage District  
1600 East College Avenue

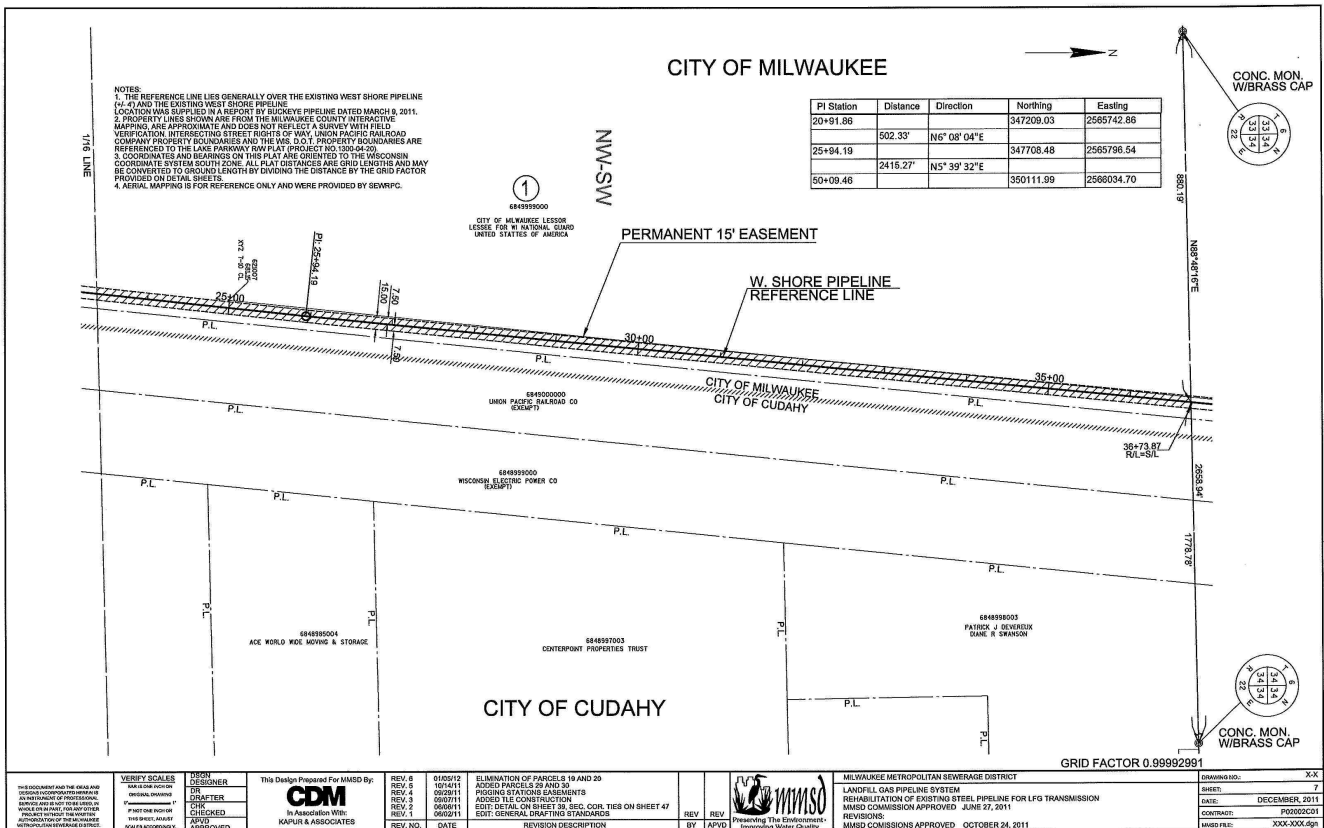


Approximate Easement Location

# MMSD Easement Plat



## South Portion



## North Portion

**UNDERGROUND PIPE LINE  
EASEMENT**  
Document Title

Document Number

**PERMANENT UNDERGROUND  
PIPE LINE EASEMENT  
AGREEMENT**

Recording Area

Name and Return Address

Milwaukee Metropolitan Sewerage District  
Attn: Kevin L. Shafer  
260 West Seeboth Street  
Milwaukee, WI 53204-1446

684-9999-000 (Part)

Parcel Identification Number (PIN)

THIS EASEMENT AGREEMENT is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2012, by and among THE CITY OF MILWAUKEE, a municipal corporation (“GRANTOR”) and Milwaukee Metropolitan Sewerage District, a municipal corporation (“GRANTEE”).

**WITNESSETH**

**WHEREAS**, GRANTOR is the owner of certain real property located at 1600 E. College Avenue (the “Property”);

**WHEREAS**, in 1961, GRANTOR granted a pipe line easement in a portion of the Property to West Shore Pipe Line Company which allowed it to install, use and maintain the underground pipeline in and through the Property;

**WHEREAS**, West Shore Pipe Line is no longer using the underground pipe line and has sold it to GRANTEE who intends to use the underground pipe line for the purpose of transporting landfill gas;

**WHEREAS**, the easement between the GRANTOR and West Shore Pipe Line Company has expired and the GRANTOR now desires to grant and GRANTEE desires to secure a permanent 15-foot wide easement over those portions of the Property described on Exhibit A (the “Easement Area”) and depicted on Exhibit B for the operation and maintenance of the underground pipe line already located there;

**WHEREAS**, the Common Council of the City of Milwaukee by passage of Resolution File No. 111423 adopted on \_\_\_\_\_, 2012, approved the granting of this Easement; and

**WHEREAS**, the Milwaukee Metropolitan Sewerage Commission by passage of Resolution No. 11-14-2-10 adopted on October, 24, 2011, approved the acceptance of this Easement.

**NOW, THEREFORE,** in consideration of the grant of this Easement and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR, as owner of the Property, does hereby grant to GRANTEE a permanent easement in, upon, over and across the Easement Area upon the terms and subject to the conditions hereafter set forth:

1. **Purpose:** The purpose of this Easement is to allow GRANTEE to operate, use, maintain and replace an underground pipe line that exists within the Easement Area for the purpose of transporting landfill gas.
2. **Buildings or Other Structures:** GRANTOR agrees that no structures will be erected in the Easement Area or in such proximity to the Easement Area so as to interfere with GRANTEE's rights under this Easement.
3. **Limitations:** GRANTEE acknowledges that a portion of the Property, including the Easement Area, is encumbered by a land lease recorded in the Milwaukee County Register of Deeds Office as Document No. 5962646 on September 15, 1985, and as later amended, between GRANTOR and the United States of America for use by the 128<sup>th</sup> Air Refueling Wing (collectively the "Land Lease"). GRANTEE's rights under this Easement are subject to and limited by the terms and conditions of the Land Lease and GRANTEE's use of the Easement Area may not interfere with the rights granted to the United States of America under the Land Lease without the express consent of the United States of America or the 128<sup>th</sup> Air Refueling Wing.
4. **Access:** GRANTEE shall have the full enjoyment and use of the rights herein granted, including but not limited to the free and full right of ingress and egress over and across the Easement Area and other adjacent lands of GRANTOR to and from said Easement Area, and the use of said Easement Area and other adjacent lands of GRANTOR, as necessary or convenient for the full enjoyment and use of the rights herein granted.
5. **Underground Only:** The parties acknowledge that the pipe line subject to this Easement shall remain buried underground a minimum of 30 inches below the surface of the ground, except that portions may be exposed to the surface temporarily as needed to repair or replace the pipe line.
6. **Restoration:** GRANTEE agrees to restore or cause to have restored the Property and Easement Area, as nearly as is reasonably possible, to the condition existing prior to entry by the GRANTEE or its agents for maintenance or replacement of its facilities including, but not limited to the restoration of any paved or grassy areas disturbed by such entry.
7. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
8. **Indemnification:** In consideration of the foregoing grant, it is understood that during the time GRANTEE's underground pipe line is located within the Easement Area pursuant to this grant, GRANTEE will indemnify and hold harmless GRANTOR from any and all claims for injury or death to any person or for damage to property of any person arising out of the installation, use or maintenance of such facilities; excepting, however, any claims or actions arising out of the negligence or willful acts on the part of GRANTOR, its employees, agents and invitees.

