



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, September 28, 1999

9:00:00 AM

Common Council Chambers

PRESENTATIONS

Present: 16 -

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

Excused: 1 -

Frank

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990471](#) A substitute ordinance increasing fees for selected licenses, permits, fines and forfeitures.

Sponsors: THE CHAIR

Ald. Butler moved to amend sub. 3 by replacing proposed text in section 61 dealing with home improvement contractors and salesmen license fees.

Section 61, section 81-60-2 and 3 of the code is repealed and recreated to read; (note text of subs. 2 and 3 is now consolidated is sub. 2).

81-60. Home Improvement Contractors or Salesman's License.

2. a. The fee for each new or renewal home improvement contractor's license shall be \$180.

b. The fee for each new salesman's license shall be \$30.

c. The fee for the renewal of each salesman's license shall be a \$18.

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

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

No: 1 - Scherbert

Excused: 1 - Murphy

Whereas, City revenues derived from fees and forfeitures have not grown at the same rates as City expenses over the past decade; and

Whereas, Many City fees and forfeitures have not been increased in more than 10 years; and

Whereas, This file, ordinance File Number 990471, amending various sections of the Milwaukee code, attempts to adjust fees and forfeitures in terms of cost recovery and related expenses; and

Whereas, Moreover, it is intended that Ordinance File Number 990471 represents the first step of a catch-up of fees and forfeitures to expenses, and that it will be City policy to adjust fees and forfeitures on a biennial basis that is consistent with changes in City costs or estimated City costs as reflected by the consumer price index; now, therefore

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

Part 1. Section 60-2-2 and 3 of the code is amended to read:

60-2. Ambulance Certificate.

2. The fee for each original certificate shall be [[[\$1,000]] >>\$1,100<<.

3. The fee for each original certificate that is being renewed shall be [[[\$1,000]] >>\$1,100<<.

Part 2. Section 60-7-1 and 2 of the code is amended to read:

60-7. Animal Licenses.

1. The fee for an unspayed or unneutered cat or dog shall be [[[\$8]] >>\$20<<.

2. The fee for [[an]] >>a<< spayed or neutered cat or dog shall be [[[\$4.00]] >>\$10<<.

Part 3. Section 60-13-1, 2-0 and c of the code is amended to read:

60-13. Bed and Breakfast Establishment.

1. A non-refundable pre-inspection fee of [[[\$20]] >>\$25<< shall be charged at the time of application to anyone intending to operate a bed and breakfast

establishment.

2. The annual fee for a bed and breakfast permit shall be ~~[[\$40]]~~ >> \$47 <<.

c. Permit renewals shall be filed by July 1. There shall be an additional ~~[[\$15]]~~ >> \$20 << 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.

Part 4. Section 60-16-1-a-1 to 3, 1-b and 3 of the code is amended to read:

60-16. Closing Out Sale License.

1. FEE.

a. The base charge shall be computed in accordance with the following schedule:

a-1. For a period not exceeding 15 days: ~~[[\$25]]~~ >> \$30 <<.

a-2. For a period not exceeding 30 days: ~~[[\$50]]~~ >> \$58 <<.

a-3. For a period not exceeding 60 days: ~~[[\$75]]~~ >> \$86 <<.

b. An additional charge shall be paid based upon the value of the inventory, computed at the rate of ~~[[\$1]]~~ >> \$2 << per \$1,000 of the cost price shown in the inventory filed in accordance with s. 88-1-3.

3. EXTENSION OF TIME. A supplemental fee is required in addition to the regular license fee if an extension of time is granted pursuant to s. 88-1-4. The supplemental fee shall be ~~[[\$25]]~~ >> \$30 <<.

Part 5. Section 60-19-1-a, 2 and 3-a of the code is amended to read:

60-19. Dumping Permits.

1. a. The fee for each dump site permit under s. 80-45 shall be ~~[[\$106]]~~ >> \$142 <<.

2. The fee for dumping soil by the water department at the sanitation division's dump sites shall be ~~[[\$4.60]]~~ >> \$10 << per cubic yard.

3. a. The fee for a private operator to dump snow at any of the city's snow dump sites shall be ~~[[\$75]]~~ >> \$101 <<.

Part 6. Section 60-20-2 of the code is amended to read:

60-20. Filling Station License.

2. The fee for each license shall be ~~[[\$50]]~~ >> \$100 <<.

Part 7. Section 60-21-6 of the code is amended to read:

60-21. Food Dealer's License.

6. License renewals must be filed by July 1. There shall be an additional fee for the filing of a late renewal application in the amount of ~~[[\$15]]~~ >> \$20 <<. If renewal applications are not sent out by June 15, the late penalty shall be assessed 16 days after the applications are sent.

Part 8. Section 60-31-3 of the code is amended to read:

60-31. Food Peddler Permits.

3. Permit renewals shall be filed July 1. There shall be an additional fee for the filing of a late renewal application in the amount of ~~[[\$15]]~~ >> \$20 <<. If renewal applications are not sent out by June 15, the late penalty will be assessed 16 days after the applications have been sent.

Part 9. Section 60-43-2 and 3 of the code is amended to read:

60-43. Grooming Establishment, Animals.

2. The fee for each permit shall be ~~[[\$40]]~~ >> \$50 <<.

3. There shall be an additional fee for the filing of a late renewal application on or after January 1 of the following year in the amount of ~~[[\$10]]~~ >> \$25 <<.

Part 10. Section 60-47-2 and 3 of the code is amended to read:

60-47. Horse Stable Permit.

2. The fee for each permit shall be ~~[[\$40]]~~ >> \$50 <<.

3. There shall be an additional fee for the filing of a late renewal application on or after January 1 of the following year in the amount of ~~[[\$10]]~~ >> \$25 <<.

Part 11. Section 60-49 of the code is amended to read:

60-49. Inoculation Fee. The fee for the provision for an inoculation for overseas travel shall be ~~[[\$35]]~~ >>\$41<<.

Part 12. Section 60-51-2 and 3 of the code is amended to read:

60-51. Kennel Permit.

2. The fee for each license shall be ~~[[\$40]]~~ >>\$50<<.

3. There shall be an additional fee for the filing of a late renewal application on or after January 1 of the following year in the amount of ~~[[\$10]]~~ >>\$25<<.

Part 13. Section 60-53-2 and 3 of the code is amended to read:

60-53. Laundry, Self-service Registration Certificate.

2. The fee for each certificate shall be ~~[[\$25]]~~ >>\$50<<.

3. There shall be an additional fee for the filing of a late renewal application on or after February 1 of the following year in the amount of ~~[[\$7]]~~ >>\$12<<.

Part 14. Section 60-59-3 of the code is amended to read:

60-59. Meal Service Permit Fee.

3. License renewal must be filed by July 1. There shall be a fee for the filing of a late renewal application in the amount of ~~[[\$15]]~~ >>\$20<<. If renewal applications are not sent out by June 15, the late penalty will be assessed 16 days after the applications have been mailed.

Part 15. Section 60-67-2 and 3 of the code is amended to read:

60-67. Pesticide Applicator Certificate, Commercial.

2. The fee for each certificate shall be ~~[[\$30]]~~ >>\$40<<.

3. There shall be an additional fee for the filing of a late renewal application on or after February 1 of the following year in the amount of ~~[[\$15]]~~ >>\$25<<.

Part 16. Section 60-69-2 and 3 of the code is amended to read:

60-69. Pet Shop License.

2. The fee for each license shall be [[\$40]] >>\$50<<.

3. There shall be an additional late fee for the filing of a late renewal application on or after January 1 of the following year in the amount of [[\$10]] >>\$25<<.

Part 17. Section 60-73-2 and 3 of the code is amended to read:

60-73. Slaughtering or Meat Packing Establishment License.

2. The fee for each license shall be [[\$106]] >>\$142<<.

3. There shall be an additional fee for the filing of a late renewal application on or after July 1 in the amount of [[\$15]] >>\$20<<.

Part 18. Section 60-85-2 to 6 of the code is amended to read:

60-85. Vehicle Scale Operator's License.

2. PUBLIC VEHICLE SCALE OPERATOR'S LICENSE. The fee for each public vehicle scale operator's license shall be [[\$122]] >>\$164<<.

3. "TYPE I" NONPUBLIC VEHICLE SCALE OPERATOR'S PERMIT. The fee for each "Type I" nonpublic vehicle scale operator's permit shall be [[\$90]] >>\$121<<.

4. "TYPE II" NONPUBLIC VEHICLE SCALE OPERATOR'S REGISTRATION CERTIFICATE. The fee for each type of "Type II" nonpublic vehicle scale operator's registration certificate shall be [[\$90]] >>\$121<<.

5. WEIGHMASTER'S LICENSE. The fee for each weighmaster's license shall be [[\$37]] >>\$50<<.

6. LATE FEE. There shall be an additional fee for the filing of a late renewal application on or after July 1 in the amount of [[\$15]] >>\$20<<.

Part 19. Section 60-91-1-a and b, 2-a and b, 3-a and b, 4-b, 5-a and b, and 6-a and b of the code is amended to read:

60-91. Weighing and Measuring Device Licenses.

1. LINEAR METERS. a. The fee for each linear meter license shall be [[\$15]]

>>\$17<<.

b. The fee for the filing of a late renewal application shall be [[\$15]] >>\$20<<.

2. RETAIL PETROLEUM METERS.

a. The fee for each retail petroleum meter license shall be [[\$20]] >>\$25<<.

b. The fee for the filing of a late renewal application shall be [[\$15]] >>\$20<<.

3. SCALES.

a.

Capacity	Annual Fee
0-50 pounds	[[\$24]] >>\$25<<
51-1,000 pounds	[[\$42]] >>\$45<<
Over 1,000 pounds	[[\$62]] >>\$65<<

b. The fee for the filing of a late renewal application shall be [[\$15]] >>\$20<<.

4. TAXIMETERS.

b. The fee for a filing of a late renewal application shall be [[\$15]] >>\$20<<.

5. TIMING DEVICES. a. The fee for each timing device license shall be [[\$6]] >>\$8<<.

b. The fee for the filing of a late renewal application shall be [[\$15]] >>\$20<<.

6. VEHICLE TANK AND BULK PLANT METERS. a. The fee for each vehicle tank and bulk plant meter license shall be [[\$62]] >>\$71<<.

b. The fee for a filing of a late renewal application shall be [[\$15]] >>\$20<<.

Part 20. Section 81-2-2 of the code is amended to read:

81-2. Alarm Business License.

2. The fee for each license shall be [[\$62]] >>\$87<<.

Part 21. Section 81-2.5-2-a and b of the code is amended to read:

81-2.5 Alarm Service.

2.

a. For each primary alarm movement connection: [[\\$548]] >>\$831<<.

b. For each secondary alarm movement connection: [[\\$138]] >>\$209<<.

Part 22. Section 81-2.7-2 of the code is amended to read:

81-2.7. Aluminum Can Reclaiming Machine License.

2. The fee for each license shall be [[\\$32]] >>\$45<<.

Part 23. Section 81-4-2-a to e of the code is amended to read:

81-4. Amusement Premises, Distributors, Machines and Videogame Centers.

2.

a. Videogame center license: [[\\$266]] >>\$374<<.

b. Amusement machine premises license: [[\\$27]] >>\$41<<.

c. Amusement machine permit (tag): [[\\$11]] >>\$16<<.

d. Amusement machine distributor's license: [[\\$378]] >>\$531<<.

e. Amusement machine premises license transfer: [[\\$11]] >>\$16<<.

Part 24. Section 81-9-2 of the code is amended to read:

81-9. Auto Wrecker's License.

2. The license fee for each fixed place of doing business operated in connection with an auto wrecking business shall be [[\\$150]] >>\$228<<.

Part 26. Section 81-10-2 to 4 of the code is amended to read:

81-10. Bicycle License.

2. The fee for a 4-year license shall be [[\\$5]] >>\$10<<.

3. If the license is issued on or after May 1 in the 3rd year of the 4-year period, the fee shall be [\$2.50] >>\$5<<.

4. The fee for a replacement bicycle license sticker shall be [[1]] >>\$2<<.

Part 26. Section 81-12-2 of the code is amended to read:

81-12. Bill Posting License.

2. The fee for each license shall be [[282]] >>\$396<<.

Part 27. Section 81-12.5 of the code is amended to read:

81-12.5. Boating Permits.

1. For exhibition speedboat trials the fee shall be [[50]] >>\$76<< per day.

2. For motorboat races the fee shall be [[50]] >>\$70<< per day.

3. For scuba diving the fee shall be [[20]] >>\$28<< per day. Seasonal permits for underwater work may be obtained from the harbor master at no charge.

4. For water ski or aquaplane exhibits or aquatic events the fee shall be [[50]] >>\$70<< per day.

Part 28. Section 81-13-2 of the code is amended to read:

81-13. Bowling Alley Licenses.

2. The fee for each license issued for a 9 or 10 pin alley or a bowling alley shall be computed at the rate of [[11]] >>\$17<< per alley.

Part 29. Section 81-14-2 of the code is amended to read:

81-14. Building Mover License.

2. The fee for each license shall be [[49]] >>\$69<<.

Part 30. Section 81-15-2-a and 3 of the code is amended to read:

81-15. Building Mover Permits.

2. ON PNEUMATIC TIRE TRAILERS.

a. Except as provided in par. b, for the moving of buildings or structures on pneumatic tire trailers the total fee per structure shall be ~~[[\\$189]]~~ >>\$200<<.

3. INSPECTION. An additional fee shall be charged for each building mover permit processed to cover costs of inspection in the amount of ~~[[\\$41]]~~ >>\$46<<.

Part 31. Section 81-17 of the code is amended to read:

81-17. Carnival Site Permit. The carnival site permit fee shall be ~~[[\\$25]]~~ >>\$30<<.

Part 32. Section 81-17.5 of the code is amended to read:

81-17.5 Catch Basin/Storm Inlet Equity Fee. The fee for recovery of the city's equity in any catch basin/storm inlet in a vacated street or alley shall be ~~[[\\$300]]~~ >>\$400<<.

Part 33. Section 81-19-1 and 2 of the code is amended to read:

81-19. Certified Survey Map Filing Fee.

1. For the first parcel: ~~[[\\$21]]~~ >>\$32<<.

2. For each additional parcel: ~~[[\\$11]]~~ >>\$17<<.

Part 34. Section 81-19.5 of the code is amended to read:

81-19.5 Checks; Bad Check Charges. The processing charge for each bad check issued to the city of Milwaukee shall be ~~[[\\$15]]~~ >>\$23<<.

Part 35. Section 81-21-2 of the code is amended to read:

81-21. Cigarette and Tobacco License.

2. The fee for each license shall be ~~[[\\$5]]~~ >>\$25<<.

Part 36. Section 81-35.5 of the code is amended to read:

81-35.5. Code and Charter.

1. Updated master volume:

a. Charter: ~~[[\\$30]]~~ >>\$35<< plus tax.

- b. Code, Volume 1: [[\$30]] >>\$35<< plus tax.
 - c. Code, Volume 2: [[\$30]] >>\$35<< plus tax.
 - d. Code, Volume 3: [[\$30]] >>\$35<< plus tax.
2. Amendment service:
- a. Charter: [[\$30]] >>\$35<< per year.
 - b. Code, Volume 1: [[\$30]] >>\$35<< per year.
 - c. Code, Volume 2: \$60 per year.
 - d. Code, Volume 3: [[\$30]] >>\$35<< per year.

Part 37. Section 81-36 of the code is amended to read:

81-36. Common Council Committee Agendas. The subscription fee for the mailing of weekly agendas of the standing committees of the common council shall be [[\$20]] >>\$27<< annually.

Part 38. Section 81-37 of the code is amended to read:

81-37. Common Council Proceedings. 1. The subscription for the mailing of the common council journal of proceedings shall be [[\$25]] >>\$30<< annually.

2. The fee for the distribution of a bound volume of the annual common council proceedings shall be [[\$30]] >>\$35<<.

Part 39. Section 81-38-2 of the code is amended to read:

81-38. Concrete Contractor.

2. The fee for each license shall be [[\$41]] >>\$58<<.

Part 40. Section 81-39-2 of the code is amended to read:

81-39. Dance Hall (Public) License.

2. The fee for each license shall be [[48]] >>\$73<<.

Part 41. Section 81-40-2 of the code is amended to read:

81-40. Dangerous Weapon Retailer's License.

2. The fee for each license shall be [[\$27]] >>\$38<<.

Part 42. Section 81-40.5 of the code is amended to read:

81-40.5 Demolition Permit Application Processing Exemption. The fee for application for exemption from demolition permit application processing requirements shall be [[~~\$50~~]] >>\$55<<.

Part 43. Section 81-41-2 and 3 of the code is amended to read:

81-41. Direct Seller's License.

2. The fee for the original application for each license shall be [[~~\$85~~]] >>\$129<<.

3. The fee for the renewal of each license shall be [~~\$16~~] >>\$24<<.

Part 44. Section 81-42 of the code is amended to read:

81-42. Dock Alteration or Repair Permit. The fee for every permit for the alteration or repair of a dock shall be [[~~\$202~~]] >>\$306<<.

Part 45. Section 81-43 of the code is amended to read:

81-43. Dock Construction Permit. The fee for each permit for the building, construction, erection or rebuilding of a dock shall be [[~~\$404~~]] >>\$613<<.

Part 46. Section 81-43.5-1 of the code is amended to read:

81-43.5. Dock Engineering Survey Fee.

1. The basic fee for the survey of a dock engineering shall be [[~~\$101~~]] >>\$153<<.

Part 47. Section 81-44 of the code is amended to read:

81-44. Drainage Ditch Obstruction Permit. The fee for each drainage ditch obstruction permit shall be [[~~\$125~~]] >>\$132<<.

Part 48. Section 81-44.5-1 of the code is amended to read:

81-44.5. Driver Training Course.

1. The registration fee for a defensive driving course sponsored by the police department shall be [[~~\$25~~]] >>\$30<<.

Part 49. Section 81-44.7-2, 4 and 5 of the code is amended to read:

81-44.7. Driver's License, Public Passenger Vehicle.

2. The fee for each original license shall be ~~[[\$25]]~~ >>\$30<<.
4. The fee for renewal of each license shall be ~~[[\$10]]~~ >>\$15<<.
5. The registration fee for a public passenger vehicle driver examination administered by the police department regarding knowledge of city streets, places, regulations and sufficient command of the English language shall be ~~[[\$3]]~~ >>\$8<<.

Part 50. Section 81-45 of the code is amended to read:

81-45. Driveway Permit.

1. The application fee for a permit to install a driveway shall be ~~[[\$113]]~~ >>\$120<<.
2. An additional fee shall be charged for each driveway permit processed to cover the costs of plan review and inspection in the amount of ~~[[\$35]]~~ >>\$40<<.

Part 51. Section 89-49.5-1 to 3 of the code is amended to read:

89-49.5 Engineer Service Fees.

1. Preparation of an agreement to allow construction over sewer easements: ~~[[\$600]]~~ >>\$804<<.
2. Answer of an inquiry with respect to a deferred sewer, water or special assessment charge: ~~[[\$15]]~~ >>\$20<<.
3. Preparation of a preliminary sewer design and furnishing information with respect to sewers for proposed development: ~~[[\$35]]~~ >>\$40<< per hour or fraction thereof.

Part 52. Section 81-49.8-2 of the code is amended to read:

81-49.8 Escort License.

2. The fee for each license shall be ~~[[\$25]]~~ >>\$32<<.

Part 53. Section 81-49.9-2 of the code is amended to read:

81-49.9 Escort Services License.

2. The fee for each license shall be [[\\$100]] >>\$127<<.

Part 54. Section 81-50-1 and 5-a of the code is amended to read:

81-50. Excavation Permit and Inspection Fees for work in the Public Right of Way.

1. GENERAL. For the excavation required for the construction or repair of an individual storm building sewer, sanitary building sewer, combined building sewer, water service, or any combination thereof laid simultaneously in a single excavation or in more than one excavation connected by tunnel or boring, the fee shall be [[\\$67]] >>\$77<<.

5. INSPECTION. a. The fee for inspection services for each permit, except permits issued to city forces, public utilities, or to persons engaged in work under a city [[of Milwaukee]] contract for which inspectional services have been otherwise provided shall be [[\\$41]] >>\$46<<.

Part 55. Section 81-52 of the code is amended to read:

81-52. Fire Department Instruction and Training. The fee for out-of-city personnel to attending training courses sponsored by the fire [[department's bureau of instruction and training]] >>department<< shall be computed at the rate of [[\\$48]] >>\$73<< per day.

Part 56. Section 81-52.5 of the code is amended to read:

81-52.5 Fire Service. The fee for every unit of fire department equipment requested in excess of reciprocal fire service agreements entered into with other municipalities shall be [[\\$3,200]] >>\$4,854<< per hour or fraction thereof. The charges shall be computed from the time the equipment leaves its assigned quarters until the time such equipment returns to service in its assigned quarters.

Part 57. Section 81-52.7 of the code is amended to read:

81-52.7. Flower Pot Holders. The permit fee for each flower pot holder applicant shall be [[\\$25]] >>\$38<< and shall be in effect from April 1 of each year to the following March 31.

Part 58. Section 81-57 of the code is amended to read:

81-57. Franchise. The fee for introduction of each ordinance or resolution

granting a franchise shall be ~~[[\\$330]]~~ >>\$501<<.

Part 59. Section 81-58.5-2 of the code is amended to read:

81-58.5. Handicapped-Elderly Vehicle Permit.

2. The fee for each permit shall be ~~[[\\$75]]~~ >>\$82<<.

Part 60. Section 81-59 of the code is amended to read:

81-59. Harbor Island Fee. 1. The permit fee for use of Harbor Island shall be ~~[[\\$250]]~~ >>\$288<<, plus ~~[[\\$50]]~~ >>\$58<< per day, per acre used for an event.

2. There shall be a participation fee of ~~[[\\$0.25]]~~ >>\$0.29<< per participant for groups with over 500 persons.

Part 61. Section 81-60-2 of the code is repealed and recreated to read:

81-60. Home Improvement Contractor's or Salesman's License.

2. a. The fee for each new or renewal home improvement contractor's license shall be \$180.

b. The fee for each new salesman's license shall be \$30.

c. The fee for the renewal of each salesman's license shall be \$18.

Part 62. Section 81-60-3 of the code is repealed.

Part 63. Section 81-60.5-2 of the code is amended to read:

81-60.5. Horse and Surrey Livery Permit.

2. The fee for each permit shall be ~~[[\\$53]]~~ >>\$67<<.

Part 64. Section 81-62-3 and 4 of the code is amended to read:

81-62. Instrumental Music License.

3. The fee for each license shall be ~~[[\\$90]]~~ >>\$137<<.

4. The fee to transfer a license shall be ~~[[\\$16]]~~ >>\$24<<.

Part 65. Section 81-63-2 and 3 of the code is amended to read:

81-63. Junk Collector License.

2. The fee for a junk collector on foot or with a handwagon shall be ~~[[\$32]]~~ ~~>> \$45 <<~~ per pushcart.

3. The fee for a junk collector with a motor vehicle shall be ~~[[\$74]]~~ ~~>> \$104 <<~~ per vehicle.

Part 66. Section 81-64-2 and 3 of the code is amended to read:

81-64. Junk Dealer License.

2. The fee for each fixed place of doing business shall be ~~[[\$150]]~~ ~~>> \$211 <<~~.

3. The fee for each additional fixed place of storing salvaged materials shall be ~~[[\$32]]~~ ~~>> \$45 <<~~.

Part 67. Section 81-65-2 of the code is amended to read:

81-65. Junker's License.

2. The fee for each license shall be ~~[[\$13]]~~ ~~>> \$20 <<~~.

Part 68. Section 81-67 of the code is amended to read:

81-67. Lateral Sewer Investigation. The fee for an investigation with respect to lateral sewer conditions and backwater/sewer backup, provided by the department of public works, infrastructure services division, shall be ~~[[\$10]]~~ ~~>> \$15 <<~~, if the backup or problem is the property owner's responsibility.

Part 69. Section 81-68-2 of the code is amended to read:

81-68. Luxury Limousine Permit.

2. The fee for each permit shall be ~~[[\$75]]~~ ~~>> \$105 <<~~.

Part 70. Section 81-70-2 and 3 of the code is amended to read:

81-70. Loading Zone Permit.

2. The fee for each original loading zone permit, except a permit issued to a

disabled person as defined in s. 101-23.7-1-b, shall be computed at the rate of ~~[[\\$150]]~~ >>\$168<< for every 30 feet of curb space or fraction thereof. The fee for each original loading zone permit issued to a disabled person shall be \$50, with all such permits being for 30-foot loading zones.

3. The fee for each renewal loading zone permit shall be computed at the rate of ~~[[\\$75]]~~ >>\$84<< for every 30 feet of curb space or fraction thereof.

Part 71. Section 81-75-1, 3 and 4 of the code is amended to read:

81-75. Mooring Permits.

1. The fee for a mooring permit shall be ~~[[\\$25]]~~ >>\$31<<.

3. Each permit shall be renewed annually upon payment of a ~~[[\\$15]]~~ >>\$20<< fee.

4. A permit may be transferred for use by a boat other than the one originally listed on the application, by completion of a transfer form provided by the harbor commission and payment of a ~~[[\\$20]]~~ >>\$25<< fee.

