



**City of Milwaukee**  
**Common Council Minutes**  
**COMMON COUNCIL**

**City Hall**  
**200 East Wells Street**  
**Milwaukee, WI 53202**

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**Wednesday, October 29, 2008**

**9:00 AM**

**Common Council Chambers**

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

The roll was called.

**Present: 13 -**

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

**Excused: 2 -**

Coggs, Donovan

The Pledge of Allegiance was said followed by an invocation by Pastor Barbara Rasmussen of Our Saviour's Lutheran Church.

The question was put: Are there any corrections to the Common Council Journal of Proceedings for the regular meeting of October 7, 2008?

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

Various commendatory and condolatory resolutions were read and approved without objection.

THE LICENSES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. [080610](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

**Sponsors:** THE CHAIR

*The court reporter was sworn in.*

*The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee, as well as the objections and additional materials that have been filed in these matters?*

*All members indicated they had done so.*

*The question was put: Is Heath N. Wasserman or his counsel present and, if so, does either wish to address the Council?*

*Mr. Wasserman was present by his counsel, Franklyn Gimbel.*

*Ald. Bohl moved that the Common Council resolve itself into a committee of the whole for the purpose of taking testimony on this matter.*

*There was no objection.*

*Atty. Franklyn Gimbel appeared and addressed the Common Council.*

*Asst. City Attorney Bruce Schrimpf appeared and addressed the Common Council.*

*Ald. Bohl moved that the committee of the whole rise.*

*There was no objection.*

*Ald. Zielinski moves DENIAL.*

**A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. The motion PREVAILED by the following vote:**

**Aye:** 10 - Hamilton, Davis, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowski Zielinski

**No:** 3 - Kovac, Witkowiak Hines Jr.

**Excused:** 2 - Coggs Donovan

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

**Sponsors:** THE CHAIR

*As amended.*

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

## THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

## APPROVAL OF THE FOLLOWING:

1. [080667](#) Motion relating to the recommendations of the Public Safety Committee relative to various licenses.

**Sponsors:** THE CHAIR

*Have the members of the Common Council read the Report and Recommendations of the Public Safety Committee and the exceptions filed in these matters?*

*All members indicated they had done so.*

*The question was put: Are any of the following, or their counsels, present and, if so, do they wish to address the Common Council?*

*Raul Ortiz, Jr. was present.*

*Boniface Osunkwo was present.*

*Vikramjeet Brar was present.*

*Adam Laasiri was present.*

*Ald. Puente moved that the Common Council convene itself into a committee of the whole for the purpose of taking testimony in these matters.*

*There was no objection.*

*Raul Ortiz, Jr., appeared and addressed the Common Council.*

*Assistant City Attorney Bruce Schrimpf appeared and addressed the Common Council.*

*Boniface Osunkwo appeared and addressed the Common Council.*

*Assistant City Attorney Bruce Schrimpf appeared and addressed the Common Council.*

*Vikramjeet Brar appeared and addressed the Common Council.*

*Assistant City Attorney Bruce Schrimpf appeared and addressed the Common*

*Council.*

*Adam Laasiri was present and addressed the Common Council.*

*Assistant City Attorney Bruce Schrimpf appeared and addressed the Common Council.*

*Ald. Puente moves that the committee of the whole rise.*

*There was no objection.*

*Return RAUL ORTIZ, JR. to Committee.*

**A motion was made by ALD. PUENTE that this Motion be AMENDED. This motion PREVAILED by the following vote:**

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

**Sponsors:** THE CHAIR

*Renewal, with a warning letter based on the police report, of the public passenger vehicle driver's license of Boniface Osunkwo notwithstanding the recommendation of the Committee.*

**A motion was made by ALD. PUENTE that this Motion be AMENDED. The motion PREVAILED by the following vote:**

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

**Sponsors:** THE CHAIR

*Renewal, with a warning letter based on the police report, of the public passenger vehicle driver's license of ADAM LAASIRI notwithstanding the recommendation of the Committee.*

**A motion was made by ALD. PUENTE that this Motion be AMENDED. The motion PREVAILED by the following vote:**

**Aye:** 12 - Hamilton, Davis, Kovac, Bauman, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 1 - Bohl

**Excused:** 2 - Coggs Donovan

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

**Sponsors:** THE CHAIR

*As amended.*

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

PASSAGE OF THE FOLLOWING:

2. [080665](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.