9. **Soil Contamination:** GRANTOR and GRANTEE acknowledge that contamination of soil may exist within and outside of the Easement Area and that said contamination may affect GRANTEE's underground pipe line. GRANTEE hereby fully accepts this risk and liability and shall not seek damages or any other compensation from GRANTOR related to such soil contamination and its affect on GRANTEE's underground pipe line, its employees, agents or invitees.
10. **Termination and Abandonment:** In the event GRANTEE no longer uses the pipe line for transmission of landfill gas, GRANTEE shall terminate this Easement by giving GRANTOR written notification of such termination. Upon termination, GRANTEE, at its sole expense, shall take whatever steps are reasonable and customary to decommission or abandon the underground pipe line consistent with industry standards and to the reasonable satisfaction of GRANTOR.
11. **Successors and Assigns.** This Easement may only be assigned upon written consent of the GRANTOR. This grant of easement shall run with the land and be binding upon and inure to the benefit of the successors and assigns of all parties hereto.
12. **Notices.** Notices required or desired to be given by any party to another party with respect to this Easement shall be in writing and shall be (i) delivered personally, (ii) sent by facsimile (provided any facsimile is sent during any Monday through Friday that Milwaukee's City Hall is open for business, and is sent during the hours between 8:30 A.M. and 4:30 P.M.), (iii) be sent by commercial overnight courier service, prepaid, or (iv) be sent by United States registered or certified mail, return receipt requested, postage prepaid, and addressed as herein provided. All notices under this Agreement shall be given to the following:

**Milwaukee**                      City Real Estate Officer  
Department of City Development  
809 North Broadway, 2<sup>nd</sup> Floor  
Milwaukee, WI 53202-3617  
(414) 286-5730 - Telephone  
(414) 286-0395 - Facsimile

**With a copy to:**              Mary L. Schanning  
Assistant City Attorney  
Milwaukee City Attorney's Office  
200 East Wells Street  
Milwaukee, WI 53202-3551  
(414) 286-2601 - Telephone  
(414) 286-8550 - Facsimile

**MMSD:**                              Kevin L. Shafer, Executive Director  
Milwaukee Metropolitan Sewerage District  
260 West Seeboth Street  
Milwaukee, WI 53204-1446  
(414) 225-2246 - Telephone  
(414) 221-6801 - Facsimile:

With Copy to: Katherine E. Lazarski  
Senior Staff Attorney  
Milwaukee Metropolitan Sewerage District  
260 West Seeboth Street  
Milwaukee, WI 53204-1446  
(414) 225-22013 - Telephone  
(414) 221-0167 - Facsimile:

Recipient address information (such as change in address or facsimile number) may, from time to time, be changed by notice duly sent hereunder.

**IN WITNESS WHEREOF**, the parties have caused this Easement Agreement to be executed by their duly authorized officers as of the date first set forth above.

**CITY OF MILWAUKEE**

---

Elaine M. Miller  
Special Deputy Commissioner  
Department of City Development

COUNTERSIGNED:

---

Deputy City Comptroller

**MILWAUKEE METROPOLITAN  
SEWERAGE DISTRICT**

---

Kevin L. Shafer, P.E., Executive Director

**City and MMSD Notaries**

STATE OF WISCONSIN        )  
  )ss.  
MILWAUKEE COUNTY        )

Personally came before me this \_\_\_ day of \_\_\_\_\_, 2012, Elaine M. Miller, to me known to be the person who executed the foregoing instrument and to me known to be the Special Deputy Commissioner of the Department of City Development of the City of Milwaukee, and acknowledged that execution of the foregoing instrument as such officer as the deed of such district, by its authority.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission: \_\_\_\_\_

STATE OF WISCONSIN        )  
  )ss.  
MILWAUKEE COUNTY        )

Personally came before me this \_\_\_ day of \_\_\_\_\_, 2012, \_\_\_\_\_, to me known to be the person who executed the foregoing instrument and to me known to be the Deputy Comptroller of the City of Milwaukee, and acknowledged that execution of the foregoing instrument as such officer as the deed of such district, by its authority.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission: \_\_\_\_\_

STATE OF WISCONSIN        )  
  )ss.  
MILWAUKEE COUNTY        )

Personally came before me this \_\_\_ day of \_\_\_\_\_, 2012, Kevin L. Shafer, Executive Director of the Milwaukee Metropolitan Sewerage District, to me known to be the person who executed the foregoing instrument and to me known to be such Executive Director of said corporation, and acknowledged that execution of the foregoing instrument as such officer as the deed of such district, by its authority.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission: \_\_\_\_\_

Drafted by Assistant City Attorney Mary L. Schanning

1050-2012-167:177971



## EXHIBIT A

### CITY OF MILWAUKEE, LESSEE FOR WISCONSIN NATIONAL GUARD PERMANENT EASEMENT (PE)

That part of the Southwest 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 in Section 34, Town North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin being 7.50 feet on each side of the following described Reference line:

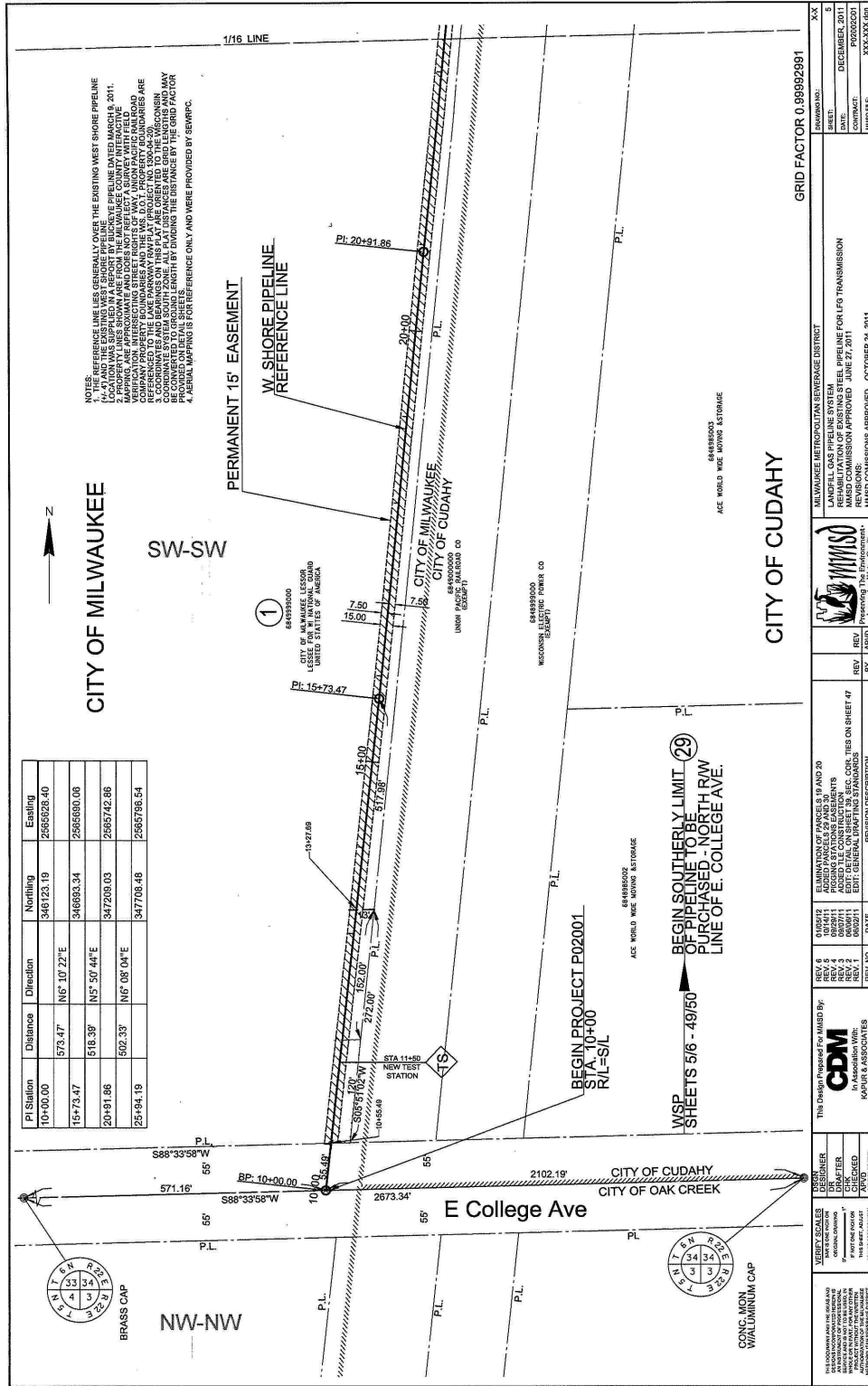
Commencing at the Southwest corner of said Section 34; thence North 88°33'58" East along the Southerly line of said Southwest 1/4 of Section 34, 571.16 feet to said Reference Line; thence North 06°10'22" East along said Reference Line 55.48 feet to the Northerly right of way line of College Avenue and the point of beginning of this description; thence continuing North 06°10'22" East along said Reference Line, 517.99 feet to a Point of Intersection (PI); thence North 05°50'44" East along said Reference Line, 518.39 feet to a Point of Intersection (PI); thence North 06°08'04" East along said Reference Line, 502.33 feet to a Point of Intersection (PI); thence North 05°39'32" East along said Reference Line, 1079.68 feet to the Northerly line of said Southwest 1/4 of Section 34 and to the point of termination being 880.19 feet, North 88°48'16" East from the West 1/4 corner of said Section 34.

The sidelines of this description, being 7.50 feet on each side of the Reference Line, shall be extended or shortened to intersect with the intended property line and /or right of way line including or excluding area as required to maintain a continuous corridor 15.00 feet wide.

This parcel contains 39,276 Square Feet more or less.

# EXHIBIT B

## Plat Diagrams of Easement Area









Legislation Details (With Text)

**File #:** 111359      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing the Commissioner of Public Works to execute a Revised Project Agreement titled "State/Municipal Agreement for a Highway Improvement project" between the City of Milwaukee and Wisconsin Department of Transportation for the reconstruction of the South Whitnall Avenue Bridge over the Union Pacific Rail Road with 80 percent Federal and State construction aid under the Local Bridge Replacement and Rehabilitation Program and to provide 100 percent local funds for the revised engineering costs with a City of Milwaukee Share of \$201,000 and a grantor share of \$0.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, BRIDGES, HIGHWAYS, WISCONSIN DEPARTMENT OF TRANSPORTATION

**Attachments:** Revised Agreement, Comptroller Certificate, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111359  
Version  
ORIGINAL  
Reference  
091016  
Sponsor  
THE CHAIR  
Title

Resolution authorizing the Commissioner of Public Works to execute a Revised Project Agreement titled "State/Municipal Agreement for a Highway Improvement project" between the City of Milwaukee and Wisconsin Department of Transportation for the reconstruction of the South Whitnall Avenue Bridge over the Union Pacific Rail Road with 80 percent Federal and State construction aid under the Local Bridge Replacement and Rehabilitation Program and to provide 100 percent local funds for the revised engineering costs with a City of Milwaukee Share of \$201,000 and a grantor share of \$0.

**Analysis**  
This Resolution authorizes the Commissioner of Public Works to execute a Revised Project Agreement with the WisDOT for the reconstruction of the South Whitnall Avenue Bridge over the Union Pacific Rail Road and to fund the revised engineering estimate with a City of Milwaukee share of \$201,000 and a grantor share of \$0. The Revised Project Agreement provides for 100 percent local funds for engineering, and 80 percent Federal and State aid and 20 percent local cost sharing for eligible construction costs for the project. The total estimated cost for the project is \$2,904,000 of which \$788,800 is the City of Milwaukee's Share and \$2,115,200 is the grantor share. Construction funds for the project will be requested in a future Common Council resolution.

**Body**  
Whereas, The Common Council of the City of Milwaukee adopted Resolution File Number 091016 authorizing and directing the Commissioner of Public Works to execute an agreement with the Wisconsin Department of Transportation (WisDOT) for the rehabilitation of the South Whitnall Avenue Bridge over Union Pacific Rail Road with 80 percent

Federal and State aid under the Local Bridge Replacement and Rehabilitation Program; and

Whereas, The South Whitnall Avenue Bridge over Union Pacific Rail Road project scope has been revised from a rehabilitation project described in the original agreement to full reconstruction which has increased the engineering and construction costs; and

Whereas, The City has agreed to fund the engineering costs with 100 percent local funds in exchange for the WisDOT funding the increased construction costs with 80 percent Federal and State aid; and

Whereas, The WisDOT has submitted a Revised Project Agreement that includes additional funding for the engineering and construction costs associated with the bridge reconstruction project for City execution; and

Whereas, The WisDOT has submitted a Revised Project Agreement that removed the railroad costs that were inadvertently included in the original agreement; and

Whereas, The bridge project is scheduled for construction in 2014 and construction funds for this project will be requested in a separate resolution; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized to execute the Revised Project Agreement updating and revising the engineering and construction costs associated with the reconstruction of the South Whitnall Avenue Bridge over Union Pacific Rail Road with 100 percent local cost for engineering, and 80 percent Federal and State aid under Local Bridge Replacement and Rehabilitation Program and 20 percent local cost sharing for construction, a copy of which is attached to Common Council File Number 111359 and incorporated in this resolution as though set forth therein in full; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield Values for preliminary engineering for the projects (Expenditure) and transfer to any of these accounts the amount required under grant agreement and City Accounting Policy but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share or \$5,000 whichever is greater, as follows:

Infrastructure Services Division Accounts

South Whitnall Avenue over Union Pacific Rail Road  
State Project I.D. 2660-05-00

BR320093001  
City Share Non-Assessable Fund, Structure  
BR300120000  
Fund 0303  
\$144,200

Grantor Reimbursable Fund, Structure  
SP032120100  
Fund 0306  
(\$123,200)

Grantor Non-Reimbursable Cash Fund, Structure  
\$0

ST320093001  
City Share Non-Assessable Fund, Paving  
ST320120000

Fund 0333  
\$61,800

Grantor Reimbursable Fund, Paving  
SP032120100  
Fund 0306  
(\$52,800)

Grantor Non-Reimbursable Cash Fund, Paving  
\$0

South Whitnall Avenue over Union Pacific Rail Road  
State Project I.D. 2660-05-50

ST320093050  
City Share Non-Assessable Fund, Rail Road  
ST320120000  
Fund 0333  
(\$5,000)

Grantor Reimbursable Fund, Rail Road  
SP032120100  
Fund 0306  
(\$20,000)

Grantor Non-Reimbursable Cash Fund, Rail Road  
\$0

Total Estimated Additional Engineering: \$30,000  
Previously Authorized for Preliminary Engineering: \$264,000  
Current Estimated Cost of Total Project including this resolution: \$2,904,000  
Original Estimated Cost of Total Project (Res. No. 091016): \$1,739,000

; 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 the costs of the project.