Part 72. Section 81-75.5-2 of the code is amended to read:

81-75.5 Motorcycle.

2. The fee for each permit shall be ~~[[\\$75]]~~ >>\$80<<.

Part 73. Section 81-76-2 of the code is amended to read:

81-76. Motorcycle with Sidecar Permit.

2. The fee for each permit shall be ~~[[\\$75]]~~ >>\$80<<.

Part 74. Section 81-77-2 and 3 of the code is amended to read:

81-77. Moving Picture Houses, Coin-Operated.

2. The minimum license fee shall be ~~[[\\$265]]~~ >>\$372<<.

3. For every structure in which moving pictures are exhibited in coin-operated machines, the fee shall be determined at the rate of ~~[[\\$53]]~~ >>\$74<< per machine.

Part 75. Section 81-78-2 of the code is amended to read:

81-78. Newspaper Vending Box Permit.

2. The fee for each permit shall be [[\$16]] >>\$22<<.

Part 76. Section 81-78-4 of the code is renumbered 81-78-3.

Part 77. Section 81-80-1 and 2 of the code is amended to read:

81-80. Oversize or Overload Vehicle Permit.

1. The fee for each oversize or overload permit without police department escort shall be [[\$71]] >>\$82<<.

2. The fee for each oversize or overload permit with police department escort shall be [[\$175]] >>\$201<<.

Part 78. Section 81-88-2 of the code is amended to read:

81-88. Pawnbroker's License.

2. The fee for each license shall be [[\$210]] >>\$295<<.

Part 79. Section 81-89-2 of the code is amended to read:

81-89. Pedicab Owner's Permit.

2. The fee for each permit shall be [[\$64]] >>\$90<<.

Part 80. Section 81-92.5-2-a to d of the code is amended to read:

81-92.5. Phonograph Distributor's, Premises and Machine Licenses and Permits.

2. The following fees shall be paid:

a. Phonograph premises permit: [[\$27]] >>\$38<<.

b. Phonograph machine permit (tag): [[\$11]] >>\$16<<.

c. Phonograph distributor license: [[\$378]] >>\$531<<.

d. Phonograph premises permit transfer: [[\$11]] >>\$16<<.

Part 81. Section 81-93-2 of the code is amended to read:

81-93. Photographer's License, Professional.

2. The license fee for each separate place of business operated in connection with the occupation of professional photographer shall be [[43]] >>\$60<<.

Part 82. Section 81-94-2 of the code is amended to read:

81-94. Photographer's License, Street.

2. The fee for each license shall be [[32]] >>\$45<<.

Part 83. Section 81-96 of the code is amended to read:

81-96. Plat Filing Fee. 1. a. The filing fee for cemetery plats containing one to 200 lots shall be [[80]] >>\$121<<.

b. The fee for each additional 200 lots or fractional part thereof shall be [[16]] >>\$24<<.

2. a. The fee for plats other than cemetery plats containing from one to 25 lots shall be [[170]] >>\$258<<.

b. The fee for each additional lot over the 25 lots shall be [[0.45]] >>\$0.68<<.

Part 84. Section 81-97 of the code is amended to read:

81-97. Plat or Map Correction Instrument. The fee for filing each plat or map correction instrument shall be [[10]] >>\$15<<.

Part 85. Section 81-98-2 and 3 of the code is amended to read:

81-98. Pool and Billiard Hall License.

2. The fee for each license shall be [[75]] >>\$105<<.

3. The fee to transfer each license shall be [[21]] >>\$30<<.

Part 86. Section 81-99-2 of the code is amended to read:

81-99. Pool and Billiard Table License.

2. The fee for each license shall be [[\$27]] >>\$32<<.

Part 87. Section 81-99.5-2 of the code is amended to read:

81-99.5 Precious Metal and Gem Dealer's License.

2. The fee for each license shall be [[\$30]] >>\$35<<.

Part 88. Section 81-101-3 of the code is amended to read:

81-101. Pre-recorded Music Machine, Record Spins Premises License.

3. The fee for each license shall be [[\$21]] >>\$32<<.

Part 89. Section 81-101.3 of the code is amended to read:

81-101.3. Public Passenger Vehicle Fee, Special. The fee for special inspection of a public passenger vehicle, which shall apply when the vehicle owner fails to obtain a current inspection sticker during an established inspection period, as provided in s. 100-51, shall be [[\$30]] >>\$46<<.

Part 90. Section 81-101.5 of the code is amended to read:

81-101.5. Public Passenger Vehicle Permit Change of Agent or Officers. The fee for changing the agent or officers of a corporation holding a public passenger vehicle permit shall be [[\$10]] >>\$15<<.

Part 91. Section 81-102-3 to 6 of the code is amended to read:

81-102. Public Ways: Permits for Temporary Occupancy or Use as Public Ways.

3. SIDEWALKS. For the temporary occupancy of all or a portion of a sidewalk area where the sidewalk area is not available for public use:

a. The fee for a period of 7 days or less shall be [[\$72]] >>\$109<<.

b. For a period of 8 to 30 days, the fee shall be [[\$117]] >>\$177<<.

c. The fee for each succeeding month or portion thereof beyond 30 days shall be [[\$117]] >>\$177<<.

4 PARKING LANES. For the temporary occupancy of all or a portion of the

parking lane where the parking lane is not available for public use:

- a. The fee for a period of 7 days or less shall be ~~[[\$80]]~~ >>\$121<<.
- b. For a period of 8 to 30 days, the fee shall be ~~[[\$142]]~~ >>\$215<<.
- c. The fee for each succeeding month or portion thereof beyond 30 days shall be ~~[[\$142]]~~ >>\$215<<.

5. TRAFFIC LANES AND ALLEYS. For the temporary occupancy of all or a portion of a traffic lane or alley where the traffic lane or alley is not available for public use:

- a. The fee for a period of 7 days or less shall be ~~[[\$95]]~~ >>\$144<<.
- b. For a period of 8 to 30 days, the fee shall be ~~[[\$184]]~~ >>\$279<<.
- c. The fee for each succeeding month or portion thereof beyond 30 days shall be ~~[[\$184]]~~ >>\$279<<.

6. INSPECTION. An additional fee shall be charged per month or portion thereof for each permit processed to cover costs of inspection in the following amount:

- a. Sidewalks: ~~[[\$28]]~~ >>\$42<<.
- b. Parking lanes: ~~[[\$28]]~~ >>\$42<<.
- c. Traffic lanes and alleys: ~~[[48]]~~ >>\$73<<.

Part 92. Section 81-102.1-4 to 8-a of the code is amended to read:

81-102.1. Public Ways; Special Permits.

4. HOLLOW WALKS. The fee for performance of any work on a sidewalk situated over a hollow walk shall be ~~[[\$71]]~~ >>\$76<<.

5. POLES. The fee for installing, replacing and removing utility poles shall be computed at ~~[[\$71]]~~ >>\$76<< per block face. A block face shall consist of both sides of the street and not exceed 100 house numbers. In instances when a block face of 100 house numbers is divided by one or more intersecting public ways, each subdivision shall constitute a block face.

6. SIDEWALKS. The fee for replacing sidewalks shall be computed at ~~[[\$67]]~~

>>\$72<< for regular walks per block face and [[\$85]] >>\$129<< for full walks per block face. A block face shall consist of both sides of the street and not exceed 100 house numbers. In instances when a block face of 100 house numbers is divided by one or more intersecting public ways, each subdivision shall constitute a block face.

7. STREET CUTS. The fee for replacing and filling street cuts shall be [[\$85]] >>\$129<<.

8. INSPECTION COSTS. a. An additional fee shall be charged for each permit under subs. 1 to 4, 6 and 7 to cover costs of inspection in the amount of [[\$41]] >>\$62<<.

Part 93. Section 81-102.2-2 of the code is amended to read:

81-102.2 Publication Rental Boxes.

2. The fee for each permit for each rental box shall be [[\$16]] >>\$24<<.

Part 94. Section 81-102.3 of the code is amended to read:

81-102.3. Purchasing Appeals. The fee required for a vendor to appeal bid specifications and recommendations for awards pursuant to s. 16-05 of the charter and s. 310-19 of the code shall be [[\$50]] >>\$76<<.

Part 95. Section 81-102.4 of the code is amended to read:

81-102.4 Purchasing-Restoration to Bidders Lists. The fee required for a vendor to be restored to bidders lists maintained by the [[standards and procurement]] >>purchasing<< division - department of administration, subsequent to the division's removal of a vendor's name if the vendor does not respond on 3 consecutive bids, shall be [[\$50]] >>\$76<<.

Part 96. Section 81-102.5 of the code is amended to read:

81-102.5. Retrieval of Lost Articles. The fee for attempted retrieval of lost articles in the sewer system, provided by the department of public works, shall be [[\$40]] >>\$61<<.

Part 97. Section 81-103-2 of the code is amended to read:

81-103. Roller Skate Rentals on Public Premises.

2. The fee for each license shall be [[\$27]] >>\$41<<.

Part 98. Section 81-103.2-2 of the code is amended to read:

81-103.2. Salary Advances.

2. The processing charge for all subsequent advances in the calendar year shall be ~~[[\$10]]~~ >> \$15 <<.

Part 99. Section 81-103.5 of the code is amended to read:

81-103.5 Statement of Income Duplicates.

2. The processing charge for requests beyond April 15 or for additional copies or duplicates shall be ~~[[\$10]]~~ >> \$15 << and ~~[[\$15]]~~ >> \$23 << respectively for each item requested.

Part 100. Section 81-104-2 of the code is amended to read:

81-104. Secondhand Dealer's License.

2. The fee for each license shall be ~~[[\$27.50]]~~ >> \$33 <<.

Part 101. Section 81-104.5-2 of the code is amended to read:

81-104.5. Secondhand Dealer Mall License.

2. The fee for each license shall be ~~[[\$165]]~~ >> \$180 <<.

Part 102. Section 81-104.7 of the code is amended to read:

81-104.7. Sewer Connection. The fee for connecting a private drain to a public sewer shall be ~~[[\$38.50]]~~ >> \$46 <<.

Part 103. Section 81-105-2 of the code is amended to read:

81-105. Shooting Gallery License.

2. The fee for each license shall be ~~[[\$48]]~~ >> \$67 <<.

Part 104. Section 81-106-2 of the code is amended to read:

81-106. Show or Exhibit Permit.

2. The fee for each permit shall be ~~[[\\$160]]~~ >>\$225<<.

Part 105. Section 81-106.5-2 of the code is amended to read:

81-106.5. Shuttle Vehicle Permit.

2. The fee for each permit shall be ~~[[75]]~~ >>\$105<<.

Part 106. Section 81-107 of the code is amended to read:

81-107. Signs or Decorations Attached to City-Owned Poles. The fee for the attachment of each sign or decoration as provided for in s. 101-50-6 shall be ~~[[\\$6]]~~ >>\$11<< per attachment.

Part 107. Section 81-108 of the code is amended to read:

81-108. Sign; Directional For Churches. The fee for the installation of church directional signs shall be ~~[[\\$32]]~~ >>\$49<< per sign.

Part 108. Section 81-109 of the code is amended to read:

81-109. Signs; "No Parking to Driveway". When the installation of a "no parking to driveway" sign is requested by the owner, lessee, manager ~~[[,]]~~ or tenant of the property involved, the fee chargeable to the requester shall be ~~[[\\$80]]~~ >>\$121<< per sign installation.

Part 109. Section 81-114-2 of the code is amended to read:

81-114. Snow Plowing Motorized Equipment License.

2. The fee for each license shall be ~~[[\\$21]]~~ >>\$30<<.

Part 110. Section 81-114.6-1 to 3 of the code is amended to read:

81-114.6. Special Events - City Services.

1. Class A Event: ~~[[\\$1,000]]~~ >>\$1,341<< plus ~~[[\\$250]]~~ >>\$335<< for each additional day beyond 3 days.

2. Class B Event: ~~[[\\$250]]~~ >>\$280<<.

3. Class C Event: ~~[[\\$50]]~~ >>\$76<<.

Part 111. Section 81-114.6-6 of the code is renumbered 81-114.6-5 and amended to read:

5. Provision of additional public works services:

a. Dumpster.

a-1. 1 to 3 dumpsters: [[\$130]] >>\$174<<.

a-2. 4 to 6 dumpsters: [[\$260]] >>\$349<<.

a-3. 7 to 9 dumpsters: [[\$390]] >>\$523<<.

b. Barricade.

b-1. 1 to 4 barricades: [[\$11]] >>\$16<<.

b-2. 5 to 20 barricades: [[\$22]] >>\$27<<.

b-3. Over 20 barricades: [[\$22]] >>\$23<< plus [[\$4]] >>\$5<< for each barricade over 20.

c. Stage platform.

c-1. Portable stage: [[\$100]] >>\$119<<.

c-2. Fixed stage: [[\$350]] >>\$415<<.

d. Snow fence: [[\$5]] >>\$10<< per square yard roll.

e. Temporary traffic signs: [[\$7]] >>\$12<< each.

Part 112. Section 81-114.7 of the code is amended to read:

81-114.7. Special Events: Sales From Private Properties. The fee for each permit for sales from private properties shall be [[\$25]] >>\$38<<.

Part 113. Section 81-114.8 of the code is amended to read:

81-114.8. Special Events: Sales Within Barricaded Areas. The fee for each permit for sales within barricaded areas shall be [[\$25]] >>\$38<<.

Part 114. Section 81-115 of the code is amended to read:

81-115. Special Privileges: Granting of Encroachments. The fee for the introduction of each ordinance or resolution granting a special privilege shall be [[\$137]] >>\$208<<.

Part 115. Section 81-118 of the code is amended to read:

81-118. Tag Day Permit and Tags.

1. The fee for each tag day permit shall be [[\$5]] >>\$10<<.
2. The fee for each solicitor's tag shall be [[\$0.05]] >>\$0.08<<.

Part 116. Section 81-119-2 to 4 of the code is amended to read:

81-119. Tavern Amusement License.

2. The annual fee for each tavern amusement license shall be [[\$955]] >>\$1,342<<.
3. The holder of a tavern dance hall license may apply for a tavern amusement license upon the payment of [[\$795]] >>\$1,117<<.
4. The fee to transfer a tavern amusement license shall be [[\$53]] >>\$74<<.

Part 117. Section 81-120-2 and 3 of the code is amended to read:

81-120. Tavern Dance License.

2. The annual fee for each tavern dance license shall be [[\$160]] >>\$204<<.
3. The fee to transfer a tavern dance license shall be [[\$16]] >>\$21<<.

Part 118. Section 81-121 of the code is amended to read:

81-121. Tavern Dancing, Special Party Permit. The fee for each tavern dancing, special party permit shall be [[\$11]] >>\$16<<.

Part 119. Section 81-122 of the code is amended to read:

81-122. Tax Bill Duplicate. The fee for each duplicate tax bill, except for the current tax bill issued during the current tax collection period shall be [[\$1.35]] >>\$6<<.

Part 120. Section 81-123 of the code is amended to read:

81-123. Tax-Exempt Property Report. The fee for filing a tax-exempt property form shall be ~~[[\\$30]]~~ >>\$35<<.

Part 121. Section 81-126-2 of the code is amended to read:

81-126. Taxicab Permit.

2. The fee for each permit shall be ~~[[\\$80]]~~ >>\$121<<.

Part 122. Section 81-127-2-a to c is amended to read:

81-127. Theatres and Motion Pictures.

2. The fee for each license shall be:

a. Minimum fee: ~~[[\\$125]]~~ >>\$190<<.

b. Maximum fee: ~~[[\\$920]]~~ >>\$1,396<<.

c. The fee shall be determined at the rate of ~~[[\\$0.27]]~~ >>\$0.28<< per seat figured to the nearest \$50.

Part 123. Section 81-128 of the code is amended to read:

81-128. Traffic Signal Timing Schedule. The fee for each copy of a traffic signal timing schedule shall be computed at the rate of ~~[[\\$21]]~~ >>\$30<< per intersection.

Part 124. Section 81-129 of the code is amended to read:

81-129. Traffic Signs, Documentation of Installation. The fee for each letter of documentation relative to traffic control signs shall be ~~[[\\$11]]~~ >>\$17<<.

Part 125. Section 81-129.5-2 of the code is amended to read:

81-129.5. Transient Merchant License.

2. The fee for each license shall be ~~[[\\$85]]~~ >>\$119<<.

Part 126. Section 81-130-2 of the code is amended to read:

81-130. Used Bicycle, Tires or Battery Dealer's License.

2. The fee for each license shall be ~~[[\$32]]~~ >>\$45<<.

Part 127. Section 81-131-2 and 3 of the code is amended to read:

81-131. Used Motor Vehicle Dealer's License.

2. The fee for each license shall be ~~[[\$185]]~~ >>\$260<<.

3. The fee for a license transferred from one premises to another shall be ~~[[\$32]]~~ >>\$45<<.

Part 128. Section 81-131.5 of the code is amended to read:

81-131.5. Vehicle Replacement Fee. The fee for each public passenger vehicle transfer shall be ~~[[\$15]]~~ >>\$21<<.

Part 129. Section 81-132-2 of the code is amended to read:

81-132. Wage and Tax Statement Duplicates.

2. The processing charge for requests beyond April 15, or for additional copies of duplicates shall be ~~[[\$10]]~~ >>\$15<< and ~~[[\$15]]~~ >>\$21<< respectively for each item requested.

Part 130. Section 81-133-2 of the code is amended to read:

81-133. Waste Collector's License, Private.

2. The fee for each vehicle shall be ~~[[\$40]]~~ >>\$61<<.

Part 131. Section 81-136-1, 2-a and 3 of the code is amended to read:

81-136. Zoning.

1. PLANNED DEVELOPMENT. The fee for each planned development application shall be ~~[[\$750]]~~ >>\$1,100<<.

2. SITE PLAN REVIEW. a. The fee for a site plan review shall be ~~[[\$50]]~~ >>\$75<< plus ~~[[one dollar]]~~ >>\$2<< for each linear foot of lot frontage as measured at the street line. Frontage on an alley shall not be counted in this calculation.

3. ZONING AMENDMENT. The fee for a zoning amendment application shall be [[\$375]] >>\$570<<.

Part 132. Section 101-34-2-b, d and g and 7-b, d and h of the code is amended to read:

101-34. Stipulation Procedure; Nonmoving Traffic Violations.

2. FORFEITURE SCHEDULE

b. Citations issued for violation of ss. 101-23-4 and 6, 101-27-7-d, 101-30 and 101-33: [[\$10]] >>\$15<<.

d. Citations issued for violation of ss. 101-26.5 and 101-27-4: [[\$20]] >>\$25<<.

g. Citations issued for violation of s. 101-23.5: [[\$30]] >>\$35<<.

7. PENALTY.

b. Violations of ss. 101-23-4 and 6, 101-27-7-d, 101-30 and 101-33: [[\$10 to \$40]] >>\$15 to \$45<<.

d. Violations of ss. 101-26.5 and 101-27-4: [[\$20 to \$40]] >>\$25 to \$45<<.

h. Violations of s. 101-23.5: [[\$30 to \$50]] >>\$35 to \$55<<.

Part 133. Section 200-33-2-b-1 and 2 of the code is amended to read:

200-33. Fees.

2. ALTERATIONS.

b-1. The minimum fee for one and 2-family dwellings and accessory structures shall be [[\$25]] >>\$35<<.

b-2. The minimum fee for all other structures and buildings shall be [[\$50]] >>\$75<<.

Part 134. Section 200-33-5-a-2 and b-2 of the code is amended to read:

5. BUILDING PERMITS.

a. Commercial Buildings, New Construction and Additions.

a-2. The minimum fee shall be [[\\$150]] >>\$175<<.

b. Dwellings, New Construction and Additions.

b-2. The minimum fee shall be [[\\$75]] >>\$100<<.

Part 135. Section 200-33-8.5-a-1, 2, 4-a and 5-a of the code is amended to read:

8.5. CERTIFICATES OF OCCUPANCY AND ZONING.

a. Certificates of Occupancy.

a-1. The required fee for certificates of occupancy in existing buildings or parts thereof with gross areas of less than 10,000 square feet >>, << open lots, outdoor storage and outdoor circuses shall be [[\\$150]] >>\$175<<.

a-2. The required fee for certificates of occupancy in existing buildings or parts thereof with gross areas of 10,000 square feet or more shall be [[\\$350]] >>\$375<<.

a-4. The required fee for certificates of occupancy in new buildings with gross areas of less than 10,000 square feet shall be as follows:

a-4-a. Common areas: [[\\$50]] >>\$75<<.

a-5. The required fee for certificates of occupancy in new buildings with gross area of more than 10,000 square feet shall be as follows:

a-5-a. Common areas: [[\\$100]] >>\$125<<.

Part 136. Section 200-33-11-r of the code is amended to read:

11. ELECTRICAL INSTALLATIONS AND REPAIRS.

r. Minimum permit fee: [[\\$50]] >>\$55<< for installations and repairs in one and 2-family dwellings; [[\\$60]] >>\$65<< for installations and repairs in other than one and 2-family dwellings.

Part 137. Section 200-33-13.5-b-1 and 2 of the code is amended to read:

13.5. EROSION CONTROL.

b-1. The plan examination fee for erosion control measures for sites less than one acre shall be ~~[[\\$70]]~~ >>\$100<<.

b-2. The plan examination fee for erosion control measures for all other sites shall be ~~[[\\$100]]~~ >>\$150<<.

Part 138. Section 200-33-14.5 of the code is amended to read:

14.5. FENCES. There shall be a ~~[[\\$15]]~~ >>\$20<< fee for the construction of fences.

Part 139. Section 200-33-35-a-1, c-2, c-3, d-2, d-4 and e of the code is amended to read:

35. PLAN EXAMINATION, BUILDING, AUTOMATIC SPRINKLER, HEATING AND VENTILATING.

a. New Construction and Additions.

a-1. Commercial Buildings.

Square Feet	Fee
Less than 500	[[\\$100]] >>\$150<<
500-2,000	[[\\$200]] >>\$250<<
2,001-3,000	[[\\$250]] >>\$300<<
3,001-4,000	[[\\$350]] >>\$400<<
4,001-5,000	[[\\$450]] >>\$500<<
5,001-6,000	[[\\$500]] >>\$550<<
6,001-7,500	[[\\$550]] >>\$600<<
7,501-10,000	[[\\$650]] >>\$750<<
10,001-15,000	[[\\$700]] >>\$800<<
15,001-20,000	[[\\$750]] >>\$850<<
20,001-30,000	[[\\$850]] >>\$900<<
30,001-40,000	[[\\$950]] >>\$1,100<<
40,001-50,000	[[\\$1,200]] >>\$1,400<<
50,001-75,000	[[\\$1,500]] >>\$1,700<<
Over 75,000	[[\\$2,000 plus \$0.005]] >>\$2,300 plus \$0.006<< per sq. ft. over 75,000 sq. ft.

c. Odd structures.

c-2. The minimum fee shall be [[\$50]] >>\$75<<.

c-3. The maximum fee shall be [[\$5,000]] >>\$7,500<<.

d. Alterations.

d-2. The minimum fee for commercial buildings shall be [[\$50]] >>\$75<<.

d-4. The maximum fee shall be [[\$5,000]] >>\$7,500<<.

e. Plan Examination. The fee for the review of flammable and combustible liquid storage system installation, upgrading or stage II vapor recovery plans shall be [[\$50]] >>\$125<<.

Part 140. Section 200-33-40-b-1 and d of the code is amended to read:

40. PLAN EXAMINATION, PLUMBING.

b. Alterations.

b-1. The fees for plumbing plan examination relating to alteration or remodeling of buildings, computed on the basis of the number of plumbing fixtures and water-using appliances (e.g., water heater, dishwasher) to be installed, shall be as follows:

Number of Fixtures	Fee
6-15	[[\$150]] >>\$175<<
16-25	[[\$225]] >>\$250<<
26-35	[[\$300]] >>\$350<<
36-50	[[\$400]] >>\$450<<
51-75	[[\$550]] >>\$600<<
76-100	[[\$650]] >>\$700<<
101-125	[[\$750]] >>\$800<<
126-150	[[\$850]] >>\$900<<
Over 150	[[\$850 plus \$75]] >>\$900 plus \$100<< for each additional 25 fixtures or fraction thereof.

d. Maximum Fee. The maximum fee for any plumbing plan examination shall be [[\$5,000]] >>\$7,500<<.

Part 141. Section 200-33-43-j of the code is amended to read:

43. PLUMBING.

j. Minimum fee for any inspection, reinspection, test or retest: ~~[[\$50]]~~ >> \$55 <<.

Part 142. Section 200-33-45-a and c of the code is amended to read:

45. PUMPS, FLAMMABLE LIQUID.

a. The permit fee for the installation of flammable liquid pumps or dispensers on any premises shall be computed at ~~[[\$10]]~~ >> \$15 << for each pump, dispenser or nozzle.

c. Minimum fee: ~~[[\$50]]~~ >> \$75 <<.