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

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

On the north side of East Burleigh Street from a point 220 feet east of North Dousman Street to a point 205 feet east thereof on school days from 7:00 AM to 4:30 PM

On the west side of North 1st Street from a point 145 feet south of West Auer Avenue to a point 170 feet south thereof on school days from 7:00 AM to 4:30 PM

On the south side of West Mineral Street from South 21st Street to South 22nd Street on school days from 7:00 AM to 4:30 PM

On the south side of West Legion Street from South 24th Street to South 25th Street on school days from 7:00 AM to 4:30 PM

On the north side of West Scott Street from South 30th Street to South 31st Street on school days from 7:00 AM to 4:30 PM

On the west side of South 22nd Street from West Mitchell Street to West Maple Street on school days from 7:00 AM to 4:30 PM

On the south side of East Dover Street from a point 145 feet west of South Kinnickinnic Avenue to a point 228 feet west thereof on school days from 7:00 AM to 4:30 PM

On the north side of West Lapham Boulevard from South 15th to a point 155 east on school days from 3:00 PM to 5:00 PM

On the north side of West Lapham Boulevard from South 15th to a point 140 west on school days from 3:00 PM to 5:00 PM

On the west side of South 21st Street from West Mineral Street to a point 70 feet south

Part 2. Section 101-23-4-c of the Code relating to One-Hour Parking is amended by striking the following:

“On the south side of West Bruce Street from South 4th Street to South 5th Street from 8:00 AM to 5:00 PM on school days”

Part 3. Section 101-26-5-1-b of the Code relating to Snow Parking Regulations - Four or More Inches is amended by adding the following:

On the east side of North Palmer Street from East Vine Street to East Center Street

On the east side of North 2nd Street from West Vine Street to West North Avenue

On East/West Vine Street from North Hubbard Street to North Dr. Martin L. King Jr. Dr.

**Sponsors:** THE CHAIR

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

3. [080666](#) 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:

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

Part 1. Section 101-13-8 of the Code relating to School Speed 20 MPH is amended by adding the following:

On West Locust Street from North 13th Street to North Teutonia Avenue

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

On West Townsend Street and North 77th Street in all directions

**Sponsors:** THE CHAIR

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

4. [080835](#) A substitute ordinance relating to the composition and staffing of the ambulance service board.

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

Part 1. Section 75-15-2-a-2 of the code is amended to read:

75-15. Ambulance Certification Regulations.

2. AMBULANCE SERVICE BOARD.

a-2. City health commissioner >>or designee<<.

Part 2. Section 75-15-2-a-3 of the code is amended to read:

a-3. Public member appointed by the mayor and confirmed by the common council. >>This member shall serve a term coterminous with that of the mayor. The mayor shall make his or her appointment within 60 days after commencement of a new common council-mayoral term or within 60 days after a vacancy in the board occurs, whichever is later.<<

Part 3. Section 75-15-2-a-4 of the code is amended to read:

a-4. [[City homeland]] >>Homeland security<< director >>or designee<<.

Part 4. Section 75-15-2-a-5 of the code is amended to read:

a-5. [[City EMS]] >>Milwaukee fire department<< medical director. This member shall not participate in disciplinary matters.

Part 5. Section 75-15-2-a-7 of the code is amended to read:

a-7. Designee of the Milwaukee county medical society EMS committee >>by action



of the committee<<, who shall not be a current medical director of a provider.

Part 6. Section 75-15-2-c of the code is created to read:

c. The fire department shall staff the board.

Part 7. The first 2 representatives to serve as members of the board pursuant to s. 75-15-2-a-6 shall be from the Wheaton/Franciscan and Columbia/St. Mary's hospital systems.

**Sponsors:** THE CHAIR

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

5. [080867](#)

A substitute ordinance relating to state certification of food handlers and posting of health department-issued decals or placards at licensed food establishments.