Requestor  
Department of Public Works  
Drafter  
Infrastructure Services Division  
CSL:clm  
January 25, 2012



**2nd REVISION  
STATE/MUNICIPAL AGREEMENT  
FOR A STATE- LET LOCAL BRIDGE  
PROJECT**

*This agreement supersedes the agreement signed by the Municipality on 4-29, 2010 and signed by DOT on 5-19, 2010*

**Program Name: Local Bridge  
Sub-program #: 205**

Date: November 16, 2011  
I.D.: 2660-05-00/70  
Road Name: S Whitnall Ave  
Bridge ID: P40-0644  
Location: City of Milwaukee  
Limits: Bridge Over Union Pacific RR  
County: Milwaukee  
Project Length: 222'  
Facility Owner: City of Milwaukee  
Project Sponsor: City of Milwaukee

The signatory, City of Milwaukee, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Sections 86.25(1), (2), and (3) and Section 66.0301 of the Statutes.

**NEEDS AND ESTIMATE SUMMARY:**

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Municipality agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Existing Facility - Describe and give reason for request: **Project was originally scoped as a Bridge Rehabilitation due to deck and substructure deterioration. Upon further investigation, a loss in girder section was identified requiring girder replacement. Per Section 40.9 of the WisDOT Bridge Manual, if the superstructure is replaced, the abutments and piers must also meet current LRFD criteria. This requires replacement of the bridge. The bridge's current Sufficiency Rating is 31.6.**

Proposed Improvement - Nature of work: **Bridge Replacement.**

Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Municipality. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable Federal requirements: **Adjustments to water valves, services boxes, manholes, and sanitary sewer manholes, pavement joint sealing, sidewalk replacement, and new sanitary manhole covers and internal seals.**

The Municipality agrees to the following 2009-2012 Local Bridge program project funding conditions:

State review (design) costs are funded with 80% federal funding up to a maximum of \$35,200 when the Municipality agrees to provide the remaining 20% and any funds in excess of the \$35,200 federal funding maximum according to the Local Bridge Program guidelines. Project Construction costs are funded with 80% federal funding up to a maximum of \$2,080,000 when the Municipality agrees to provide the remaining 20% and any funds in excess of the \$2,080,000 federal funding maximum according to the Local Bridge Program guidelines. **Design to be 100% locally funded** Non-participating costs are 100% the responsibility of the Municipality. Any work performed by the Municipality prior to federal authorization is not eligible for federal funding. The Municipality will be notified by the State that the project is authorized and available for charging.



This project is currently scheduled in State Fiscal Year 2014. **In accordance with the State's sunset policy for Local Bridge Program projects, the subject 2009-2012 Local Bridge Program improvement must be constructed and in final acceptance within six years from the start of State Fiscal Year 2010, or by June 30, 2015.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to WisDOT. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

The dollar amounts shown in the Summary Funding Table below are estimates unless explicitly identified as maximum amounts. The final Municipal share is dependent on the final Federal and State participation, and actual costs will be used in the final division of cost for billing and reimbursement.

PHASE	SUMMARY OF COSTS				
	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
<b>ID 2660-05-00</b>					
Design	<b>\$250,000</b>	<b>\$0</b>	0%	\$250,000	100%
State Review	<b>\$44,000</b>	<b>\$35,200</b>	80%	\$8,800	20%
<b>ID 2660-05-70</b>					
Participating Construction	<b>\$2,600,000</b>	<b>\$2,080,000</b>	80%	\$520,000	20%
Non-Participating Construction	<b>\$10,000</b>	<b>\$0</b>	0%	\$10,000	100%
<b>Total Est. Cost Distribution</b>	<b>\$2,904,000</b>	<b>\$2,115,200</b>	<b>N/A</b>	<b>\$788,800</b>	<b>N/A</b>

**This project has a Local Bridge federal funding maximum of \$35,200 for design review, and \$2,080,000 for construction.**

This request is subject to the terms and conditions that follow (pages 3– 7) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signed for and in behalf of: **City of Milwaukee** (please sign in blue ink.)

Name Title Date

Name Title Date

Signed for and in behalf of the State:

Name Title Date

## **GENERAL TERMS AND CONDITIONS:**

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.
2. Work prior to federal authorization is ineligible for federal or state funding.
3. The Municipality, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:
  - a. Environmental requirements, including but not limited to those set forth in the 23 U.S.C. 139 and National Environmental Policy Act (42 U.S.C. 4321 et seq.)
  - b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The municipality agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition the Municipality agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The Municipality agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.
  - c. Prevailing wage requirements, including but not limited to 23 U.S.C 113 and Wis. Stat. 103.50.
  - d. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.
  - e. Competitive bidding requirements set forth in 23 U.S.C 112 and Wis. Stat. 84.06.
  - f. All DBE requirements that the State specifies.
  - g. Federal statutes that govern the Highway Bridge Replacement and Rehabilitation Program, including but not limited to 23 U.S.C. 144.
  - h. State Statutes that govern the Local Bridge Program, including but not limited to Wis. Stat 84.18.
  - i. Bridge Approaches Funding Policy. FHWA limits bridge approach costs to only those approach costs that are necessary to render the bridge serviceable (to reach the attainable touchdown points using current standards). On a program level, FHWA has determined that, on average, bridge approach costs should amount to no more than 10% of the cost for constructing the bridge, and the municipality should be prepared to offer a justification of costs for any bridge project where the approach costs exceed that percentage.
  - j. State administrative rule that implements Local Bridge Program: Ch. Trans 213.

## **STATE RESPONSIBILITIES AND REQUIREMENTS:**

4. Funding of each project phase is subject to inclusion in Wisconsin's approved 2009-2012 Local Bridge program. Federal /State financing will be limited to participation in the costs of the following items, as applicable to the project:
  - a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.

- b. The substructure, superstructure, grading, base, pavement, and other related bridge and approach items.
  - c. Storm sewer mains necessary for the surface water drainage.
  - d. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
  - e. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).
  - f. Signing and pavement marking.
  - g. Real estate for the improvement.
  - h. New installations or alteration of street lighting and traffic signals or devices.
  - i. Landscaping.
  - j. Management Consultant and State Review Services.
5. WisDOT is authorized by Wis. Stat. 84.18(6) to exercise whole supervision and control over the construction of the Project. The work will be administered by the State and may include items not eligible for Federal/State participation.
6. As the work progresses, the State will bill the Municipality for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs. If reviews or audits show any of the work to be ineligible for Federal funding, the Municipality will be responsible for any withdrawn costs associated with the ineligible work.