Part 143. Section 200-33-48 of the code is amended to read:

48. REINSPECTION FEE. To compensate for inspectional and administrative costs, a fee of ~~[[\$50]]~~ >> \$60 << may be charged for any reinspection to determine compliance with an order to correct conditions of provisions of the Milwaukee code under the jurisdiction of the department of neighborhood services or assigned to the department, except no fee shall be charged for the reinspection when compliance is recorded. Reinspection fees shall be charged upon real estate upon which the reinspections were made, shall be a line upon the real estate and shall be assessed and collected as a special tax.

Part 144. Section 200-200-33-58-a to c, e and f of the code is amended to read:

58. TANKS, LIQUID STORAGE.

a. The permit fee for the installation of tanks for the storage of any liquids regulated by this code, above or underground or in buildings or structures, shall be computed at ~~[[\$15]]~~ >> \$25 << for each 1,000 gallons or fraction thereof of tank capacity.

b. The minimum fee shall be ~~[[\$50]]~~ >> \$75 << per tank.

c. The maximum fee shall be ~~[[\$150]]~~ >> \$230 << per tank.

e. The permit fee for the removal or abandonment of tanks used for the storage of

any liquids regulated by this code, whether above ground, underground or in buildings or structures, shall be \$10 per 1,000 gallons of maximum tank capacity, with a minimum fee of [[90]] >>\$100<<. The permit fee for the removal or abandonment of underground home heating oil tanks in one or 2-family dwellings shall be [[50]] >>\$55<<. These fees cover the first inspection and one reinspection. A fee equal to one-half the original permit fee may be assessed for each subsequent reinspection. The maximum fee shall be [[250]] >>\$280<<.

f. The permit fee for upgrading a tank or system shall be [[10]] >>\$15<< per \$1,000 of construction costs. The minimum permit fee shall be [[50]] >>\$70<<.

Part 145. Section 200-33-59-c to e of the code is amended to read:

59. TANKS, NATURAL GAS.

c. Minimum fee: [[50]] >>\$75<<.

d. Maximum fee: [[150]] >>\$230<<.

e. The permit fee for tanks used for temporary heat (less than 90 days) shall be [[20]] >>\$25<<.

Part 146. Section 200-33-61.5 of the code is amended to read:

61.5. TITLE SEARCH. The fee for a written report on pending special charges and information on pending work orders in the department shall be [[25]] >>\$30<< per address.

Part 147. Section 200-33-67 of the code is amended to read:

67. ZONING STATEMENT. The required fee for a signed statement as to current zoning shall be [[40]] >>\$50 plus \$50 per hour for research<<.

Part 148. This ordinance takes effect January 1, 2000.

Sponsors: THE CHAIR

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

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

No: 1 - Scherbert

Excused: 1 - Murphy

- 2) [990484](#) Substitute ordinance to further amend the 1999 rates of pay of offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 2 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 16, 1999 - July 25, 1999):

Under Salary Grade 012, add the title "Library Technical Services Manager 1/" with the following footnote to read: "1/ Position to be initially paid at rate consistent with Salary Grade 011 for a period of one year. Advancement to the full level shall occur at that time with the approval of Finance and Personnel Committee members."

Part 2. Section 3 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 20, 1999 - September 19, 1999):

Under Pay Range 235, add the footnote designation "11/" following the title "Water Plant Laborer" and add the following footnote: "11/ When an employee in the Water Plant Laborer classification is assigned lead worker duties for a full shift, he or she shall receive an additional sixty-eight cents (\$0.68) per hour."

Part 3. Section 20 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 1998 - December 28, 1997):

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

"Pay Range 850

Official Rate-Biweekly

\$ 996.63 1,038.82 1,157.39 1,276.26

\$1,407.32 1,551.88 1,696.17

Under Pay Range 850, in footnote "2/", delete the biweekly rates of pay shown therein and substitute therefor the following biweekly rates of pay: "2/ Employees hired prior to August 1, 1993 shall be paid at the following biweekly rates of pay: \$996.63 1,027.44 1,059.23 1,191.17 1,538.82 1,600.81 1,696.17."

Under Pay Range 850, in footnote "3/", delete the biweekly rates of pay shown

therein and substitute therefor the following biweekly rates of pay: "3/ Employees hired between August 1, 1993 and December 31, 1993 shall be paid at the following biweekly rates of pay: \$996.63 1,027.44 1,157.62 1,368.37 1,408.01 1,551.95 1,696.17."

Pay Range 851

Official Rate-Biweekly

\$ 973.38 1,004.22 1,035.99 1,167.93

\$1,515.58 1,577.56 1,672.95 1,696.17

Pay Range 853

Official Rate-Biweekly

\$1,262.12 1,290.47 1,598.86 1,663.27

\$1,797.44

Pay Range 856

Official Rate-Biweekly

\$1,619.80 1,684.62 1,752.00 1,822.09

\$1,895.01

Pay Range 857

Official Rate-Biweekly

\$1,822.09 1,895.01 1,970.80 2,049.65

\$2,131.54 2,216.82."

Part 4. Section 20 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 1, 1999 - December 27, 1998):

Delete the biweekly rates of pay shown for Pay Ranges 850 through 857 and substitute therefor the following biweekly rates of pay (Effective Pay Period 1, 1999 -

December 27, 1998):

"Pay Range 850

Official Rate-Biweekly

\$1,026.53 1,069.98 1,192.11 1,314.55

\$1,449.54 1,598.44 1,747.06

Under Pay Range 850, in footnote "2/", delete the biweekly rates of pay shown therein and substitute therefor the following biweekly rates of pay: \$1,026.53 1,058.26 1,091.01 1,226.91 1,584.98 1,648.83 1,747.06."

Under Pay Range 850, in footnote "3/", delete the biweekly rates of pay shown therein and substitute therefor the following biweekly rates of pay: \$1,026.53 1,058.26 1,192.35 1,409.42 1,450.25 1,598.51 1,747.06."

Pay Range 851

Official Rate-Biweekly

\$1,002.58 1,034.35 1,067.07 1,202.97

\$1,561.05 1,624.89 1,723.14 1,747.06

Pay Range 853

Official Rate-Biweekly

\$1,299.98 1,329.18 1,646.83 1,713.17

\$1,851.36

Pay Range 856

Official Rate-Biweekly

\$1,668.39 1,735.16 1,804.56 1,876.75

\$1,951.86

Pay Range 857

Official Rate-Biweekly

\$1,876.75 1,951.86 2,029.92 2,111.14

\$2,195.49 2,283.32."

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

Part 6. The provisions of Part 1 of this ordinance are deemed to be in force and effect from and after Pay Period 16, 1999 (July 25, 1999).

The provisions of Part 2 of this ordinance are deemed to be in force and effect from and after Pay Period 20, 1999 (September 19, 1999).

The provisions of Part 3 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 1998 (December 28, 1997).

The provisions of Part 4 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 1999 (December 27, 1998).

Part 7. This ordinance will take effect and be in force from and after its passage and publication.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 3) [990485](#) Substitute ordinance to further amend the 1999 offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 1 of ordinance File Number 980575 relative to offices and positions in the City Service is hereby amended as follows:

Under "Assessor's Office", delete one position of "Administrative Assistant II" and add one position of "Office Supervisor II."

Under "Department of City Development, Economic Development Division, Redevelopment", delete one position of "Clerk Stenographer III" and add one position of "Data Base Specialist."

Under "Health Department, Public Health Services Decision Unit, HIV Women's Grant", add one position of "Public Health Nurse (X)" and amend footnote "(L)" as follows: "To expire 7/31/00 unless the HIV Women's Grant, available from the Medical College of Wisconsin, is extended." and under "Women, Infants and Children's Grant", add one position of "Nutritionist (X)" and delete one position of "Clinic Assistant (X)", one position of "Dietetic Technician (X)" one position of "Office Assistant III" and one position of "Office Assistant II" and amend footnote "(C)" as follows: "To expire 9/30/00 unless the Women, Infants and Children's Grant, available from the Wisconsin Department of Health and Family Services is extended." and under "Consumer Protection and Environmental Health, Childhood Lead Poisoning Prevention Grant", delete one position of "Environmental Health Specialist II (W)" and one position of "Accounting Assistant II."

Under "Police Department", amend footnote "(F)" to read: "Truancy Abatement Grant: Four positions to expire 6/30/00 unless grant funding from Milwaukee Public Schools continues."

Part 2. Section 1 of ordinance File Number 980575 relative to offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 16 - July 25, 1999):

Under "Library, Administrative Services Decision Unit, Technical Services Bureau", delete one position of "Librarian V (X)(Y)" and add one position of "Library Technical Services Manager (X)(Y)." Part 3. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 4. The provisions of Part 2 of this ordinance are deemed to be in force and effect from and after Pay Period 16, 1999 (July 25, 1999).

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

ADOPTION OF THE FOLLOWING:

- 4) [970668](#) Substitute resolution to ratify and confirm the final agreement between the City of Milwaukee and the Milwaukee Professional Fire Fighters' Association, Local #215. Whereas, The agreement between the city negotiating team and Local #215, Milwaukee Professional Fire Fighters' Association, International Association of Fire Fighters, AFL-CIO, for the time period commencing January 1, 1998 through December 31, 1999, has been reduced to writing; and
- Whereas, The memorandum of understanding embodying the agreement reached by the parties to such agreement, copies of which are attached to Common Council File No. 970668 and incorporated herein as though fully set forth at length, was executed subject to ratification by the Common Council; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the agreement between the city negotiating team and Local #215, Milwaukee Professional Fire Fighters' Association, International Association of Fire Fighters, AFL-CIO, is approved; and, be it
- Further Resolved, That the city negotiating team is hereby authorized and directed to reduce the agreement to a formal contract between the union and the city; and, be it
- Further Resolved, That the proper city officials are directed to execute a formal labor contract embodying the terms and conditions of the attached Memorandum of Understanding between the City of Milwaukee and Local #215, Milwaukee Professional Fire Fighters' Association, International Association of Fire Fighters, AFL-CIO; and, be it
- Further Resolved, That the city negotiating team is directed to prepare any ordinance changes or resolutions to effectuate the agreement; and, be it
- Further Resolved, That the proper city officials are directed to take the necessary action or to make the necessary recommendations to the common council or the appropriate committees or boards to implement the terms of this agreement; and, be it
- Further Resolved, That such sums as are necessary for the implementation of the

aforementioned labor contract in accordance with its terms and conditions be obtained for and charged to the appropriate departmental budget accounts in accordance with the customary reporting and accounting requirements.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 5) [980465](#) Substitute resolution authorizing a Contingent Fund appropriation from the Common Council Contingent Fund to the Outside Counsel - Expert Witness Fund for the purpose of retaining outside legal counsel.

WHEREAS, The Outside Counsel - Expert Witness Fund is to be used by the City Attorney's Office to retain the services of expert witnesses and outside legal counsel; and

WHEREAS, Any appropriation of funds from this Fund requires approval by the Common Council via resolution; and

WHEREAS, A sufficient sum of money is not presently available in the Outside Counsel - Expert Witness Fund, but is available from funds which may be transferred from the Contingent Fund; and

Whereas, Common Council File Number 971183, adopted on November 25, 1997, authorized the City Attorney to enter into an agreement with the law firm of Reinhart, Boerner, Van Deuren, Norris & Rieselbach, S.C. ("Firm") to provide the City representation in the case of MPA, et al. v. City of Milwaukee, et al., Case Number 97-CV-007996, and appropriated \$10,000, and Common Council File Number 971609, adopted on February 10, 1998, appropriated \$50,000, and Common Council File Number 961946, adopted on June 16, 1998 appropriated \$100,000 from the Contingent Fund and Common Council File Number 981209, adopted on December 18, 1999 appropriated \$75,000 from the Contingent Fund, and Common Council File Number 990231, adopted on June 2, 1999, appropriated \$20,000 from the Outside Counsel Expert Witness Fund; and

Whereas, A total of \$255,000 has been appropriated to date and billings from Reinhart, Boerner, Van Deuren, Norris & Rieselbach, S.C., through July of 1999 total \$250,714.07 and there is a balance of \$4,285.93 and additional funding in the amount of \$10,000 is needed for the remainder of the year; and

Whereas, Common Council File Number 971781, adopted on April 14, 1998, appropriated \$39,000 and authorized the City Attorney to expand the scope of the Firm's engagement to include acting as a consultant in the establishment of a new retirement system for city employees; and as that as part of such amendment the Firm was authorized to sub-contract for the services of a Disadvantaged Business Enterprise contractor in the purchase of professional services; and Common Council File Number 961946, adopted on June 16, 1998, appropriated \$10,000 from the Contingent Fund, and Common Council File Number 980718, adopted on September 23, 1998 appropriated an additional \$30,000 from the Contingent Fund; and Common Council File Number 981209 adopted on 12/18/98 appropriated an additional \$75,000 from the Contingent fund; and Common Council File Number 990231, adopted on June 2, 1999 appropriated \$50,000; and

Whereas, A total of \$204,000 has been appropriated to date and billings from the Firm, and their contractor, through July of 1999 total \$219,312.81 and there is a negative balance of \$15,312.81 and additional funding in the amount of \$90,000 is needed for the remainder of the year; and

Whereas, Common Council File Number 961465, adopted on January 17, 1997 appropriated \$15,000 for outside counsel Whyte, Hirschboeck, Dudek, S.C. to represent the Employes' Retirement System/Annuity and Pension Board in Milwaukee Employes' Retirement System, et al. V. City of Milwaukee, Case No. 97-CV-000685 (Performance Fee Case); and Common Council File Number 980720, adopted on September 23, 1998 appropriated an additional \$15,000; and Common Council File Number 981209, adopted on December 18, 1998 appropriated \$40,000 from the Contingent Fund; and

Whereas, Billings by Whyte, Hirschboeck, Dudek, S.C. through July of 1999 total \$68,109.09, and there is a balance of \$1,890.91 and additional funding in the amount of \$5,000 is necessary for the remainder of the year; and

Whereas, The Employes' Retirement System/Annuity and Pension Board, are the plaintiffs in Milwaukee Employes' Retirement System, et al. v. City of Milwaukee, Case No. 97-CV-007996; and Whyte, Hirschboeck, Dudek, S.C. were retained to represent the Employes' Retirement System; and

Whereas, Common Council File Number 970723, adopted on November 11, 1997 transferred \$15,000; and FN980719, adopted on September 23, 1998 appropriated \$10,000, for a total of \$25,000, and the requested carryover was not carried-over, and billings through July of 1999 total \$135, and funding in the amount of \$10,000 is needed for the remainder of the year; and

Whereas, Common Council File Number 950698 adopted on September 9, 1995 appropriated \$30,000 from the Outside Counsel - Expert Witness Fund to retain an expert witness to assist in the defense of Marino Construction Co., Inc. v. City of Milwaukee, et al. Case No. 95-002781; and File Number 970119 adopted on October 7, 1997 appropriated an additional \$4,000; and

Whereas, A total of \$34,000 has been appropriated to date and there is a balance of \$3,107 and additional funding in the amount of \$5,000 is needed for the remainder of the year; now, therefore, be it

Resolved, By the Common Council that \$120,000.00 be transferred from the Common Council Contingent Fund No. 0001 9990 C001 1999 006300 to the Outside Counsel - Expert Witness Fund, No. 0001 1490 0001 9990 634001 and the expenditure of \$120,000.00 from the Outside Counsel - Expert Witness Fund is hereby authorized for the purpose of retaining an expert witness as directed herein; and, be it

Further Resolved, That the Office of the City Attorney is hereby authorized and directed to engage outside counsel and pay legal fees incurred by outside counsel or expert witnesses upon receipt of an itemized bill, approved to be reasonable and necessary by the Office of the City Attorney; and, be it

Further Resolved, That the City Comptroller is authorized and directed to appropriate the sum of \$120,000.00 to the City Attorney's Office budget for the stated project; and that application of the funds directed herein to a case other than that specifically referred to herein shall be subject to the further direction of the Common Council.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 6) [990369](#) Substitute resolution authorizing attendance at various seminars/meetings and authorizing expenditure of funds for this purpose.

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

1) Ald. Jeffrey A. Pawlinski (CC-CC) "National Conference on Preventing Crime"; Washington, D.C.; 11/3-6/99; \$350.00.

and, be it

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

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 7) [990418](#) Substitute resolution appropriating \$46,900 to the Department of Administration-Budget and Management Division from the 1999 Special Purpose Account - Reimbursable Services Advance Fund.

Sponsors: THE CHAIR

Ald. Pratt presented a substitute resolution to be substituted in lieu of the substitute resolution recommended for adoption by the Finance & Personnel Committee and moved for its acceptance.

(The motion prevailed.)

Ald. Pratt moved for adoption of said substitute resolution.

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

Resolved, By the Common Council of the City of Milwaukee, that \$46,900 be and hereby is appropriated from the 1999 Reimbursable Services Advance Fund (Account Number 0007-9990-9901-R999-000600) for the expenses associated with the operational review of the Employees' Retirement System and transferred to 1999 Reimbursable Services Advance Fund (Account Number 0007-1510-9901-R999-000600); and, be it

Further Resolved, That the Employees' Retirement System will provide payment for \$46,900 of service provided in the operational review of their office from funding appropriated to their 1999 departmental budget; and, be it

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 8) [990663](#) Substitute resolution dissolving the Total Quality Improvement Steering Team.

Resolved, By the Common Council of the City of Milwaukee, that Resolution file Number 910601, adopted July 16, 1991, creating the Total Quality Improvement Steering Team, as amended by Resolution File Number 960242, adopted June 4, 1996, is rescinded.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 9) [990666](#) Substitute resolution amending the prevailing wage resolution (Asbestos Workers/Heat & Frost Insulators, Plumber Laborers, Terrazzo).

Resolved, By the Common Council of the City of Milwaukee, that the resolution relative to minimum rates of pay and fringe benefits for various construction worker categories employed by the private construction industry engaged in public works contracts with the City of Milwaukee is hereby amended to reflect changes as contained in letter(s) from the Milwaukee Building and Construction Trades Council dated July 23, 1999, and attached to Common Council File Number 990666; and, be it

Further Resolved, That a copy of the aforesaid letter(s) be included with all certified copies of this resolution as part thereof.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 10) [990675](#) Resolution authorizing the transfer of \$120,000 from the Common Council Contingent Fund to the Outside Counsel-Expert Witness Fund to cover expenses incurred by expert witnesses and attorney fees for intervening parties, pursuant to the requirements of the court's order in the case captioned United States of America, et al. v. City of Milwaukee, et al., United States District Court Civil Action No. 74-C-480

Whereas, The Common Council has approved a proposed modified order in United States of America, et al. v. City of Milwaukee, et al., United States District Court Civil Action No. 74-C-480, which included provisions for the development of a new selection procedure for Police Officers and Police Aides hired by the City of Milwaukee Fire and Police Commission; and

Whereas, The Fire and Police Commission has contracted with SHL/Landy Jacobs & Associates, who have developed said selection procedures; and

Whereas, The United States District Court for the Eastern District of Wisconsin has further ordered that the City of Milwaukee pay the expenses of the intervening parties' reasonable attorney fees and expenses of qualified testing experts up to the amount of \$120,000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the sum of \$120,000 shall be transferred from the Common Council Contingent Fund, No. 0001 9990 0001 C001 006300 to the Outside Counsel-Expert Witness Fund, No. 0001

1490 0001 S157 634001, and the expenditure of \$120,000 from the Outside Counsel-Expert Witness Fund is hereby authorized for the purpose of paying the reasonable attorney fees and expenses of qualified testing experts incurred by the intervening parties in the case captioned United States of America, et al. v. City of Milwaukee, et al., United States District Court Civil Action No. 74-C-480; and, be it

Further Resolved, That the City Attorney be and hereby is authorized and directed to pay fees and expenses after review and approval of invoices from attorneys and expert witnesses of intervening parties pursuant to the court order; and, be it

Further Resolved, That the City Comptroller is authorized and directed to appropriate the sum of \$120,000 to the City Attorney's Office budget for the stated project; and that application of the funds directed herein to a case other than specifically referred to herein shall be subject to the further direction of the Common Council.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 11) [990683](#) Resolution relative to application, acceptance and funding of a Truancy Abatement and Burglary suppression (TABS) Grant. (Police Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Milwaukee Public Schools, for truancy abatement and burglary suppression; and

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

Whereas, The operation of this grant project from 07/01/99 to 06/30/00 would cost \$284,722 of which \$69,512 (25%) would be provided by the city and \$215,210 (75%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Milwaukee Public Schools, is authorized and the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81 of the Code of Ordinances; and, be it

Further Resolved, That the appropriate City officials are authorized to renew the expiring intergovernmental cooperation agreement with Milwaukee Public Schools for

TABS services; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent of the 1999 Special Revenue Accounts-Grant and Aid Projects, the following amounts for the program titled: "Truancy Abatement and Burglary Suppression (TABS)":

Project/Grant	Fund	Org	Program	BY	Subclass	Account
GR0009000000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$215,210

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

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

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

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

Further Resolved, That the Common council directs that the 1999 Positions Ordinance, C.C. File 980575 should be amended as follows:

POLICE DEPARTMENT

Amend footnote (F) to read as follows: "Truancy Abatement Grant: Four positions to expire 6/30/00 unless grant funding from Milwaukee Public Schools continues".

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

12) [990684](#) Resolution authorizing private settlement between Darrell D. Mischka and the City of Milwaukee, Board of Fire and Police Commissioners of the City of Milwaukee. (City Attorney)

Whereas, Darrell D. Mischka has filed a complaint of discrimination with the State of Wisconsin Department of Workforce Development, Equal Rights Division ("ERD"), ERD Case No. 199704871 and the United States Equal Employment Opportunity Commission ("EEOC"), EEOC Charge No. 26G980419 in which he alleged discrimination based upon his race (Caucasian) and age; and

Whereas, The charge of discrimination was filed with the ERD, where a determination was reached in favor of Mr. Mischka, concluding that there was probable cause to believe that the decision to transfer Mr. Mischka was in violation of the Wisconsin Fair Employment Laws; and

Whereas, Mr. Mischka has agreed to enter into a private settlement agreement to finally and completely resolve any and all past and future claims which Mr. Mischka has or may have against the City of Milwaukee, the City of Milwaukee Board of Fire and Police Commissioners, and the Milwaukee Police Department in the amount of \$17,774.89, which represents attorney's fees; and

Whereas, The City Attorney recommends and the Common Council of Milwaukee deems it is expeditious and just to enter into a private settlement agreement, now, therefore, be it

Resolved, That the settlement agreement annexed to the file be and hereby is approved and the City Attorney is authorized to execute the settlement agreement on behalf of the City; and, be it

Further Resolved, That the Chief of Police is hereby authorized and directed to implement the nonmonetary term of the settlement; and, be it

Further Resolved, That the City Attorney be and hereby is authorized to expend the said \$17,774.89 from the Damages and Claims Fund No. 0001 1490 2631 5118 636506 in order to implement the monetary terms of the settlement.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 13) [990685](#) Resolution approving a settlement agreement in the case of Partipilo, et al. v. City of Milwaukee, et al., Circuit Court Case No. 97-CV-000985. (City Attorney)
- Whereas, A charter ordinance enacted by the City of Milwaukee commencing in 1989 limited the service retirement allowance of policemen who retire on or after July 1, 1989 and firemen who retire on or after March 1, 1989 to a 90% of a policemen's or firemen's final average salary, the City Attorney has negotiated a settlement in the case of Partipilo, et al. v. City of Milwaukee, et al., Circuit Court Case No. 97-CV-000985, a case in which the limitation was challenged by policemen hired to the effective date of the limitation; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the settlement agreement entered into between plaintiffs' counsel and the City Attorney on behalf of the defendants be and hereby is approved and the City Attorney is authorized to proceed with the implementation of such settlement.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 14) [990690](#) Resolution appropriating \$640.62 from the Common Council Contingent Fund to supplement the 1999 Special Purpose Account - Firemen's Relief Fund.
- Whereas, The City of Milwaukee is annually required to pay to the Firemen's Relief Association 1/8 of the Fire Insurance Premium received from the State of Wisconsin; and
- Whereas, The amount provided in the 1999 budget for payment to the Firemen's Relief Association was based on the prior year's experience; and
- Whereas, The Fire Insurance Premium received by the City of Milwaukee exceeds the estimate, resulting in an increase in the amount required to be paid to the Firemen's Relief Association; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the Comptroller is hereby authorized and directed to transfer funds in the amount of \$640.62 from the 1999 Common Council Contingent Fund (0001-9990-0001-C001-006300) to supplement the appropriation of the Special Purpose Account Firemen's Relief Fund (0001-2110-0001-S133-006100) for the payment of 1/8 of the City's portion of the

fire insurance premium received from the State of Wisconsin in 1999.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 15) [990692](#) Substitute resolution reserving \$25,000 in the Common Council Contingent Fund to cover expenses for hiring expert witness to defend the selection procedures as developed by SHL/Landy Jacobs & Associates for positions of Police Officers and Police Aides, pursuant to current litigation in the case captioned United States of America, et al. v. City of Milwaukee, et al., United States District Court Civil Action No. 74-C-480 (City Attorney)
- Whereas, The United States District Court for the Eastern District of Wisconsin has ordered the City of Milwaukee and the City of Milwaukee Fire and Police Commission to participate with intervening parties to reach an agreement on the use of selection procedures for hiring Police Officers and Police Aides in the Milwaukee Police Department; and
- Whereas, The City of Milwaukee will be required to appropriately defend said selection procedures; and
- Whereas, In order to properly defend said selection procedures, it will be necessary to contract the services of SHL/Landy Jacobs & Associates in the amount of approximately \$25,000; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the sum of \$25,000 shall be reserved in the Common Council Contingent Fund,(No. 0001 9990 0001 C001) for the purpose of paying consultants in conjunction with defending the selection procedures as developed by SHL/Landy Jacobs & Associates in the case captioned United States of America, et al. v. City of Milwaukee, et al., United States District Court Civil Action No. 74-C-480; and, be it
- Further Resolved, That the City Attorney be and hereby is authorized to pay said fees and expenses after review and approval of invoice from SHL/Landy Jacobs & Associates; and, be it
- Further Resolved, That the City Comptroller is authorized and directed to transfer the reserved amount of \$25,000 from the Contingent Fund sub-class C001 to a special

sub-class within the Contingent Fund, under the control of the City Attorney's Office, for the stated project, and that the application of the funds directed herein to a case other than that specifically referred to herein shall be subject to the further direction of the Common Council.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 16) [990731](#) Substitute resolution amending the prevailing wage resolution (Asbestos and Hazardous Waste, Teamsters, Building Construction, General Building Contractors (Dump Truck - Flat Bed - Semi Drivers - Shop Mechanics), Sewer, Tunnel, Water & Utilities, All Truck Drivers (Hauling Sand - Gravel - Stone), Steamfitters). Resolved, By the Common Council of the City of Milwaukee, that the resolution relative to minimum rates of pay and fringe benefits for various construction worker categories employed by the private construction industry engaged in public works contracts with the City of Milwaukee is hereby amended to reflect changes as contained in letter(s) from the Milwaukee Building and Construction Trades Council dated August 2 & 24 and September 2, 1999, and the Department of Employee Relations dated September 21, 1999, and attached to Common Council File Number 990731; and, be it

