



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Wednesday, May 27, 2009

9:00 AM

Common Council Chambers

The meeting was called to order at 9:10 a.m.

The roll was called.

Present: 14 -

Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente,
Murphy, Dudzik, Witkowiak, Witkowski, Zielinski, Hines Jr.

Excused: 1 -

Hamilton

The Pledge of Allegiance was said followed by an invocation offered by Pastor Stanley Hanna from Prince of Peace Lutheran Church.

The question was put: Are there any corrections to the Common Council Journal of Proceedings for either the regular meeting of May 5, 2009 or the special meeting of May 15, 2009?

There being no corrections, the minutes of both meetings were approved without objection.

Commendatory and condolatory resolutions were read and approved without objection.

THE LICENSES COMMITTEE RECOMMENDS:

---The following item may be referred from the SPECIAL Licenses Committee meeting held on Wednesday, May 27, 2009 at 8:30 A.M.

1. [090080](#) A substitute ordinance relating to disqualification for committee consideration of a new application for certain alcohol beverage licenses upon withdrawal of an initial application.

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

Part 1. Section 90-5-9 of the code is amended to read:

90-5. Licensing.

9. DISQUALIFICATION. >>a.<< Whenever any application is denied, or license not renewed, revoked or surrendered, the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.

>>b. Whenever a new application for a Class "A" retailer's intoxicating liquor license, a Class "B" retailer's intoxicating liquor license, a Class "B" retailer's service bar license, a Class "B" manager's license, a Class "A" fermented malt beverage retailer license, a Class "B" fermented malt beverage retailer license, a Class "C" wine retailer license, a Class "D" operator's license, a tavern amusement, dancing and music license, or a center for the visual and performing arts license, is withdrawn after commencement of the hearing of the licensing committee, the application shall be considered denied upon withdrawal for purposes of the disqualification provided in s. 85-13-3 except that the period of disqualification shall be 6 months from the date of withdrawal.<<

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

APPROVAL OF THE FOLLOWING:

2. [081530](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

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

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee and the exceptions filed in this matter?

All members present indicated that they had done so.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. [081698](#) Motion relating to the recommendations of the Public Safety Committee relative to various licenses.
The Common Council of the City of Milwaukee hereby accepts the recommendations of the Public Safety Committee as contained in the listings attached to this file.
A motion was made by ALD. PUENTE that this Motion be APPROVED. The motion PREVAILED by the following vote:
Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Hamilton

PASSAGE OF THE FOLLOWING:

2. [081691](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:
Part 1. Section 101-23-3 of the Code relating to No Parking is amended by striking the following:
“On the east side of South 11th Street from West Washington Street to a point 50 feet north thereof at any time”
“On the east side of South 11th Street from West Washington Street to a point 50 feet south thereof at any time”
“On the east side of North 43rd Street from a point 240 feet south of West Good Hope Road to a point 180 feet south thereof from 6:00 AM to 6:00 PM Monday through Friday”
“On the west side of North 43rd Street from a point 240 feet south of West Good Hope Road to a point 130 feet south thereof from 6:00 AM to 6:00 PM Monday through Friday”
Part 2. Section 101-23-3 of the Code relating to No Parking is amended by adding the following:
On the east side of North 43rd Street from a point 160 feet south of West Good

Hope Road to a point 115 feet south thereof from 6:00 AM to 6:00 PM Monday through Friday

On the west side of North 43rd Street from a point 160 feet south of West Good Hope Road to a point 90 feet south thereof from 6:00 AM to 6:00 PM Monday through Friday

On the south side of West Lincoln Avenue from South 35th Street to South 36th Street

On South 35th Street from West Oklahoma Avenue to a point 160 feet north

On the north side of West Bruce Street from a point 520 feet east of South Muskego Avenue to a point 110 feet east thereof

On the south side of West Bruce Street from a point 430 feet east of South Muskego Avenue to a point 110 feet east thereof

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

“On the south side of West Washington Boulevard from a point 65 feet east of North 54th Street to a point 35 feet further east”

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

On the south side of West Washington Boulevard from a point 65 feet east of North 54th Street to a point 30 feet further east

Part 5. Section 101-32-3-am of the Code relating to Twenty-Five Minute Meter Parking is amended by adding the following:

On the south side of East Wisconsin Avenue from North Jefferson Street to a point 75 feet west

Part 6. Section 101-32-3-d-2 of the Code relating to Two-Hour Meter Parking is amended by striking the following:

“On East Wisconsin Avenue from North Milwaukee Street to North Jefferson Street”

Part 7. Section 101-32-3-d-2 of the Code relating to Two-Hour Meter Parking is amended by adding the following:

On the north side of East Wisconsin Avenue from North Milwaukee Street to North Jefferson Street

On the south side of East Wisconsin Avenue from North Milwaukee Street to a point 75 feet west of North Jefferson Street

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

3. [081692](#) A substitute ordinance relating to traffic controls in various Aldermanic Districts.

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

Part 1. Section 101-7-2 of the Code relating to Designation of Non-intersection Crosswalk is amended by adding the following:

On West Bruce Street at a point 530 feet east of South Muskego Avenue

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

4. [090066](#) A substitute ordinance relating to ambulance conveyance rates.

A motion was made by ALD. DONOVAN that this Ordinance be ASSIGNED TO the PUBLIC SAFETY COMMITTEE . This motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

ADOPTION OF THE FOLLOWING:

5. [090085](#) Resolution relating to application for a U.S. Department of Homeland Security Federal Emergency Management Agency Assistance to Firefighters - Fire Prevention Safety grant.

Whereas, The City of Milwaukee has seen an increase in arson fires that occur in vacant and abandoned homes that are undergoing the foreclosure process; and

Whereas, The establishment of an Arson Investigation Unit would better identify and monitor vacant and abandoned homes in the city and help reduce the number of arson fires in the community and increase public safety; and

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Department of Homeland Security Federal Emergency Management Agency to effectively implement a Milwaukee Fire Department Arson Investigation Unit; and

Whereas, The operation of this one-year grant project would provide \$427,009 (80%) by the grantor and \$106,753 (20%) by the city; and

Whereas, The grant project would provide for the staffing of 3 Lieutenants and one Captain, and essential supplies and equipment required to prepare for and manage an Arson Investigation Unit; and

Whereas, An Arson Investigation Unit would work 24-hour shifts responding to calls from the arson hotline and working with block watch groups, while collaborating with the State of Wisconsin Fire Marshal; Milwaukee Police Department; U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives; the Milwaukee County District Attorney's Office and insurance companies to neutralize arsonists and increase public safety through an enhanced, controlled investigative processes that leads to successfully prosecuting arsonists; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Fire Department is authorized to apply for a grant entitled Assistance to Firefighters - Fire Prevention Safety from the U.S. Department of Homeland Security Federal Emergency Management Agency.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

CONFIRMATION OF THE FOLLOWING:

6. [090017](#) Appointment of Captain James Shepard to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Police Chief.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

7. [090092](#) Appointment of Sarah Weller Morgan to the Fire and Police Commission by the Mayor. (10th Aldermanic District)

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

PLACING ON FILE THE FOLLOWING:

8. [081294](#) Communication from the Police Department transmitting the following traffic reports: City of Milwaukee Crash Trends, City of Milwaukee Annual Traffic Analysis and the City of Milwaukee 2007 Fatal Traffic Accident Summary.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

9. [090006](#) Communication relating to implementation of the recommendations of the Fireworks Task Force.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

10. [090050](#) Communication regarding the Milwaukee Police Department citizen complaint process survey.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

THE PUBLIC SAFETY COMMITTEE FURTHER RECOMMENDS:

---The following item may be referred from the SPECIAL Public Safety Committee meeting held on Wednesday, May 27, 2009 at 8:30 A.M.

11. [090004](#) Resolution approving and authorizing the donation of one used fire pumper truck from the City of Milwaukee to Milwaukee's Sister City of Morogoro, Tanzania.
- Whereas, Section 310-29 of the Milwaukee Code of Ordinances governs the control and disposition of obsolete City equipment; and
- Whereas, Section 310-29-1-a of the Milwaukee Code of Ordinances authorizes the Department of Administration, through the Purchasing Director, to determine the method of disposal of obsolete City property; and
- Whereas, Section 310-29-1-b of the Milwaukee Code of Ordinances allows a donation if the Purchasing Director believes it would be in the best interest of the City; and
- Whereas, The Purchasing Director has approved the donation of one obsolete fire pumper truck to be in the best interests of the City by showing goodwill to our Sister City of Morogoro, Tanzania; and
- Whereas, The Chief of the Milwaukee Fire Department is in agreement as to the donation; and
- Whereas, A donor is willing to transfer the truck to Morogoro, Tanzania at no cost to the City; and
- Whereas, The City Attorney has drafted an agreement which is attached to the file to facilitate the transfer of the truck on an "as is" basis and protecting the City from potential liability; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that it approves an agreement regarding the donation of one used fire pumper trunk from the City of Milwaukee to the Sister City of Morogoro, Tanzania.

Technical correction made 5/8/09 - LME

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081694](#) A substitute ordinance to further amend the 2009 offices and positions in the City Service.

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

Part 1. Section 1 of ordinance File Number 080522 relative to offices and positions in the City Service is hereby amended as follows (Effective Pay Period 7, 2009 - March 22, 2009):

Under "Department of Neighborhood Services, Neighborhood Improvement Program (NIP)", delete four positions of "Housing Rehabilitation Inspector (A) (X)" and add four positions of "Neighborhood Improvement Project Inspector (A) (X)."

Part 2. Section 1 of ordinance File Number 080522 relative to offices and positions in the City Service is hereby amended as follows:

Under, "Department of Administration, Community Development Grants Administration Division", add one position of "Grant Monitor (C) (X) (Y)" and added footnote "(C)" to read as follows: "To expire 9/30/2012 unless the Community Development Block Grant Recovery Program is extended."

Under "Employees' Retirement System, Fiscal Services", add footnote designation "(Y)" to one position of "ERS Financial Officer"; under "Information Systems", add footnote designation "(Y)" to one position of "Information Systems Manger-ERS"; under "Membership Services", add footnote designation "(Y)" to one position of "Membership Services Manager."

Under "Police Department, Administration Services Decision Unit, Identification Division", delete one position of "Document Examiner" and add one position of "Forensic Video Examiner."

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

Part 4. The provisions of Part 1 of this ordinance are deemed to be in force and effect from and after Pay Period 7, 2009 (March 22, 2009).

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

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

2. [081700](#) A substitute ordinance to further amend the 2009 rates of pay of offices and positions in the City Service.

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

Part 1. Section 2 of ordinance File Number 080521 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Salary Grade 009, add the title "Communication Systems Manager."

Part 2. Section 8 of ordinance File Number 080521 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 7, 2009 - March 22, 2009):

Under Pay Range 549, add the title "Neighborhood Improvement Project Inspector."

Under Pay range 553, delete the title "Housing Rehabilitation Inspector."

Part 3. Section 19 of ordinance File Number 080521 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Pay Range 839, delete the title "Communication Systems Manager" and delete footnote "2/" in its entirety.

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

Part 5. The provisions of Section 2 of this ordinance are deemed to be in force and effect from and after Pay Period 7, 2009 (March 22, 2009).

The provisions of all other parts of this ordinance are deemed to be in force and effect from and after its passage and publication.

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

publication.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

3. [090003](#) An ordinance relating to the late renewal application fee for a bed and breakfast establishment permit.

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

Part 1. Section 60-13-2-c of the code is amended to read:

60-13. Bed and Breakfast Establishment Permit.

2.

c. Permit renewals shall be filed by July 1. There shall be an additional \$[[40]]>>44<< fee for the filing of a late renewal application. If renewal fee applications are not sent out by June 15, the late penalty will be assessed 16 days after the applications have been sent.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

4. [090049](#) A charter ordinance relating to eligibility to make a selection of a protective survivorship retirement option.