**MUNICIPAL RESPONSIBILITIES AND REQUIREMENTS:**

7. Work necessary to complete the 2009-2012 Local Bridge program improvement project to be financed entirely by the Municipality or other utility or facility owner includes the items listed below.
- a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.
  - c. Detour routes and haul roads. The municipality is responsible for determining the detour route.
  - d. Conditioning, if required and maintenance of detour routes.
  - e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
  - f. All work related to underground storage tanks and contaminated soils.
  - g. Street and bridge width in excess of standards.
  - h. Preliminary Engineering and design.
  - i. Other 100% Municipally funded items: Adjustments to water valves, services boxes, manholes, and sanitary sewer manholes, pavement joint sealing, sidewalk replacement, and new sanitary manhole covers and internal seals.

8. FHWA limits bridge approach costs to only those approach costs that are necessary to render the bridge serviceable (to reach the attainable touchdown points using current standards). On a program level, FHWA has determined that, on average, bridge approach costs should amount to no more than 10% of the cost for constructing the bridge, and the Municipality should be prepared to offer a justification of costs for any bridge project where the approach costs exceed that percentage.
9. The construction of the subject improvement will be in accordance with the appropriate standards unless an exception to standards is granted by WisDOT prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Municipality unless such exception is granted.
10. Work to be performed by the Municipality without Federal/State funding participation necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Municipality but must be coordinated with all other work undertaken during construction.
11. The Municipality is responsible for financing administrative expenses related to Municipal project responsibilities.
12. The Municipality will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national origin.
13. The Municipality will pay to the State all costs incurred by the State in connection with the improvement that exceed Federal/State financing commitments or are ineligible for Federal/State financing. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.
14. **In accordance with the State's sunset policy for Local Bridge Program projects, the subject 2009-2012 Local Bridge program improvement must be constructed and in final acceptance within six years from the start of State Fiscal Year 2010, or by June 30, 2015.** Extensions may be available upon approval of a written request by or on behalf of the Municipality to WisDOT. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.
15. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
16. The Municipality will at its own cost and expense:
  - a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, sidewalks and parking lanes [including snow and ice removal]) for such maintenance through statutory requirements in a manner satisfactory to the State, and will make ample provision for such maintenance each year.
  - b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during their construction.
  - c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
  - d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the projects.
  - e. Provide complete plans, specifications, and estimates.

- f. Provide relocation orders and real estate plats.
- g. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.
- h. Provide maintenance and energy for lighting.
- i. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

17. It is further agreed by the Municipality that:

- a. The Municipality assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the state and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this agreement.
- b. The Municipality assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Municipality. The Municipality is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Municipality will reimburse WisDOT if WisDOT incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.
- c. The Municipality will be 100% responsible for all costs associated with utility issues involving the contractor, including costs related to utility delays.
- d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Municipality or by others, will be in conformity with such "Manual of Uniform Traffic Control Devices" as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred in by the Federal Highway Administration.
- e. The right-of-way available or provided for the project will be held and maintained inviolate for public highway or street purposes. Those signs prohibited under Federal aid highway regulations, posters, billboards, roadside stands, or other private installations prohibited by Federal or State highway regulations will not be permitted within the right-of-way limits of the project. The Municipality, within its jurisdictional limits, will remove or cause to be removed from the right-of-way of the project all private installations of whatever nature which may be or cause an obstruction or interfere with the free flow of traffic, or which may be or cause a hazard to traffic, or which impair the usefulness of the project and all other encroachments which may be required to be removed by the State at its own election or at the request of the Federal Highway Administration, and that no such installations will be permitted to be erected or maintained in the future.

**LEGAL RELATIONSHIPS:**

- 18. The State shall not be liable to the Municipality for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Municipality for damages or delays resulting from injunctions or other restraining orders obtained by third parties.
- 19. The State will not be liable to any third party for injuries or damages resulting from work under or for the Project. The Municipality and the Municipality's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Municipality and its sureties; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Municipality or its sureties; or because of any claims or amounts recovered for any infringement by the Municipality and its sureties of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act,

relating to the employees of the Municipality and its sureties; or any other law, ordinance, order or decree relating to the Municipality's operations.

20. **Contract Modification:** This State/Municipal Agreement can only be modified by written instruments duly executed by both parties. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally.
21. **Binding Effects:** All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third-party enforcement rights.
22. **Choice of Law and Forum:** This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.

### **PROJECT FUNDING CONDITIONS**

23. The Municipality agrees to the following 2009-2012 Local Bridge Program project funding conditions:
  - a. ID 2660-05-00: Design is funded 100% by the Municipality. This phase includes Plan Development, Management Consultant Review, and State Review. The work includes project review, approval of required reports and documents and processing the final PS&E document for award of the contract. Costs for this phase include an estimated amount for state review activities, and are funded with 80% federal funding up to a maximum of \$35,200 when the Municipality agrees to provide the remaining 20%, and any funds in excess of the \$35,200 federal funding maximum.
  - b. ID 2660-05-70: Construction:
    - i. Costs for replacing the structure are funded with 80% federal funding up to a maximum of \$2,080,000, when the Municipality agrees to provide the remaining 20%, and any funds in excess of the \$2,080,000 federal funding maximum.
    - ii. Non-participating costs for adjustments to water valves, services boxes, manholes, and sanitary sewer manholes, pavement joint sealing, sidewalk replacement, and new sanitary manhole covers and internal seals are funded 100% by the Municipality. Costs include construction delivery.
    - iii. Costs for this phase include an estimated amount for state review activities, to be funded 80% with federal/state funding and 20% by the Municipality.

End of Document]

**Capital Grant Resolution Certification from the  
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. 111359 for the revised project agreement for the reconstruction of South Whitnall Avenue Bridge over the Union Pacific Rail road (City Share \$201,000; Grantor Share \$0) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

---

---

---

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: C. Wisniewski

Date: 1/27/12

2660-05-00 South Whitnall Avenue Bridge over Union Pacific Railroad (City Share \$201,000; Grantor Share \$0)







Legislation Details (With Text)

**File #:** 111363      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution directing the Commissioner of Public Works to execute documents titled "State/Municipal Agreement for a Connecting Highway Improvement Project" with the Wisconsin Department of Transportation for the programming and construction of East Wells Street (USH 18) from North 6th Street to North Prospect Avenue at an estimated total cost of \$7,228,000 at a 93 percent State and Federal share of which the preliminary engineering cost is \$828,000, with the city's share being \$207,000 and the grantor's share being \$621,000 and West Highland Avenue (USH 18) from North 27th Street to North 12th Street at an estimated total cost of \$4,390,000 at a 93 percent State and Federal share of which preliminary engineering cost is \$300,000 with the city's share being \$75,000 and the grantor's share being \$225,000.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, HIGHWAYS, STREET IMPROVEMENTS, WISCONSIN DEPARTMENT OF TRANSPORTATION

**Attachments:** Agreement- 12th Street to 27th Street, Agreement- 6th Street to Prospect Avenue, Comptroller Certificate, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111363  
Version  
ORIGINAL  
Reference  
Sponsor  
THE CHAIR  
Title

Resolution directing the Commissioner of Public Works to execute documents titled "State/Municipal Agreement for a Connecting Highway Improvement Project" with the Wisconsin Department of Transportation for the programming and construction of East Wells Street (USH 18) from North 6<sup>th</sup> Street to North Prospect Avenue at an estimated total cost of \$7,228,000 at a 93 percent State and Federal share of which the preliminary engineering cost is \$828,000, with the city's share being \$207,000 and the grantor's share being \$621,000 and West Highland Avenue (USH 18) from North 27<sup>th</sup> Street to North 12<sup>th</sup> Street at an estimated total cost of \$4,390,000 at a 93 percent State and Federal share of which preliminary engineering cost is \$300,000 with the city's share being \$75,000 and the grantor's share being \$225,000.