Further Resolved, That a copy of the aforesaid letter(s) be included with all certified copies of this resolution as part thereof.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 17) [990796](#) Resolution relative to application, acceptance, and funding of a Regional Library for the Blind and Physically Handicapped Grant. (Milwaukee Public Library) Whereas, The City of Milwaukee appears to be eligible for grant funds from the

Wisconsin Department of Public Instruction to serve the blind and physically handicapped of the state by providing reading material on phonodiscs, cassette tapes, and braille books; and

Whereas, The operation of this grant from 07/01/99 to 06/30/00 would cost \$711,400 of which \$711,400 (100%) would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 1999 Special Revenue--Grant and Aid Projects, the following amounts for the project titled Regional Library for the Blind and Physically Handicapped:

Proj/Grant	Fund	Org	Program	BuYr
GR0009000000	0150	9990	0001	0000

Subclass	Acct	Project	Amount
R999	000600	Grantor Share	\$711,400

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

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

Further Resolved, That these funds are budgeted for Milwaukee Public Library which is authorized to:

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

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

3. Expend from the 1999 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.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

18) [990797](#) Resolution relative to application, acceptance, and funding of an Interlibrary Services Grant. (Milwaukee Public Library)

Whereas, The operation of this grant from 07/01/99 to 06/30/00 would cost \$92,800 of which \$92,800 (100%) would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 1999 Special Revenue--Grant and Aid Projects, the following amounts for the project titled Interlibrary Services Grant:

Proj/Grant	Fund	Org	Program	BuYr
GR0009000000	0150	9990	0001	0000

Subclass	Acct	Project	Amount
R999	000600	Grantor Share	\$92,800

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

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

Further Resolved, That these funds are budgeted for Milwaukee Public Library which is authorized to:

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

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

3. Expend from the 1999 grant budget funds for training and out-of-town travel by departmental staff.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

19) [990798](#) Resolution relative to application, acceptance and funding of a Women, Infants and Childrens Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Health and Social Services through the United States Department of Agriculture for supplemental nutritious food and nutrition education; and

Whereas, The operation of this grant project (CFDA #10.557) from 10/01/99 to 12/31/00 would cost \$1,187,022 entirely provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent Account of the 1999 Special Revenue Grant and Aid Projects the following amounts for the program titled Women, Infants and Childrens Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
BY	0000

Subclass	R999
Acct	000600
Project	Grantor Share
Amount	\$1,187,022

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

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

1. Expend from the amount budgeted sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 1999 grant budget funds for training and out-of-town travel by departmental staff;
3. Expend from the 1999 grant budget funds for specific items of equipment; and, be it

Further Resolved, That the Common Council directs that the 1999 Positions Ordinance, C.C. File 980575, should be amended as follows:

HEALTH DEPARTMENT
PUBLIC HEALTH SERVICES DECISION UNIT
Women, Infants and Childrens Grant

Add:

(1) Nutritionist (X)

Delete:

(1) Clinic Assistant (X)
(1) Dietetic Technician (X)
(1) Office Assistant III
(1) Office Assistant II

Amend footnote (C) as follows:

To expire 09/30/00 unless the Women, Infants and Childrens Grant, available from the Wisconsin Department of Health and Family Services is extended.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

20) [990799](#) Resolution amending Common Council File 990552 relative to application, acceptance and funding of the HIV Women's Grant. (Health Department)
Whereas, Common Council File 990552 authorized the Health Department to apply for, accept and fund the HIV Women's Grant from the Medical College of Wisconsin for the purpose of providing public health nursing case management to a targeted population of HIV infected women and their families . This grant provided for a Grantor share total of \$ 59,480; and

Whereas, The Grantor share for this program is increased by \$ 51,458; now, therefore be it

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

Further Resolved, That the City Comptroller is authorized to commit funds within Project/Grant Parent 1999 Special Revenue Grant and Aid Projects fund, the following amount for the project titled HIV Women's Grant:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount increased	\$51,458

; and, be it

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

Expend from the 1999 grant budget funds for training and out-of-town travel by departmental staff; and, be it

Further Resolved, That the Common Council directs that the 1999 Positions Ordinance, Common Council File 980575, should be amended as follows:

HEALTH DEPARTMENT
PUBLIC HEALTH SERVICES DECISION UNIT
HIV Women's Grant

Add:

(1) Public Health Nurse (X)

Amend footnote (L) as follows:

To expire 07/31/00 unless the HIV Women's Grant, available from the Medical College of Wisconsin, is extended. Positions are authorized only as reflected in the grant agreement as approved by the Grantor Agency; and, be it

Further Resolved, That all standard resolved clauses articulated in Common Council File 990552 remain applicable.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 21) [990813](#) Substitute resolution authorizing the acceptance and expenditure of contributions received by the Milwaukee Police Department from federally forfeited tangible property or cash which will be used for the purpose of providing the Department's share of the costs of an outdoor shooting range in Muskego (Police Department).
Whereas, The federal government has established specific guidelines for the expenditure of funds received as a result of the asset forfeiture fund program; and

Whereas, The Police Department currently has funds held in trust (Account 0768-2110-9xxx-D339-662201) to increase or enhance law enforcement efforts in the City of Milwaukee; and

Whereas, The Chief of Police will establish an intergovernmental agreement with the City of Muskego; and

Whereas, The support resources necessary to establish and operate this range are a legitimate, allowable asset forfeiture expense; and

Whereas, Common Council File 920252, adopted June 16, 1992, allows the Police Department to make amendments to its annual asset forfeiture expenditure plan, subject to Common Council approval; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the 1999 Asset Forfeiture Spending Plan, adopted 1/19/1999 (file 990462), be amended to include \$25,000 for the Department's share of the cost of the range and, be it

Further Resolved, That the 1999 Asset Forfeiture Spending Plan be further amended to remove \$35,000 for IACP Conference; and, be it

Further Resolved, That the City Comptroller is authorized to expend up to \$25,000 from the Police Department's Federal Forfeiture Trust Fund, account 0768-2110-xxxx-D999-662201 to the contribution/revenue account titled Federal Forfeiture Contribution Revenue Account (Number 0001-3311-985012); and, be it

Further Resolved, That upon deposit of these funds, the City Comptroller is authorized and directed to transfer \$25,000 from the Federal Forfeiture Contribution Revenue Account to the Police Department's budget as follows:

001-3311-0001-D339-006300 \$ 25,000
001-3311-0001-D339-006800 \$ 0

; and, be it

Further Resolved, That all funds are to be expended to enhance law enforcement efforts in the City of Milwaukee; and, be it

Further Resolved, That the City Comptroller is authorized to transfer \$35,000 previously appropriated to the contribution/revenue account titled Federal Forfeiture Contribution Revenue Account (Number 0001-3311-985012) back to the Police Department's Federal Forfeiture Trust Fund, account 0768-2110-xxxx-D999-662201; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer \$35,000 the Police Department's budget to the Federal Forfeiture Contribution

Revenue Account as follows:

001-3311-0001-D339-006300 \$ -35,000.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 22) [990837](#) Substitute resolution reserving an additional \$50,000 in the 1999 Common Council Contingent Fund (Account No. 0001-9990-0001-C001) for the City Clerk to pay for final actuarial work subcontracted by the law firm, Reinhart, Boerner, Van Dueren, Norris & Rieselbach, for purposes related to global pension settlement analysis.

Whereas, The City of Milwaukee has been engaged in discussions with the unions and retirees in order to reach a settlement on pension litigation; and

Whereas, The current and future financial impact of proposals put forth by the City, unions and retirees were evaluated; and

Whereas, The City of Milwaukee retained an actuary firm that created a financial model that the city used to evaluate the current status of the pension system and projected costs of the city past and final settlement proposals; and

Whereas, These actuarial activities are being subcontracted by the law firm Reinhart, Boerner, Van Dueren, Norris & Rieselbach, which is acting as a consultant to the city in matters related to global settlement talks; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the sum of \$50,000 be reserved in the 1999 Common Council Contingent Fund (Account No. 0001-9990-0001-C001) to fund actuarial work subcontracted by the law firm Reinhart, Boerner, Van Dueren, Norris & Rieselbach; and, be it

Further Resolved, That up to \$50,000 of the reserved funds may be expended in account 634001-0001-1310-2030-C015 for the purpose stated above with the approval of the City Clerk in consultation with the Budget Director.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 23) [990838](#) Resolution appropriating an amount not to exceed \$10,100,000 from the Borrowed Money Fund for the purpose of paying the judgments in Circuit Court Case No. 95-CV-011251 (the "Merger Case") and Circuit Court Case No. 97-CV-000685 (the "Performance Fee Case"), and authorizing the appropriate city officials to satisfy the judgment.

Whereas, The City is paying uncontested amounts under the judgments in these two outstanding pension cases in an amount not to exceed \$10,100,000; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay these uncontested amounts; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that a sum not to exceed \$10,100,000 be and hereby is appropriated from the Borrowed Money Fund to the Damages and Claims Fund Special Purpose Account No. 0001-1490-0001-S118-006300 for the purpose of paying outstanding contributions; and, be it

Further Resolved, That no additional authority is needed for the City Attorney to authorize payment from the Damages and Claims Fund Special Purpose Account for this purpose; and, be it

Further Resolved, That the proper city officers be and hereby are authorized to issue checks in a total amount not to exceed \$10,100,000 at the direction of the City Attorney and that said payment to be made upon delivery of an executed release and partial satisfaction of judgment meeting with the approval of the City Attorney.

Sponsors: THE CHAIR

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

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

No: 1 - Butler

Excused: 1 - Frank

- 24) [990839](#) Resolution authorizing the issuance and sale of general obligation short-term promissory notes under sec. 67.12(12), Stats., a current municipal expense, to wit: partial satisfaction of a judgment against the City of Milwaukee. (Comptroller)
- Whereas, The 1999 budget of the City of Milwaukee authorizes contingent borrowing in the form of general obligation bonds or notes, for any purposes not contemplated at the time the budget was adopted in the sum of \$10,100,000; and
- Whereas, The Common Council is desirous of issuing and selling promissory notes for a current municipal expense, to wit: partial satisfaction of a judgment against the City of Milwaukee; and
- Whereas, Rule 15c2-12 promulgated by the United States Securities and Exchange Commission under the Securities and Exchange Act of 1934, as amended, does not permit an underwriter to purchase, after July 3, 1995, securities such as notes unless such underwriter has reasonably determined that the issuer of such securities has undertaken in a written agreement or contract for the benefit of holders of such securities to provide certain financial information or operating data on a continuing basis; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that it hereby and herewith authorizes and declares its purpose to issue general obligation short-term promissory notes in an amount not to exceed \$10,100,000 for a current municipal expense, to wit; partial satisfaction of a judgment against the City of Milwaukee; and, be it
- Further Resolved, That said promissory notes be sold by the Commissioners of the Public Debt at a private sale; or public competitive sale; or to the Public Debt Amortization Fund for the purpose of investment; or to the Public Debt Amortization Fund for immediate cancellation; and, be it
- Further Resolved, That in the event the Commissioners of the Public Debt advise the Common Council that said notes have been sold at a private sale or public competitive sale or to the Public Debt Amortization Fund as an investment, the Common Council hereby declares that it will levy an irrevocable tax sufficient to pay each installment of principal and interest as it becomes due and payable; and, be it
- Further Resolved, That said promissory notes shall be payable periodically as determined by the Commissioners of the Public Debt within a period not to exceed ten years from the date of the issuance of said notes; and, be it
- Further Resolved, That the general obligation short-term promissory notes herein authorized shall be sold by the Commissioners of the Public Debt at such times as the Commissioners shall determine to be prudent and appropriate; and, be it

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

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

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

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

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

Further Resolved, That a global certificate shall be issued for each stated maturity date and registered only in the name of Cede & Company as nominee of the Depository Trust Company, New York, New York, for delivery and immobilization by the Depository Trust Company following the closing. The Depository Trust Company will act as securities depository of the notes. The City will make payment of principal,

redemption, premium if any, and interest on the notes on the due dates to the Depository Trust Company, or its nominee, as registered owner of the notes, in next-day funds. Notices, if any, given by the City to the registered owner of the notes will be given to the Depository Trust Company. In the event that the securities depository relationship with the Depository Trust Company for the notes is terminated and the City does not appoint a successor securities depository, the City will prepare, authenticate and deliver at its expense fully-registered certificated notes in the denominations of \$5,000 or in the integral multiple thereof in the aggregate principal amount by maturity then outstanding to the beneficial owners of the notes; and, be it

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

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

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 1 - Butler

Excused: 1 - Frank

PLACING ON FILE THE FOLLOWING:

- 25) [990496](#) Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for City Service Commission action.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 26) [990682](#) Resolution amending the Intergovernmental Cooperation Agreement between the City and the Milwaukee Public School District for payment of City services. (Police Department).

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 27) [990668](#) Resolution authorizing contingent borrowing relating to the City of Milwaukee's Y2K

preparedness.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 28) [990669](#) Resolution authorizing an appropriation from the Common Council Contingent Fund relating to the City of Milwaukee's Y2K preparedness.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 29) [990689](#) Communication from the Department of City Development transmitting the final audit report of the Redevelopment Authority for the years ended December 31, 1998 and 1997.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 30) [990823](#) Substitute resolution authorizing an additional appropriation of \$104,160 from the 1999 Common Council Contingent Fund relating to an evaluation of the City's Year 2000 preparedness.

Sponsors: Ald. Kalwitz, Ald. Pratt and Ald. Richards

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

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

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [990559](#) Substitute resolution implementing the order issued by the Wisconsin Public Service Commission to adjust water rates.
- Whereas, the Public Service Commission has conducted an audit of the Water Works' records, solicited testimony from interested parties and held a public hearing on July 15, 1999; and

Whereas, On August 30, 1999 the Public Service Commission issued an order authorizing revised water rates (copy attached); now, therefore, be it

Resolved, By the Common council of the City of Milwaukee that the Milwaukee Water Works is authorized and directed to implement the rates contained in the Public Service Commission order of August 30, 1999, in accordance with the attached implementation schedule.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 2) [990631](#) Resolution authorizing issuance of a mobile home park license to Sellmer Fromm, College Mobile Home park, for the premises at 6160 South 6th Street.
- Resolved, By the Common Council of the City of Milwaukee, that the City Clerk be and hereby is authorized and directed to issue a mobile home park license to Sellmer Fromm, College Mobile Home Park, for the premises at 6160 South 6th Street for a period of one year commencing July 1, 1999, and ending June 30, 2000.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

APPROVAL OF THE FOLLOWING:

[990382](#)

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

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

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

Sponsors: THE CHAIR

ALD. WITKOWIAK moved to strike from the grant list " the Class "B" Tavern license for "The Sanctuary" located at 805 S. 5th Street and place on the deny list.

The motion prevailed by the following vote:

Ayes: 10

Noes: 6

Excused: 1

ALD. WITKOWIAK also moved to return the Cabaret license back to the Utilities and Licenses Committee. (Ald. D'Amato voting "no")

Ald. Murphy moved to vote "no" to the license of "Spice Island", Stanley C.

Gordon located at 5930 W. North Avenue.

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

PLACING ON FILE THE FOLLOWING:

- 4) [990709](#) Communication from the Public Service Commission transmitting an application of the Wisconsin Electric Power Company to expand its steam service territory to provide steam service to the War Memorial Center in the City of Milwaukee, Milwaukee County.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 5) [990711](#) Communication from the Office of the Commissioner of Railroads relative to the petition of the City of Milwaukee for the establishment of a public crossing of the Union Pacific Railroad Company tracks with East Washington Street in the City of Milwaukee.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 6) [990712](#) Communication from the Public Service Commission transmitting a notice of proceeding and investigation relative to a complaint by the Apartment Association of Southeastern Wisconsin, Inc.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 7) [990722](#) Communication from the Milwaukee County Transit System transmitting a notification of a change in Bus Route 101 (Park Place-Silver Mill Shuttle).

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 8) [990725](#) Communication from the Commissioner of Railroads transmitting a petition of the Wisconsin Department of Transportation for the alteration of 3 public crossings of the Union Pacific Railroad Company tracks with USH 45.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

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

- 9) [990383](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

The Common Council of the City of Milwaukee hereby accepts the recommendations

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

Sponsors: THE CHAIR

THE CLERK swore in the Court Reporter--

Recommendation of nonrenewal of the Amusement Machine and Phonograph Distributor License of Heath N. Wasserman for the premises at 4224 N. 68th Street ("City Coin & Amusements") in the 2nd Ald. Dist. Written objections have not been filed by the licensee. (Committee Vote: 3 Ayes; 1 Noes; 1 Excused; Expiration Date: 6-30-99).

Recommendation of nonrenewal of the Class "B" Tavern License of William Agosto for the premises at 1031 W. Maple Street ("Labios") in the 12th Ald. Dist. Written objections have been filed by the licensee. (Committee Vote: 4 Ayes; 1 Noes; Expiration Date: 10-14-99).

Recommendation of nonrenewal of the Class "D" Bartender License of Raymond J. Raspberry. Written objections have not been filed by the licensee. (Committee Vote: 3 Ayes; 0 Noes; 2 Excused; Expiration Date 12-31-98).

The Chair questioned whether all the members of the Common Council read the Report and Recommendations of the Utilities and Licenses Committee in these matters and any written exceptions, if filed by the licensee(s).

Ayes: 16 - Ald. Pratt, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Murphy, Nardelli, Hines and President Kalwitz.

Noes: 0.

Excused: 1 - Frank.

Heath N. Wasserman.

The Chair questioned whether the applicant or his counsel was present.

Attorney for the applicant Michael Guerin was present and wished to address the Council.

ALD. Schramm moved that the Common Council do now resolve itself into a Committee of the Whole for the purpose of hearing from Attorney Michael Guerin relative to the foregoing matter.

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Attorney Michael Guerin and Assistant City Attorney Bruce Schrimpf appeared and addressed the Committee relative to the foregoing matter.

ALD. BUTLER moved that the Committee do now rise.

The motion prevailed.

ALD. WITKOWIAK moved to renew the Amusement Machine and Phonograph Distributor License of Heath N. Wasserman for the premises at 4224 N. 68th Street ("City Coin & Amusements") with a 90 day suspension.

The motion failed by the following vote:

Ayes: 1 - Ald. Witkowiak.

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

Excused: 1 - Ald. Frank.

William Agosto.

The Chair questioned whether the applicant or his counsel was present.

Attorney for the applicant Andrew Arena was present and wished to address the Council.

ALD. Hines moved that the Common Council do now resolve itself into a Committee of the Whole for the purpose of hearing from Attorney Andrew Arena relative to the foregoing matter.

PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

Attorney Andrew Arena and Assistant City Attorney Bruce Schrimpf appeared and addressed the Committee relative to the foregoing matter.

ALD. BUTLER moved that the Committee do now rise.

The motion prevailed.

ALD. WITKOWIAK moved to renew with a 45 day suspension in lieu of

nonrenewal as recommended by the Utilities and Licenses Committee.

(Note: 3/4 vote needed)

The motion failed by the following vote:

Ayes: 10 - Ald. Pratt, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Witkowiak, Pawlinski, Hines and President Kalwitz.

Noes: 6 - Ald. Schramm, Butler, Scherbert, Breier, Nardelli and Murphy.

Raymond J. Raspberry.

The Chair questioned whether the applicant or his counsel was present.

Neither was present.

ALD. GORDON moved to approve File Number 990066 .

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

Noes: 0.

Excused: 2 - Ald. Gordon and Frank.

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

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

No: 0

Excused: 2 - Gordon Frank

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [990194](#) Substitute resolution relative to various legislative bills.

Whereas, The Judiciary and Legislation Committee of the Common Council has recommended the following positions on the bills 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 approves the following legislative bills and instructs the Division of Intergovernmental Relations to appear before the proper committees to support such bills and use its best endeavors to have the same enacted into law, viz:

142-A, relating to Ignition Interlock Devices.
 208-S, relating to Emergency Response Teams; Reimbursement.
 257-A, relating to Firearms.
 280-A, relating to Use of Weapons; Training.
 343-A, relating to Elections; Confidentially; Domestic Abuse Victims.