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

Part 1. Section 36-05-7-b-4-a of the charter is amended to read:

36-05. Benefits.

7. OPTIONAL BENEFITS.

b. Retirement Options.

b-4. Protective Survivorship Option.

b-4-a. Any member eligible for normal service retirement under this act, except policemen who attain eligibility for normal service retirement under sub. 1-f on or after January 1, 1985, and firemen who attain eligibility for normal service retirement under sub. 1-f on or after March 1, 1985, may elect a protective survivorship option without a reduction because of such election by selecting an option under this subdivision in

the manner hereinafter set forth, which option shall then become effective at his or her death, with the same force and effect as if such member had retired under such option immediately prior to his or her death. Any policeman who attains 25 years of creditable service as a policeman under this act on or after January 1, 1985, [[and]] any fireman who attains 25 years of creditable service as a fireman under this act on or after March 1, 1985, >>and any fireman eligible for a service retirement allowance under sub. 1-f after attaining the age of 49 years and 22 years of creditable service,<< may elect a protective survivorship option without a reduction because of such election by selecting an option under this subdivision in the manner hereinafter set forth, which option shall then become effective at or after his or her death with the same force and effect as if such member had retired under such option immediately prior to his or her death, provided sub. 5 is inapplicable. Such option shall operate as do other options selected under the provisions of this section. A member in order to be eligible for the election of such option based on eligibility for normal service retirement shall be required to make his or her election in writing on a form prescribed by the board within 6 months prior to the date when he or she shall first become eligible for normal service retirement. >>A fireman eligible for election of such option based on 22 years of creditable service shall be required to make his or her election within 6 months of attaining 22 years of creditable service.<< A policeman or fireman eligible for election of such option based on 25 years of creditable service shall be required to make his or her election within 6 months of attaining 25 years of creditable service[[, except that a]] >>. A<< policeman who is in the Milwaukee Police Association bargaining unit on or after November 3, 1988, [[and]] a policeman not in the Milwaukee Police Association bargaining unit who was in the Milwaukee Police Association bargaining unit between November 3, 1988, and December 31, 1988, a policeman who is not in the Milwaukee Police Association bargaining unit on or after July 25, 1989, and a fireman in active service on or after January 16, 1990, shall be permitted to make [[an]] >>a new<< election within 6 months of marriage or remarriage [[subsequent to attaining 25 years of creditable service]]. Thereafter he or she shall be barred from making such election. In the event a fireman or policeman [[with 25 years of creditable service as a fireman or policeman]] has a spouse at the time he or she becomes eligible to make an election under this subd., such fireman or policeman shall be deemed to have elected the option specified in subd. 1; namely, "option 2", the option which provides a 100% survivor option to the member's beneficiary and to have named his or her spouse as the designated survivor, unless, at the time he or she becomes eligible to make an election under this subd., he or she elects a different option within the time allotted. Except for firemen or policemen, the election shall be irrevocable and shall continue after retirement. If a fireman or policeman marries, is divorced or retires, the fireman or policeman shall be permitted to reselect an option under subd. 7-b. The election shall be irrevocable and shall continue after retirement. The option shall be automatically revoked in the event the joint annuitant predeceases the member before retirement; or if the member is legally divorced from the joint annuitant before retirement when such election shall be

canceled upon written notice from the member to the board requesting such cancellation. The benefit payable shall be the actuarial equivalent of the benefits otherwise payable. For firemen and policemen eligible for the option provided for by this subdivision based on attaining the minimum service retirement age, the option shall be effective 30 days after written election thereof is made by the member. For firemen and policemen eligible for the option provided in this subdivision [[based on attaining 25 years of creditable service]], the option shall be effective on the date of death in the event the member has attained the minimum service retirement age or on the date the member would have attained the minimum service retirement age in the event the member has not attained such age on the date of death. The election of a survivorship option heretofore made shall be deemed to have been made under the provisions of this subdivision as amended.

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

ADOPTION OF THE FOLLOWING:

5. [090064](#) Resolution appropriating \$233,500 from the 2008 Parking Contingent Fund account to the 2008 Fringe Benefits account.

Whereas, To facilitate closing of Year 2008 financial books, appropriating \$233,500 from the 2008 Parking Contingent Fund account to the 2008 Fringe Benefits account is necessary; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that an appropriation of \$233,500 from the 2008 Parking Contingent Fund (#0450-6610-0001-R664-006300) (2008) to the 2008 Fringe Benefits account (#0450-6610-0001-R999-006180) (2008) be performed by the Comptroller.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

CONFIRMATION OF THE FOLLOWING:

6. [080475](#) Appointment of Jennifer A. Miswald to the Public Debt Commission by the Mayor.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

PLACING ON FILE THE FOLLOWING:

7. [081289](#) Substitute resolution appropriating up to \$134,949.23 from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of three lawsuits against the City of Milwaukee regarding 2006, 2007 and 2008 tax assessments.

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

Aye: 9 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Puente, Witkowski Zielinski

No: 5 - Donovan, Murphy, Dudzik, Witkowiak Hines Jr.

Excused: 1 - Hamilton

8. [081696](#) Communication from the Department of Administration - Budget and Management Analysis Division regarding various vacancy requests, fund transfers and equipment requests.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

9. [081697](#) Communication from the Department of Employee Relations relating to classification studies scheduled for City Service Commission action.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

10. [090019](#) Communication from the Ethics Board relative to effectuating various changes to the Positions Ordinance.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

11. [090055](#) Communication from the Department of Employee Relations relating to classification studies scheduled for Fire and Police Commission action.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

THE FINANCE AND PERSONNEL COMMITTEE FURTHER RECOMMENDS:

---The following item may be referred from the SPECIAL Finance and Personnel Committee meeting held on Wednesday, May 27, 2009 at 8:30 A.M.

12. [090099](#) Substitute resolution authorizing the submittal, acceptance and funding of the Community Development Block Grant Recovery under the American Recovery and Reinvestment Act of 2009 from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration.
- Whereas, The City of Milwaukee has been allocated \$4,518,509 from the United States Department of Housing and Urban Development (HUD) through the Community Development Block Grant Recovery (CDBG-R) Program; and
- Whereas, The Community Development Block Grant Recovery (CDBG-R) was authorized under Title XII of the American Recovery and Reinvestment Act of 2009; and

Whereas, HUD desires each grantees to carefully review all proposed projects to be sure consistency with the goal of the Recovery Act; and

Whereas, HUD strongly encourages grantees to use CDBG-R funds for activities that will maximize job creation and economic benefit and will address the Recovery Act, by:

- (A) Preserving and creating jobs and promoting economic recovery;
- (B) Assisting those most impacted by the recession;
- (C) Providing investment needed to increase economic efficiency;
- (D) Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;
- (E) Minimizing or avoiding reduction in essential services; or
- (F) Fostering energy independence; and

Whereas, The City of Milwaukee has full range of CDBG eligible activities for CDBG-R, the U. S. Congress strongly encourages that CDBG-R funds should primarily be invested in economic development, housing, infrastructure and other public facilities activities that will quickly spur further economic investment, increase energy efficiency, and job creation or retention; and

Whereas, The City of Milwaukee is required to submit a substantial amendment to the Consolidated Plan 2008 Action Plan; and

Whereas, The Proposed Substantial amendment to the Consolidated Plan 2008 Action Plan was posted by the usual methods for no less than 7 calendar days for public comment; and

Whereas, HUD in accordance with the Recover Act has imposed an expenditure deadline of September 30, 2012; and

Whereas, The DOA-Community Development Grants Administration will create a Grant Monitor position to assist with the administration of this grant to be sure that accountability and transparency are reported as required by the American Recover and Reinvestment Act; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Community Development Grants Administration (CDGA) is hereby authorized to submit to the U. S. Department of Housing and Urban Development the attached Consolidate Plan 2008 Action Plan as well as any other related documentation required by the U. S. Department of Housing and Urban Development. This document is due to the U.S. Department of Housing and Urban Development by June 5, 2009. Funding awards will be allocated as shown in Attachment A; and, be it

Further Resolved, That the City of Milwaukee assures and certifies that it will comply with the regulations, policies guidelines and requirements with respect to the acceptance and use of the Community Development Block Grant Recovery Program; and, be it

Further Resolved, That application to HUD is authorized and the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grant changes as indicated in Section 304-81 of the Milwaukee Code of Ordinances.

Further Resolved, That the City Comptroller is authorized to:

1. Commit Funds within the Project/Grant Parent of the 2009 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/projects titled Community Development Block Grant Recovery (CDBG-R) Program:

Project/Grant	Fund	Org	Program	BY	SubClass	Acct
GR0000900000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$4,518,509

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

Further Resolved, That these funds are budgeted for the Community Development Grants Administration, which is authorized to:

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date.
2. Expend from the grant budget funds for specific items of equipment.
3. Expend from the grant budget funds for training and out-of-town travel by departmental staff.
4. Enter into subcontracts and leases as detailed in the grant budget.

; and, be it

Further Resolved, That all departments/agencies are required to submit budget and activity reports in amounts and according to any conditions approved by the Common

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

Further Resolved, That the Position Ordinance be amended to extend position authority for each City department/agency with 100% Grant and Aid funded positions as identified in the current Position Ordinance; and, be it

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

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the Community Development Block Grant Recovery Program in accordance with the approved Community Development Block Grant Recovery Plan as to whether funds will be awarded in the form of grant or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

Further Resolved, That the Common Council directs that the 2009 Positions Ordinance Common Council File #080522 be amended as follows:

Under
Department of Administration
Community Development Grants Administration Division

Add one Grant Monitor (C) (X) (Y) position

And added footnote (C) to read as follows:

(C) To expire 9/30/2012 unless the Community Development Block Grant Recovery Program is extended.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1. [090007](#) Substitute resolution to settle claims for defense of various police officers.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the sum of \$1,881.00 payable to Gimbel Reilly Guerin & Brown, Two Plaza East, Suite 1170, 330 East Kilbourn Avenue Milwaukee, WI 53202 to reimburse them for legal fees for defense of the following police officers:

POLICE OFFICERS	AMOUNT
Sterling Harding	\$473.00
Joel Susler	\$957.00
Ray Harris	\$451.00
TOTAL	\$1,881.00

;and, be it

Further Resolved, That the check for \$1,881.00 is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to the Damages and Claims Account -636506- Fund No. 0001 - Organization 1490- Program 2631 - Sub Class S118.

;and, be it

Further Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the sum of \$14,717.32 payable to Cermele & Associates, 6310 West Bluemound Rd., Suite 200, Milwaukee, WI 53213 to reimburse him for legal fees for defense of the following police officers:

□

POLICE OFFICERS	AMOUNT
Paul Marchese, James Belongia	\$729.58
Joseph Goggins, James McNichol,	\$580.08

Christopher Elser		
Todd Gray, Rodolfo Gomez		\$4,498.37
James Campbell, Thomas Obregon, Paul Lough		\$1,413.27
Eric Ratzmann	\$513.77	
Timothy Bandt, Todd Kaul		\$2,669.87
Reginald Hampton, Robert Brown		\$718.75
Robert Brown	\$3,593.63	
TOTAL	\$14,717.32	

;and, be it

Further Resolved, That the check for \$14,717.32 is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to the Damages and Claims Account -636506- Fund No. 0001 - Organization 1490- Program 2631 - Sub Class S118.

Drafter

City Attorney
enm
05/15/09

1032-2008-3509.001/145992

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

- [090023](#) Substitute resolution relating to an appeal from Thomas Wiedel for property damage.