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

Part 1. Section 68-4-4 of the code is amended to read:

68-4. Food Dealer License.

4. POSTING. Each licensee shall post his or her license in a conspicuous place in the food establishment premises. >>The licensee shall also post a decal or placard issued by the health department in a conspicuous place on the premises of the licensed establishment readily and easily visible to the public, patrons and diners that states the establishment's name, number, last date of inspection, address, and the name of the licensee.<<

Part 2. Section 75-25-2.5 of the code is created to read:

75-25. State Food Protection Practices Certificate Required for Food Service Operations.

2.5. RECERTIFICATION. As provided in s. 254.71, Wis. Stats., each certificate issued by the Wisconsin department of health services upon a satisfactory completion of a written examination, approved by the department, shall be valid for 5 years from the date of issuance and, except as provided in s. 250.041, Wis. Stats., may be renewed by the certificate holder if he or she satisfactorily passes a Conference for Food Protection - accredited examination.

**Sponsors:** Ald. Murphy

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

ADOPTION OF THE FOLLOWING:

6. [080852](#) Resolution amending Common Council File #080020 relative to application, acceptance and funding of the Medical Assistance Outreach-BadgerCare Plus Grant from Community Advocates.

Whereas, Common Council file #080020 authorized the Health Department to apply for, accept and fund the Medical Assistance Outreach-BadgerCare Plus Grant from Community Advocates. The grant provided for a Grantor share total of \$20,000; and

Whereas, The Grantor share for this program is increased by \$5,000; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that application to Community Advocates is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Milwaukee Code of Ordinances 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 2008 Special Revenue-Grant and Aid Projects Fund, the following amounts for the program titled Medical Assistance Outreach-BadgerCare Plus Grant:

Project/Grant	GR0000800000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$5,000

; and, be it

Further Resolved, That all standard resolved clauses articulated in Common Council

File #080020 remain applicable.

**Sponsors:** THE CHAIR

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

7. [080855](#) Resolution authorizing acceptance and funding of a Drug Enforcement Administration Task Force grant.

Whereas, The City of Milwaukee appears to be eligible for a Drug Enforcement Administration Task Force grant from the United States Department of Justice, Drug Enforcement Administration (DEA); and

Whereas, The operation of this grant from 09/30/08 to 9/30/09 would cost \$32,657.50, of which 100% would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Police Department is authorized to accept the grant without further approval unless its terms change as indicated in Section 304-81, Milwaukee Code of Ordinances; and, be it Further Resolved, That the City Comptroller is authorized to:

Commit funds within the Project/Grant Parent of the 2008 Special Revenue-Grant and Aid Projects Fund, the following amounts for the project titled: DEA Task Force:

Project/Grant Amount	Fund	Org	Program	BY	Subclass	Account	Project
GR0000800000	0150	9990	0001	0000	R999	000600	
\$32,657.50							

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

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

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

**Sponsors:** THE CHAIR

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

## THE FINANCE AND PERSONNEL COMMITTEE RECOMMENDS:

## PASSAGE OF THE FOLLOWING:

1. [080516](#) A substitute ordinance relating to employe benefits for nonrepresented, noncivilian fire management employes.

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

Part 1. Section 350-37-13-b-6-c and e, and c-1-a of the code is amended to read:

350-37. Sick and Disability Leave.

13. FIRE DEPARTMENT EMPLOYES.

b. Sick Leave.

b-6-c. An employe may be required to provide acceptable medical substantiation from a private physician or dentist for each absence, regardless of duration, if the >>fire<< chief [[engineer, fire]] is informed or believes that the employe is misusing sick leave. Under such circumstances, the city shall not be responsible for the payment of any fee charged by the physician or dentist.

b-6-e. The >>fire<< chief [[engineer, fire,]] reserves the right to order a department representative or physician to investigate any case at any time and to further order appropriate treatment on the advice of the department physician. The department physician has the authority to order an employe on sick leave to return to duty.

c-1-a. [[Chief engineer, fire]] >>Fire chief<<.

Part 2. Section 350-37-13-c-1-e to h of the code is repealed.