Analysis

This resolution authorizes the Commissioner of Public Works to execute project agreements with the Wisconsin Department of Transportation (WisDOT) for the programming and construction of two (2) connecting highway projects with Federal/State Aid. These projects are included in the WisDOT's current Connecting Highway program for improvement. The City is responsible for 25 percent of the preliminary engineering costs on these projects in accordance with WisDOT policy. City costs for the construction of these projects is dependent upon parking allowed. The estimated total cost of these projects is \$11,618,000,

of which the city's share is \$774,800. The total estimated preliminary engineering cost of these projects is \$1,128,000, of which the City's share is \$282,000. This resolution also directs the City Comptroller to transfer funds for preliminary engineering for these projects.

Body

Whereas, Preliminary approval has been received from the Wisconsin Department of Transportation (WisDOT) along with agreements to be executed by the City of Milwaukee for the programming and construction or rehabilitation of the following connecting highway projects with Federal/State Aid:

<u>Aldermanic District</u>	<u>Project Location</u>	<u>State/Federal Percent</u>
4	East Wells Street (USH 18)	93
	North 6 <sup>th</sup> Street to North Prospect Avenue	
4	West Highland Avenue (USH 18)	93
	North 27 <sup>th</sup> Street to North 12 <sup>th</sup> Street	

; and

Whereas, The improvements scheduled for these connecting highways are included on the current WisDOT Connecting Highway Program; and

Whereas, It is the intent to appropriate preliminary engineering funds at this time for projects which will be under construction in 2017 and 2018; and

Whereas, Construction funds for the project will be included in a separate resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized to execute agreements for the programming and construction or rehabilitation of the aforementioned Connecting Highway Projects with Federal/State Aid, copies of which are attached to Common Council Resolution File Number 111363, and are incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized 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 Commissioner of Public Works is hereby authorized to install the permanent street lighting and traffic control facilities necessary in conjunction with the aforementioned projects, following the execution of the traffic control and street lighting 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 (Expenditures) 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 amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

Infrastructure Services Division

State I.D. 2200-14-00  
East Wells Street (USH 18)  
North 6<sup>th</sup> Street to North Prospect Avenue

City Share  
ST320120000

Fund 0333  
\$207,000

Grantor Share  
SP0320120100  
\$517,500

Grantor Share (Non-Reimbursable)  
\$103,500

Estimated Total: \$828,0000

Previously authorized for preliminary engineering: \$-0-  
Current estimated cost of total project including this resolution: \$7,228,000  
Original estimated cost of total project (Resolution No. \_\_\_\_\_): \$7,228,000

State I.D. 2200-13-00  
West Highland Avenue (USH 18)  
North 27<sup>th</sup> Street to North 12<sup>th</sup> Street

City Share  
ST320120000  
Fund 0333  
\$75,000

Grantor Share  
SP0320120100  
Fund 0306  
\$187,500

Grantor Share (Non-Reimbursable)  
\$37,500

Estimated Total: \$300,000

Previously authorized for preliminary engineering: \$-0-  
Current estimated cost of total project including this relocation: \$4,390,000  
Original estimated cost of total project (Resolution No. \_\_\_\_\_): \$4,390,000

Totals  
City Share Account No. ST320110000 Fund 0333: \$282,000  
Grantor Share Account No. SP0320110100 Fund 0306: \$705,000  
Grantor Share (Non-Reimbursable) Account No. SP320110100 Fund 0306: \$141,000

Resolution Total: \$1,128,000

; 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.

Requestor  
Department of Public Works  
Drafter

Infrastructure Services Division  
LCG:amh  
January 20, 2012  
Reso Cnecgt Hghwy E Wells St & N Hghlnd Av 011912.rtf

STATE/MUNICIPAL AGREEMENT  
FOR A  
HIGHWAY IMPROVEMENT PROJECT

DATE: December 14, 2011  
PROJECT DESIGN ID: 2200-13-00  
PROJECT CONSTRUCTION ID: 2200-13-70/9x  
HIGHWAY: USH 18 LENGTH: 1.06  
LIMITS: 27<sup>th</sup> St to 12<sup>th</sup> St  
COUNTY: Milwaukee

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

**Existing Facility - Describe and give reason for request:** Improvement.

**Proposed Improvement - Nature of work:** As determined by project scoping.

**Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:** A nominal amount is included to cover items in paragraph 4 (to be adjusted in the final plan).

PHASE	ESTIMATED COST					
	Total Est. Cost	Federal/ State Funds	%	Municipal Funds	%	
Preliminary Engineering:						
Plan Development	\$ 250,000	\$ 187,500	75%	\$ 62,500	25%	
State Review	\$ 50,000	\$ 37,500	75%	\$ 12,500	25%	
Real Estate Acquisition:						
Acquisition	\$ 100,000	\$ 100,000	100%	\$ -	0%	
Compensable Utilities	\$ 20,000	\$ 20,000	100%	\$ -	0%	
State Review	\$ 5,000	\$ 5,000	100%	\$ -	0%	
Construction:						
Participating	\$ 1,309,000	\$ 1,309,000	100%	\$ -	0%	
Pavement items, parking **	\$ 2,431,000	\$ 2,251,106	92.6%	\$ 177,463	7.3% **	
Signs & Signals	\$ 200,000	\$ 200,000	100%	\$ -	0%	
New Sidewalk	\$ -	\$ -	80%	\$ -	20%	
New Lighting	\$ -	\$ -	50%	\$ -	50%	
Non-Participating	\$ 25,000	\$ -		\$ 25,000	100%	
<b>Total Cost Distribution</b>	<b>\$ 4,390,000</b>	<b>\$ 4,110,106</b>		<b>\$ 277,463</b>		

\*\* Participation for parking is an estimate, the actual percent will be calculated when final plans are complete. Changes to the parking percentage noted in the above chart, require a letter of request from the Municipality. Upon acceptance of the percent changes, the State will send a concurrence letter.

This request is subject to the terms and conditions that follow (pages 2&3) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and in behalf of the City of Milwaukee.

\_\_\_\_\_  
Name Title Date

\_\_\_\_\_  
Name Title Date

## TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceeds Federal/State financing commitments or are ineligible for Federal/State financing. The Municipality's concurrence is required before award of the contract for the improvement when the contracts exceed 5% of the estimate. The Municipality must also concur with contract modifications to contracts awarded by the State over \$25,000.00, unless the authorized representative of the State determines that a prompt change order is needed to preserve the work in progress, prevent extraordinary damage avoid unreasonable & costly delay, or other extraordinary condition of necessity, safety or emergency exists. The authorized representative of the State shall provide notice of the prompt change order to the Municipality or its authorized representative as soon as practicable thereafter and the Municipality shall pay its share of the prompt change order cost.
3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the estimate summary:
  - (a) The grading, base, pavement, and curb and gutter.
  - (b) Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
  - (c) Construction engineering incident to inspection and supervision of actual construction work.
  - (d) Signing and pavement marking, including detour routes.
  - (e) Storm sewer mains necessary for the surface water drainage.
  - (f) Construction of new sidewalks and driveways, replacement of sidewalks and private driveways resulting from roadway construction.
  - (g) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices.
  - (h) Real Estate for the improvement.
  - (i) Preliminary engineering and state review services.
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
  - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - (b) Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
  - (c) Conditioning, if required and maintenance of detour routes.
  - (d) Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
  - (e) Bridge width in excess of standards.
5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
7. The work will be administered by the State and may include items not eligible for Federal/State participation.