;and, be it

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

115-S, relating to Cessation of Smoking.
 166-S, relating to Collective Bargaining; Local Government Employment.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

2) Substitute resolutions settling claims:

a) [990604](#) Substitute resolution to settle claim of Gregory Linden, Sr., for property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$5,567.65 payable to Gregory Linden, Sr., 1227 S. 25th Street, 53204, to reimburse him for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

b) [990644](#) Substitute resolution to settle claim of Gilbert Loferski, for property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$344.00 payable to Gilbert Loferski, 2710 E. Whitaker Avenue, St. Francis, 53235, to reimburse him for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

c) [990700](#) Substitute resolution to settle claim of Janet A. Brooks, for property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$45.00 payable to Janet A. Brooks, 1013 E. Center Street, 53212, to reimburse her for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- d) [990718](#) Substitute resolution to settle claim of Beverly Hampton for property damage.
- Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$1,200.00 payable to Beverly Hampton, 3218 North 40th Street, 53216, to reimburse her for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- e) [990758](#) Substitute resolution to settle claim of Richard S. Sass for property damage.
- Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$500.00 payable to Richard S. Sass, 3237 S. 57th Street, 53219, to reimburse him for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 1 - Nardelli

Excused: 3 - Johnson-Odom, Gordon Frank

- f) [990760](#) Substitute resolution to settle claim of Robert Willis for property damage.
- Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$500.00 payable to Robert Willis, 5623 W. Silver Spring Dr., 53218, to reimburse him for property damage; and, be it

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

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 1 - Nardelli

Excused: 3 - Johnson-Odom, Gordon Frank

- 3) [990657](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1998 tax roll, plus interest applicable to date of repayment, if appropriate.(Assessor)

Whereas, Assessments were made against certain parcels of real estate for the year 1998 as contained in Common Council Resolution File No. 990657; and

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

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

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries,

charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

4) Resolutions approving settlement agreements in discrimination charges:

a) [990678](#) Resolution approving a settlement agreement in a discrimination charge entitled William Laurila v. City of Milwaukee - Health Department, ERD Case No. 199700704, to be paid from the City Attorney's Damages and Claims Fund. (City Attorney)

Whereas, The charging party, William Laurila, filed a fair employment charge with the Department of Workforce Development, Equal Rights Division, claiming discrimination based on arrest and conviction record; and

Whereas, The parties have agreed to settle this matter in the amount of \$10,000.00, which represents compensatory damages; and

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

Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$10,000.00, payable jointly to Mr. William Laurila and Margaret Watt McKenna, Attorney of Law, which represents compensatory damages, in full and final settlement of this lawsuit, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the City Attorney's Damages and Claims Fund 0001 1490 2631 S118 636506; and, be it

Further Resolved, That the Common Council of the City of Milwaukee approves the expenditure of funds by the proper City Officers of the specific amounts necessary to implement the settlement; and, be it

Further Resolved, That the appropriate City officials are hereby authorized and directed to execute all instruments and documents and to take any other actions as may be necessary to implement the provisions of this resolution.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- b) [990822](#) Resolution approving a settlement agreement in a discrimination charge entitled Patricia Arms v. City of Milwaukee - Water Works, ERD Case Nos. 199804099 and 199901141, and EEOC Case Nos. 26G990382 and 26G990979 to be paid from the City Attorney's Damages and Claims Fund. (City Attorney)
- Whereas, The charging party, Patricia Arms, filed a fair employment charge with the Department of Workforce Development, Equal Rights Division, claiming discrimination based on race; and
- Whereas, The parties have agreed to settle this matter in the amount of \$9,453.60, which represents back pay; \$16,979.10, which represents personal injury compensation; \$13,567.30, which represents attorneys fees and costs; and
- Whereas, The City Attorney recommends, and the Common Council of the City of Milwaukee deems it expeditious and just to settle this; now therefore be it
- Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$9,453.60 payable to Ms. Patricia Arms, which represents back pay, subject to both state and federal income tax withholding and any other applicable withholding in the year in which the payment is made; and the City will include such payments in Patricia Arms' W-2 and apply the 520 hours that such sums represent as credible service for all City purposes; and that these funds shall be charged to the Damages and Claims Fund 0001 1490 2631 S118 636506; and, be it
- Further Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$16,979.10, payable to Ms. Patricia Arms which represents personal injury compensation; and that these funds shall be charged to the Damages and Claims Fund 0001 1490 2631 S118 636506; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$13,567.30 payable to Murray & Cross, which represents attorneys fees and costs, in full and final settlement of this lawsuit, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the City Attorney's Damages and Claims Fund 0001 1490 2631 S118 636506; and, be it

Further Resolved, That the Common Council of the City of Milwaukee approves the expenditure of funds by the proper City Officers of the specific amounts necessary to implement the settlement; and, be it

Further Resolved, That the appropriate City officials are hereby authorized and directed to execute all instruments and documents and to take any other actions as may be necessary to implement the provisions of this Resolution.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 5) [990733](#) Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key Number 170-0624-000-3 on the 1998 tax roll, plus interest applicable to date of repayment, if appropriate. (H. David Flegel & Annie J. Flegel). (Assessor's Office) Whereas, An assessment in the amount of \$76,700 (Land: \$7,500 - Improvements: \$69,200) was made against the property known as Tax Key Number 16909624-000-3 for the year 1998; and

Whereas, The Board of Review has decreased this assessment to \$71,600 (Land: \$7,500 - Improvements: \$64,100), for a reduction of \$5,100; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue a city check in the amount of \$144.25 payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate of 9.6% applicable from date of payment to date of repayment, said amount to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300 and said check to be delivered to the Tax Billing and Collection Division of the Treasurer's Office for disbursement; and, be it

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

Section 79.10 (2) \$10.40 (City: \$7.78 County: \$2.62) by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That interest for Key No. 170-0624-000-3 shall be applicable from date of payment to June 2, 1999 for the year 1998; and be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 6) [990759](#) Resolution authorizing settlement in the lawsuit entitled Donald J. Danielewicz v. City of Milwaukee, Case No. 97-CV-008585. (City Attorney)
- Whereas, The plaintiff, Donald Danielewicz had commenced a lawsuit against the City of Milwaukee seeking \$50,000.00 in damages; and
- Whereas, This matter was tried to a jury on August 23 and 24, 1999; and
- Whereas, The jury found the City to be 52% negligent with the plaintiff 48% negligent; and
- Whereas, Plaintiff has agreed to waive costs and any interest owed on the verdict in exchange for prompt settlement; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount \$50,000.00 payable to Daniel J. Danielewicz and his attorney, Jim Kenny, in full and final settlement of this lawsuit, upon receipt of a release of claims, approved as to form and execution by the City Attorney, said amount to be charged to the Damages and Claim Fund, Account No.-656506, Fund-0001, Organization-1490, Program-2631, Sub Class-S118.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 7) [990765](#) Substitute resolution authorizing the placement of special charges on the property tax bill for current municipal services for properties in the City of Milwaukee.

Whereas, The City of Milwaukee has made it a priority to collect expenditures made through the receivership program in cases where the owner neglected their property and did not repair building code violations and in cases where there were property management costs for tenant-related problems; and

Whereas, The City of Milwaukee brought a receivership action against the owner of the following properties and the following amounts have been approved as reasonable receivership costs by the Court:

Owner Address Receivership costs

- Fox Valley 1907 S. 16th St. \$ 3830.26
- Fox Valley 2529 N. Richards St. \$ 4178.46
- Fox Valley 2555 N. 36th St. \$ 12273.90
- Fox Valley 2655 S. 13th St. \$ 3195.81
- Fox Valley 2928 N. 24th St. \$ 3705.35
- Fox Valley 3233 W. Fairmount Av. \$ 5375.76
- Fox Valley 3235 N. Palmer St. \$ 5645.74
- Fox Valley 3302 W. St. Paul Av. \$ 5034.29
- Fox Valley 3536 N. Port Washington \$ 316.33
- Fox Valley 3705 W. Galena St. \$ 28581.68
- Fox Valley 4646 N. 32nd St. \$ 12888.67
- Fox Valley 4777 N. 30th St. \$ 1138.99
- Fox Valley 4925 N. 52nd St. \$ 1815.62
- Fox Valley 7321 W. Burleigh St. \$ 4708.58
- Fox Valley 9221 N. Burbank Av. \$ 8518.89
- Fox Valley 9810 W. Good Hope Rd. \$ 2922.38; and

Whereas, Additional receivership costs have been incurred regarding the properties listed above and these additional receivership costs are awaiting court approval. The following amounts include the receivership costs already approved by the court and the additional receivership costs which are awaiting court approval.

Owner Address Total Receivership costs

Fox Valley 1907 S. 16th St. \$ 4773.81
 Fox Valley 2529 N. Richards St. \$ 5241.80
 Fox Valley 2555 N. 36th St. \$ 13281.36
 Fox Valley 2655 S. 13th St. \$ 3879.77
 Fox Valley 2928 N. 24th St. \$ 4494.01
 Fox Valley 3233 W. Fairmount Av. \$ 6109.72
 Fox Valley 3235 N. Palmer St. \$ 22956.55
 Fox Valley 3302 W. St. Paul Av. \$ 39338.39
 Fox Valley 3536 N. Port Washington \$ 2185.87
 Fox Valley 3705 W. Galena St. \$ 28422.33
 Fox Valley 4646 N. 32nd St. \$ 13694.98
 Fox Valley 4777 N. 30th St. \$ 4332.45
 Fox Valley 4925 N. 52nd St. \$ 1538.41
 Fox Valley 7321 W. Burleigh St. \$ 5586.96
 Fox Valley 9221 N. Burbank Av. \$ 7952.88
 Fox Valley 9810 W. Good Hope Rd. \$ 3350.42; and

Whereas, Additional receivership costs have been expended regarding the properties listed below and these additional receivership costs are awaiting court approval. The following amounts are the receivership costs awaiting court approval.

Jessica Woody 3368 N. Buffum St. \$ 6423.77
 Aubert Lo 2504 W. Wells St. \$ 60,610.15
 Fred Hofstede 2454 N. 41st St. \$ 68,078.82
 Charles Henry 2503 N. 44th St. \$ 22124.79
 Kenneth Head 2453 W. Capitol Dr. \$ 64,480.62
 Demetre Moore 2325 W. Garfield Ave. \$ 6300.00
 Richard Rueden 4725 W. Villard Ave. \$ 12047.73
 Charles Henry 1850 N. 37th St. \$ 5263.00; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City of Milwaukee place on the property tax roll as current municipal services special charges for the following properties:

1. 1907 S. 16th Street, Tax Key No. 469-0001-100-8, in the amount of \$3830.26 which may be increased to \$4773.81,

2. 2529 North Richards Street, Tax Key No. 322-0458-000-5, in the amount of \$4178.46, which may be increased to \$5241.80,
3. 2555 North 36th Street, Tax Key No. 327-0303-000-8, in the amount of \$12,273.90, which may be increased to \$13,281.36,
4. 2655 South 13th Street, Tax Key No. 496-1408-000-X, in the amount of \$3195.81, which may be increased to \$3879.77,
5. 2928 North 24th Street, Tax Key No. 310-1004-000-3, in the amount of \$3705.35, which may be increased to \$4494.01,
6. 3233 West Fairmount Avenue, Tax Key No. 207-0271-000-7, in the amount of \$5375.76, which may be increased to \$6109.72,
7. 3235 North Palmer Street, Tax Key No. 282-2524-000-2, in the amount of \$5645.74, which may be increased to \$22,956.55,
8. 3302 West St. Paul Avenue, Tax Key No. 401-0190-000-4, in the amount of \$5034.29, which may be increased to \$39,338.39,
9. 3536 North Port Washington Avenue, Tax Key No. 273-1317-000-X, in the amount of \$316.33, which may be increased to \$2185.87,
10. 3705 West Galena Street, Tax Key No. 366-1802-000-7, in the amount of \$28,581.68, which may be reduced to \$28,422.33,
11. 4646 North 32nd Street, Tax Key No. 230-0409-000-4, in the amount of \$12,888.67, which may be increased to 13,694.98,
12. 4777 North 30th Street, Tax Key No. 230-0274-000-1, in the amount of \$1138.99, which may be increased to \$4332.45,
13. 4925 North 52nd Street, Tax Key No. 210-1007-000-4, in the amount of \$1815.62, which may be reduced to \$1538.41,
14. 7321 West Burleigh Street, Tax Key No. 304-0059-000-8, in the amount of \$4708.58, which may be increased to \$5586.96,
15. 9221 North Burbank Avenue, Tax Key No. 005-0006-000-X, in the amount of \$8518.89, which may be reduced to \$7952.88,

16. 9810 West Good Hope Road, Tax Key No. 109-0003-000-8, in the amount of \$2922.38, which may be increased to \$3350.42,

17. 3368 North Buffum Street, Tax Key No. 281-0649-100-5, in the amount up to \$6423.77,

18. 2504 West Wells Street, Tax Key No. 389-1710-000-1, in the amount up to \$60,610.15,

19. 2454 North 41st Street, Tax Key No. 327-0577-000-9, in the amount up to \$68,078.82,

20. 2503 North 44th Street, Tax Key No. 328-0774-000-7, in the amount up to \$22,124.79.

21. 2453 West Capitol Drive, Tax Key No. 270-1201-000-7, in the amount up to \$64,480.62,

22. 2325 West Garfield Avenue, Tax Key No. 350-2141-000-2, in the amount up to \$6300.00,

23. 4725 West Villard Avenue, Tax Key No. 209-0364-000-7, in the amount up to \$12,047.73,

24. 1850 North 37th Street, Tax Key No. 348-0043-000-5, in the amount up to \$5263.00; and, be it

further resolved, That the proper City officials be directed to take the actions necessary for placement of the above charges on the City of Milwaukee tax roll as is necessary.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

CONFIRMATION OF THE FOLLOWING:

8) [990784](#) Appointment of Philip Levis to serve on the Ethics Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

PLACING ON FILE THE FOLLOWING:

- 9) [970722](#) Resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining expert witnesses.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 10) [971705](#) Resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside legal counsel. (City Attorney)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

DISALLOW AND INDEFINITELY POSTPONE THE FOLLOWING:

- 11) Various claims against the City:

- a) [990588](#) Appeal of Gayla Ford relative to claim for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- b) [990646](#) Appeal of Alice Smith relative to claim for automobile damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- c) [990647](#) Appeal of Alice Debny relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- d) [990696](#) Appeal of Amanda M. Huevler relative to claim for property damage. (City Attorney)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- e) [990697](#) Appeal of Jami K. Goetzel relative to claim for property damage. (City Attorney)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- f) [990701](#) Appeal of Rose Marie St. Clair POA, on behalf of Martha C. Heun, relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- g) [990702](#) Appeal of Erwin Boehme relative to claim for automobile damage.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- h) [990710](#) Appeal of Matthew Ostricki relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Frank, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Richards

- i) [990716](#) Communication from the City Attorney's Office transmitting a communication from Sharon Brown relative to claim for personal injuries.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- j) [990717](#) Appeal of Ricky Presley relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- k) [990832](#) Communication from the City Attorney's Office transmitting a communication from Landa David Carson and Deborah Estrado-Carson relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Absent: 1 - Frank

Excused: 2 - Johnson-Odom Gordon

- l) [990833](#) Communication from the City Attorney's Office transmitting a communication from Alma Cruse relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- m) [990834](#) Communication from the City Attorney's Office transmitting a communication from Sylvia Beasley relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990494](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.

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

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

"On the east side of N. Plankinton Avenue from W. Wisconsin Avenue to W. Wells Street from 7:00 AM to 3:30 PM"

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

In the alley bounded by W. Greenfield Avenue, W. Scott Street, S. 19th Street and S. 20th Street

On the south side of W. Nash Street from W. Appleton Avenue to a point 35 feet west at any time

On the west side of N. Teutonia Avenue from a point 250 feet north of W. Elm Street to a point 100 feet further north at any time

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

"On W. Roosevelt Drive from N. 36th Street to N. 37th Street except Saturday and Sunday"

"On the south side of W. Roosevelt Drive from N. 37th Street to N. 38th Street"

"On the southeast side of W. Roosevelt Drive between N. 36th Street and W. Capitol Drive"

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

On the east side of N. 68th Street from W. Fairview Avenue to W. Stevenson Street

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

In the cul-de-sac portion of the 10700 block of W. Wren Avenue

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

"On the east side of N. Plankinton Avenue (#36) from the north curb line of W. Wisconsin Avenue to a point 50 feet north (1 cab) from 5:30 PM to 7:00 AM and Sundays"

Part 7. Section 101-24-1 of the Code relating to Tow Away Zones is amended by striking the following:

"On the south side of W. North Avenue from N. Highland Boulevard to W. Lisbon Avenue from 7:00 AM to 9:00 AM except Saturday and Sunday"

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

2) [990495](#) 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 Mid-Block Crossings is amended by adding the following:

On N. Teutonia Avenue 250 feet north of W. Elm Street

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

On E. Wright Street at N. Pierce Street eastbound and westbound traffic must turn left

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

On N. 107th Street at W. Villard Avenue

On S. 6th Street from W. Lincoln Avenue to W. Hayes Avenue

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

"W. Legion Street at S. 25th Street"

"On N. 48th Street at W. Clarke Street Northbound"

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

On W. Legion Street at S. 25th Street

On N. 48th Street at W. Clarke Street

On N. 53rd Street at W. Vine Street

On W. Wright Street at N. 37th Street in all directions

On W. Marion Street at N. 41st Street

On N. 49th Street at W. Nash Street

Part 6. Section 101-18-1 of the Code relating to the Prohibition of Heavy Traffic is amended by adding the following:

On S. Layton Boulevard from W. National Avenue to W. Lincoln Avenue

Part 7. Section 101-22-1 of the Code relating to One-Way Streets is amended by striking the following:

"N. 29th Street from W. Michigan Street to W. Wisconsin Avenue northbound"

"S. 6th Street from W. Virginia Street to W. Washington Street southerly direction"

Part 8. Section 101-22-2 of the Code relating to One-Way Alleys is amended by adding the following:

In the alley bounded by W. Capitol Drive, W. Fiebrantz Avenue, N. 50th Street and N. 51st Street northbound

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

ADOPTION OF THE FOLLOWING:

- 3) [990557](#) Substitute resolution relative to application, acceptance and funding of a 2000 Recycling grant.
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Natural Resources for the continuation of its recycling program; and

Whereas, The operation of this grant project from January 1, 2000, through December 31, 2000, will cost \$9,060,038, of which \$6,292,776 (69%) will be provided by the City and \$2,767,262 (31%) will be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is authorized to apply for and accept a 2000 recycling Grant from the Wisconsin Department of Natural Resources without further approval, unless the terms of the grant change as provided in Common Council File Number 87-2120 (Grant and Aid Guidelines; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Encumber in the parent accounts of the 2000 Special Revenue Accounts-Grant and Aid Projects the following amounts for the project entitled Recycling Grant:

Project Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Sub Class	R999
Account	000600
Project	Grantor Share
Amount	\$2,767,262

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

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

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

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

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

(10%);

(3) Expend from 2000 project budget funds for specific items of equipment as indicated in the program budget; and

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 4) [990662](#) Substitute resolution dissolving the Police Education and Community Effectiveness Commission.

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 940949, adopted February 14, 1995, creating the Police Education and Community Effectiveness Commission, is rescinded.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 5) [990674](#) Resolution authorizing the Milwaukee Police Department to accept contribution of \$700.00 from the Target Corporation for the purchase of a digital camera (Police Department).

Whereas, Section 304-24 of the City of Milwaukee Code of Ordinances regulates the receipt, appropriation and expenditure of contributions received by the City; and

Whereas, The Police Department has been selected by the Target Corporation for an award in the amount of \$700 to assist in prevention, education and training activities related to curbing retail theft; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Police

Department is authorized to accept up to \$700.00 of contributions and to expend such funds, in accordance with established City policies and procedures; and, be it

Further resolved, That upon receipt and deposit of these funds, the City Comptroller is authorized and directed to establish a Special Account within the Police Department's budget for the expenditure of this contribution; and, be it

Further resolved, That the City Comptroller is authorized and directed to transfer appropriations and estimated revenue from the Contribution Fund - General, Account number 0001-2110-0001-D001-006300, and the estimated revenue account for Contributions, Account Number 0001-2110-0001-009850 to the Police Department's special account 0001-3310-0001-Dxxx-006800 and the Police Department's estimated revenue account 0001-3310-0001-009850 up to the amount of \$700.00.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

6) [990677](#) Substitute resolution dissolving the Firearm Sales and Transfer Task Force (FIST).

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 950559, adopted October 17, 1995, creating the Firearms Sales and Transfer Task Force (FIST), as amended by Common Council Resolution File Number 960222, adopted June 4, 1996, is rescinded.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

7) [990679](#) Substitute resolution amending Common Council File 980202 relative to acceptance and funding of a Wisconsin EMS Funding Assistance Program grant. (Fire Department)

Whereas, Under the terms of Wisconsin EMS Funding Assistance Program, the City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Health and Social Services, for additional medical service supplies and training; and

Whereas, It would appear that City involvement in this grant and aid program, and more specifically in a grant and aid project involving additional financial support of \$23,000 for emergency medical services would result in medical service supplies and funding for continuing education for CPR, EMT, and safety training; and

Whereas, The State's program has changed to provide funding for EMT refresher training directly to the provider, rather than the training institute (Milwaukee Area Technical College); and

Whereas, The Department of Administration, Division of Intergovernmental Relations, has determined that operation of this grant project from July 1, 1998 to June 30, 1999 would cost approximately \$68,295 of which \$45,500 or 67% would be provided by the Grantor; and

Whereas, The local share of this grant project \$22,795 or 33% can be provided from the following sources:

In Kind Share	\$22,795
Out-of-Pocket City Share	-0-
Local, Non City Share	-0-

; and

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

Resolved, By the Common Council of the City of Milwaukee, that application to the Department of Health and Social Services under the terms specified above, to be administered by the Milwaukee Fire Department is authorized; and, be it

Further Resolved, That the proper City officials and/or the herein named department head are hereby authorized to accept such a grant without further Common Council approval unless:

1. The purpose of such grant project is significantly changed; or
2. The amount of the Out-of-Pocket City Share increases from that specified above;

or

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit Funds within the Project/Grant of the 1998 Special Revenue Grant and Aid Projects, Fund the following amounts for the program/project titled "Wisconsin Act 102":

Project/Grant Parent	Grantor Share
Project/Grant	GR0009000000
Fund	0150
Organization	3280
Program	0001
Budget Year (BY)	0000
Subclass	R999
Account	000600
Project/Grant Total	\$45,500

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

Further Resolved, That upon acceptance of this grant agreement the City Comptroller is hereby authorized to create a Special Revenue Fund - Grant and Aid Projects and the necessary Project/Grant ChartField Values at the Project, Segment, Phase and/or Activity Levels; and to budget to the Project, Segment, Phase or Activity level the amount(s) required under the grant agreements; and appropriate to these Project/Grant ChartField Values the amount required under the grant agreement and City Accounting Policy but not to exceed a 10% increase in those amounts budgeted for the Grantor's Share; and, be it

Further Resolved, That these funds are appropriated to the Milwaukee Fire Department; Project/Grant ChartField Value GR3280018000; and, be it

Further Resolved, That the funds received from the Department of Health and Social Services be deposited in accordance with procedures established by the City Comptroller; and, be it

Further Resolved, That upon acceptance of this grant, the City Comptroller, is hereby authorized and directed to establish, in accordance with City procedures, the necessary City Share Project/Grant Chartfield Value; and, be it

Further Resolved, The Chief of the Milwaukee Fire Department, is authorized to expend from the amount appropriated, sums for specified purposes in accordance with the program budget, a copy of which is attached to this file and incorporated herein as though fully set forth at length; and, be it

Further Resolved, That the Chief of the Milwaukee Fire Department, shall have the authority to authorize transfers within the project budget so long as the amount expended for any purpose shall not exceed the amount authorized by the budget by 10 percent and such transfers are in accordance with grantor regulations; and, be it

Further Resolved, That the Chief of the Milwaukee Fire Department, on behalf of the City of Milwaukee, be authorized to enter into subcontracts (and leases) as detailed in the project budget and in accordance with City purchasing procedures and Grant and Aid Guidelines for awarding such contracts.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 8) [990680](#) Substitute resolution relative to application, acceptance and funding of a Wisconsin EMS Funding Assistance Program grant. (Fire Department)
- Whereas, Under the terms of Wisconsin EMS Funding Assistance Program, the City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Health and Social Services, for additional medical service supplies and training; and
- Whereas, It would appear that City involvement in this grant and aid program, and more specifically in a grant and aid project involving additional financial support for emergency medical services would result in the following major benefits to the City:
- Additional medical service supplies and funding for continuing education for CPR, EMT, and safety training; and
- Whereas, The Department of Administration, Division of Intergovernmental Relations, has determined that operation of this grant project from July 1, 1999 to June 30, 2000 would cost approximately \$68,295 of which \$45,500 or 67% would be provided by the Grantor; and
- Whereas, The local share of this grant project \$22,795 or 33% can be provided from

the following sources:

In Kind Share	\$22,795
Out-of-Pocket City Share	-0-
Local, Non City Share	-0-

; and

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

Resolved, By the Common Council of the City of Milwaukee, that application to the Department of Health and Social Services under the terms specified above, to be administered by the Milwaukee Fire Department is authorized; and, be it

Further Resolved, That the proper City officials and/or the herein named department head are hereby authorized to accept such a grant without further Common Council approval unless:

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit Funds within the Project/Grant of the 1999 Special Revenue Grant and Aid Projects, Fund the following amounts for the program/project titled "Wisconsin Act 102":

Project/Grant Parent	Grantor Share
Project/Grant	GR0009000000
Fund	0150
Organization	3280
Program	0001
Budget Year (BY)	0000
Subclass	R999
Account	000600

Project/Grant Total \$45,500

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

Further Resolved, That upon acceptance of this grant agreement the City Comptroller is hereby authorized to create a Special Revenue Fund - Grant and Aid Projects and the necessary Project/Grant ChartField Values at the Project, Segment, Phase and/or Activity Levels; and to budget to the Project, Segment, Phase or Activity level the amount(s) required under the grant agreements; and appropriate to these Project/Grant ChartField Values the amount required under the grant agreement and City Accounting Policy but not to exceed a 10% increase in those amounts budgeted for the Grantor's Share; and, be it

Further Resolved, That these funds are appropriated to the Milwaukee Fire Department; and, be it

Further Resolved, That the funds received from the Department of Health and Social Services be deposited in accordance with procedures established by the City Comptroller; and, be it

Further Resolved, That upon acceptance of this grant, the City Comptroller, is hereby authorized and directed to establish, in accordance with City procedures, the necessary Project/Grant ChartField Value; and, be it

Further Resolved, The Chief of the Milwaukee Fire Department, is authorized to expend from the amount appropriated, sums for specified purposes in accordance with the program budget, a copy of which is attached to this file and incorporated herein as though fully set forth at length; and, be it

Further Resolved, That the Chief of the Milwaukee Fire Department, shall have the authority to authorize transfers within the project budget so long as the amount expended for any purpose shall not exceed the amount authorized by the budget by 10 percent and such transfers are in accordance with grantor regulations; and, be it

Further Resolved, That the Chief of the Milwaukee Fire Department, on behalf of the City of Milwaukee, be authorized to enter into subcontracts (and leases) as detailed in the project budget and in accordance with City purchasing procedures and Grant and Aid Guidelines for awarding such contracts.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

9) [990800](#)

Resolution relative to application, acceptance and funding of the Milwaukee Fetal Infant Mortality Review Grant - Phase II. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the U.S. Health Resources and Services Administration through the Black Health Coalition of Wisconsin for the interdisciplinary review of infant deaths occurring in the central city of Milwaukee to identify opportunities to reduce infant mortality and support families at risk; and

Whereas, The operation of this grant project program from September 1, 1999 to August 31, 2000 would cost \$95,000 entirely provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent Account of the 1999 Special Revenue Grant and Aid Projects, the following amounts for the project titled Milwaukee Fetal Infant Mortality Review Grant - Phase II:

Project/Grant	GR0009000000
Fund	0150
Org	9990
Program	0001
BY	0000
Subclass	R999
Acct	000600
Project	Grantor Share
Amount	\$95,000

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

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

1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 1998 grant budget funds for training and out-of-town travel by departmental staff; and
3. Enter into subcontracts and leases as detailed in the grant budget.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 10) [990801](#) Resolution relative to application for the Medical Emergency Extranet Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Centers for Disease Control to fund the development of an advanced health information network that will improve the ability of local public health agencies and emergency government to respond to biological terrorism or other mass casualty incidents; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Centers for Disease Control is authorized.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 11) [990807](#) Resolution authorizing the acceptance and use of an additional \$300,000 award amount for the 1999 HIDTA grant.