Whereas, Members of the Judiciary and Legislation Committee have reviewed the records to this claim in the amount of \$354.17 related to damage allegedly sustained

to a vehicle when it went over a sewer. Based on this review, members of the Committee recommend the claimant be reimbursed \$250 in payment of this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$250 payable to Thomas Wiedel, 351 East Estates Place, Oak Creek, WI 53154, to reimburse for the loss; and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to Account No. 636505, Fund - 0001, Organization - 1490, Program - 2631, Sub Class - S118. This resolution would release the City from any further liability arising from this incident.

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

Aye: 13 - Davis, Kovac, Bauman, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - Bohl

Excused: 1 - Hamilton

3. [090024](#) Substitute resolution relating to an appeal from Wayne Reineck for property damage.

Whereas, Members of the Judiciary and Legislation Committee have reviewed the records to this claim in the amount of \$345.09 related to damage allegedly sustained to a vehicle when it went into a pot hole. Based on this review, members of the Committee recommend the claimant be reimbursed \$150 in payment of this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$150 payable to Wayne Reineck, 6442 W. Pierner Place, Brown Deer, WI 53223, to reimburse for the loss; and, be it

Further Resolved, That the check is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to Account No. 636505, Fund - 0001, Organization - 1490, Program - 2631, Sub Class - S118. This resolution would release the City from any further liability arising from this incident.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

4. Uninsured motorist claims:

a. [090030](#) Resolution authorizing payment of the claim of Angelia Rose, in the amount of \$2,000.

Whereas, The claimant, Angelia Rose (C.I. File No. 07-L-62), through her attorneys, Gendlin, Liverman & Rymer, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on October 18, 2006, as a result of a vehicle accident with an uninsured motorist; and

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

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

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

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

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

b. [090031](#) Resolution authorizing payment of the claim of James Phelps, in the amount of

\$25,000.

Whereas, The claimant, James Phelps (C.I. File No. 06-L-51), through his attorneys, Cermele & Associates, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on February 7, 2006, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$25,000.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$25,000.00, payable to James Phelps and Cermele & Associates, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

c. [090032](#) Resolution authorizing payment of the claim of Ronald Taylor, in the amount of \$25,000.

Whereas, The claimant, Ronald Taylor (C.I. File No. 06-L-91), through his attorneys, Fuchs & Boyle, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on September 24, 2006, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$25,000.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$25,000.00, payable to Ronald Taylor and Fuch & Boyle, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

- d. [090033](#) Resolution authorizing payment of the claim of Monte Kirk, in the amount of \$8,000.

Whereas, The claimant, Monte Kirk (C.I. File No. 08-L-2), through his attorneys, Gruber Law Offices, LLC, has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on December 18, 2007, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$8,000.00; and

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

self-insurance plan; and

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$8,000.00, payable to Monte Kirk and Gruber Law Offices, LLC-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

e. [090034](#) Resolution authorizing payment of the claim of Dennis Gardner, in the amount of \$6,000.

Whereas, The claimant, Dennis Gardner (C.I. File No. 08-L-45), through his attorneys, Gruber Law Offices, LLC, has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on March 31, 2008, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$6,000.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$6,000.00, payable to Dennis Gardner and Gruber Law Offices, LLC-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

f. [090035](#) Resolution authorizing payment of the claim of Marlon Davis, in the amount of \$1,500.

Whereas, The claimant, Marlon Davis (C.I. File No. 07-L-54), through his attorneys, Warshafsky, Rotter, Tarnoff & Bloch, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on March 2, 2007, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$1,500.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$1,500.00, payable to Marlon Davis and Warshafsky, Rotter, Tarnoff & Bloch, S.C. -Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

g. [090036](#) Resolution authorizing payment of the claim of Ricky Burems, in the amount of \$8,000.

Whereas, The claimant, Ricky Burems (C.I. File No. 08-L-44), through his attorneys, Gruber Law Offices, LLC, has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on March 31, 2008, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$8,000.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$8,000.00, payable to Ricky Burems and Gruber Law Offices, LLC-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

- h. [090037](#) Resolution authorizing payment of the claim of Carolyn Lacy, in the amount of \$12,500.
- Whereas, The claimant, Carolyn Lacy (C.I. File No. 07-L-54-1), through her attorneys, Warshafsky, Rotter, Tarnoff & Bloch, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on March 2, 2007, as a result of a vehicle accident with an uninsured motorist; and
- Whereas, The claimant has agreed to settle her claim in the amount of \$12,500.00; and
- Whereas, Pursuant to Common Council Resolution File No. 890916, the City Attorney's Office retained the services of the law firm of Crivello, Carlson & Mentkowski, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and
- Whereas, The law firm of Crivello, Carlson & Mentkowski, S.C., recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$12,500.00, payable to Carolyn Lacy and Warshafsky, Rotter, Tarnoff & Bloch, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it
- Further Resolved, That the law firm of Crivello, Carlson & Mentkowski, S.C., shall upon payment to claimant obtain a release of claim and deliver the original release to the City Attorney.
- A motion was made by ALD. WITKOWSKI that this Resolution be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0

Excused: 1 - Hamilton

- i. [090038](#) Resolution authorizing payment of the claim of Michael Hamann, in the amount of \$25,000.

Whereas, The claimant, Michael Hamann (C.I. File No. 06-L-68), through his attorneys, Derzon & Menard, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on March 2, 2006, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$25,000.00; and

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

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$25,000.00, payable to Michael Hamann and Derzon & Menard, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and, be it

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

5. [090056](#) Substitute resolution relative to various legislative bills.

Whereas, The Judiciary and Legislation Committee of the Common Council has

recommended the following position on the item hereinafter listed and the Common Council being advised of said matters; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it hereby opposes the inclusion of joint and several liability in the state budget and instructs the Division of Intergovernmental Relations to appear before the proper committees to oppose such item; and it also instructs the Division of Intergovernmental Relations to seek an exemption for local government on this item.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

6. [090079](#) Resolution relating to application, acceptance and funding of an Election Data Grant from the Wisconsin Government Accountability Board.

Whereas, The Wisconsin Government Accountability Board received \$2 million from the U.S. Election Assistance Commission to:

1. Provide detailed election data from the November 4, 2008, General and Presidential Election.
2. Improve the state's existing elections data collection business practices.
3. Develop an elections data collection model protocol that can be replicated by other states.

; and

Whereas, The City of Milwaukee is eligible for grant funds from the Wisconsin Government Accountability Board for providing such election data related to the November 4, 2008, General and Presidential Election; and

Whereas, Given the purposes of the federal grant funds, such funds may not be spent on, or used for any initiatives other than to improve elections data collection business practices within the city; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the application to the Wisconsin Government Accountability Board is authorized, and the Election Commission shall accept this grant without further approval unless the terms of the grant change as indicated in s. 304-81 of the Milwaukee Code of Ordinances; and, be

it

Further Resolved, That the City Comptroller is authorized to:

- 1. Commit funds within the project/grant of the 2009 Special Revenue Grant and Aid Projects Fund the following amounts for the project titled Election Data Reimbursement Grant:

PROJECT GRANT	FUND	ORG	PROGRAM	BY SUB CLASS	ACCT
GR0000900000	0150	9990	0001	0000 R999	000600

PROJECT	AMOUNT
GRANTOR SHARE	\$31,400

- 2. Create the necessary grant and aid project/grant and project/grant levels, budget against these project grant values the amount required under the grant agreement.

; and, be it

Further Resolved, That these funds are appropriated to the Election Commission which is authorized to:

- 1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date.
- 2, Expend from the 2009 grant budget funds for providing data on the November 4, 2008, election to the Wisconsin Government Accountability Board.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

PLACING ON FILE THE FOLLOWING:

- 7. [081684](#) Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through December 31, 2008.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

8. Claims against the city:

a. [090020](#) Resolution relating to an appeal from Anthony Boutell for property damage.

A motion was made by ALD. WITKOWSKI that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

b. [090021](#) Resolution relating to an appeal from Estella Stokes for personal injuries. (1st Aldermanic District)

A motion was made by ALD. WITKOWSKI that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

c. [090022](#) Resolution relating to an appeal from Bennett McCoy for property damage. (15th Aldermanic District)

A motion was made by ALD. WITKOWSKI that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

d. [090025](#) Resolution relating to an appeal from Dwayne Westmoreland for property damage. (7th Aldermanic District)

A motion was made by ALD. WITKOWSKI that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

e. [090045](#) Resolution relating to an appeal from Jane Mandelman for property damage.

A motion was made by ALD. WITKOWSKI that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

f. [090046](#) Resolution relating to an appeal from Brian Davis for property damage. (2nd Aldermanic District)

A motion was made by ALD. WITKOWSKI that this Resolution be DISALLOWED AND INDEFINITELY POSTPONED. The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [081628](#) Substitute ordinance relating to a change in zoning from Industrial-Heavy and Two-Family Residential to Industrial-Mixed, to accommodate existing and future land uses, on land located North of West Lisbon Avenue between North 30th Street and North 31st Street, in the 15th Aldermanic District.

Resolved, That the Mayor and Common Council of the City of Milwaukee, do ordain as follows:

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

Section 295-801.3.0016. The zoning map is amended to change the zoning for the area bounded and described by the zoning line within North 30th Street, the centerline of West Lloyd Street, the centerline of North 30th Street, a line 832 feet South and parallel to the south line of West North Avenue, the east line of the Soo Line Railroad Company right-of-way, a line 130 feet South and parallel to the south line of West North Avenue, the zoning line within the Soo Line Railroad Company right-of-way, the zoning line within West Garfield Avenue (extended), the zoning line within North 31st Street, the zoning line 120 feet South and parallel to the south line of West Brown Street, the zoning line along the west line of the Soo Line Railroad Company right-of-way, the zoning line 330 feet South and parallel to the south line of West Brown Street, the zoning line 120 feet East and parallel to the east line of North 31st Street, a line 630 feet South and parallel to the south line of West Brown Street, the centerline of North 31st Street, and the north line of West Lisbon Avenue, from Industrial-Heavy (IH) and Two-Family Residential (RT4) to Industrial-Mixed (IM).

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

2. [081711](#) Substitute ordinance relating to a change in zoning from Local Business to a General Planned Development by Heartland Housing, for a four-story building with community space and up to 45 apartment units, on land located North of West Tamarack Street and West of West Fond du Lac Avenue, in the 15th Aldermanic District.

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

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

Section 295-907(2)(a).0053.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and establishment of planned development districts, the Common Council approves the subject General Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

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

The centerline of West Fond du Lac Avenue, the centerline of West Tamarack Street, a line 160 feet Southwest and parallel to the southwest line of West Fond du Lac Avenue, and a line 110 feet Northwest and parallel to the northwest line of West Tamarack Street.

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

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

Part 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

3. [081718](#) Substitute ordinance relating to a change in zoning from Two-Family Residential to Local Business, for a beer garden and horseshoe pit, on land located East of South 37th Street and South of West Burnham Street, in the 8th Aldermanic District.
- Resolved, That the Mayor and Common Council of the City of Milwaukee, do ordain as follows:

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

Section 295-601.2.0034. The zoning map is amended to change the zoning for the area bounded and described by the centerline of South 37th Street, a line 193 feet South and parallel to the south line of West Burnham Street, a line 155 feet East and parallel to the east line of South 37th Street, and a line 238 feet South and parallel to the south line of West Burnham Street, from Two-Family Residential (RT4) to Local Business (LB2).

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

ADOPTION OF THE FOLLOWING:

4. [081688](#) Resolution revoking Certified Survey Map No. 7735 and approving a final Certified Survey Map for property located on the north side of West Walnut Street and west of North 18th Street to create buildable lots for single-family residences, in the 15th Aldermanic District.