8. The Municipality shall at its own cost and expense:

- (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year.
- (b) Maintenance of sidewalks and landscaping features along the project.
- (c) Maintenance of lighting systems, to include energy.
- (d) Maintenance of all features outside the travel lanes when additional pavement width is added at the request of the Municipality, with the exception of turn lanes.
- (e) Prohibit angle parking.
- (f) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
- (g) Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within an around the projects.
- (h) Provide complete plans, specifications, relocation order, real estate plat, estimates, appraisals, and acquiring the parcels.
- (i) Use the WisDOT Utility Accommodation Policy unless it adopts a policy, which has equal or more restrictive controls.

9. Basis for local participation:

Funding for preliminary engineering – for connecting highways is 25% Municipal

Funding for construction of standard roadway items – 100% State

Funding for parking lanes – 100% Municipal and is calculated as a percentage of parking area compared to the total area of pavement. Parking percentage applies only to pavement items.

Funding for real estate required for standard roadway construction, 100% State.

Funding for compensable utilities required for standard roadway construction, 100% State.

Funding for non-participating items 100% Municipality.

STATE/MUNICIPAL AGREEMENT  
FOR A  
HIGHWAY IMPROVEMENT PROJECT

DATE: December 14, 2011  
PROJECT DESIGN ID: 2200-14-00  
PROJECT CONSTRUCTION ID: 220-14-70/9x  
HIGHWAY: USH 18 LENGTH: 0.94 Miles  
LIMITS: N. 6<sup>th</sup> St to E. Prospect  
COUNTY: Milwaukee

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

**Existing Facility - Describe and give reason for request:** Improvement.

**Proposed Improvement - Nature of work:** As determined by project scoping.

**Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:** A nominal amount is included to cover items in paragraph 4 (to be adjusted in the final plan).

PHASE	ESTIMATED COST					
	Total Est. Cost	Federal/ State Funds	%	Municipal Funds	%	
Preliminary Engineering:						
Plan Development	\$ 690,000	\$ 517,500	75%	\$ 172,500	25%	
State Review	\$ 138,000	\$ 103,500	75%	\$ 34,500	25%	
Real Estate Acquisition:						
Acquisition	\$ 100,000	\$ 100,000	100%	\$ -	0%	
Compensable Utilities	\$ 20,000	\$ 20,000	100%	\$ -	0%	
State Review	\$ 5,000	\$ 5,000	100%	\$ -	0%	
Construction:						
Participating	\$ 2,012,500	\$ 2,012,500	100%	\$ -	0%	
Pavement items, parking **	\$ 3,737,500	\$ 3,468,400	92.8%	\$ 265,363	7.1% **	
Signs and Signals	\$ 500,000	\$ 500,000	100%	\$ -	0%	
New Sidewalk	\$ -	\$ -	80%	\$ -	20%	
New Lighting	\$ -	\$ -	50%	\$ -	50%	
Non-Participating	\$ 25,000	\$ -		\$ 25,000	100%	
<b>Total Cost Distribution</b>	<b>\$ 7,228,000</b>	<b>\$ 6,726,900</b>		<b>\$ 497,363</b>		

\*\* Participation for parking is an estimate, the actual percent will be calculated when final plans are complete. Changes to the parking percentage noted in the above chart, require a letter of request from the Municipality. Upon acceptance of the percent changes, the State will send a concurrence letter.

This request is subject to the terms and conditions that follow (pages 2&3) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and in behalf of the City of Milwaukee.

\_\_\_\_\_  
Name Title Date

\_\_\_\_\_  
Name Title Date



## TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceeds Federal/State financing commitments or are ineligible for Federal/State financing. The Municipality's concurrence is required before award of the contract for the improvement when the contracts exceed 5% of the estimate. The Municipality must also concur with contract modifications to contracts awarded by the State over \$25,000.00, unless the authorized representative of the State determines that a prompt change order is needed to preserve the work in progress, prevent extraordinary damage avoid unreasonable & costly delay, or other extraordinary condition of necessity, safety or emergency exists. The authorized representative of the State shall provide notice of the prompt change order to the Municipality or its authorized representative as soon as practicable thereafter and the Municipality shall pay its share of the prompt change order cost.
3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the estimate summary:
  - (a) The grading, base, pavement, and curb and gutter.
  - (b) Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
  - (c) Construction engineering incident to inspection and supervision of actual construction work.
  - (d) Signing and pavement marking, including detour routes.
  - (e) Storm sewer mains necessary for the surface water drainage.
  - (f) Construction of new sidewalks and driveways, replacement of sidewalks and private driveways resulting from roadway construction.
  - (g) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices.
  - (h) Real Estate for the improvement.
  - (i) Preliminary engineering and state review services.
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
  - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - (b) Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
  - (c) Conditioning, if required and maintenance of detour routes.
  - (d) Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
  - (e) Bridge width in excess of standards.
5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
7. The work will be administered by the State and may include items not eligible for Federal/State participation.

8. The Municipality shall at its own cost and expense:

- (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year.
- (b) Maintenance of sidewalks and landscaping features along the project.
- (c) Maintenance of lighting systems, to include energy.
- (d) Maintenance of all features outside the travel lanes when additional pavement width is added at the request of the Municipality, with the exception of turn lanes.
- (e) Prohibit angle parking.
- (f) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
- (g) Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within an around the projects.
- (h) Provide complete plans, specifications, relocation order, real estate plat, estimates, appraisals, and acquiring the parcels.
- (i) Use the WisDOT Utility Accommodation Policy unless it adopts a policy, which has equal or more restrictive controls.

9. Basis for local participation:

Funding for preliminary engineering – for connecting highways is 25% Municipal

Funding for construction of standard roadway items – 100% State

Funding for parking lanes – 100% Municipal and is calculated as a percentage of parking area compared to the total area of pavement. Parking percentage applies only to pavement items.

Funding for real estate required for standard roadway construction, 100% State.

Funding for compensable utilities required for standard roadway construction, 100% State.

Funding for non-participating items 100% Municipality.

**Capital Grant Resolution Certification from the  
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. \_\_\_\_\_ for the programming and construction of E Wells St from N 6<sup>th</sup> St to N Prospect Ave and for W Highland Ave from N 27<sup>th</sup> St to N 12<sup>th</sup> St (City Share \$282,000; Grantor Reimbursable Share \$705,000) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

---



---



---

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature:           C. Wisniewski          

Date:           1-27-12          

2200-14-00 East Wells Street (USH 18) from North 6<sup>th</sup> Street to North Prospect Avenue (City Share \$207,000; Grantor Reimbursable Share \$517,500; Grantor Non- Reimbursable Share \$103,500)

2200-13-00 West Highland Avenue (USH 18) from North 27<sup>th</sup> Street to North 12<sup>th</sup> Street (City Share \$75,000; Grantor Reimbursable Share \$187,500; Grantor Non- Reimbursable Share \$37,500)





Legislation Details (With Text)

**File #:** 111373      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee's preliminary engineering and construction costs being \$95,896.62 with the City's share being \$65,000 and the grantor's share being \$30,896.62.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, BRIDGES, STREET IMPROVEMENTS, WISCONSIN DEPARTMENT OF TRANSPORTATION

**Attachments:** Comptroller Certificate, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
111373

Version  
ORIGINAL

Reference

Sponsor  
THE CHAIR

Title  
Resolution authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee's preliminary engineering and construction costs being \$95,896.62 with the City's share being \$65,000 and the grantor's share being \$30,896.62.