Whereas, The Common Council, in File Number 981634 approved funding for 1999 HIDTA grant for the Department of Administration's Community Development Block Grant Administration; and

Whereas, The DOA-CBGA has been granted an additional \$300,000 by The United Stated Office of National Drug Control Policy (ONDCP); and

Whereas, The entire \$300,000, shall be grantor share; and Whereas, The Safe and Sound Program was designed to implement tough law enforcement and prevention goals by offering after school and weekend Safe Havens that provide educational, social, and recreational activities for youth; and

Whereas, YMCA of Metropolitan Milwaukee has agreed to serve as the fiscal agent to facilitate the disbursement of HIDTA funds to the Safe and Sound Program; and

Whereas, It is in the best interest of the City to serve as a conduit for the receipt and disbursement of the additional \$300,000 of federal funds from ONDCP for the Safe and Sound Program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the DOA-CBGA is authorized to accept and expend the additional \$300,000 relating to the HIDTA Project; and, be it

Further Resolved, That the City Comptroller is authorized to:

Commit Funds within the Project/Grant Parent of the 1999 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/project titled High Intensity Drug Trafficking Area Project (HIDTA):

Project/Grant	Fund	Org	Program	BY	SubClass	Acct
GR0009000000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$300,000

Further Resolved, That these funds are budgeted for the Community Development Block 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; and
2. Enter into subcontracts and leases as detailed in the grant budget.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

12) [990809](#) Resolution relative to acceptance and funding of a Juvenile Accountability Incentive Block Grant. (Police Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin, Department of Justice, Office of Justice Assistance for a Juvenile Accountability Incentive Block Grant; and

Whereas, A resolution providing authority to apply for a Juvenile Accountability Incentive Block Grant was approved in Common Council file #981631; and

Whereas, The operation of this grant from 08/01/99 to 7/31/2000 would cost \$910,921 of which \$91,092 (10%) would be provided by the city and \$819,829 (90%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Police Department shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent of the 1999 special Revenue Accounts- Grant and Aid Projects, the following amounts for the program titled "Juvenile Accountability Block Grant":

Project/grt	Fund	Org	Program	BY	Subclass	Account
GR00090000000	0150	9990	0001	0000	R999	000600

Project	Amount
Grantor Share	\$819,829

2. Create the necessary Special Revenue Fund - Grant and Aids Projects/grant and project/grant levels: budget against these project/grant values the amount required under the grant agreement; and

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

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

1. Expend from the amount budgeted sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 1999 grant budget funds for specific items of equipment.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 13) [990810](#) Resolution authorizing the Department of Public Works to enter into a lease agreement with St. Anthony School to use the east half of the 930 West Maple Street parking lot as a site for their modular classroom. (Department of Public Works)
Whereas, The City believes that education is the key to the successful future of our community; and

Whereas, St. Anthony School has provided quality education since the 1870's and has operated a school at this location since 1920; and

Whereas, The school's population has grown to the point that St. Anthony's is in dire need of more classroom space and the most cost effective and practical solution is a modular classroom; and

Whereas, The City of Milwaukee owns a 44-space surface parking lot west of the school with the address of 930 West Maple Street and has the east half of this lot available for the school's use as a site for the modular classroom; now, therefore, be it

Resolved, That the Commissioner of Public Works is authorized to enter into a lease agreement for the east half of the surface parking lot located at 930 West Maple Street so that the modular classroom can be placed on it thereby adding much needed classroom space for St. Anthony school.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

PLACING ON FILE THE FOLLOWING:

- 14) [990433](#) An ordinance relating to regulation of convenience food stores.

Sponsors: Mr. Schramm

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 15) [990617](#) Substitute resolution directing submission of a report to the Common Council on delays in towing nuisance vehicles.

Sponsors: Ald. Henningsen

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 16) [990681](#) Resolution authorizing the Milwaukee Police Department to apply for a COPS in Schools Grant (Police Department).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 17) [990732](#) Communication from the Milwaukee Safety Commission transmitting various reports relative to traffic safety statistics for 1998. (Police Department)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 18) [990768](#) Communication from the Fire Chief transmitting an updated Emergency Operations Plan for the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

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

THE ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [990743](#) Substitute resolution approving Year 2000 Operating Plans for various Business Improvement Districts located in the City of Milwaukee.
Whereas, The Common Council of the City of Milwaukee ("Common Council") has created Business Improvement Districts in the City of Milwaukee and has approved their first year Operating Plans; and

Whereas, Section 66.608(3)(b), Wisconsin Statutes, requires that Boards of Business Improvement Districts submit annual Operating Plans to the Common Council for approval; and

Whereas, The Boards of Business Improvement District Nos. 5 (Westtown), 8

(Historic King Drive), 10 (Avenues West), and 21 (Downtown Management District) have submitted proposed Year 2000 Operating Plans; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Year 2000 Operating Plans for Business Improvement District Nos. 5, 8, 10, and 21, copies of which are attached to this Common Council File, are approved; and, be it

Further Resolved, That the City Treasurer, City Comptroller, Assessment Commissioner, and other affected departments are authorized and directed to collect and disburse BID assessments in accordance with said Year 2000 Operating Plans; and, be it

Further Resolved, That all City officials, departments, boards and commissions are authorized and directed to take all actions and provide such assistance needed to carry out the intent and purpose of this resolution and said Year 2000 Operating Plans.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

CONFIRMATION OF THE FOLLOWING:

- 2) [990769](#) Reappointment of Alfred Espinoza to serve on the Business Improvement District #4 (Mitchell Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- [990770](#) Reappointment of Joseph C. White to serve on the Business Improvement District #4 (Mitchell Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 4) [990771](#) Reappointment of Milton Pivar to serve on the Business Improvement District #4 (Mitchell Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 5) [990772](#) Appointment of Carl T. Komassa to serve on the Architectural Review Board (BID #2) by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 6) [990774](#) Reappointment of Einar H. Tangen to serve on the Business Improvement District #2 (Historic Third Ward) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 7) [990775](#) Reappointment of Bruce T. Block to serve on the Business Improvement District #9 (735 North Water Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 8) [990776](#) Reappointment of Mark D. Gluskin to serve on the Business Improvement District #9 (735 North Water Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 9) [990778](#) Reappointment of Kenneth Stein to serve on the Business Improvement District #5 (Westtown Area) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 10) [990779](#) Reappointment of Frances E. Utsey to serve on the Business Improvement District #19 (Villard Avenue) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 11) [990780](#) Reappointment of Clarence E. Wade to serve on the Business Improvement District #19 (Villard Avenue) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Absent: 1 - Gordon

Excused: 2 - Johnson-Odom Frank

- 12) [990782](#) Appointment of Marjorie A. Horvat to serve on the Business Improvement District #9 (735 North Water Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 13) [990783](#) Appointment of Gilbert "Eddie" Paez, Sr. to serve on the Business Improvement District #4 (Mitchell Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 14) [990785](#) Reappointment of Pat Suminski to serve on the Business Improvement District #11 (Brady Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 15) [990786](#) Reappointment of Leslie A. Feiler to serve on the Business Improvement District #17 (N. 76th Street/W. Brown Deer Road) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 16) [990787](#) Reappointment of Mary L. Mokwa to serve on the Business Improvement District #17 (N. 76th Street/W. Brown Deer Road) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 17) [990788](#) Reappointment of David A. Rotter to serve on the Business Improvement District #4 (Mitchell Street) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 18) [990789](#) Reappointment of Mary T. Waltersdorf to serve on the Business Improvement District #17 (N. 76th Street/W. Brown Deer Road) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 19) [990790](#) Reappointment of David Wilhelm to serve on the Business Improvement District #16 (West North Avenue Business Association) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 20) [990791](#) Reappointment of Michael Vitucci to serve on the Business Improvement District #20 (Steering Committee) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 21) [990829](#) Appointment of Leroy Buth, Jr. to serve on the Business Improvement District Board #11 (Brady Street) by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 22) [990830](#) Appointment of William Stace to serve on the Business Improvement District Board #13 (Oakland Avenue) by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 23) [990831](#) Appointment of Ed Kubes to serve on the Business Improvement District Board #17 (North 76th Street/West Brown Deer Road) by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

PLACING ON FILE THE FOLLOWING:

- 24) [990691](#) Communication from the Westtown Business Improvement District No. 5 transmitting

their 1998 Financial Statements.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 25) [990777](#) Reappointment of James A. Krivitz to serve on the Business Improvement District #5 (Westtown Area) Board by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [990055](#) Ordinance to amend a Detailed Planned Development (DPD) known as Paragon at Granville Estates, on land located on the Southwest corner of West Bradley Road and North Granville Road, in the 15th Aldermanic District. (DCD)
The Mayor and Common Council of the City of Milwaukee ("Common Council") do ordain as follows:

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

Section 295-810(2)(b).0117.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the subject Detailed Planned Development, a copy of which is attached to this Common Council File as amended 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 reaffirms the zoning for the area commencing at the Northwest corner of the Northeast 1/4 of said Section; thence North 87 deg. 08 min. 36 sec. East along the centerline of West Bradley Road and the north line of the Northeast 1/4 of said Section 648.17 feet to a point in the centerline of North Granville Road; thence Southeasterly along the centerline of North Granville Road 473.51 feet on the arc of a curve whose center lies to the West and whose radius is 5729.60 feet to a point of compound curve; thence Southwesterly along the centerline of said road 811.19 feet on the arc of a curve whose center lies to the West whose radius is 750.00 feet and whose chord bears South 13 deg. 29 min. 39 sec. West 772.22 feet to a point; thence South 44 deg. 28 min. 45 sec. West along the centerline of said road 141.36 feet to a point; thence North 45 deg. 31 min. 15 sec. West 234.67 feet to a point; thence North 00 deg. 10 min. 56 sec. East 222.91 feet to a point; thence North 89 deg. 49 min. 04 sec. West 359.42 feet to a point on the west line of said 1/4 Section; thence North 00 deg. 10 min. 57 sec. West along the west line of said 1/4 Section 876.22 feet to the point of commencement.

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 2) [990303](#) Substitute ordinance relating to the change in zoning from Industrial (I/A/125) to Detailed Planned Development (DPD) for a planned development, on land located on the East Side of South Water Street and North of East Florida Street, in the 12th Aldermanic District.

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

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

Section 295-810(2)(b).0124.

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

(2) The zoning map is amended to change the zoning for the centerline of South Water Street, the centerline of East Pittsburgh Avenue, the centerline of the Milwaukee River, and the centerline of an unnamed, unimproved street.

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

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

Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 3) [990398](#) Substitute ordinance relating to the zoning change from Industrial (I/D/60), Parking (P/D/40) and Multi-Family Residence (R/D/40) to Detailed Planned Development (DPD) for a planned development, on land located on the West Side of South 20th Street and South of West Ohio Avenue, in the 14th Aldermanic District.

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

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

Section 295-810(2)(b).0127.

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

(2) The zoning map is amended for the area bounded by the centerline of South 20th Street, a line 130 feet South and parallel to the south line of West Ohio Avenue, a line 108 feet West and parallel to the west line of South 20th Street, a line 324.95 feet South and parallel to the centerline of West Ohio Avenue, a line 427 feet West and parallel to the west line of South 20th Street, and the centerline of West Ohio Avenue.

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 4) [990521](#) Ordinance relating to the approval of an amended General Planned Development (GPD) known as Honey Creek Corporate Center, on land located on the North Side of the East-West Freeway (I-94) and West of South 84th Street, in the 16th Aldermanic District. (DCD)

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

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

Section 295-810(2)(a).0056.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the amended General Planned Development known as Honey Creek Corporate Center, a copy of which is attached to this Common Council File as amended 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 reaffirms the zoning for the area bounded and described as follows:

That part of the North 1/2 of the Northwest 1/4 of Section 33, Town 07 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bound and described as follows:

Commencing at the Northeast corner of said 1/4 Section; thence South 00 deg. 06 min. 40 sec. West along the east line of said 1/4 Section 100.04 feet to a point; thence South 88 deg. 29 min. 55 sec. West and parallel to the north line of said 1/4 Section 870.05 feet to the point of beginning of the lands to be described; thence continuing South 88 deg. 29 min. 55 sec. West 1133.38 feet to a point; thence Due South 540.97 feet to a point; thence North 88 deg. 29 min. 55 sec. East 258.75 feet to a point; thence Due South 416.44 feet to a point on the north right-of-way line of Interstate Highway 94; thence North 89 deg. 07 min. 55 sec. East along said right-of-way line 785.00 feet to a point; thence South 83 deg. 29 min. 04 sec. East along said right-of-way line 90.00 feet to a point; thence Due North 909.45 feet to a point, said point being 69.19 feet Due South of the point of beginning; thence Northeasterly 149.60 feet along the arc of a curve whose center lies to the South, whose radius is 246.82 feet and whose chord bears North 66 deg. 40 min. 46 sec. East 147.32 feet to a point; thence North 84 deg. 02 min. 35 sec. East 393.93 feet to a point; thence North 86 deg. 45 min. 03 sec. East 70.85 feet to a point on a curve; thence Southeasterly 127.49 feet along the arc of said curve whose center lies to the South, whose radius is 125.28 feet and whose chord bears South 53 deg. 32 min. 34 sec. East 122.06 feet to a point; thence South 24 deg. 33 min. 17 sec. East 50.18 feet

to a point of curve; thence Southeasterly 107.22 feet along the arc of said curve whose center lies to the North, whose radius is 103.00 feet and whose chord bears South 60 deg. 05 min. 41 sec. East 102.44 feet to a point; thence South 89 deg. 54 min. 59 sec. East 18.81 feet to a point on the west line of South 84th Street; thence North 00 deg. 03 min. 02 sec. East along said west line of South 84th Street 182.15 feet to a point; thence South 86 deg. 45 min. 03 sec. West 123.36 feet to a point on a curve; thence Northwesterly 145.07 feet along the arc of said curve whose center lies to the South, whose radius is 198.23 feet and whose chord bears North 74 deg. 59 min. 35 sec. West 141.85 feet to a point; thence South 84 deg. 02 min. 35 sec. West 435.93 feet to a point of curve; thence Southwesterly 105.41 feet along the arc of said curve whose center lies to the South, whose radius is 289.32 feet and whose chord bears South 73 deg. 36 min. 19 sec. West 104.83 feet to a point; thence South 86 deg. 45 min. 03 sec. West 32.47 feet to the point of beginning.

(3) The requirements set forth in said general plan attached to this Common Council File as amended Exhibit A constitute the zoning regulations for the area contained in such planned development district herein described, except that construction shall not be permitted in any segment of said tract until a detailed plan prepared in accordance with Section 295-813(3) of the Code has been approved by the Common Council and the zoning ordinance is amended; except that improvements may be permitted to the extent that such improvements are shown in detail and included in the approved general plan.

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

5) [990613](#) An ordinance relating to the parking of motor vehicles and trailers on paved surfaces.

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

Part 1. Section 295-75-1.5-f of the code is created to read:

295-75. Parking Standards.

1.5. STANDARDS AND LIMITATIONS.

f. Motor vehicles or trailers shall be parked in whole on paved or approved surfaces, as required in s. 252-74.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

ADOPTION OF THE FOLLOWING:

6) [990745](#) Resolution declaring as surplus three vacant, tax deed lots located at 2939, 2945 and 2953 North 1st Street and accepting an Offer to Purchase from Meta House/Our Home Foundation, Inc., for construction of an apartment building, in the 6th Aldermanic District. (Department of City Development)

Whereas, Meta House/Our Home Foundation, Inc., has offered to purchase the vacant, tax deed lots located at 2939, 2945 and 2953 North 1st Street, Tax Roll Key Nos. 313-0529-1, 313-0530-100-3 and 313-0532-100-4, respectively, from the City of Milwaukee for the amount of \$750 for construction of an apartment building consisting of six, two-bedroom units to provide permanent living quarters for their program participants; and

Whereas, Meta House/Our Home Foundation, Inc., has the necessary funding in place to complete this project as proposed; and

Whereas, Closing is contingent upon submittal, review and approval of building and site plans by the Department of City Development; and

Whereas, These vacant, tax deed lots are being sold in an "as is" condition; and

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

Resolved, By the Common Council of the City of Milwaukee that said vacant lots are declared surplus, said Offer is accepted, and the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lots and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

Sponsors: Ald. Johnson-Odom

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

[990746](#)

Resolution declaring as surplus and authorizing the sale of improved, City-owned/tax deed properties located in various aldermanic districts. (Department of City Development)

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

PROPERTY ADDRESS, LISTING PRICE, ALDERMANIC DISTRICT

3834 North 5th Street, TK #273-0520-5 \$22,800 6th

3145-47 North 6th Street, TK #283-1077-2 \$10,000 6th

3751-51A North 6th Street, TK #272-0411-5 \$12,800 6th

3286 North 10th Street, TK #283-0406-1 \$11,600 6th

3115 North 13th Street, TK #284-0516-7 \$18,000 1st

2869 North 14th Street, TK #311-3117-1 \$6,800 1st

3853-55 North 15th Street, TK #271-0218-9 \$66,000 1st

3536 North 19th Street, TK #271-1415-8 \$10,000 1st

3944 North 20th Street, TK #271-2508-1 \$8,000 1st

2428 North 21st Street, TK #325-0520-3 \$6,800 10th

3010 North 21st Street, TK #310-0113-8 \$10,800 10th

2020 North 22nd Street, TK #350-0512-100-9 \$9,600 10th

2716-18 North 23rd Street, TK #310-0435-9 \$12,800 10th

2738 North 24th Street, TK #310-0420-7 \$22,000 10th

2776-78 North 24th Street, TK #310-0221-5 \$12,800 10th

2850 North 24th Street, TK #310-1374-6 \$10,000 10th

3218 North 24th Place, TK #285-0717-7 \$8,800 10th

4120 North 24th Street, TK #245-0413-9 \$26,000 1st

3261 North 25th Street, TK #285-0608-4 \$18,000 10th

2873-75 North 26th Street, TK #310-2607-X \$22,000 10th

3315 North 26th Street, TK #285-2235-3 \$8,800 10th

4428-30 North 27th Street, TK #231-0814-3 \$30,000 1st

2566 North 36th Street, TK #327-1661-3 \$7,200 7th

3039 North Buffum Street, TK #314-0653-3 \$10,000 6th

1602 West Chambers Street, TK #311-1514-3 \$7,200 1st

; and

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

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

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

- A. The Offer conforms in all respects with the sales procedure.
- B. The net offer (offer less sale's commission) is greater than 75 percent of the listing price.
- C. The buyer is not delinquent in the payment of real estate taxes on any properties that he/she may own in the City of Milwaukee.
- D. The buyer has not been convicted, within twelve months preceding the date of the Offer, of failure to comply with an order from the Commissioner of the Department of Neighborhood Services of the City of Milwaukee to correct code violations; now, therefore, be it

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

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 8) [990748](#) Resolution declaring as surplus two vacant, tax deed lots located at 1313-15 South 8th Street and 1319 South 8th Street and accepting an Offer to Purchase from LaCausa, Inc., for development of a parking lot, in the 12th Aldermanic District. (Department of City Development)

Whereas, LaCausa, Inc., has offered to purchase two vacant, tax deed lots located at 1313-15 South 8th Street and 1319 South 8th Street, Tax Roll Key Nos. 432-0121-4 and 432-0120-9, from the City of Milwaukee containing a total of 5,000 square feet for the amount of \$2,500 for development of a parking lot; and

Whereas, These two vacant, tax deed lots are being sold in an "as is" condition; and

Whereas, The Department of City Development recommends acceptance of this Offer for the specified use, contingent upon the following:

1. Approval of the Board of Zoning Appeals ("BOZA").
2. Site plan approval by the Department of City Development; and

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

Resolved, By the Common Council of the City of Milwaukee that said vacant lots are

declared surplus, said Offer is accepted, and the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lots and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

Sponsors: Ald. Witkowiak

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 9) [990751](#) Resolution amending the disposition of the surplus, vacant, tax deed lot with garage located at 2257 South Winchester Street, in the 14th Aldermanic District.
(Department of City Development)

Whereas, Common Council File No. 990400, adopted on July 13, 1999, declared surplus and authorized the Department of City Development to sell 2257 South Winchester Street to Mr. David J. Mantyh after his purchase of the private property located at 2253 South Winchester Street; and

Whereas, The sale of the private property located at 2253 South Winchester Street to Mr. Mantyh was canceled and Darren D. Kamine and Kim C. Kamine have since purchased this property on August 31, 1999; and

Whereas, To coincide with such purchase, Mr. and Mrs. Kamine have offered to purchase the surplus, vacant, tax deed lot with garage located at 2257 South Winchester Street, Tax Roll Key No. 466-1411-7, for use as green space for the amount of \$2,000; and

Whereas, Sale of this vacant lot will not be consummated until proof of ownership of 2253 South Winchester Street is submitted to the City of Milwaukee by Mr. and Mrs. Kamine; and

Whereas, This tax deed lot and garage are being sold in an "as is" condition; and

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

Resolved, By the Common Council of the City of Milwaukee that said Offer is

accepted and that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot after satisfaction of the above condition and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 10) [990752](#) Resolution approving the Land Disposition Report for the properties at 1101-17 West Pierce Street and 1110-34 West Pierce Street for sale to Garden-fresh Foods, Inc. for business expansion and parking in the 12th Aldermanic District (Redevelopment Authority).

Whereas, On September 21, 1999, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated September 21, 1999, with respect to the proposed sale of the following described parcels is approved.

PROJECT

South 11th Street - West Pierce Street

PARCEL NUMBERS

Disposition Parcel Nos. 432-42-1 and 427-12-1

PROPERTY ADDRESSES

1101-17 West Pierce Street

1110-34 West Pierce Street

REDEVELOPER

Garden-fresh Foods, Inc.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 11) [990753](#) Substitute resolution approving the Land Disposition Report for the property at 2622-26 West State Street for sale to West State Street LLC for retail development in the 4th Aldermanic District (Redevelopment Authority).

Whereas, On July 29, 1999, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated July 29, 1999, with respect to the proposed sale of the following described parcel is approved.