Whereas, On March 23, 2006, the Common Council of the City of Milwaukee ("Common Council") approved Certified Survey Map ("CSM") No. 7735 under File No. 051537 that created two lots for single-family residential construction by the Housing Authority of the City of Milwaukee ("HACM"); and

Whereas, CSM No. 7735 had an error in the ownership listed in the corporate

ownership certificate upon recording when it excluded the private corporation that owned 1802 West Walnut Street; and

Whereas, An Affidavit of Correction could not be used to correct ownership since the corporate owner of 1802 West Walnut Street ceased operations and was delinquent in its filing with the Wisconsin Department of Financial Institutions; and

Whereas, After recording CSM No. 7735, the City of Milwaukee (“City”) acquired 1802 West Walnut Street through in-rem foreclosure using the legal description and tax key number that existed prior to CSM No. 7735 because City records had not been changed due to the ownership error; and

Whereas, The City subsequently conveyed 1802 West Walnut Street to a private buyer based on the original legal description and tax key number; and

Whereas, To avoid title gaps for 1802 West Walnut Street, the Department of City Development (“DCD”) recommends that CSM No. 7735 be revoked and the legal description that existed prior to the recording of CSM No. 7735 be restored; and

Whereas, A new CSM has been submitted with the correct ownership and platting, a copy of which is attached to this Common Council File; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Certified Survey Map No. 7735 is revoked and that the legal descriptions of the following properties are restored as follows:

1802 West Walnut Street (Tax Key No. 363-2901-000-1): Parcel One (1) of Certified Survey Map No. 1059, being a division of Lots One (1), Two (2), Three (3) and Four (4) of Block Three (3), in Plankinton’s Addition, being a part of the West One-half (1/2) of the Southeast One-quarter (1/4) of Section Nineteen (19), Township Seven (7) North, Range Twenty-two (22) East, in the City and County of Milwaukee, State of Wisconsin, as recorded on June 12, 1969, Reel 483, Images 1113 to 1116 inclusive, as Document No. 4468719.

1808 West Walnut Street (Tax Key No. 363-2902-000-7): Parcel Two (2) of Certified Survey Map No. 1059, being a division of Lots One (1), Two (2), Three (3) and Four (4) of Block Three (3), in Plankinton’s Addition, being a part of the West One-half (1/2) of the Southeast One-quarter (1/4) of Section Nineteen (19), Township Seven (7) North, Range Twenty-two (22) East, in the City and County of Milwaukee, State of Wisconsin, as recorded on June 12, 1969, Reel 483, Images 1113 to 1116 inclusive, as Document No. 4468719.

1711 North 18th Street (Tax Key No. 363-2903-000-2): Parcel Three (3) of

Certified Survey Map No. 1059, being a division of Lots One (1), Two (2), Three (3) and Four (4) of Block Three (3), in Plankinton's Addition, being a part of the West One-half (1/2) of the Southeast One-quarter (1/4) of Section Nineteen (19), Township Seven (7) North, Range Twenty-two (22) East, in the City and County of Milwaukee, State of Wisconsin, as recorded on June 12, 1969, Reel 483, Images 1113 to 1116 inclusive, as Document No. 4468719.

; and, be it

Further Resolved, That the Commissioner of DCD or designee shall record this resolution with the Milwaukee County Register of Deeds, or execute and record an affidavit of this action or new quit claim deeds, to ensure past property transfers are not invalidated; and, be it

Further Resolved, That the following CSM, consistent with the Milwaukee Code of Ordinances, Chapter 119-5, Subdivision Regulations, is approved:

OWNER'S NAME, DCD #, TAX KEY NO.

Nou Lee and Koua Chang, DCD #2733, Tax Key No. 363-2901-000
HACM, DCD #2733, Tax Key Nos. 363-2902-000 and 363-02903-000

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

5. [081713](#) Resolution authorizing the sale of the City-owned vacant lots at 2501 and 2513 West Fond du Lac Avenue to Heartland Housing, Inc. for the development of a supportive housing facility, in the 15th Aldermanic District.

Whereas, Heartland Housing, Inc. has proposed to assemble a development site to construct a supportive housing facility at 2501 through 2513 West Fond du Lac Avenue; and

Whereas, Heartland Housing, Inc. has submitted an unsolicited offer to purchase the City-owned vacant lots at 2501 and 2513 West Fond du Lac Avenue that comprise a portion of the development site, as summarized in a Land Disposition Report, a copy of which is attached to this Common Council File; and

Whereas, Section 304-49-7 of the Milwaukee Code of Ordinances allows the City of Milwaukee ("City") to accept unsolicited offers to purchase property when the City

receives fair compensation, whether monetary or non-monetary; and

Whereas, The Department of City Development (“DCD”) has reviewed the offer and the development proposal and has determined that the proposed price and redevelopment represents fair compensation to the City considering the investment in the neighborhood and the provision of mental health and housing services to the community; and

Whereas, DCD recommends sale of these properties with closing contingent on DCD approval of final site and building plans and evidence of firm financing; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of DCD, or designee, is authorized to accept the unsolicited offer to purchase submitted by Heartland Housing, Inc. for the City-owned vacant lots at 2501 and 2513 West Fond du Lac Avenue for purchase and development as outlined in the Land Disposition Report; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to release any deed restrictions that inhibit development and execute required legal documents on behalf of the City and to close the transaction according to the terms of the Land Disposition Report; and, be it

Further Resolved, That the proper City officials are authorized to execute an Emerging Business Enterprise Agreement with Heartland Housing, Inc.; and, be it

Further Resolved, That the sale proceeds, less sale expenses and a 30 percent disposition cost reimbursement to the Redevelopment Authority of the City of Milwaukee, shall be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

6. [081715](#) Resolution approving the Near South Side Area Comprehensive Plan as an element of Milwaukee’s Overall Comprehensive Plan, in the 8th, 11th, 12th, 13th and 14th Aldermanic Districts.

Whereas, One step in the City of Milwaukee’s (“City”) comprehensive planning process is the creation of plans for areas of the City, sometimes referred to as

neighborhoods; and

Whereas, A new comprehensive plan has been prepared, titled the Near South Side Area Comprehensive Plan (“Plan”), a copy of which is attached to this Common Council File; and

Whereas, Pursuant to Section 66.1001, Wisconsin Statutes, the City Plan Commission adopted the Plan and recommended adoption to the Common Council; and

Whereas, Approval of the Plan by the Common Council will establish the Plan as a guide for the City regarding the use and development of the land of the area, encourage common understanding and coordination among levels of government and private interests and facilitate implementation of the Plan; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee, approves the Near South Side Area Comprehensive Plan as an element of the City’s Overall Comprehensive Plan as recommended by the City Plan Commission; and, be it

Further Resolved, That the Near South Side Area Comprehensive Plan, as approved, shall provide guidance and serve as the basis for decision-making by the Common Council in its consideration of land use and physical development issues; and, be it

Further Resolved, That the Department of City Development, the Department of Neighborhood Services, the Department of Public Works and other appropriate City departments and agencies are directed to work toward implementation of the Plan.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

7. [081717](#) Substitute resolution approving the First Amendment to the Milwaukee River Hotel LLC Riverwalk Development Agreement and authorizing expenditures to include the RSMMeans Industry Index cost-adjustment and authorizing the Developer the option to invoice for the Riverwalk Improvement once every 30 days, in the 3rd Aldermanic District.

Whereas, The City of Milwaukee (“City”) via adoption of Common Council File No. 071392 on April 9, 2008, approved the Milwaukee River Hotel LLC Riverwalk Development Agreement dated as of October 1, 2008 (“Agreement”), with Milwaukee River Hotel LLC (“Developer”) and the Redevelopment Authority of the

City of Milwaukee (“RACM”); and

Whereas, Said Agreement established the standards, rules, procedures and cost sharing for construction of the Riverwalk; and

Whereas, The City, RACM and the Developer now desire to enter into a First Amendment to the Agreement to provide for the following:

1. Implement an adjustment cost index, specifically the RSMeans, per Common Council File No. 060578, for the time period between adoption of the Riverwalk Policy (October 2006) and approval of the Term Sheet for the Project (April 2008), which increases the overall project budget by \$29,232, with such increase to be paid from Tax Incremental District (“TID”) No. 48.

2. Allow the Developer to submit payment/reimbursement applications up to once per month, as costs are incurred rather than upon completion of the Project.

; and

Whereas, The City is willing to provide the Developer with up to an additional \$29,232 in funds from TID No. 48 to finance the cost of the RSMeans adjustment; and

Whereas, Funds authorized to date for TID No. 48 are in the amount of \$21,213,046, plus capitalized interest, which will now be increased to \$21,242,278, plus capitalized interest; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the TID No. 48 expenditure limit is established at \$21,242,278, plus capitalized interest; and, be it

Further Resolved, That such additional project costs relate directly to promoting development consistent with the City’s Master Plan and with the purposes for which the TID was created under Section 66.1105(4)(gm)4.a., Wisconsin Statutes; and, be it

Further Resolved, That the City Comptroller is directed to transfer the sum of \$29,232, plus 10 percent capitalized interest, from the Parent TID Account No. TD0488000, raising the Project Account to \$21,242,278, plus capitalized interest, for the purpose of providing funds necessary to implement the Project Plan; and, be it

Further Resolved, That the proper City officials are authorized to execute the First Amendment to the Milwaukee River Hotel LLC Riverwalk Development Agreement, a copy of which is attached to this Common Council File; and, be it

Further Resolved, That the City Attorney's office, in cooperation with the Commissioner of City Development, is authorized to make such further minor modifications to said First Amendment that are consistent with the intent and purpose of this resolution and which are mutually acceptable to the City Attorney, the Commissioner of City Development, RACM and Milwaukee River Hotel LLC.

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

Aye: 13 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

Abstain: 1 - Witkowiak

8. [090039](#) Substitute resolution approving a final plat known as Hampton Ridge West, located on the north side of West Hampton Avenue and west of North 36th Street, for single-family residential construction, in the 1st Aldermanic District.

Resolved, By the Common Council of the City of Milwaukee, that the final plat for Hampton Ridge West being a division of Certified Survey Map No. 1795 located in part of the Southeast 1/4 of the Southwest 1/4 of Section 36, Town 8 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [081635](#) Substitute resolution authorizing the transfer of the 2009 Community Development Block Grant (CDBG) funding from the Harambee Ombudsman Project, Inc. to the Riverworks Development Corp. for the Community Prosecution activity.
Whereas, The Community Development Grants Administration (CDGA) has been notified of the intent to move the Community Prosecution Unit from the Harambee Ombudsman Project, Inc. to the Riverworks Development Corp. effective April 1, 2009; and

Whereas, Harambee Ombudsman Project Inc. estimates the costs for the period of January 1 through March 31, 2009 will be \$12,500. The amount of \$37,500 will be transferred to the Riverworks Development Corp. effective April, 1, 2009 for the activity of Community Prosecution; now therefore, be it

Resolved, That the Common Council of the City of Milwaukee hereby approves the transfer of the 2009 CDBG funding in the amount of \$37,500 to the Riverworks Development Corp.; and, be it

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

Further Resolved, That payments for CDBG costs incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Development Grants Administration and the City Comptroller; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common Council File Number 74-92-5v are fully applicable to the 2009 Community Development Entitlement Funding Program.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

2. [081641](#) Resolution authorizing the transfer and expenditure of funds from the Development Fund for the Business Improvement District Commercial and Economic Development Fund.