Analysis  
This resolution authorizes the City Comptroller to transfer funds to the previously established subaccounts for the remaining Wisconsin Department of Transportation and City of Milwaukee's preliminary engineering and construction costs being \$95,896.62. The City of Milwaukee's share is \$65,000 and the grantor's share is \$30,896.62.

Body  
Whereas, The Common Council has previously adopted resolutions authorizing the City Comptroller to transfer funds to various State or Federal Aid project subaccounts for preliminary engineering; and

Whereas, Additional funds are, therefore, necessary for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs for these projects; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Comptroller is directed to transfer funds to the project grant chartfields as follows:

Project Grant Value

State I.D. 2275-04-00  
ST320071401  
North 20th Street/West Hopkins Street - West Capitol Drive

City Share Non-Assessable Fund Paving  
ST320120000  
Fund 0333  
\$10,000

Previously authorized for Engineering: \$203,348.85  
Current estimated cost of total project including this resolution: \$2,310,485.85  
Original estimated cost of total project (Resolution #071072): \$2,219,000.00

State I.D. 2245-01-50  
ST320021350  
South 2nd - West National Avenue/West St. Paul Avenue - Quiet Zone

City Share Non-Assessable Fund Paving  
ST320120000  
Fund 0333  
\$50,000

Previously authorized for Engineering: \$360,000.00  
Current estimated cost of total project including this resolution: \$3,826,704.03  
Original estimated cost of total project (Resolution #010810): \$ 1,832,420.00

State I.D. 2110-04-70  
BR32000410  
East Lincoln Avenue Bridge over Union Pacific Railroad

Grantor Non-reimbursable Structure Fund - (\$30,896.62)

Grantor Reimbursable Structure Fund- \$30,896.62  
SP0320120100  
Fund 0330

Previously authorized for Bridge Construction: \$2,852,076.77  
Current estimated cost of total project including this resolution: \$8,144,027.56  
Original estimated cost of total project (Resolution #080732): \$6,167,000.00

State I.D. 1009-00-17  
ST320071101  
Hopkins School Improvement

City Share Non-Assessable Fund Paving  
ST320120000  
Fund 0333  
\$5,000

Previously authorized for Engineering: \$37,000

Current estimated cost of total project including this resolution: \$152,500.00

Original estimated cost of total project (Resolution #070954): \$62,500.00

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

MK:amh

February 1, 2012

(1) S-Fall Reso 1-31-2012.docx

**Capital Grant Resolution Certification from the  
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. \_\_\_\_\_ for various projects' additional preliminary engineering and construction costs associated with revised agreements and changes in costs during planning and construction stages (City Share \$65,000; Grantor Reimbursable Share \$30,896.62) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

---

---

---

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature:           *C. Wisnerka*          

Date:           1/31/12          

2275-04-00 ST320071401 N20th St / Hopkins to Capitol Drive (City Share \$10,000)  
2245-01-50 ST320021350 S 2<sup>nd</sup> St /W National –W St Paul Quiet Zone (City Share \$50,000)  
2110-04-70 BR32000410 E Lincoln Ave Bridge over Union Pacific Railroad (Grantor Reimbursable \$30,896.62;  
Grantor Non Reimbursable (\$30,896.62))  
1009-00-17 ST320071101 Hopkins Elementary School Improvements (City Share \$5,000)







Legislation Details (With Text)

**File #:** 111393      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing the City Engineer to apply for a State of Wisconsin Department of Natural Resources Municipal Flood Control Grant allowing the City of Milwaukee to acquire and raze three residential properties and maintain the sites as stormwater management areas to prevent or reduce future flood related damages.

**Sponsors:** ALD. WITKOWSKI

**Indexes:** FLOOD CONTROL, STATE GRANTS, WISCONSIN DEPARTMENT OF NATURAL RESOURCES

**Attachments:** Cover Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/10/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/13/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

111393

Version

Original

Reference

Sponsor

Ald. Witkowski

Title

Resolution authorizing the City Engineer to apply for a State of Wisconsin Department of Natural Resources Municipal Flood Control Grant allowing the City of Milwaukee to acquire and raze three residential properties and maintain the sites as stormwater management areas to prevent or reduce future flood related damages.

Analysis

This Resolution authorizes the City Engineer to apply for a State of Wisconsin Department of Natural Resources (WDNR) Municipal Flood Control Grant with a maximum grantor share of 70% and not to exceed \$625,000 and with the remainder borne by the City of Milwaukee. The grant would allow the City of Milwaukee to appraise, acquire and raze three properties located at 5652, 5664 and 5710 South 20<sup>th</sup> Street and maintain the sites as stormwater management areas to prevent or reduce future flood related damages.

Body

Whereas, The City of Milwaukee qualifies to apply for a Municipal Flood Control grant to acquire and raze the three properties located at 5652, 5664 and 5710 South 20<sup>th</sup> Street which have had repetitive flood damage reported at least three times during the last 10 years; and

Whereas, The City of Milwaukee will submit an application for appraisal, acquisition and razing of the three properties to construct a stormwater management area on the properties to prevent or reduce future flood related damages; and

Whereas, The Wisconsin Department of Natural Resources (DNR) would provide a maximum cost share of 70% of the eligible costs, with the total grantor share not to exceed \$625,000; and

Whereas, The DNR requires that no property will be acquired without the voluntary consent of the property owner; and

Whereas, The City will allow DNR staff access to inspect the site; and

Whereas, The City will maintain records documenting all expenditures made during the Municipal Flood Control Grant project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Engineer is authorized to apply for a 2012 Municipal Flood Control Grant application from the DNR; and, be it

Further Resolved, That the City Engineer is authorized to submit a signed Environmental Hazard Assessment form to the WDNR; and, be it

Further Resolved, That the City Engineer is authorized to sign and submit a grant agreement between the City of Milwaukee and the DNR; and, be it

Further Resolved, That the City Engineer is the authorized agent for the City of Milwaukee for the purpose of entering into a 2012 Municipal Flood Control Grant agreement between the City of Milwaukee and the DNR.

Requestor  
Department of Public Works  
Drafter  
Infrastructure Services Division  
Environmental Engineering Section  
SB/TJT  
January 31, 2012



Department of Public Works  
Infrastructure Services Division

**Ghassan Korban**  
Commissioner of Public Works

**Preston D. Cole**  
Director of Operations

**Jeffrey S. Polenske**  
City Engineer

February 1, 2012

To the Honorable, the Common Council

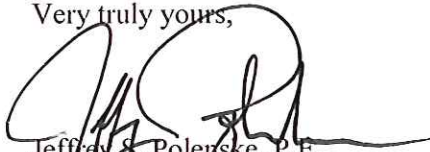
Dear Honorable Members:

The attached resolution authorizes the Department of Public Works, Infrastructure Services Division to apply for a 2012 Municipal Flood Control Grant from the State of Wisconsin, Department of Natural Resources (WDNR). The grant will allow the City of Milwaukee to acquire and raze three properties located at 5652, 5664 and 5710 South 20<sup>th</sup> Street and maintain the sites as stormwater management areas to prevent or reduce future flood related damages.

The resolution authorizes the City Engineer to execute and submit an application for the grant to the WDNR. It also authorizes the City Engineer to execute a grant agreement between the City and the WDNR.

We recommend adoption of the resolution.

Very truly yours,



Jeffrey S. Polenske, P.E.  
City Engineer



Ghassan Korban  
Commissioner of Public Works

*mas*  
*TJT*

TJT:sb  
Attachment  
SB: 3-5