Part 3. Section 350-37-13-d-4 of the code is amended to read:

d. Sick Leave Control Incentive Payments for Nonrepresented, Noncivilian Management Employes.

d-4. Payments. [[Effective trimester 1, 2003, in]] >>In<< each of the trimester periods set forth in subd. 2 that an employe is eligible for a sick leave control incentive payment as provided for in subd. 3, the employe shall be entitled to receive a lump-sum cash payment equal to \$200. >>Effective trimester 1, 2009, in each of the trimester periods, 8 hours of pay at the base salary hourly rate of a top step firefighter in effect on the last day of the trimester for which the payment was earned<<.

Part 4. Section 350-38-1-a-1 of the code is repealed and recreated to read:

350-38. Terminal Leave Compensation (Unused Sick Leave).

1. FIRE DEPARTMENT EMPLOYES. a. Eligibility. a-1. Employes shall be eligible

for benefits under this section when they retire from active service on or after March 1, 1985, in one of the following position classifications:

- a-1-a. Battalion chief, fire.
- a-1-b. Deputy chief, fire.
- a-1-c. First assistant chief engineer.
- a-1-d. Fire chief.

Part 5. Section 350-38-1-a-2-a of the code is amended to read:

a-2-a. An employe whose normal hours of work average at least ~~[[52.3]]~~ >>49.8<< hours per week at the time of retirement and who is eligible for terminal leave compensation by virtue of this paragraph, shall upon retirement be entitled to a lump-sum payment equivalent to the amount allocable to the employe's regular work shift on the basis of the hourly rate of pay for the current average work week in effect on the date such retirement as established under s. 350-143-1 for each one week shift equivalent to the employe's earned and unused sick leave up to a maximum of 15 such work shifts of pay.

Part 6. Section 350-38-1-b-1-0 and 2 of the code is amended to read:

b. Compensation.

b-1. ~~Employes Whose Normal Hours of Work Average at Least [[52.3]]~~ >>49.8<< Hours Per Week. An employe whose normal hours of work average at least ~~[[52.3]]~~ >>49.8<< hours per week at the time of retirement and whose effective retirement date is on or after March 1, 1985, and who ~~[[are]]~~ >>is<< eligible for terminal leave compensation under par. a shall upon retirement be entitled to a lump-sum payment in an amount equal to each work shift equivalent of unused sick leave at retirement as follows:

b-2. ~~Employes Whose Normal Hours of Work Average 40 Hours Per Week.~~ An employe whose normal hours of work average 40 hours at the time of retirement and whose effective retirement date is on or after March 1, 1985, and who is eligible for terminal leave compensation by virtue of par. a, shall upon retirement be entitled to a lump-sum payment in an amount equal to each work shift and equivalent of unused sick leave at retirement as follows:

Amount Per	
Position	
<del>[[Motor vehicle operator instructor]]</del>	<del>[[\\$23.80]]</del>
<del>[[Assistant chief dispatcher of fire alarm and telegraph]]</del>	<del>[[\\$24.57]]</del>
Battalion chief, fire	\$28.00

[[Chief dispatcher of fire alarm  
and telegraph]] [[[\$28.00]]  
[[Assistant superintendent of construction  
and maintenance]] [[[\$28.00]]  
Deputy chief, fire \$30.33  
[[Deputy chief, fire training and  
special services]] [[[\$30.33]]  
First assistant chief engineer \$30.33  
[[Chief engineer, fire]] >>Fire chief<< \$30.33

Part 7. Section 350-38-1-c-4 of the code is created to read:

c. Administration.

c-4. An eligible employe retiring on or after January 1, 2008, shall receive, in lieu of the benefit provided in par. b, a terminal leave benefit that provides one 24-hour work day's base salary pay for each 11 work days (24-hour work days) of accumulated unused sick leave rounded down to the nearest multiple of 11. Sick leave accumulated on an 8-hour basis shall be converted to 24-hour work days based on one 8-hour work day equaling 0.467 of a 24-hour work day. Employes who have fewer than 40 24-hour work days of accumulated unused sick days shall not be eligible to receive any terminal leave benefit.

Part 8. Section 350-91-1-b of the code is amended to read:

350-91. Fire Department: Uniform and Clothing Allowance.