Ald. Davis moves to amend this resolution by revising the "Resolved" clause as follows:

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is directed to transfer \$150,000 from the Development Fund Project Account No. 9990-UR3308000A to the Business Improvement District Commercial and Economic Development Project Account No. UR03397200; and be it

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

Whereas, The City of Milwaukee's ("City") Capital Budget provides for the Development Fund; and

Whereas, The City has an ongoing commitment to the creation and growth of Business Improvement Districts throughout the City; and

Whereas, The Department of City Development ("DCD") will provide economic development resources via the Business Improvement District Commercial and Economic Development Fund Program and Program Guidelines, which were established by the Common Council under File No. 041749 on May 3, 2005 to assist Business Improvement Districts in their efforts to revitalize the City's commercial districts; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is directed to transfer \$150,000 from the Development Fund Project Account No. UR033090000 to the Business Improvement District Commercial and Economic Development Fund Project Account; and, be it

Further Resolved, That the City Comptroller, in conjunction with the Commissioner of DCD, is directed to establish any and all subaccounts in accordance with generally accepted accounting practices and the City guidelines necessary to maintain the fiscal control to carry out the intent and purpose of this resolution.

As amended.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

3. [081642](#) Resolution authorizing the transfer and expenditure of funds from the Development Fund for the City-Wide Facade Loan Program.

Ald. Davis moves to amend this resolution by revising the "Resolved" clause as follows:

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is directed to transfer \$100,000 from the Development Fund Project Account No. 9990-UR03309000A to the City-Wide Facade Loan Program Project Account No. UR03395402; and be it

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

Whereas, The Department of City Development has operated a City-Wide Facade Grant Program ("Grant Program") for more than 20 years; and

Whereas, The Grant Program has provided a significant incentive for visible reinvestment in downtown and neighborhood commercial areas; and

Whereas, Program Eligibility Requirements and Design Guidelines for the Grant Program were established by the Common Council under File No. 971697 on March 3, 1998 for facade grant activity; and

Whereas, The City of Milwaukee's ("City") City-Wide Facade Loan Program ("Loan Program") and Program Guidelines were established by the Common Council under File No. 031357 on February 10, 2004 to complement the Grant Program; and

Whereas, The Loan Program is designed to provide low-interest loans to commercial property owners; and

Whereas, The City can leverage significant amounts of private investment and

improvements to the facades of commercial properties if a Loan Program is available to assist property owners or businesses to upgrade their storefronts and principle facades; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is directed to transfer \$100,000 from the Development Fund Project Account No. UR033090000 to the City-Wide Facade Loan Program Project Account; and, be it

Further Resolved, That these funds are designated for city-wide facade loan activity under the established Program Guidelines; and, be it

Further Resolved, That the Commissioner of the Department of City Development is directed to enter into contracts and agreements as necessary to carryout said Loan Program.

As amended.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

4. [081643](#) Resolution authorizing additional funding for the City of Milwaukee's Citywide Facade Grant Program.

Ald. Davis moves to amend this resolution by revising the "Resolved" clause as follows:

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is directed to transfer \$500,000 from the Development Fund Project Account No. 9990-UR03308000A to the Citywide Facade Grant Program Project Account No. UR033972000; and be it

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

Whereas, The Department of City Development ("DCD") has operated a Facade Grant Program ("Program") for more than 20 years; and

Whereas, The Program has provided a significant incentive for visible reinvestment in downtown and neighborhood commercial areas; and

Whereas, Program Eligibility Requirements and Design Guidelines were established by the Common Council under File No. 971697 on March 3, 1998 for facade grant activity; and

Whereas, More attractive storefronts makes Milwaukee a more pedestrian-friendly and attractive place for businesses, residents and visitors; and

Whereas, The City of Milwaukee can leverage significant amounts of private investment and improvements to the facades of commercial properties if a citywide grant program is available to assist property owners or businesses to upgrade their storefronts and principle facades; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is directed to transfer \$500,000 from the Development Fund Project Account No. UR033090000 to the Citywide Facade Grant Program Project Account; and, be it

Further Resolved, That these funds are designated for citywide facade grant activity under the guidelines established by the Common Council; and, be it

Further Resolved, That the Commissioner of DCD is directed to enter into contracts and agreements as necessary to carryout said Program.

As amended.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

5. [081726](#) Resolution appropriating \$10,000 from the 2009 Economic Development Committee Fund to the Airport Gateway Business Association for economic development and job creation activities.

Whereas, The Economic Development Committee Fund is used for promoting the City's economic development programs and job creation activities; and

Whereas, The Airport Gateway Business Association plays a vital role in supporting the City's economic development and job creation activities by providing leadership in

planning, promoting, and developing the vitality of the area around the General Mitchell International Airport and by providing crucial technical services for capacity growth to its members; and

Whereas, Discussions with this organization have been ongoing and have concentrated on economic development and job creation throughout the area the organization serves; and

Whereas, The Airport Gateway Business Association is exploring partnerships between the Port of Milwaukee, General Mitchell International Airport, railways, and trucking companies to increase the export of goods; and

Whereas, The Airport Gateway Business Association, through its leadership role with the Airport Area Economic Development Task Force, is attempting to utilize the airport as an economic engine for Southeastern Wisconsin and the entire state and to make Milwaukee an aerropolis, an emerging concept in the global economy; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that \$10,000 is appropriated from the 2009 Economic Development Committee Fund Special Purpose Account, 0001-1310-S123-006300, to the Airport Gateway Business Association to support economic development and job creation activities by providing leadership in planning, promoting, and developing the vitality of the area around the General Mitchell International Airport; and, be it

Further Resolved, That the funds appropriated to this organization shall not be used for staffing purposes; and, be it

Further Resolved, That the Airport Gateway Business Association shall submit proof of matching funds before receiving the \$10,000; and, be it

Further Resolved, That the organization shall submit a report to the Common Council by December 31, 2009, evaluating the effectiveness of its economic development and job creation activities; and, be it

Further Resolved, That the appropriate City officials are directed to negotiate and enter into an agreement with the Airport Gateway Business Association for the purpose of accepting City funds to be used for economic development and job creation activities.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

6. [090027](#) Resolution relative to acceptance and expenditure of a \$200,000 contribution from We Energies to support the Solar America Cities Grant and additional contributions and rebates from the Focus on Energy program.
- Whereas, The City of Milwaukee is eligible for supplemental cash-match funds from Solar America City partner We Energies to help remove barriers to implementing solar technology in the City. Approved expenditures include labor costs associated with solar installation, materials, installer training, educational materials, and miscellaneous project costs; and
- Whereas, The Common Council, through adoption of Common Council File 071136, has expressed its commitment to promoting growth of solar technology in the City; and
- Whereas, Project Partner We Energies has contributed \$200,000 to the Solar Cities initiative. The funds have been temporarily deposited as a City revenue; and
- Whereas, Project Partner Focus on Energy has pledged to provide grant contributions and project rebates of up to \$270,000 to help promote solar activities in the City. Focus on Energy will provide a small grant to the City to develop marketing materials for solar energy and will provide matching funds through rebates on solar equipment; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration is authorized to accept up to \$470,000 of contributions for the department's Solar America City activities and to expend such funds for this purpose or any purpose specified by the contributor, no more than the amount actually received, in accordance with established City policies and procedures; and, be it
- Further Resolved, That upon the receipt and deposit of these funds, the City Comptroller is authorized and directed to establish a special account within the Department of Administration's budget for the expenditure of the contributions; and, be it
- Further Resolved, That the City Comptroller is authorized and directed to transfer appropriations and estimated revenue from the Special Purpose Account for Contribution, 0001-2110-0001-006300-D001 and the Estimated Revenue Account for Contributions, 0001-2110-0001-009850, to the Department of Administration's Special Account, 0001-1510-006300-DXXX and the Department of Administration's Estimated Revenue Account, 0001-1510-0001-009850, up to the

amount of \$470,000.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

7. [090060](#)

Substitute resolution relating to the use and allocation of HOME Investment Partnership reprogramming funds and 2009 HUD entitlement funding.

Whereas, The Common Council of the City of Milwaukee on October 29, 2008 approved the anticipated 2009 HUD HOME funding award in the amount of \$6,200,000; and

Whereas, The Community Development Grants Administration (CDGA) was notified by HUD that the actual 2009 HOME funding award would be \$6,927,431; and

Whereas, The increase for the 2009 HUD HOME funded award is \$727,431; and

Whereas, The amount available from reprogramming HOME Investment Partnership is \$1,314,727, plus the surplus amount of the 2009 HOME Entitlement funds of \$727,431 equals the total amount available for allocation of \$2,042,158; and

Whereas, The Community and Economic Development Committee recommends approval to allocate the HOME reprogramming funds and the 2009 HOME surplus in the amount of \$2,042,158 to the organizations in Attachment A; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the awards as noted in Attachment A are approved for the organizations stated in the list; and, be it

Further Resolved, That the Community Development Grants Administration is responsible for awarding a subrecipient contract for these approved activities; and, be it

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

Further Resolved, That payments for HOME cost incurred shall be paid in accordance with approved HOME reimbursement policy based on the approval by

the Community Development Grants Administration and the City Comptroller; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common council File Number 74-92-5v are fully applicable to the 2009 Community Development Entitlement Funding Program.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

8. [090062](#) Substitute resolution relating to the use and allocation of Community Development Block Grant reprogramming funds and 2009 HUD entitlement funding.

Whereas, The Common Council of the City of Milwaukee on October 29, 2008 approved the anticipated HUD funding awards for 2009 as follows: CDBG \$16,000,000; ESG \$761,931; HOPWA \$515,000, ADDI \$42,427; and

Whereas, The Community Development Grants Administration (CDGA) was notified by HUD that the actual 2009 funding awards would be as follows: CDBG \$16,850,642; ESG \$741,009, HOPWA \$531,988; ADDI \$0; and

Whereas, The increase for each 2009 HUD funded award is CDBG \$850,642; HOPWA \$16,988; and a decrease to ESG of \$20,922; ADDI \$42,457; and

Whereas, The amount available from reprogramming Community Development Block Grant funds is \$67,695, plus the surplus amount of the 2009 CDBG Entitlement funds of \$850,642 equals the total amount available for allocation of \$918,337; and

Whereas, The Community and Economic Development Committee recommends approval to allocate the CDBG reprogramming funds and the 2009 CDBG surplus in the amount of \$918,337 to the organizations in Attachment A and also recommends approval of the adjustments to the 2009 HUD allocations as noted in Attachment B; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the awards and changes as noted in Attachment A and B are approved for the organizations stated in each list; and, be it

Further Resolved, That the Community Development Grants Administration is

responsible for awarding a subrecipient contract for these approved activities; and, be it

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

Further Resolved, That payments for CDBG cost incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Development Grants Administration and the City Comptroller; and, be it

Further Resolved, That except as modified by this resolution, the guidelines for handling the Community Development Block Grant Program set forth in Common council File Number 74-92-5v are fully applicable to the 2009 Community Development Entitlement Funding Program.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

9. [090083](#) Substitute resolution approving a revised 2009 Operating Plan for Business Improvement District No. 29 (Atkinson Capitol Teutonia), in the 1st, 6th and 7th Aldermanic Districts.