PROJECT

Midtown Conservation

PARCEL NUMBER

Disposition Parcel No. 389-32-1

PROPERTY ADDRESS

2622-26 West State Street

REDEVELOPER

West State Street LLC (Members: James A. Bouchard, David J. Bouchard, Ann M. Bouchard and Paul J. Bouchard)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 12) [990805](#) Resolution authorizing approval and execution of a Local Program Operator Contract between the City of Milwaukee's Department of Neighborhood Services and Department of City Development, and the State of Wisconsin, Department of Commerce. (City Attorney)

Whereas, The City of Milwaukee's Department of Building Inspection has heretofore acted as an agent of the State to protect public health through enforcement of commerce regulations regarding various types of storage tanks within the city; and

Whereas, The previous Local Program Operator Contract was executed by the Commissioner of the Department of Building Inspection; and

Whereas, The enactment of Common Council File Number 980963 transferred some of the duties and responsibilities of a local program operator to the newly created Department of Neighborhood Services and other duties and responsibilities to the Department of City Development, and

Whereas, All revenue received from the State will be deposited to general revenue account no. 942003, State Petroleum Tank Periodics, and all expenditures incurred will be drawn from the department account as detailed on the fiscal note dated July 27, 1999, appended hereto, and

Whereas, The parties to the previous Local Program Operator Contract are desirous of having the City's Department of Neighborhood Services and Department of City Development continue to perform the functions previously performed by the Department of Building Inspection; now, therefore, be it

RESOLVED, By the Common Council of the City of Milwaukee that the Commissioners of the Department of Neighborhood Services and the Department of City Development be and hereby are authorized and directed to execute the Local Program Operator Contract between the City of Milwaukee, Departments of Neighborhood Services and City Development, and the State, attached to the file, on

behalf of the City.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 13) [990814](#) Resolution approving Tax Incremental District 19 (Campus Circle) loan repayment accounting treatment.
- WHEREAS, The City of Milwaukee granted the Redevelopment Authority of the City of Milwaukee (RACM) a \$6,150,000 grant for the purposes of assisting Marquette University in its development of the Marquette Campus Circle project; and
- WHEREAS, RACM subsequently provided the above noted funds as a grant to the Milwaukee Economic Development Corporation (MEDC) for the purpose of funding various aspects of the Marquette Campus Circle Project; and
- WHEREAS, MEDC subsequently provided a \$4,170,000 loan to Hilltop Enterprises, Inc. (Hilltop), a non-profit corporation established by Marquette University to finance and manage the construction and operation of a specified commercial development on its campus; and
- WHEREAS, The Development Loan Agreement between MEDC and Hilltop allowed prepayment of any outstanding loan balance at any time without penalty; and
- WHEREAS, The outstanding Hilltop loan balance on May 21, 1999 totaled \$ 4,170,000.00; and
- WHEREAS, Hilltop made a full repayment of the loan on May 21, 1999; and
- WHEREAS, Consistent with Wisconsin State Statutes Chapter 66.45 (2)(f) 1, all repayments of this loan are to be considered TID #19 program revenue to offset or "diminish" the cost of this TID until its closure; and now therefore be it
- RESOLVED, That the entire Hilltop loan prepayment of \$4,786,425.37 representing \$ 4,170,000.00 for repayment of outstanding principal and \$616,425.37 for repayment of unpaid interest be directed to be applied to the City General Operation Debt Service Fund for the purpose of offsetting eligible TID costs in the form of City principal and interest payments for general operation debt previously issued for TID

19 purposes.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 14) [990816](#) Resolution authorizing additional funding for the Downtown and Neighborhood Facade Grant Program for the City of Milwaukee. (Department of City Development)
Whereas, The Department of City Development has operated a Facade Grant Program for more than 20 years; and

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

Whereas, Program Eligibility Requirements and Design Guidelines have been 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 can leverage significant amounts of private investment and improvements to the facades of commercial properties if a facade grant program were available to assist property owners or businesses to upgrade their storefronts and principle facades; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee authorizes the City Comptroller to transfer \$300,000 from the Development Fund Project Account No. UR03390000 to the Project Account No. PR01880000, for allocation to the Downtown Facade Grant Segment Account No. PR01882000; and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

CONFIRMATION OF THE FOLLOWING:

- 15) [990781](#) Appointment of Patricia Torres-Garrett to serve on the City Plan Commission by the Mayor.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

PLACING ON FILE THE FOLLOWING:

- 16) [990506](#) Communication from the Southeastern Wisconsin Regional Planning Commission transmitting their 1998 Annual Report.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) Resolutions to vacate various streets, avenues, alleys and right-of-ways:

- a) [990187](#) Resolution to vacate a portion of West Hadley Street and the North-South alley located on the West Side of North 30th Street and South of West Fond du Lac Avenue, in the 7th Aldermanic District. (DCD)
- Whereas, It is proposed that a portion of West Hadley Street and the North-South alley located on the West Side of North 30th Street and South of West Fond du Lac Avenue be vacated pursuant to the provisions of Section 66.297 of the Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that said portion of public street and alley, as indicated by Exhibit "A", is vacated; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- b) [990394](#) Resolution to vacate a corner of public right-of-way located on the North Side of West Silver Spring Drive and West of North 60th Street, in the 2nd Aldermanic District. (DCD)
- Whereas, It is proposed that a corner of public right-of-way located on the North Side of West Silver Spring Drive and West of North 60th Street be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that said portion of public right-of-way, as indicated by Exhibit "A", is vacated; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

c) [990396](#) Resolution to vacate a 420-foot portion of North 32nd Street, located North of West Wright Street, in the 7th Aldermanic District. (DCD)

Whereas, It is proposed that a 420 foot portion of North 32nd Street, located North of West Wright Street, be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

Whereas, This resolution modifies the developer's agreement and absolves the need for the east leg of the concrete alley in the block bounded by vacated West Clarke Street, North 32nd Street, West Wright Street, and North 33rd Street by removing the easement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said portion of street, as indicated by Exhibit "A", is vacated; and, be it

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

existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair of entrance, maintenance, construction and repair with reference thereto shall continue as if such portion of street had not been vacated.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- d) [990399](#) Resolution to vacate a portion of West Ohio Avenue and a 100-foot portion of the North-South alley located on the West Side of South 20th Street, in the 14th Aldermanic District. (DCD)

Whereas, It is proposed that a portion of West Ohio Avenue and a 100-foot portion of the North-South alley located on the West Side of South 20th Street be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that said portion of street and portion of alley, as indicated by Exhibit "A", is vacated; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- e) [990507](#) Resolution to vacate approximately 340 feet of East Reservoir Avenue Extended, located East of North Hubbard Avenue, in the 6th Aldermanic District. (DCD)
Whereas, It is proposed that approximately 340 feet of East Reservoir Avenue Extended, located East of North Hubbard Avenue, be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that said portion of public street, as indicated by Exhibit "A", is vacated; and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- f) [990615](#) Substitute resolution to vacate the East Side of North 124th Street between West Rohr Avenue and West Villard Avenue, in the 15th Aldermanic District.
Whereas, It is proposed that the East Side of North 124th Street between West Rohr Avenue and West Villard Avenue be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

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

Resolved, By the Common Council of the City of Milwaukee that said portion of

public street is vacated as bound and described by:

That part of North 124th Street in the Northwest 1/4 of Section 31, Township 08 North, Range 21 East, described as follows: Commencing at the point of intersection of the present north line of West Villard Avenue and the present east line of North 124th Street, said point lying 60 feet East of, as measured normal to, the west line of said 1/4 Section and 45 feet North of, as measured normal to, the south line of said 1/4 Section; thence Northerly, along said east line and parallel to the west line of said 1/4 Section, to its point of intersection with the present south line of West Rohr Avenue; thence Westerly, along the westerly extension of said south line, to a point lying 33 feet Easterly of, as measured normal to, the west line of said 1/4 Section; thence Southerly, parallel to said west line, to a point in the westerly extension of said north line of West Villard Avenue; thence Easterly, along said westerly extension, to the point of commencement; and, be it

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

Sponsors: Ald. Nardelli

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

2) Substitute resolutions granting/amending various special privileges:

a) [990497](#) Substitute resolution granting a special privilege to Megamarts Inc. to install and maintain closed circuit television cameras underground cable and aerial cable at 1818 West National Avenue, in the 12th Aldermanic District in the City of Milwaukee. Whereas, Megamarts Inc. desires to install and maintain two closed circuit television cameras, one to be installed on each of two City-owned light poles located within public right-of-way; and

Whereas, The camera mounted on the light pole at the northeast corner of South 20th

Street and West National Avenue will be connected to the building at 1818 West National Avenue through underground cabling on the north side of West National Avenue, a portion of which will be installed in the public right-of-way; and

Whereas, The camera mounted on the light pole at the southeast corner of South 20th Street and West Pierce Street will be connected to the building at 1818 West National Avenue through aerial cable attached to WEPCO utility poles on the south side of West Pierce Street; and

Whereas, Said cameras and cabling may only be permitted to occupy the public rights-of-way by the adoption of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Megamarts Inc., 150 West Holt Avenue, Milwaukee, WI 53207 is hereby granted the following special privileges:

1. To install and maintain a closed circuit television camera (CCTV) on the City-owned street light pole located on the northeast corner of South 20th Street and West National Avenue. The camera will be operated by means of an underground cable, which will extend easterly in the public right-of-way approximately 15 feet from the street light pole to the eastline of South 20th Street, and will further extend easterly onto private property to the premises at 1818 West National Avenue.
2. To install and maintain a CCTV camera on the City-owned street light pole located on the southeast corner of South 20th Street and West Pierce Street. The CCTV camera will be operated by means of an aerial cable installed within West Pierce Street as herein described: beginning on the City-owned street light pole at the southeast corner of South 20th Street and West Pierce Street and extending east approximately 517 feet, attached to several WEPCO utility poles, and extending approximately 20 feet south into the building located at 1818 West National Avenue.

The CCTV cameras, and underground and aerial communication cabling, shall be installed, operated and maintained to the approval of the Departments of Public Works and Neighborhood Services. The grantee shall procure the necessary permits from the Departments of City Development/Neighborhood Services and Public Works.

;and, be it

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

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$558.87. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- b) [990542](#) Substitute resolution amending a special privilege that was granted to Bessie Kohlenberg to construct and maintain a retractable loading platform in the public right-of-way adjacent to the property located at 315 West Court Street, to now change the name of the grantee of the special privilege to Steven Macaione and Thomas A. Mason, and also grant permission for a metal chute and excess door-swing to occupy the public right-of-way, in the 6th Aldermanic District in the City of Milwaukee.

Whereas, Bessie Kohlenberg was granted a special privilege under Common Council Resolution File Number 66-726a, on April 18, 1967, to construct and maintain a retractable loading platform that projects, when in use, 8 feet into a public alley adjacent to the premises at 315 West Court Street; and

Whereas, The current owners of the property are Steven Macaione and Thomas A. Mason and should now be named as grantees of the special privilege; and

Whereas, Our field observation of the site revealed the existence of a metal chute from the second story level of the building and an excess door swing at the basement level of the building, both utilizing the alley right-of-way; and

Whereas, The retractable loading platform, metal chute and excess door swing may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 66-726a is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Steven Macaione and Thomas A. Mason, 1501 North Martin Luther King Jr. Dr., Milwaukee, WI 53212, are hereby granted the following special privileges:

1. To keep, use and maintain an 8-foot by 6.5-foot wide drawbridge-type loading platform on the west side of the building at 315 West Court Street, located adjacent to the north-south alley in the block bounded by West Cherry Street, West Court Street, North Dr. Martin Luther King Jr. Drive and North 4th Street. When not in use, the platform shall be drawn up against the building so that it will not project more than one foot beyond the lot line into the public alley, and shall extend no further than 8 feet into the 20-foot wide public alley, when in use, for the purpose of loading and unloading. Access to and use of the dock may occur from either the north or the south side of the dock. The platform is centered approximately 65 feet north of the northline of West Cherry Street. The dock shall not be "down" when not in use.

2. To keep, use and maintain a 2-foot wide corrugated metal chute located at the second story level that is located approximately 50 feet south of the southline of West

Court Street.

3. To keep, use and maintain a 3-foot wide door located on the west face of the building at 315 West Court Street, located adjacent to the north-south alley to the block bounded by West Cherry Street, West Court Street, North Dr. Martin Luther King Jr. Dr., and North 4th Street approximately 95 feet north of the northline of West Cherry Street. This produces an excess swing of two feet (Sec 245-4-8).

Said loading platform, chute and door shall be used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services. All required permits shall be procured. Said loading platform shall be removed from the public right-of-way at such future time that it is no longer needed, to the satisfaction of the Departments of Public Works and Neighborhood Services.

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantees, Steven Macaione and Thomas A. Mason, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$36.45. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed,

changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- c) [990632](#) Substitute resolution granting a special privilege to Suzy's Cream Cheesecakes, Inc., for a ramped entrance for barrier-free access and for steps to partially encroach in the public rights-of-way adjacent to 5901 West Vliet Street, in the 16th Aldermanic District in the City of Milwaukee.

Whereas, Suzy's Cream Cheesecakes, Inc., occupies the building located at 5901 West Vliet Street, which will be undergoing renovation; and

Whereas, A portion of a concrete ramped entrance for barrier-free access, which is part of the building renovation, is proposed to encroach into the public right-of-way of North 59th Street; and

Whereas, Review of this request revealed that portions of the steps for the new platform at the southwest corner of North 59th Street and West Vliet Street will encroach into the public rights-of-way; and

Whereas, Encroachment of the handicap ramp and steps into the public rights-of-way can only be allowed through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Suzy's Cream Cheesecakes, Inc., 5901 West Vliet Street, Milwaukee, WI 53208, is hereby granted the following special privileges:

1. To construct and maintain an approximate 15-foot long and 4-foot 2-inch wide concrete ramp with metal handrail on the west side of North 59th Street adjacent to the property known as 5901 West Vliet Street. Said concrete ramp shall begin at a point approximately 23 feet 5 inches south of the southline of West Vliet Street and encroach approximately 1-foot 9-inches into the public sidewalk area. The ramp will terminate at a new platform with steps at the northeast corner of the building.

2. To construct and maintain portions of steps partially within the west sidewalk area of North 59th Street and the south sidewalk area of West Vliet Street, at the southwest corner of North 59th Street and West Vliet Street, abutting the building at 5901 West Vliet Street. Said steps will encroach approximately 2 feet 1 inch into the 15-foot wide west sidewalk area of North 59th Street and approximately 1 foot into the approximately 12-foot wide south sidewalk area of West Vliet Street. A metal handrail is to be located on each side of the steps.

Said handicap ramp and step encroachments shall be constructed, used and/or maintained to the satisfaction of the Commissioners of Public Works and Neighborhood Services/City Development. All required permits shall be procured prior to beginning construction. Said items shall be removed from the public right-of-way at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Neighborhood Services.

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Suzy's Cream Cheesecakes Inc., a Wisconsin corporation, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$39.24. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- d) [990633](#) Substitute resolution amending a special privilege granted to Bistricky-Irsch-Grosse-Larson Bros. Funeral Home, to keep a covered walk on the south side of West Capitol Drive within the public right-of-way at 6709 West Capitol Drive, to now change the name of the grantee of the special privilege to Hamilton Funeral Service Centers, in the 2nd Aldermanic District in the City of Milwaukee. Whereas, Hamilton Funeral Service Centers was granted a special privilege under Common Council Resolution File Number 86-1603, on January 13, 1987, to keep and maintain a covered walk at the West Capitol Drive entrance to the building located at 6709 West Capitol Drive; and

Whereas, The current corporate owner of the property is Hamilton Funeral Service Centers and should now be named as the grantee of the special privilege; and

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

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 86-1603 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Hamilton Funeral Service Centers, c/o HFSC Holdings Inc., 17150 Via del Campo, Suite 100, San Diego, CA 92127, is hereby granted the following special privilege:

To keep and maintain a covered walk at the property known as 6709 West Capitol Drive. Said covered walk, 8.3-feet in width, is centered approximately 110 feet west of the westline of North 67th Street and encroaches approximately 11 feet into the 12-foot wide fully concrete paved sidewalk area on the south side of West Capitol Drive at the 6709 West Capitol Drive address. The covered walk is supported by the building and two vertical supports on private property and by two vertical supports near each corner closest to the curb along each side of the covered walk. Each vertical support nearest the curb is centered approximately 2 feet 6 inches from the curbline. There is an approximately 8.3-foot wide opening between the vertical supports, which parallel the curb face. The minimum vertical clearance between the skirt of the covered walk and the sidewalk below is 7.7 feet.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot and wind pressure of 20 pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The covering shall be of approved material.

All fixtures and materials for illumination of covered walk shall be indicated upon the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walk. The name, street number, or character of the business may be indicated only on the vertical portion of the covering and shall not exceed 8 inches in height.

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

Said covered walk shall be maintained and used to the approval of the Commissioners of City Development/Neighborhood Services and Public Works.

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Hamilton Funeral Service Centers, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$75.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Sponsors: THE CHAIR

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

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

No: 0

Absent: 1 - Gordon

Excused: 2 - Johnson-Odom Frank

e) [990648](#) Substitute resolution granting a special privilege to Allen Bradley, LLC, to construct two raised concrete planters partially located within the public rights-of-way abutting the premises now known as 1401 South 3rd Street and 333-39 West Greenfield Avenue, in the 12th Aldermanic District in the City of Milwaukee.

Whereas, Allen Bradley, LLC, proposes to construct and maintain two 16-foot diameter raised planters, which are to be partially located in the public rights-of-way on the west side of South 3rd Street, adjacent to 1401 South 3rd Street, and on the east side of South 4th Street, adjacent to 333-39 West Greenfield Avenue; and

Whereas, The planters are to be constructed of concrete and are to be 6 inches in height; and

Whereas, The planters may only legally occupy the City of Milwaukee public rights-of-way by the granting of a special privilege; and

Whereas, Our initial review and resolution preparation was based upon preliminary plans that have now been superceded by Final (Construction) Plans that indicate some additional public right-of-way occupancy; and

Whereas, The additional items are underground conduit to be placed under the north-south alley containing lawn irrigation piping and electric cables for site lighting; and

Whereas, These items also need Common Council approval; and

Whereas, The revised resolution identified as Substitute 2, is intended to provide for that approval; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Allen Bradley, LLC, 1201 South 2nd Street, Milwaukee, WI 53204, is hereby granted the following special privileges:

1. To construct and maintain two 16 foot diameter raised concrete planters within the public rights-of-way located as follows: one planter located on the west side of South 3rd Street, centered approximately 10 feet south of the southline of West Greenfield

Avenue with the 6-inch high concrete planter extending approximately 6.71 feet into the 20-foot wide sidewalk area, in a circular fashion, for a distance of approximately 15.79 feet thus providing approximately 13.29 feet of paved sidewalk for through pedestrians; and one planter located on the east side of South 4th Street, centered approximately 11 feet south of the southline of West Greenfield Avenue with the 6-inch high concrete planter extending approximately 5.93 feet into the 18-foot wide sidewalk area, in a circular fashion, for a distance of approximately 15.46 feet thus providing approximately 12.07 feet of paved sidewalk for through pedestrians.

2. Two 2-1/2 inch diameter conduits that extend under and across the north-south alley in the block bounded by West Greenfield Avenue, West Orchard Street, South 3rd Street and South 4th Street approximately 20 feet south of the southline of West Greenfield Avenue at a depth of approximately 3 feet to contain irrigation piping.

3. Two 2-1/2 inch diameter conduits that extend under and across the north-south alley in the block bounded by West Greenfield Avenue, West Orchard Street, South 3rd Street and South 4th Street approximately 30 feet south of the southline of West Greenfield Avenue at a depth of approximately 3 feet to contain electrical cables.

Said planters and conduits shall be constructed and maintained to the approval of the Departments of Public Works and Neighborhood Services/City Development. All necessary permits shall be obtained from the Departments of Public Works and Neighborhood Services/City Development prior to placement of these items in the City of Milwaukee public rights-of-way. The plant material shall be approved by and maintained to the satisfaction of the City Forester.

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Allen Bradley, LLC, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty

days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$43.98. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

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

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

;and, be it

Further Resolved, That Allen Bradley LLC, its successors or assigns, in undertaking this project understands that by obtaining a City of Milwaukee DPW permit specifically for the scored concrete sidewalk located within the public rights-of-way, will:

1) not obligate the City physically or financially to replace said walk "in-kind", if at anytime in the future said walk needs removal and replacement due to condition or access to or for a City utility installation

2) not obligate a public utility contractor physically or financially to replace said walk "in-kind", if at any time in the future, said walk needs removal and replacement due to access to or for their utility installation

3) obligate them to be financially responsible for said walk replacement with any necessary permits

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- f) [990707](#) Substitute resolution to grant a special privilege to Spice Island, LLC, to place a covered walk on the north side of West North Avenue within the public right-of-way at the 5930 West North Avenue building entrance, in the 16th Aldermanic District in the City of Milwaukee.
- Whereas, The applicant desires to place and maintain a covered walk at 5930 West North Avenue that will encroach into the public right-of-way; and
- Whereas, At the time of our field investigation, we noted that the covered walk was already in place; and
- Whereas, Said covered walk may only legally occupy the public right-of-way by the granting of a special privilege resolution by the Common Council; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that Spice Island, LLC, 5930 West North Avenue, Milwaukee, WI 53208, is hereby granted the following special privilege:
- To keep and maintain a recently erected covered walk at the property known as 5930 West North Avenue. Said covered walk, 10 feet 9 inches in width, is centered approximately 13 feet east of the eastline of North 60th Street and encroaches approximately 7 feet into the 8-foot wide sidewalk area on the north side of West North Avenue at the 5930 West North Avenue address. The covered walk is supported by the building and by two vertical supports near each corner closest to the curb along each side of the covered walk. Each vertical support is centered approximately 1-foot 8-inches north of the present curbline. The vertical clearance between the skirt of the covered walk and the sidewalk below is approximately 7 feet 8-inches .
- Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot and wind pressure of 20 pounds per square foot applied in any direction. No guy wires, brackets or diagonal braces shall be permitted lower than 8 feet above the sidewalk level. The covering shall be of approved material.

All fixtures and materials for illumination of covered walk shall be indicated upon the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of the covered walk. The name, street number, or character of the business may be indicated only on the vertical portion of the covering and shall not exceed 8 inches in height.

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

Permits shall be obtained from the Departments of Public Works, City Development/and Neighborhood Services for the covered walk structure itself and from the Public Works to occupy the right-of-way.

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

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Spice Island, LLC, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$75.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 3) [990543](#) Substitite resolution authorizing the release of a deed restriction for the property located at 1701 North Lincoln Memorial Drive (MMSD Milwaukee River Flushing Station).
- Whereas, The City of Milwaukee conveyed the Milwaukee River Flushing Station to the Sewerage Commission of the City of Milwaukee in January of 1956 subject to a deed restriction requiring that the Flushing Station be used solely in conjunction with the operation of a Flushing Tunnel and precluding lease of space in the Flushing Station for commercial, recreational and/or educational uses; and
- Whereas, The Flushing Station has been renovated and portions of the building originally required for operation of the Flushing Tunnel are now vacant; and
- Whereas, The Milwaukee Metropolitan Sewerage District ("MMSD"), as successor to the Sewerage Commission of the City of Milwaukee, has requested a release of the deed restriction in order to allow lease of vacant space within the Flushing Station for commercial, recreational and/or educational uses; and
- Whereas, The City of Milwaukee desires to release the deed restriction and a partial release of deed restriction is attached to File No. 990543; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the partial release of deed restriction applicable to the Flushing Station located at 1701 North Lincoln Memorial Drive is hereby approved and the proper City officers are hereby authorized and directed to execute a partial release of deed restriction in substantially the form on file with the Common Council with such minor non-substantive revisions as may be requested by the MMSD and approved by the Office of the City Attorney.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 4) [990605](#) Resolution authorizing the proper City Officials to execute an Out-of-Program Agreement between the YMCA of Metropolitan Milwaukee and the City of Milwaukee for design and construction of public improvements related to the YMCA's plans to develop a recreational facility on the east side of North 91st Street north of West Brown Deer Road. (DPW)

Whereas, The YMCA of Metropolitan Milwaukee proposes to develop a new recreational facility in the area north of West Brown Deer Road and east of North 91st Street; and

Whereas, A zone change allowing the proposed development has been previously approved by the Common Council; and

Whereas, The developer wishes to enter into an Out-of-Program Agreement with the City of Milwaukee regarding the design, construction and funding of the public improvements needed to support the project; and

Whereas, An Out-of-Program Agreement has been prepared and is attached to this file; and

Whereas, All costs associated with the public improvements will be the responsibility of the developer; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Out-of-Program Agreement attached to this file is hereby approved and the proper City Officials are hereby authorized to execute said agreement on behalf of the City; and be it

Further Resolved, That the Commissioner of Public Works is authorized to make minor, non-substantive changes to the Out-of-Program Agreement prior to its execution.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 5) [990671](#) Resolution accepting a reservation and declaring certain property open for public street purposes, to be used for widening West Fond du Lac Avenue (south side) from North 95th Street northwesterly 207.45 feet, more or less, to a point, in the 15th Aldermanic District of the City of Milwaukee. (DPW-Infrastructure Services)
- Whereas, A portion of West Fond du Lac Avenue is scheduled for paving in 1999 and includes the construction of a sidewalk on the southerly side of the street westerly of North 95th Street; and

Whereas, A reservation for public street purposes was created by Certified Survey Map No. 6373 recorded in the Office of the Register of Deeds of Milwaukee County as Document No. 7393007 on July 14, 1997; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the following described parcel of land, which has been reserved for public street purposes, hereby is declared open for such purposes:

The northeast 27.00 feet of Parcel 1 in Certified Survey Map No. 6373, in the Northeast 1/4 of Section 29, Township 8 North, Range 21 East; and, be it

Further Resolved, That the City Comptroller is hereby directed to have a certified copy of this resolution recorded in the office of the Register of Deeds of Milwaukee County.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 6) [990673](#) Substitute resolution granting permission to the Department of Public Works' Buildings and Fleet Division to remodel portions of the exterior of the 809 Building, located at 809 North Broadway, which will result in a new entrance awning at the main entrance to the building, and light shelves on the North Broadway and East Wells Street sides projecting into said public rights-of-way that by their material and/or projection do not comply with the provisions of Section 245-4 of the Milwaukee Building Code, in the 4th Aldermanic District of the City of Milwaukee.

Whereas, A portion of the City's 809 Building, located at 809 North Broadway, is being remodeled for the Development Center and the Plans prepared under the auspices of the Department of Public Works Building and Fleet Division for said remodeling indicate two items that project into the public rights-of-way of North Broadway and East Wells Street; and

Whereas, These items either by their material or projection do not comply with the provisions of Section 245-4 of the Milwaukee Building Code; and

Whereas, These items may only be permitted to occupy the public rights-of-way by permission of the Common Council of the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Buildings and Fleet Division of the Department of Public Works is hereby authorized to proceed with exterior remodeling of the 809 Building, located at 809 North Broadway, by constructing the following described items:

1) A fixed awning located at the main entrance to the 809 Building at 809 North Broadway that has a glass roof surface, no provisions to intercept the roof drainage and larger signage detailed as follows: - Code requires "non-combustible, rust-resistive materials, except that glass or similar fragile material shall not be used..." ----this proposal is manufactured laminated glass, category 11; roof drainage - Code requires "Fixed awnings which are not constructed to permit the passage of rain or snow through open slots, slats or louvres in the roof thereof shall be provided with snow guards and with gutters and conductors connected with the house sewer or drain"----this proposal is for a solid surface with no gutters, since there is no opportunity internally to receive and convey the captured drainage; signs and advertising devices - Code requires". . . letters not exceeding 6 inches in height"----this proposal is 1-foot high letters to match those on the Frank P. Zeidler Municipal Building.