1. POSITIONS ELIGIBLE.

b. [[Effective calendar year 2006, members]] >>Members<< of the honor guard shall receive, in addition to the amount provided in par. a, an annual maintenance allowance of \$50. >>Effective for payments for calendar year 2009 and after, the annual honor guard maintenance allowance shall be \$60.<<

Part 9. Section 350-91-2-b of the code is created to read:

2. INITIAL ITEMS.

b. Effective June 1, 2008, employes promoted to the rank of battalion chief shall upon regular appointment to that rank be provided with one dress coat, one 8-point dress cap, one pair of dress trousers and one dress overcoat. These items shall be provided on a one-time only basis.

Part 10. Section 350-91-4-b of the code is amended to read:

4. REPLACEMENT.

b. The department shall replace articles of initial issue and, in addition, firefighting gloves and boots for classifications listed in sub. [[1-a to e]] >>1-a-1 to 4<<, whenever such articles have been condemned by the chief on account of normal wear and tear.

Part 11. Section 350-149-2-b and c, and 3-a of the code is amended to read:

350-149. Fire Department: Educational Program.

2. BENEFITS.

b. [[Effective for calendar year 2003 payments, an]] >>An<< employe who has a bachelors degree in public administration, business administration or management, psychology, nursing, [[personal]] >>personnel<< administration or management, or an equivalent degree, such equivalency determined by the department of employe relations, >>and effective for payments for calendar year 2009, public health, chemical engineering, training and development, physical education, health education, or physician assistant,<< shall be eligible for an annual payment of \$325, subject to the terms and conditions set forth in sub. 3.

c. An eligible employe who has attained a masters degree in public administration, business administration or management, psychology, nursing, personnel administration or management, or an equivalent degree, such equivalency determined by the department of employe relations, >>and effective for payments for calendar year 2009, public health, chemical engineering, training and development, physical education, health education, or physician assistant<< shall be eligible for an annual payment of \$425, subject to the terms and conditions set forth in sub. 3.

3. ADMINISTRATION.

a. Only degrees from colleges and universities accredited by the North Central Association of Colleges and Secondary Schools, >>and effective for payments for calendar year 2009, Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, Inc., Northwest Association of Colleges and Schools, Southern Association of Colleges and Schools and the Western Association of Schools and Colleges<< shall be eligible for the payments provided in sub. 2.

Part 12. Section 350-149-3-d of the code is amended to read:

d. An employe who has earned a degree pursuant to this section shall request that the degree-granting institution send a report to the fire department with a statement as to the date on which the degree was conferred, the major field of study pursued, and that the institution was accredited by the North Central Association of Colleges and Secondary Schools >>, or effective for payments for calendar year 2009, Middle



States Association of Colleges and Schools, New England Association of Schools and Colleges, Inc., Northwest Association of Colleges and Schools, Southern Association of Colleges and Schools and the Western Association of Schools and Colleges<< at the time the degree was granted.

Part 13. Section 350-150-1-a and b of the code is repealed and recreated to read:

350-150. Recall Allowance.

1. POSITIONS ELIGIBLE.

a. Battalion chief classifications.

b. Deputy chief, fire.

Part 14. Section 350-150-1-c of the code is repealed.

Part 15. Section 350-150-2 of the code is amended to read:

2. COMPENSATION. Effective for >>payments for<< calendar year [[2003]] >>2008 and after<<, an eligible employee shall receive an annual allowance of [[[\$850]] >>\$790<<.

Part 16. Section 350-152.5-1-d of the code is repealed.

Part 17. Section 350-152.5-2 of the code is amended to read:

350-152.5. Fire Department: Special CPR Pay.