Whereas, On November 6, 2002, the Common Council adopted File Number 020831, a resolution creating Business Improvement District No. 29 (Atkinson Capitol Teutonia) and approving its first-year Operating Plan; and

Whereas, On October 29, 2008, the Common Council adopted File Number 080620, a resolution approving the Year 2009 Operating Plans for various business improvement districts, including BID No. 29; and

Whereas, The operation of BID No. 29 provides a financing method to allow the Atkinson Capitol Teutonia business district to become self-sustaining; and

Whereas, BID No. 29 is a vital and integral part of the City of Milwaukee; and

Whereas, The board of BID No. 29 has submitted a revised 2009 (Year Seven) Operating Plan for BID No. 29, dated May 11, 2009, a copy of which is attached to

this file; and

Whereas, The revised Operating Plan provides for BID No. 29 to be managed by the Northwest Side Community Development Corporation and changes the assessed total 2009 budget for the BID from \$100,301 to \$70,894; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the revised 2009 Operating Plan for Business Improvement District No. 29 (Atkinson Capitol Teutonia) dated May 11, 2009 is approved; and, be it

Further Resolved, That the City Treasurer, City Comptroller and other affected departments are directed to collect and disburse BID No. 29 assessments in accordance with the adopted, revised 2009 Operating Plan; and, be it

Further Resolved, That all City officials, departments, boards and commissions are directed to take all actions and provide such assistance as needed to carry out the intent and purpose of this resolution and the adopted, revised 2009 Operating Plan.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

CONFIRMATION OF THE FOLLOWING:

10. [081348](#) Appointment of Nancy Vogel to the Business Improvement District Board #20 (East North Avenue) by the Mayor. (3rd Aldermanic District)

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

11. [081728](#) Appointment of Mildred Harpole to the Milwaukee Arts Board by the Mayor. (4th Aldermanic District)

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

12. [081733](#) Reappointment of Kendall Breunig to the Business Improvement District Board #2 (Historic Third Ward) by the Mayor. (4th Aldermanic District)

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [070723](#) A substitute ordinance relating to the dock and wharf lines of the Milwaukee and Menomonee rivers.

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

Part 1. Section 118-2-7 of the code is repealed and recreated to read:

118-2. Milwaukee River (Right Bank of).

7. MENOMONEE RIVER TO E. PITTSBURGH AVENUE. Beginning at the intersection of the right bank of the Milwaukee River with the right bank of the Menomonee River, running thence south 00 degrees, 32 minutes, 11 seconds west 196.58 feet to a point; running thence south 24 degrees, 46 minutes, 09 seconds east 137.84 feet to a point; running thence north 89 degrees, 35 minutes, 04 seconds east 62.04 feet to a point; running thence south 01 degrees, 32 minutes, 04 seconds east 3.36 point to a point; running thence north 89 degrees, 35 minute, 58 seconds east 124.44 feet to a point on the west line of S. Ferry street extended distant 145.58 feet northerly from the north line of E. Seeboth street; running thence north 82 degrees, 11 minutes, 19 seconds east 94.10 feet to a point; running thence south 58 degrees, 44 minutes, 27 seconds east 392.00 feet to a point; running thence south 55 degrees, 42 minutes, 09 seconds east 153.33 feet to a point; running thence south 55 degrees, 05 minutes, 47 seconds east 156.38 feet to a point on the northwesterly line of E. Pittsburgh avenue distant 113.74 feet northeasterly from the northeasterly line of S. Water street; running thence south 40 degrees, 46 minutes, 59 seconds east 80.01 feet to a point on the southeasterly line of E. Pittsburgh avenue, distant 113.04 feet northeasterly from the northeasterly line of S. Water street.

Part 2. Section 118-6-4 of the code is repealed and recreated to read:

118-6. Right Bank of the Menomonee River.

4. N. 6TH STREET TO THE MILWAUKEE RIVER. Beginning at a point on the $\frac{1}{4}$ line of section 29, township 7 north, range 22 east distant north 00 degrees, 10 minutes, 19 seconds east 580.00 feet from the southwest corner of the southeast $\frac{1}{4}$ of said section 29; running thence south 89 degrees, 44 minutes, 25 seconds east 700.00 feet to a point being the intersection of the right bank of the Menomonee River and the left bank of the South Menomonee Canal; running thence south 68 degrees, 24 minutes, 50 seconds east 320.62 feet across the mouth of the South Menomonee Canal to a point being the intersection of the right bank of the Menomonee River and the right bank of the South Menomonee Canal; running thence south 80 degrees, 27

minutes, 01 seconds east 470.57 feet to a point on the west line of South 2nd Street distant north 00 degrees, 17 minutes, 00 seconds east 387.43 feet from a point on the south line of the aforementioned section 29, said point being distant south 89 degrees, 44 minutes, 25 seconds east 1462.01 feet from the southwest corner of the southeast ¼ of the said section 29; running thence south 61 degrees, 52 minutes, 45 seconds east 294.99 feet to a point; running thence north 76 degrees, 06 minutes, 29 seconds east 8.66 feet to a point, running thence south 61 degrees, 52 minutes, 51 seconds east 100.25 feet to a point; running thence south 33 degrees, 02 minutes, 22 seconds east 31.02 feet to a point being the intersection of the right bank of the Menomonee River and the right bank of the Milwaukee River.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

2. [081690](#) A substitute ordinance to create Section 113-32.0110 of the Milwaukee Code of Ordinances relating to the amendment of the Official Map of the City of Milwaukee. Whereas, The Mayor and Common Council of the City of Milwaukee do ordain as follows:

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

Section 113-32.0110 the Official Map, as mentioned and provided for in Section 113-32, is hereby amended so as to include the following additions as shown in the report on file in the City Clerk's office.

3RD ALDERMANIC DISTRICT
N.W. 1/4 Sec. 16, T.7N., R.22E.
Official Map Atlas Page 314

1. North Weil Street at East Chambers Street (southeast corner). The opening of additional street right-of-way to an ultimate width of 70 feet.

S.W. 1/4 Sec. 16, T.7N., R.22E.
Official Map Atlas Page 320

1. North Cambridge Avenue from East North Avenue to a point 462 feet more or less north. The deletion of a portion of proposed right-of-way to support a proposed development.

S.W. 1/4 Sec. 21, T.7N., R.22E.
Official Map Atlas Page 360

1. North Water Street (westerly side) at East Pleasant Street. The vacation of excess street right-of-way.

4TH ALDERMANIC DISTRICT
S.W. 1/4 Sec. 20, T.7N., R.22E.
Official Map Atlas Page 362

1. West Winnebago Street at West Juneau Avenue (southerly side). The opening of additional street right-of-way for the construction of a roundabout.

2. North 9th Street (east side) between West Juneau Avenue and West Winnebago Street. The opening of additional street right-of-way.

3. North 10th Street (east side) between West Juneau Avenue and West Winnebago Street. The opening of additional street right-of-way.

4. North-South Freeway (easterly side) at West Winnebago Street. The sale of excess State right-of-way.

N.W. 1/4 Sec. 30, T.7N., R.22E.
Official Map Atlas Page 389

1. Alley in the block bounded by West Wells Street, West Wisconsin Avenue, North 20th Street extended and North 21st Street. The vacation of a portion of the 14-foot wide alley and turn around in conjunction with the addition of alley right-of-way to the remaining portion of alley to support development in the block.

N.W. 1/4 Sec. 29, T.7N., R.22E.
Official Map Atlas Page 391

1. North 10th Street between West Highland Avenue and West Juneau Avenue. The opening of additional street right-of-way to an ultimate width of 60 feet.

5th ALDERMANIC DISTRICT
N.E. 1/4 Sec. 32, T.8N., R.21E.
Official Map Atlas Page 185

1. Alley in the block bounded by West Appleton Avenue, West Potomac Avenue, West Sheridan Avenue and North 99th Street. The vacation of the 20-foot wide

east-west alley.

6th ALDERMANIC DISTRICT

N.E. 1/4 Sec. 8, T.7N., R.22E.

Official Map Atlas Page 273

1. North Palmer Street (east side) from East Abert Place south to its terminus. The vacation of a portion of street right-of-way.

S.E. 1/4 Sec. 8, T.7N., R.22E.

Official Map Atlas Page 282

1. Cottage Grove Place in the block bounded by West Randolph Street, West Townsend Street, North 1st Street and North 2nd Street. The vacation of a 30-foot wide abandoned street.

S.W. 1/4 Sec. 17, T.7N., R.22E.

Official Map Atlas Page 323

1. North-South Freeway (east side) adjacent to North 7th Street north of West North Avenue. The sale of excess State right-of-way.

N.W. 1/4 Sec. 20, T.7N., R.22E.

Official Map Atlas Page 352

1. Alley in the block bounded by West Garfield Avenue, West North Avenue, North 7th Street and North 8th Street. The vacation of a 15-foot wide alley excepting the south 5.00 feet.

2. North-South Freeway (easterly side) between West Garfield Avenue and West North Avenue. The sale of excess State right-of-way.

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

Official Map Atlas Page 354

1. North Cape Street from East Ship Street to East Vine Street. The opening of a 54-foot wide public street, formerly a highway easement.

2. East Dock Street from North Commerce Street southeasterly to the Milwaukee River. The opening of a variable width public street, formerly a highway easement.

3. East Ship Street from North Commerce Street southeasterly to the Milwaukee River. The opening of a 54-foot wide street, formerly a highway easement.

4. East Vine Street from North Commerce Street southeasterly to the Milwaukee River. The opening of a 54-foot wide street, formerly a highway easement.

5. Alley southeasterly of North Commerce Street between East Dock Street and East Ship Street. The opening of an 18-foot wide alley, formerly a highway easement.

6. Alley southeasterly of North Commerce Street from West Vine Street southwesterly to a point. The opening of an 18-foot wide alley, formerly a highway easement.

S.W. 1/4 Sec. 21, T.7N., R.22E.
Official Map Atlas Page 360

1. East Vine Street from North Commerce Street southeasterly to the Milwaukee River. The opening of a 54-foot wide street, formerly a highway easement.

2. Alley southeasterly of North Commerce Street from West Vine Street southwesterly to a point. The opening of an 18-foot wide alley, formerly a highway easement.

S.W. 1/4 Sec. 20, T.7N., R.22E.
Official Map Atlas Page 362

1. West Winnebago Street at West Juneau Avenue (northerly side). The opening of additional street right-of-way for the construction of a roundabout.

7TH ALDERMANIC DISTRICT
N.W. 1/4 Sec. 18, T.7N., R.21E.
Official Map Atlas Page 310

1. Alley (east side) in the block bounded by West Chambers Street, West Locust Street, North 24th Street and North 24th Place. The vacation of excess alley right-of-way.

8TH ALDERMANIC DISTRICT
S.E. 1/4 Sec. 25, T.7N., R.21E.
Official Map Atlas Page 401

1. North 27th Street from West Greves Street to the East-West Freeway. The vacation of a 33-foot wide street.

2. West Canal Street (north side) between West Greves Street and North 32nd

Street. The opening of additional street right-of-way in conjunction with the opening and realignment of West Canal Street.

N.W. 1/4 Sec. 36, T.7N., R.21E.

Official Map Atlas Page 423

1. West Wheelhouse Road west of South 36th Street. The opening of a roadway easement to allow for the connection of West Wheelhouse Road to the easterly ring road, also unofficially known as Selig Drive, in Miller Park.
2. West Milwaukee Road west of South 36th Street. The opening of a roadway easement to allow for the connection of West Milwaukee Road to the easterly ring road, also unofficially known as Selig Drive, in Miller Park.
3. Alley in the block west of West Canal Street and south of West Milwaukee Road. The opening of a roadway easement to allow for the connection of alley to the easterly ring road, also unofficially known as Selig Drive, in Miller Park.
4. Alley in the block west of West Canal Street and south of West Milwaukee Road. The opening of additional alley right-of-way for the easterly extension of the 30-foot wide alley.

9TH ALDERMANIC DISTRICT

N.E. 1/4 Sec. 7, T.8N., R.21E.

Official Map Atlas Page 39

1. North Lauer Street at West Brown Deer Road (southeast corner). The opening of additional street right-of-way for a right turn by-pass.

S.E. 1/4 Sec. 9, T.8N., R.21E.

Official Map Atlas Page 70

1. North 76th Street at West Tower Avenue (northwest corner). The opening of additional street right-of-way in conjunction with the repaving of North 76th Street.

12TH ALDERMANIC DISTRICT

N.E. 1/4 Sec. 32, T.7N., R.22E.

Official Map Atlas Page 428

1. South Alexander Street (westerly side) and West Nicholas Street (northerly side) between South 5th Street and South 6th Street. The vacation of excess street right-of-way.

2. East Pittsburgh Avenue (south side) from South Water Street west to a point. The vacation of excess street right-of-way.