2) Light shelves on 809 Building located at 809 North Broadway detailed and located as follows:

a) flat structure supported by diagonal bracing from above with 3-foot projection located only in front of most southerly set of windows of first floor on the North Broadway side providing at least 10 feet of vertical clearance.

b) flat structure supported by diagonal bracing from above with 3-foot projection located only in front of windows of first floor on the East Wells Street side providing at least 11 feet and approximately no more than 19 feet of vertical clearance.

Further Resolved, That upon review and approval of the detailed construction Plans, the Commissioners of the Departments of Public Works and City Development/Neighborhood Services are hereby authorized and directed to issue the necessary permits to implement construction.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 7) [990729](#) Resolution authorizing the Commissioner of Public Works to issue a permit allowing excavation in the East Mason Street/North Milwaukee Street intersection where the pavement is less than three years old. (Department of Public Works)
- Whereas, The Milwaukee Metropolitan Sewerage District is in the process of inspecting the downtown sewer system to determine repair and capital improvement needs; and
- Whereas, To protect workers performing the inspections, several old, worn out sluice gates must be replaced; and
- Whereas, One of the sluice gates that must be replaced is located in the intersection of East Mason and North Milwaukee Streets; and
- Whereas, This intersection was recently reconstructed with a combination of cobblestone and brick pavers and is subject to a pavement guarantee; and
- Whereas, Replacement of the defective sluice gate will require cutting into this newly paved intersection; and
- Whereas, MMSD's consulting engineer for the project (Rust/Harza) has requested permission to undertake the necessary work; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized and directed to issue an excavation permit to allow replacement of a damaged Milwaukee Metropolitan Sewerage District sluice gate, said replacement requiring a cut in the guaranteed pavement at the intersection of North Milwaukee and East Mason Streets; and, be it

Further Resolved, That the pavement restoration of the affected intersection shall be accomplished in accordance with the specifications and restrictions established by the Department of Public Works of the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 8) [990730](#) Resolution authorizing the Commissioner of Public Works to issue a permit allowing excavation in the 700 block of North Jackson Street where the pavement is less than three years old. (Department of Public Works)

Whereas, The Wisconsin Electric Power Company wishes to provide steam service to a building located at 732 North Jackson Street; and

Whereas, To provide this service an open cut in the street pavement will be required; and

Whereas, The 700 block of North Jackson Street has been recently paved and is under guarantee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized and directed to issue an excavation permit allowing installation of a steam line connection to property located at 732 North Jackson Street, said installation requiring a cut in the guaranteed pavement of the street; and, be it

Further Resolved, That the pavement restoration of the affected street shall be

accomplished in accordance with the specifications and restrictions established by the Department of Public Works of the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 9) [990754](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations.
Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:

6th Aldermanic District

N. Gordon Pl. - E. Meinecke Ave. to E. Wright St. WT41091295: Relaying water main.

W. Locust St. - N. 4th St. to N. 5th St. WT41091304: Relaying water main.

N. 6th St. - W. Locust St. to W. Chambers St. WT41091319: Relaying water main.

12th Aldermanic District

S. 6th St. (East Side) - A point 200 feet m/l south of W. Washington St. to W. Washington St. ST21190251 (879-0924-8): Right-turn bypass removal.
(Nonassessable Reconstruction Paving Fund -- \$5,000)

14th Aldermanic District

S. Harbor Dr. - E. Jones St. to a point north of E. Jones St. ST21190252 (879-0788-X): Asphalt pavement resurfacing, sodding, and grading.

;and, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 10) [990755](#) Resolution determining it necessary to make various assessable public improvements at various locations. (Department of Public Works - Infrastructure Services)
- Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

1st Aldermanic District

N. 22nd St. - W. Atkinson Ave. to W. Roosevelt Dr. ST21110103 (877-0657-2): 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)

N. 26th St. (East & West Roadways) - W. Atkinson Ave. to W. Port Sunlight Way ST21110104 (876-0561-3): 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)

N. 26th St. - W. Port Sunlight Way to W. Ruby Ave. ST21110105 (876-0563-4): 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)

3rd Aldermanic District

W. North Ave. - N. Lake Dr. to the Milwaukee River ST21110102 (877-0802-X): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete

sidewalk, and streetscape. Doing all the necessary grading pertaining to said work.
(Nonassessable Reconstruction Paving Fund -- \$5,000)

4th Aldermanic District

N. 9th St. - W. Wells St. to W. State St. ST21100162 (870-0870-X): 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)

8th and 12th Aldermanic Districts

W. Mitchell St. - S. Muskego Ave. to S. 32nd St. ST21110101 (871-0825-1): 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)

;and, be it

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

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

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

[990756](#)

Substitute resolution approving construction of nonassessable public improvement projects at various locations.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

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:

4th Aldermanic District

N. Jefferson St. - E. Clybourn St. to E. Michigan St. WT41091302 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$75,000)

W. Michigan St. - N. 28th St. to N. 29th St. WT41091309 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$65,000)

W. Michigan St. - N. 30th St. to N. 31st St. WT41091308 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$55,000)

6th Aldermanic District

N. Gordon Pl. - E. Meinecke Ave. to E. Wright St. WT41091295 File Number 990754: Relay water main. (Nonassessable Water Fund -- \$125,000)

W. Locust St. - N. 4th St. to N. 5th St. WT41091304 File Number 990754: Relay water main. (Nonassessable Water Fund -- \$60,000)

N. 6th St. - W. Locust St. to W. Chambers St. WT41091319 File Number 990754: Relay water main. (Nonassessable Water Fund -- \$120,000)

7th Aldermanic District

N. 25th St. - W. North Ave. to W. Meinecke Ave. ST21190193 (877-0865-3) File

Number 960092: Widen the roadway from 30 feet to 34 feet; 32 feet from 100 feet south of W. Meinecke Ave. to W. Meinecke Ave.: concrete pavement reconstruction, replace all curb and gutter, sidewalk and driveway approaches, sodding, tree removal where necessary, and grading. (Nonassessable Reconstruction Paving Fund -- \$109,830; Park West D Public Improvement Fund UR1780440 - \$43,000)

12th Aldermanic District

S. 6th St. (East Side) - A point 200 feet m/l south of W. Washington St. to W. Washington St. (879-0924-8) ST21190251 File Number 990754: Right-turn by pass removal. (Nonassessable Reconstruction Paving Fund -- \$45,000)

N. 12th St. - A point 250' m/l south of W. St. Paul Ave. to W. St. Paul Ave. WT41091321 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$60,000)

14th Aldermanic District

S. Harbor Dr. - E. Jones St. to a point north of E. Jones St. ST32091010 (879-0788-X) File Number 990754: Asphalt pavement resurfacing, sodding and grading. (Harbor Assistance Grant Fund SP03290100 (Fund 0306) -- \$12,000; State/Federal Paving Fund ST32090000 (Fund 0333) -- \$3,000) (Funds for the Harbor Assistance Grant previously appropriated under File Number 981479)

15th Aldermanic District

N. 109th St. - W. Kiehnau Ave. to 140' m/l north of W. Kiehnau Ave. WT43093026 File Number 980526: Water main extension for reinforcement. (Developer Water Fund -- \$8,000)

N. 110th St. - 130 ft. m/l south of W. Kiehnau Ave. to W. Kiehnau Ave. WT43093027 File Number 980526: Water main extension for reinforcement. (Developer Water Fund -- \$9,000)

W. Kiehnau Ave. - N. 108th St. to N. 110th St. WT43093029 File Number 980526: Water main extension for reinforcement. (Developer Water Fund -- \$22,000)

17th Aldermanic District

W. Cherry St. - N 36th St. (Ext'd) to N. 37th St. WT41091287 File Number 980034: Relay water main. (Nonassessable Water Fund -- \$55,000)

All Aldermanic Districts

Sewer System Evaluation Study SW17190345: Professional services agreement regarding sewer system evaluation combined with \$350,000 from the Sewer Maintenance Fund authorized by File Number 990344. (Nonassessable Relief and Relay Sewer Fund - \$240,000)

Greenfield

W. Layton Ave. - S. 99th St. to S. 108th St. WT41091399 File Number 990049: Relay water main. (Nonassessable Water Fund -- \$90,000)

W. Layton Ave. - S. 84th St. to S. 108th St. WT41091398 File Number 990049: Relay water main. (Nonassessable Water Fund -- \$280,000)

;now, therefore, be it

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

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 12) [990761](#) Substitute resolution approving Entry into a License Agreement for Water Main Easement W.E. 866 with the Union Pacific Railroad.

Whereas, The City is desirous of constructing a water pipeline underneath Union Pacific Railroad right-of-way in the vicinity of South Barclay and West National Avenue; and

Whereas, The Union Pacific Railroad has agreed to allow such crossing of its right-of-way provided the City enters into a license agreement with it for such purposes; and

Whereas, The terms of said easement agreement are set out and attached to this file and approved as to content by the Superintendent of the Milwaukee Water Works and as to form by the Office of the City Attorney; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said easement agreement be and the same is hereby approved, and the proper City officers be and they hereby are authorized and directed to execute the same on behalf of the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 13) [990763](#) Resolution relative to reconstruction of the traffic signals at the intersection of West Wisconsin Avenue at North 97th Street. (DPW - Infrastructure Services)

Whereas, The Wisconsin Department of Transportation is reconstructing the intersection of West Wisconsin Avenue and North 97th Street which is currently controlled by traffic control signals installed and maintained by the City of Milwaukee under an agreement with the City of Wauwatosa who has 100% responsibility; and

Whereas, The adjacent intersection of West Wisconsin Avenue and North 95th Street is currently controlled by traffic control signals installed and maintained by the City of Milwaukee under an agreement with the City of Wauwatosa and we share 40% of the responsibility; and

Whereas, The total estimated cost of this project is \$5,000 for design and plan preparation and \$50,000 for the reconstruction of the traffic signals; and

Whereas, One hundred percent of the project costs or \$55,000 is reimbursable from the Wisconsin Department of Transportation, and this amount is not included in Division Project/Grant Numbers, and should be earmarked for this project in the 1999 Capital Grant and Aid Fund 0306 and Project/Grant Number SP03290100; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to execute the agreement and contract with the Wisconsin Department of Transportation pertaining to the design and reconstruction of the traffic signals at the intersection of West Wisconsin Avenue

at North 97th Street with service and supply prices based on a predetermined estimate prepared under the Federal/State aided highway program guidelines; and, be it

Further Resolved, That upon approval of this contract, the Commissioner of Public Works is authorized and directed to design and reconstruct the traffic signals at the location identified below; and, be it

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

Location: West Wisconsin Avenue and North 97th Street, ID #1100-10-01,92

Transfer \$55,000 (WISDOT) from the Grantor Share Parent Project/Grant Number, SP03290100.

Transfer \$55,000 to an assigned Project/Grant Number upon authorization form WISDOT to incur expenditures.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 14) [990766](#) Resolution extending a lease between the City of Milwaukee and Mitchell Investment Properties II, a Limited Partnership, for space in the Hill Building at 906 West Mitchell Street. (Department of Neighborhood Services)
- Whereas, The Common Council by Resolution File Number 881901, adopted February 14, 1989, authorized the leasing of space by the Department of Building Inspection in the Hill Building at 906 West Mitchell Street; and
- Whereas, The Common Council adopted Resolution File Number 890917 on October 10, 1989, authorizing the City Attorney and the Commissioner of Building Inspection to make various administrative and nonsubstantive technical changes to the lease; and

Whereas, The City in 1994 exercised its option to extend the lease for 5 years; and

Whereas, The lease is scheduled to expire on December 31, 1999; and

Whereas, The City wishes to extend the lease for 2 years and the Lessor is agreeable; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are authorized and directed to execute an "Extension and First Amendment to Lease between Mitchell Investment Properties II and City of Milwaukee", a copy of which is attached to this file.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 15) [990803](#) Resolution authorizing the proper City Officials to grant an access easement to Rimco Realty L.L.P. for the purpose of providing a direct connection between their property at 174-84 West Wisconsin Avenue and the City-owned parking structure at 724 North 2nd Street and authorizing the Department of Public Works to enter into a parking agreement with Thyzdar, L.L.P. to provide parking in the 2nd & Plankinton parking structure for their new hotel. (Department of Public Works)
- Whereas, The City has worked diligently to encourage economic development in the Central Business District by the development of the Riverwalk system and the use of its parking assets; and
- Whereas, Thyzdar, L.L.P. is developing a 101-room Howard Johnson Inn and Suites located at 174-84 West Wisconsin Avenue and is land locked and in need of parking; and
- Whereas, The City owns a 491-space parking garage at 724 North 2nd Street and currently has a significant number of spaces to support a 101-room hotel complex on a 24-hour basis; and
- Whereas, It is desirable that a direct connection be created between the new hotel and the parking structure to enhance operation of the hotel complex; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City Officials are hereby authorized to grant an access easement to Rassem Kalitb and Ishaq Kalitb d/b/a Rimco Realty L.L.P., owner of the property located at 174-84 West Wisconsin Avenue, for the purpose of creating a direct connection from their property to the City-owned parking structure at 724 North 2nd Street. Said easement is attached to the file by reference as though set forth in full; and be it

Further Resolved, That the Commissioner of Public Works is authorized to enter into a parking agreement with Thyzdar, L.L.P. to provide parking in, and direct access to, the 2nd & Plankinton parking garage, 724 North 2nd street, for the purpose of providing parking for the 101-room Howard Johnson Inn and Suites, which they will operate at 174-84 West Wisconsin Avenue. Said agreement is attached to the file by reference as though set forth in full; and, be it

Further Resolved, That the funding in the amount estimated to be \$50,000.00 to update the revenue control system and to accommodate the operation of the hotel parking system, as indicated in the parking agreement, is hereby authorized to be expended from Account PA1608016.

Sponsors: THE CHAIR

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

Aye: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Johnson-Odom, Gordon, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Frank

- 16) [990806](#) Resolution authorizing and directing the Commissioner of Public Works to execute a document titled "State/Sponsor Agreement for Congestion Mitigation and Air Quality (CMAQ) Improvement Project" for the programming, design and construction of pedestrian facility improvements on portions of East/West Wisconsin Avenue and North Water Street (Phase II). (Department of Public Works - Infrastructure Services)

Whereas, Funding is available through the Wisconsin Department of Transportation (WISDOT) under the federal Congestion Mitigation/Air Quality (CMAQ) program for projects which can be expected to reduce congestion, or to reduce vehicle emissions; and

Whereas, The Department of Public Works has begun efforts to improve the pedestrian environment and promote the use of pedestrian facilities in the Milwaukee Central Business District; and

Whereas, East/West Wisconsin Avenue and North Water Street have been identified as primary pedestrian corridors in the initial stages of the preparation of the Downtown Pedestrian Management Plan; and

Whereas, Pedestrian facility improvements to be constructed under Phase I of this project were previously approved by the Common Council of the City of Milwaukee under Resolution File Number 981733, to include facility improvements on East Wisconsin Avenue from North Milwaukee Street to the Milwaukee River and on North Water Street from East Michigan Street to East Mason Street; and

Whereas, Preliminary approval has been received from WISDOT for the design and construction of pedestrian facility improvements included in Phase II of the project, to include improvements on West Wisconsin Avenue from the Milwaukee River to North 4th Street and on North Water Street from East Mason Street to East State Street; and

Whereas, The WISDOT has submitted an Agreement for this project to be executed by the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute the Project Agreement for the programming and construction of pedestrian facility improvements on West Wisconsin Avenue and North Water Street, a copy of which is attached to Common Council Resolution File Number 990806, and is incorporated in this resolution by reference as though set forth in full; and, be it

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

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

Infrastructure Services Division Accounts

City Share

Fund No. 0333
 Project Grant No. ST32090000
 \$122,680

Federal Grantor Share
 Fund No. 0306
 Project Grant No. SP03290100
 \$490,720

Estimated Preliminary Engineering
 Total = \$613,400

;and, be it

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

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 17) [990808](#) Resolution authorizing and directing the Commissioner of Public Works and Chief of Police to enter into Agreements with the Wisconsin Department of Transportation for the development, implementation and funding of traffic control and other safety measures necessary to mitigate traffic diversion onto City streets due to construction activity on IH 894/USH 45 (Zoo Freeway) in 2000. (DPW - Infrastructure Services)
- Whereas, The Wisconsin Department of Transportation (WISDOT) will be undertaking the resurfacing of the northbound lanes of IH 894 and USH 45 (Zoo Freeway) from W. Lincoln Avenue in West Allis to CTH Q in Menomonee Falls in the year 2000; and

Whereas, Construction activity on the Zoo Freeway is anticipated to result in the diversion of a portion of normal Freeway traffic onto the local street system during this resurfacing project due to long term lane and ramp closures on the Freeway; and

Whereas, Preliminary approval has been received from the WISDOT, along with Project Agreements to be executed by the City of Milwaukee, to provide

reimbursement of actual costs for necessary services and items provided by the City as local street traffic impact mitigation measures in conjunction with the resurfacing of the Zoo Freeway; and

Whereas, The total estimated cost of local street traffic mitigation measures during the resurfacing of the Zoo Freeway is \$340,000, including \$225,000 for surface street traffic flow and operational improvements by the Department of Public Works, and \$100,000 for additional patrols and traffic enforcement and \$15,000 for additional school crossing guards and pedestrian safety enhancements by the Milwaukee Police Department; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and Chief of Police are hereby authorized and directed to execute the Project Agreements to provide reimbursement of the actual costs for services and items provided by the City as local street traffic impact mitigation measures in conjunction with the resurfacing of the Zoo Freeway in 2000, a copy of which is attached to Common Council Resolution File Number 990808, and is incorporated in this resolution by reference as though set forth in full; and, be it

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

Infrastructure Services Division Accounts

Project I.D. 1100-10-90
2000 Traffic Mitigation
USH 45 Resurfacing Project
Lincoln Avenue to CTH Q

Grantor Share
Fund No. 0306
Project Grant No. SP03290100
\$340,000

Estimated Costs:

Surface Street Operational Improvements
(Signal modifications, system
restoration, regulatory signing and

pavement marking)
\$225,000

Police Patrols and Enforcement
\$100,000

Pedestrian Safety
(Additional school crossing guards,
educational safety flyers to schools,
industry and business - child safety)
\$15,000

Total Funding \$340,000

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 18) [990811](#) Resolution relating to Common Council approval of the Milwaukee Metropolitan Sewerage District's (MMSD) Lincoln Creek Environmental Restoration and Flood Control Project. (DPW - Infrastructure Services)

Whereas, In 1982, all property, rights and duties of the City and County Sewerage Commissions were transferred to the Milwaukee Metropolitan Sewerage District (MMSD); and

Whereas, Lincoln Creek is under the jurisdiction of MMSD; and

Whereas, Lincoln Creek drains a 21 square mile urban watershed on the north side of the City of Milwaukee; and

Whereas, Residents of the City of Milwaukee in the Lincoln Creek watershed have experienced severe water problems due to the flooding of Lincoln Creek; and

Whereas, MMSD has developed a plan, known as the Lincoln Creek Environmental Restoration and Flood Control Project (The Project) to reduce the flood impacts of Lincoln Creek; and

Whereas, The Project limits are from North Green Bay Road (in William E. Meaux

Park) to a point located in Brynwood Country Club west of North 60th Street with a total length of approximately nine miles; and

Whereas, The Project includes widening and deepening the creek, lowering the floodplain and creating a low flow aquatic habitat, detention facilities and floodplain storage and the removal of concrete and the addition of low flow aquatic habitat; and

Whereas, The Project is expected to be constructed over the next several years; and

Whereas, Section 66.90(2), Wisconsin Statutes requires Common Council approval of any alteration of a stream over private lands, and it appears that The Project will require Common Council approval under this statute; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee approves of the entire limits of the MMSD Lincoln Creek Environmental Restoration and Flood Control Project; and, be it

Further Resolved, That the City of Milwaukee urges the Department of Natural Resources to expedite its approval of all the Chapter 30 permit applications pertaining to The Project.

Sponsors: Ald. Pratt, Ald. Richards and Ald. Kalwitz

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 19) [990812](#) Resolution authorizing the Commissioner of Public Works to issue a permit to Terra Engineering and Construction Corporation allowing temporary occupancy of West Woolworth Avenue immediately west of North 51st Street and North 51st Street between West Woolworth Avenue and West Mill Road for work related to the Lincoln Creek flood control project. (Department of Public Works)

Whereas, The Milwaukee Metropolitan Sewerage District is undertaking a flood control project for the Lincoln Creek watershed; and

Whereas, Terra Engineering and Construction Corporation has been hired by MMSD to complete the first phase of this project; and

Whereas, Phase I work includes alterations to Lincoln Creek culverts located in West Woolworth Avenue in the vicinity of North 51st Street; and

Whereas, The alterations to the culverts will necessitate temporary closure of West Woolworth Avenue beginning approximately 100 feet west of North 51st Street and extending for a distance of approximately 100 feet westerly; and

Whereas, The culvert work will also require the temporary closure of North 51st Street between West Mill Road and West Woolworth Avenue; and

Whereas, The required work is expected to last approximately eight (8) weeks; and

Whereas, The Commissioner of Public Works is authorized to issue permits for temporary occupancy of up to one-third of public rights-of-way while temporary use beyond that must be approved by the Common Council; now, therefore, be it

Resolved, That the Commissioner of Public Works is hereby authorized to issue a permit to Terra Engineering and Construction Corporation allowing occupancy of West Woolworth Avenue and North 51st Street as described herein for a period of up to eight (8) weeks.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

[990815](#)

Resolution approving a Limited Access Agreement for Fence Maintenance between the City of Milwaukee and the Riverhouse Condominium Association, Inc., in the 4th Aldermanic District. (Department of City Development)

Whereas, The City of Milwaukee ("City") is the owner of certain property located at 1027 North Edison Street ("City Parcel"); and

Whereas, The Riverhouse Condominium Association, Inc., ("Association") maintains the common areas and limited common elements for the River Houses Condominium, lying north of the City Parcel; and

Whereas, The City is constructing a plaza ("Highland Plaza East") on the City Parcel at the eastern terminus of the Highland Avenue Pedestrian Bridge in connection with the Downtown Milwaukee Riverwalk Project; and

Whereas, The Association is desirous of providing screening and security protection

for the River Houses Condominium from the public access to the Highland Plaza East and the pedestrian bridge and securing access for maintenance of its property; and

Whereas, The City desires to accommodate the Association in its screening, security protection and maintenance access by entering into a Limited Access Agreement for Fence Maintenance, 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 the subject Limited Access Agreement for Fence Maintenance is approved; and, be it

Further Resolved, That the proper City officials are authorized to execute said Agreement.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

PLACING ON FILE THE FOLLOWING:

- 21) [990750](#) Resolution declaring as surplus the excess street right-of-way located at 332 North 37th Street and accepting an Offer to Purchase from Milwaukee Metropolitan Sewerage District for new home construction, in the 16th Aldermanic District. (Department of City Development)

Sponsors: Ald. Murphy

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 22) [990767](#) Communication from the Commissioner of Public Works transmitting the 2000 Assessment Rates Report.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

- 23) [990802](#) Resolution authorizing the Commissioner of Public Works to issue a permit to Terra Engineering and Construction Corporation allowing temporary occupancy of West Woolworth Avenue immediately west of North 51st Street and North 51st Street between West Woolworth Avenue and West Mill Road for work related to the Lincoln Creek flood control project. (Department of Public Works)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 3 - Johnson-Odom, Gordon Frank

RESOLUTIONS PRESENTED FOR IMMEDIATE ADOPTION

[990841](#) Resolution directing the Department of City Development to prepare a resolution to vacate excess street right-of-way on the South Side of West St. Paul Avenue, located between a point 134 feet West of the west line of North 36th Street and the East Side of North 38th Street, in the 16th Aldermanic District. (DCD)

Whereas, It has been proposed by the Department of City Development of the City of Milwaukee that excess street right-of-way on the South Side of West St. Paul Avenue, located between a point 134 feet West of the west line of North 36th Street and the East Side of North 38th Street, be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, The vacation of said excess street right-of-way is necessary for creating new lots; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is directed to prepare a resolution to vacate excess street right-of-way in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

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

Aye: 12 - Kalwitz, D'Amato, Henningsen, Richards, Butler, Scherbert,
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 5 - Pratt, Schramm, Johnson-Odom, Gordon Frank

[990842](#)

Resolution approving various final certified survey maps.

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

NAME	TAX KEY NUMBER(s)
James Kroening	207-0281-110-5
Gerald Gard	594-0002-100-1
Habitat for Humanity	350-1287-7,-1284-2, 1285-8
Habitat for Humanity	350-1924-0, -1925-6, -1926-1
City of Milwaukee	351-5248-2,-2550-3,-2549-8,-2551-9, -2553-100-6, -2556-100-2

Sponsors: ZONING and NEIGHBORHOODS & DEVELOPMENT COMMITTEE

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

Aye: 12 - Kalwitz, D'Amato, Henningsen, Richards, Butler, Scherbert,
Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 5 - Pratt, Schramm, Johnson-Odom, Gordon Frank