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

Official Map Atlas Page 429

1. East Pittsburgh Avenue (south side) from South Water Street west to a point. The vacation of excess street right-of-way.

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

Official Map Atlas Page 461

1. Southerly east-west alley in the block bounded by West Historic Mitchell Street, West Lapham Boulevard, South 9th Street and South 10th Street. The vacation of the west leg of the southerly east-west 12-foot wide alley.

13TH ALDERMANIC DISTRICT

S.W. 1/4 Sec. 32, T.6N., R.22E.

Official Map Atlas Page 688

1. South 13th Street at West College Avenue (northeast corner). Vacation of a portion of excess street right-of-way.

S.E. 1/4 Sec. 31, T.6N., R.22E.

Official Map Atlas Page 689

1. South 13th Street at West College Avenue (northeast corner). Vacation of a portion of excess street right-of-way.

14TH ALDERMANIC DISTRICT

S.E. 1/4 Sec. 8, T.6N., R.22E.

Official Map Atlas Page 506

1. West Rosedale Avenue at South 5th Court. The opening of additional street right-of-way.

2. Pedestrian and Bicycle Way adjacent to West Rosedale Avenue east of South 6th Street. The opening of a portion of variable width Pedestrian and Bicycle Way in conjunction with the Chase Bike Trail.

S.W. 1/4 Sec. 8, T.6N., R.22E.

Official Map Atlas Page 507

1. South 6th Street (west side) between West Dakota Street and West Cleveland Avenue. The opening of additional street right-of-way.

15TH ALDERMANIC DISTRICT

N.E. 1/4 Sec. 13, T.7N., R.21E.

Official Map Atlas Page 309

1. Alley in the block bounded by West Center Street, West Elder Wallace Drive, West Fond du Lac Avenue, North 27th Street and North 28th Street. The opening of a 20-foot wide east-west alley.

N.W. 1/4 Sec. 24, T.7N., R.21E.

Official Map Atlas Page 348

1. West Lisbon Avenue (northerly side) between North 39th Street and North 40th Street. The vacation of a portion of excess street right-of-way.

2. North 39th Street (west side) from West Lisbon Avenue north to a point. The vacation of a portion of excess street right-of-way.

3. Alley in the block bounded by West Brown Street, West Lisbon Avenue, North 39th Street and North 40th Street. The vacation of the east leg of the east-west 14-foot wide alley.

S.E. 1/4 Sec. 19, T.7N., R.22E.

Official Map Atlas Page 363

1. Alleys in the block bounded by West Galena Street, West Walnut Street, North 13th Street and North 14th Street. The vacation of the north-south and east-west 20-foot wide alleys.

Requestor

Department of Public Works

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

3. [090090](#) A substitute ordinance relating to the composition and staffing of the capital improvements committee.

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

Part 1. Section 320-49-2-b of the code is repealed and recreated to read:

320-49. Capital Improvements Committee.

2. COMPOSITION. b. The common council president shall designate the chair of the committee.

Part 2. Section 320-49-5 of the code is amended to read:

5. STAFFING. Staff for the capital improvements committee shall be provided by the capital improvements administration, headed by a program coordinator who shall be selected by the committee under applicable city service rules, and operate under the administrative direction of the committee. Salaries required for the capital improvements administration, along with supporting supplies, equipment and administrative costs shall be provided annually out of capital improvement funds. >>The city clerk's office shall provide administrative support to the committee.<< All city departments and agencies shall cooperate with the committee and provide assistance whenever the committee so requests.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

ADOPTION OF THE FOLLOWING:

4. [090010](#) 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 \$58,000 for a total estimated cost of these projects being \$449,000.

Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

2nd Aldermanic District

N. 74th St. - W. Silver Spring Dr. to W. Thurston Ave. and W. Thurston Ct. - W.

Thurston Ave. to N. 76th St. (ST211100125): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$160,000. This project is anticipated to be completed during the 2010 construction season.

4th Aldermanic District

N. Plankinton Ave. (E/S) - W. Wisconsin Ave. to a point 300 feet m/l north of W. Wisconsin Ave. (ST211090122) File Number 080240: Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000 Additional Funds). The total estimated cost for this project including the requested amount is \$41,000. This project is anticipated to be completed during the 2009 construction season.

10th Aldermanic District

W. Notre Dame Ct. - A point east of N. Hawley Rd. to N. Hawley Rd. (ST211100126): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$13,000). The total estimated cost for this project including the requested amount is \$97,000. This project is anticipated to be completed during the 2010 construction season.

W. Stevenson St. - N. 68th St. to N. 69th St. (ST211100127): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$8,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2010 construction season.

12th Aldermanic District

Alley between W. Pittsburgh Ave., W. Seeboth St., S. 1st St., and S. 2nd St. (ST212090110): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$91,000. This project is anticipated to be completed during the 2009 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.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

5. [090011](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$173,000 for a total estimated cost of \$184,000.

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

3rd Aldermanic District

N. Fratney St. - E. Burleigh St. to E. Auer Ave. (Including Railroad Crossing Removal from 200 feet south of E. Auer Ave. to E. Auer Ave.) (ST211070134) File Number 060842: Replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (6.5-foot width of tree border area), grading, tree removal where necessary, and asphalt reconstruction of railroad crossing area. (Assessable Reconstruction Paving Fund -- \$13,000; Nonassessable Reconstruction Paving Fund -- \$110,000). The total estimated cost for this project including the requested amount is \$134,000. This project is anticipated to be completed during the

2009 construction season.

4th Aldermanic District

W. McKinley Ave. - N. 24th Pl. to N. 26th St. (ST211090143): Install traffic calming speed humps. (Assessable Reconstruction Paving Fund -- \$2,100; Nonassessable Reconstruction Paving Fund -- \$17,900). The total estimated cost for this project is \$20,000. This project is anticipated to be completed during the 2009 construction season.

5th Aldermanic District

W. Elmore Ct. - A point 150 feet m/l east of N. 93rd St. to N. 93rd St. (ST211060110): Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (9.0-foot width of tree border area), and grading. (Assessable Reconstruction Paving Fund -- \$1,400; Nonassessable Reconstruction Paving Fund -- \$28,600). The total estimated cost for this project is \$30,000. This project is anticipated to be completed during the 2009 construction season.

; and

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

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

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

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

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

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

Project/Grant accounts; and, be it

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

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

Further Resolved, That projects N. Fratney St. (ST211070134); W. McKinley Ave. (ST211090143); and W. Elmore Ct. (ST211060110) will be billed after January 1, 2011, but not before 12 months after the project contract has been completed.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

6. [090012](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$220,000 for a total estimated cost of these projects being \$2,879,000.

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

1st and 7th Aldermanic Districts

W. Hampton Ave. - N. Sherman Blvd. to N. 55th St. (ST211090145): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$25,000). The total estimated cost for this is \$25,000. This project is anticipated to be completed during the 2009 construction season.

5th Aldermanic District

Hartung Quarry Water Quality Detention Facility (SM493090103): (Nonassessable Sewer Fund-TSS Removal Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$750,000. This project is anticipated to be completed during the 2009 construction season.

8th Aldermanic District

W. Pierce St. - S. 38th St. to S. 39th St. (WT410100014): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$64,000. This project is anticipated to be completed during the 2010 construction season.

S. 39th St. - W. Pierce St. to W. National Ave. (WT410100015): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$160,000. This project is anticipated to be completed during the 2010 construction season.

10th Aldermanic District

W. Appleton Ave. - W. Chapman Pl. to W. Capitol Dr. (WT410100013): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$95,000. This project is anticipated to be completed during the 2010 construction season.

11th Aldermanic District

W. Harrison Ave. - W. Kinnickinnic River Pkwy. to S. 62nd St. (WT410101037): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2010 construction season.

S. 61st St. - 195 feet north of W. Harrison Ave. to W. Harrison Ave. (WT410101036): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$45,000. This project is anticipated to be completed during the 2010 construction season.

S. 63rd St. - W. Harrison Ave. to W. Cleveland Ave. (WT410101038): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$125,000. This project is anticipated to be completed during the 2010 construction season.

Various Locations

Stormwater Quality Treatment Devices Part 1 (SM493090104): (Nonassessable Sewer Fund-TSS Removal Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$370,000. This project is anticipated to be completed during the 2009 construction season.

Stormwater Quality Treatment Devices Part 2 (SM493090105): (Nonassessable Sewer Fund-TSS Removal Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$800,000. This project is anticipated to be completed during the 2009 construction season.

City of Greenfield

S. Honey Creek Dr. - W. Marcy Ln. to W. Plainfield Ave. (WT410101033): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2010 construction season.

W. Plainfield Ave. - S. Honey Creek Dr. to S. 64th St. (WT410101034): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$185,000. This project is anticipated to be completed during the 2010 construction season.

S. 64th St. - W. Plainfield Ave. to W. Leroy Ave. (WT410101035): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$120,000. This project is anticipated to be completed during the 2010 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.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

7. [090013](#) Substitute resolution approving construction of nonassessable public improvements at

various locations and appropriating funds for these purposes with the City construction cost estimated to be \$1,351,000 for a total estimated cost of these projects being \$1,607,000.

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

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

2nd, 5th and 9th Aldermanic Districts

N. 92nd St./N. 91st St. - W. Capitol Dr. to W. Good Hope Rd. (SM493090101) File Number 081268: Converting grass medians into bioretention facilities. (Nonassessable Sewer Fund -- \$750,000 TSS Reduction Fund). The total estimated cost for this project including the requested amount is \$780,000. This project is anticipated to be completed during the 2009 construction season.

12th Aldermanic District

S. 14th St. - W. Hayes Ave. to W. Harrison Ave. (SM495070027) File Number 081392: Relay combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$35,000 Additional Funds). The total estimated cost for this project including the requested amount is \$241,000. This project is anticipated to be completed during the 2009 construction season.

15th Aldermanic District

Alley between W. Brown St., W. Lloyd St., N. 23rd St., and N. 24th St. (TD06584008) File Number 051275: Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches where needed, grading, storm drainage facilities, and tree removal where necessary. (TID Nonassessable Paving Fund -- \$62,000). The total estimated cost for this project is \$62,000. This project is anticipated to be completed during the 2009 construction season.

Alley between W. Garfield Ave., W. Lloyd St., N. 22nd St., and N. 23rd St. (TD06584008) File Number 051275: Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches where needed, grading, storm drainage facilities, and tree removal where necessary. (TID Nonassessable Paving Fund -- \$53,000). The total estimated cost for this project is \$53,000. This project is anticipated to be completed during the 2009 construction season.

Alley between W. Garfield Ave., W. Lloyd St., N. 23rd St., and N. 24th St.

(TD06584008) File Number 051275: Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches where needed, grading, storm drainage facilities, and tree removal where necessary. (TID Nonassessable Paving Fund -- \$101,000). The total estimated cost for this project is \$101,000. This project is anticipated to be completed during the 2009 construction season.

Various Locations

Stormwater Quality Treatment Devices (SM493090104) File Number 090012: (Nonassessable Sewer Fund-TSS Removal Fund -- \$350,000). The total estimated cost for this project including the requested amount is \$370,000. This project is anticipated to be completed during the 2009 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.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

8. [090041](#) Resolution authorizing the proper City Officers to execute Partial Easement Release SER-2133, located in North 9th Street between West Juneau Avenue and West Winnebago Street in the 4th Aldermanic District.

Whereas, On December 4, 1962 the City of Milwaukee was granted an easement for various utilities located in the then vacated North 9th Street between West Juneau Avenue and West Winnebago Street; and

Whereas, A 60-foot wide right-of-way at North 9th Street between West Juneau Avenue and West Winnebago Street was dedicated to the public for right-of-way purposes in 2006; and

Whereas, The utilities in the part of the easement located outside of the limits of the 60-foot wide North 9th Street right-of-way between West Juneau Avenue and West Winnebago Street have either been abandoned or are no longer in use by the City; and

Whereas, North 9th Street between West Juneau Avenue and West Winnebago Street is now a public right-of-way; and

Whereas, The part of the easement to be released is no longer required for utility purposes and does not serve the interest of the City of Milwaukee and should be released; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City Officers are hereby authorized and directed to execute Partial Easement Release SER-2133, a copy of which is attached to the Common Council Resolution File Number 090041 and incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That after said partial easement release has been executed by the proper City Officers, they shall be forwarded to the office of the City Attorney for approval as to form and execution and then to the Department of Public Works for recording and proper distribution.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

9. [090048](#) Resolution authorizing and directing the Commissioner of Public Works to execute a revised project agreement with the Wisconsin Department of Transportation for programming and construction of West Brown Deer Road from North 91st Street to North 124th Street with Federal/State aid under the State Trunk Highway Program. Whereas, A project agreement was executed by the Wisconsin Department of Transportation (WISDOT) and the City of Milwaukee for the preliminary engineering and construction work for the improvement of West Brown Deer Road from North 91st Street to North 124th Street in accordance with Common Council Resolution File number 070839, adopted on November 12, 2007; and

Whereas, Preliminary engineering activities have begun; and

Whereas, A revised project agreement, adding new sidewalk work to the previously

approved preliminary engineering and construction funding has been received from WISDOT to be executed by the City of Milwaukee for the West Brown Deer Road project; and

Whereas, Estimated costs of the new sidewalk for this project is indicated in the revised project agreement; and

Whereas, Funds for the additional sidewalk work for this project will be included in future resolutions; 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 for the programming and construction of West Brown Deer Road from North 91st Street to North 124th Street with Federal/State aid under the State Trunk Highway Program, a copy of which is attached to Common Council Resolution File number 090048, and is incorporated in this resolution by reference as though set forth in full; and, be it

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

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

10. [090063](#) Resolution directing the Commissioner of Public Works to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District allowing the City to conduct necessary Polychlorinated Biphenyls removal in the area of North Humboldt Avenue and East Capitol Drive.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

11. [090065](#) Substitute resolution directing the City Engineer to apply for 2010 Urban Nonpoint Source and Stormwater Construction and Planning grants from the State of Wisconsin, Department of Natural Resources.

Ald. Bauman moved to amend this file by removing all references (In the title, analysis and the last Further Resolved clause) in the resolution relating to the executing of a grant agreement between the City of Milwaukee and the State of Wisconsin, Department of Natural Resources.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

[090065](#)

Substitute resolution directing the City Engineer to apply for 2010 Urban Nonpoint Source and Stormwater Construction and Planning grants from the State of Wisconsin, Department of Natural Resources.

Whereas, Stormwater pollution control is an important component of the City of Milwaukee's (City) storm water management regulation and the City's permit with the State of Wisconsin, Department of Natural Resources (DNR); and

Whereas, Green Streets, along with their environmental benefits when creating large green spaces in fully urbanized areas, are also an established and cost effective means of removing sediment from public streets and alleys; and

Whereas, The City is proposing to construct green streets on portions of West Grange Avenue between South 23rd Street and South 27th Street located within the municipal separate storm sewer system (MS4) portion of the city; and

Whereas, The DNR, per NR 151.13 (2) of the Wis. Adm. Code, requires all municipalities subject to its storm water discharge permit to implement, to the maximum extent practicable, a 40% reduction in Total Suspended Solids (TSS) by March 10, 2013; and

Whereas, Green streets are one of the methods that can be implemented to reach the 40% TSS reduction goal; and

Whereas, The City has completed modeling of the portion of the City within the separated sewer area by using the Source Loading and Management Modeling software (SLAMM) to determine Best Management Practices (BMPs) needed to accomplish the TSS reduction goal; and

Whereas, The modeling was performed by using land use data compiled in 1997; and

Whereas, The City desires to retain the services of a consulting engineering firm to

update its storm sewer system plans to reflect current land use, soil condition and size of drainage areas within each system; and

Whereas, The City also desires that the engineering consulting firm update the storm sewer system plans to comply with the requirements of the City's Wisconsin Pollutant Discharge Elimination System (WPDES) permit; and

Whereas, To assist in funding for the said green street project and to assist in the funding of the consultant fee to complete the update of the City's storm system plans, the City desires to apply for grant funds from the WNDR under the Urban Nonpoint Source and Stormwater (UNPS &SW) Construction Grant Program and UNPS &SW Planning Grant Program respectively; and

Whereas, The City Engineer will submit a signed Environmental Hazard Assessment form; and

Whereas, The operation of these grants begins on January 1, 2010 and ends on December 31, 2011; and

Whereas, The WDNR would provide a maximum cost share of 50% of eligible costs, with a total grantor share not exceed \$150,000 for the construction grant and 70% of eligible costs, with a total grantor share not exceed \$85,000 for the planning grant; and

Whereas, The City Engineer will submit quarterly and final reports to the DNR and make periodic requests for grant reimbursement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Engineer is directed to apply for a 2010 Urban Nonpoint Source and Stormwater construction grant and planning grant from the DNR.

As amended.

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

Aye: 11 - Kovac, Bauman, Coggs, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 3 - Davis, Bohl Dudzik

Excused: 1 - Hamilton

12. [090081](#) Resolution relating to application, acceptance and funding of, a 2009 State of Wisconsin Department of Natural Resources Urban Forestry Grant.

Whereas, The City of Milwaukee appears to be eligible for a 2009 Urban Forestry Grant from the Wisconsin Department of Natural Resources; and

Whereas, The Department of Public Works-Operations Division (Forestry Section) would use this grant to geospatially map ash trees using hyperspectral imagery; and

Whereas, This project would include the following components:

1. Identify, map and assess the condition of white and green ash species in the City of Milwaukee using high resolution remote-sensed hyperspectral imagery to geospatially locate ash trees on public and private property with 80% accuracy.
2. Ground test spectral data using a spectrometer to measure the spectral signature of ash species at known locations to read aerial hyperspectral imagery.
3. Integrate ash species map with existing GIS tools to identify property owners with ash trees to guide future inspection and public outreach efforts.

; and

Whereas, The implementation of this urban forestry management project will cost \$176,000, of which \$25,000 (14%) will be provided by the grantor and \$151,000 (86%) will be provided 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 a 2009 Urban Forestry Grant titled "Rapid Early Detection of EAB using Hyperspectral Imagery" in the amount of \$25,000 from the Wisconsin Department of Natural Resource 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 2009 Capital Grant and Aid Projects Fund the following amounts for the project titled Urban Forestry Grant:

Project/Grant	SP032090100
Fund	0306
Org	5010
Program	0001
Budget Year	0000
Sub Class	R999
Account	000600
Project	Grantor Share
Amount	\$25,000

2. Create a Capital Grant and Aid Projects Fund 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.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

13. [090082](#) Resolution relating to application for, acceptance and funding of a 2009 USDA Forest Service Cooperative Forestry Assistance Grant.

Whereas, The City of Milwaukee appears to be eligible for a 2009 Cooperative Forestry Assistance Grant from the USDA Forest Service; and

Whereas, The Department of Public Works - Operations Division (Forestry Section) will use this grant to conduct an urban forestry training initiative; and

Whereas, This project will include the following components:

1. Recruit, train and place unemployed low-income Milwaukee residents in the urban forestry profession. Environmental Services will train up to 20 participants over a 2 year period. Participants will gain necessary tree and plant knowledge and learn specialized skills critical to working with trees, boulevards and green spaces. Participants will be trained and supervised by Environmental Services staff and work

on city property during the 6-month training program. Participants will be required to pass comprehensive written and performance exams to successfully complete the training. Participants will earn a wage funded through the Cooperative Forestry Assistance Grant during the training program.

2. Partner with Milwaukee Area Workforce Investment Board (MAWIB) and Wisconsin Regional Training Partnership/BIG STEP to assist with recruitment and selection of participants. A third party contribution from MAWIB will offset the cost of training.

3. Partner with the Tree Care Industry Association, the national trade organization for tree care companies to secure private industry employers through its local membership. Successful participants will be linked with private tree care and/or landscape companies for employment.

; and

Whereas, The implementation of this project will cost \$450,510, of which \$201,600 (45%) will be provided by the grantor and \$148,910 (33%) will be provided in-kind by the City and \$100,000 (22%) will be provided by a third party contribution from the Milwaukee Area Workforce Investment Board; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works-Operations Division (Forestry Section) is authorized to apply, accept and fund a 2009 Cooperative Forestry Assistance Grant titled "Strengthening Diversity in Urban Forestry Service Delivery" in the amount of \$201,600 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 2009 Special Revenue Accounts-Grant and Aid Projects the following amounts for the project titled Cooperative Forestry Assistance Grant:

Project/Grant	GR0000900000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Sub Class	R999
Account	000600

Project	Grantor Share
Amount	\$201,600

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.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

PLACING ON FILE THE FOLLOWING:

14. [090068](#) Communication from the Commissioner of Public Works relating to the progress of the installation of the LUKE parking meters in the central business district.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

15. [090093](#) Communication from the Commissioner of Public Works relating to improving citizen access to the call center.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

16. Obsolete files:

- a. [040422](#) Communication from the City Engineer relating to the reconstruction of the Marquette Interchange.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

- b. [051668](#) Resolution authorizing the Commissioner of Public Works to issue a Sole Source Professional Service Contract for professional services to Kelly Daley Video for design and development of a broadcast quality digital production about the Milwaukee Water Works.

A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE. The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

- c. [070575](#) Communication from the Department of Administration relating to the status of the citywide wireless network.

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

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

- d. [071370](#) Resolution directing the proper City officers to execute a sewer agreement document allowing Treul Enterprises LLC to construct within the limits of sewer easement SE-2130-A.
- A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Hamilton
- e. [080440](#) Substitute resolution assigning the honorary street name, "Tillie Ann Boyles," to the segment of North 41st Street from West Florist Avenue to the cul-de-sac approximately one block north of West Florist Avenue in the 1st Aldermanic District.
- A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Hamilton
- f. [081050](#) Communication from the Department of Public Works relating to preparation for the 2008-2009 snow season.
- A motion was made by ALD. BAUMAN that this Communication be PLACED ON FILE. The motion PREVAILED by the following vote:**
- Aye:** 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Hamilton
- g. [081453](#) Resolution authorizing and approving conveyance of various parcels of real property held in trust for the benefit of the Milwaukee Public Schools and declared surplus by the Milwaukee Board of School Directors.
- A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.**
The motion PREVAILED by the following vote:
- Aye:** 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Hamilton

- h. [081708](#) Resolution authorizing \$724,869 of Contingent Borrowing to finance energy savings capital projects as contemplated in Council File 080398.

A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE.

The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

Communications from City officers were read.

MATTERS FOR IMMEDIATE ADOPTION:

- 1. [090116](#) Resolution approving final certified survey maps.

Resolved, By the Common Council of the City of Milwaukee, that the following certified survey maps be and hereby are approved:

NAME	TAX KEY NUMBER(S)
Jerome Stenstrup (DCD #2738)	43111410004, 43111150002
City of Milwaukee (DCD #2749)	50999971005
NLJ Partners, LLC (DCD #2752)	3290009000, 3290010000
Debra Lindner (DCD #2753)	49999541002
Wilson Holdings, LLC (DCD #2754)	32122922, 32122938

A motion was made by ALD. BAUMAN that this Resolution-Immediate Adoption be ADOPTED. The motion PREVAILED by the following vote:

Aye: 14 - Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Hamilton

Announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 10:15 a.m.

-- Jim Owczarski, Deputy City Clerk