2. COMPENSATION. Employees who have successfully completed an approved course in CPR shall receive an amount in addition to base pay equivalent to \$200. >>No CPR payments shall be made after the payments for calendar year 2007, paid in 2008.<<

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

2. [080661](#) A substitute ordinance to further amend the 2008 rates of pay of offices and positions in the City Service under control of the Common Council.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

ADOPTION OF THE FOLLOWING:

3. [080791](#) Substitute resolution clarifying management retiree health insurance premiums.
- Whereas, Common Council File Number 020479, adopted July 16, 2002, states that the rate structure for health insurance for all management employees who retire on or after January 1, 2004, will be the same as it is for active management employees; and
- Whereas, During 2004, 2005, 2006, 2007 and 2008, the City provided both management employees and management retirees with a \$0 premium health plan; and
- Whereas, Common Council File Number 080372, adopted July 30, 2008, directed the Department of Employee Relations to charge management employees a health insurance premium of \$20 per month for single coverage and \$40 per month for family coverage; and
- Whereas, Opinions from the City Attorney to the Department of Employee Relations, dated October 25, 2001 and October 3, 2003, state in part "...an employer may not alter the terms of contractual retirement benefits for employees who retire when an existing benefit is in effect ...employer could not unilaterally change the terms of a group life insurance plan for employees who had already retired, but made no ruling with respect to retirement benefit changes for employees who had not yet retired"; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Department of Employee Relations is directed to provide all management retirees under, and until they reach, the age of 65 who completed normal service retirement since January 1, 2004 or will retire prior to January 1, 2009, and were at least age 60 and had completed at least 15 years of employment, or were at least age 55 and had completed at least 30 years of employment, with the City immediately prior thereto, the lowest-cost plan for single or family coverage at no premium cost to the retirees; and, be it
- Further Resolved, That the Department of Employee Relations is directed to notify all current management employees that beginning January 1, 2009, the City will no longer offer a \$0 premium plan to management retirees under 65 years of age who complete normal service retirement, but all management retirees after January 1, 2009, will pay the same as active management employees for single and for family coverage; and, be

it

Further Resolved, That the Department of Employee Relations is directed to notify all management retirees under 65 who have completed normal service retirement from January 1, 2004 or plan to retire prior to January 1, 2009, that they will have a \$0 premium plan until they turn 65 years of age.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

4. [080811](#) Resolution authorizing the optional redemption of general obligation notes and bonds.

Whereas, The 2008 Budget of the City provided for \$3,000,000 for principal and interest payments on the Series 2005 V8 Bonds, with approximately \$500,000 anticipated to be used for interest and carrying costs of the Series 2005 V8 Bonds in 2008; and

Whereas, Since the interest on the Series 2005 V8 bonds is variable and unpredictable, the City planned to use the amount not required for interest to redeem principal of the Series 2005 V8 Bonds; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby and herewith authorizes the Comptroller to execute the early redemption of up to \$2,500,000 of the Series 2005 V8 Bonds, and to pay for the early redemption from the balance in the Debt Service Fund from the 2008 Appropriation for Series 2005 V8 debt service.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

5. [080812](#) Resolution authorizing the sale and issuance of General Obligation Refunding Notes and Bonds.

Whereas, the City of Milwaukee (the "City") has General Obligation debt outstanding

in the amount of \$747,298,111.75 as of January 1, 2008; and

Whereas, The Common Council is interested in refunding a portion of the Outstanding Bonds; and

Whereas, Other general obligation debt of the City is sold from time to time, and it is advantageous to combine the issuance of various general obligation debt into one offering; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that it hereby and herewith authorizes the Commission to issue and sell at a private or public sale General Obligation Refunding Bonds and/or Promissory Notes (the "Bonds") under the provisions of § 67.04(3), § 67.05(15), § 67.08(2), and § 67.12(12), Stats., for the purpose of refunding all or parts of the Outstanding Bonds, subject, however, to the terms and conditions hereinafter enumerated; and, be it

Further Resolved, That the Bonds shall;

- (1) be in one or more series of bonds in an aggregate amount not to exceed \$5,000,000;
- (2) bear interest at a maximum coupon rate not to exceed 7.00% per annum;
- (3) have a maximum True Interest Cost Rate (TIC) not to exceed 6.00%;
- (4) be sold at a price of not less than 99% of the principal amount thereof plus accrued interest thereon from their date to the date of delivery and payment therefor; and
- (5) be issued on or before December 31, 2008; and, be it

Further Resolved, That the Outstanding Bonds to be considered for refunding, and if refunded, would be called for redemption on the first available redemption date at a redemption price of par plus accrued interest to the date fixed for redemption, are hereby designated as follows:

Series	Dated Date	First Redemption Date
Series M	12-15-1998	12-15-2008

; and be it

Further Resolved, That the Commissioners of the Public Debt shall determine the series and maturities of the Outstanding Bonds to be refunded (the "Refunded Bonds"); and, be it

Further Resolved, That the Bonds, if sold at a private sale, shall be sold to the Public Debt Amortization Fund, and/or such underwriter(s) as is (are) selected by the Commissioners of the Public Debt in accordance with a Bond Purchase Agreement

approved by the Commissioners of the Public Debt. Such agreement, as required if a private sale is utilized, is hereby approved in the form as executed and delivered by the proper City officers who are hereby authorized and directed to execute the same; and, be it

Further Resolved, That the Bonds shall be designated, be dated, bear interest, payable semi-annually, at coupon rates as determined by the Commissioners of the Public Debt; that the Commissioners of the Public Debt shall specify the due dates for, and the amounts of, the payment of principal of said bonds, not to exceed 20 years, and interest thereon, the redemption provisions thereof, if any, the Bonds to be callable at par with the initial call date to be no later than ten years from the date of the Bonds 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 provided, however, that the payment of the Bonds does not extend beyond the period provided in § 67.07, Stats.; and, be it

Further Resolved, That a direct annual irrevocable tax shall be levied in each year that such Bonds are outstanding, in an amount sufficient to pay, and for the express purpose of paying the interest on the Bonds, 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, the proceeds of said taxes shall be used solely for paying the principal and interest on the Bonds so long as any Bonds of said issue remain outstanding; and, be it

Further Resolved, That interest on or principal of the Bonds 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, For the purpose of assuring the payment of the principal of and interest on the Outstanding Bonds to be refunded, the proper City officials may, and are authorized to, execute an Escrow Agreement with respect to the proceeds of the Bonds. The City Comptroller is hereby authorized and to select an Escrow Agent and a Verification Accountant with respect to the proceeds of the Bonds and the deposit of securities purchased by the City of Milwaukee. The deposit of the proceeds of the Bonds into the Escrow Account to be established with the Escrow Agent is hereby authorized to be accomplished immediately upon receipt of payment for the Bonds at the closing thereof, and the subsequent use, investment and disbursement thereof by the Escrow Agent in the manner provided in an Escrow Agreement is hereby authorized and approved; and, be it

Further Resolved, That the City authorizes the giving of a notice of redemption for each Refunded Bond to be redeemed by mail, postage prepaid, not less than 30 days prior to the date fixed for redemption, to any registered owner of a Refunded Bond being redeemed as of a record date 45 days prior to the redemption date, and otherwise as may be required by any agreement with a securities depository therefor. Such election to redeem, and direction to the Escrow Agent to give such notice, shall be irrevocable upon issuance of the Refunding Bonds; and, be it

Further Resolved, That the Refunding Bonds shall be in a form approved by the City Attorney and the Commissioners of the Public Debt and shall be signed by those officers whose signatures are required by law, and shall be a general obligation of the City; and, be it

Further Resolved, That a global certificate shall be issued for each stated maturity of the Bonds and registered only in the name of Cede & Co. 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 for the Bonds. The City will make payment of principal, redemption premium, if any, and interest on the Bonds on the dates set forth herein to The Depository Trust Company, or its nominee, as registered owner of the Bonds, in same-day funds. Notices, if any, given by the City to the registered owner of the Bonds will be given to The Depository Trust Company. In the event that the securities depository relationship with The Depository Trust Company for the Bonds 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 Bonds, in the denominations of \$5,000 or any integral multiple thereof, in the aggregate principal amount by maturity then outstanding, as directed by the registered owner of the Bonds; provided however, that should any Bond be sold to the Public Debt Amortization fund, the bond may be registered in the name of the Public Debt Amortization Fund; and, be it

Further Resolved, That the City covenants to take all actions necessary to preserve the exclusion of interest on the Refunding Bonds from gross income for federal income tax purposes. For such purpose, the City shall comply with the requirements of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986 as amended and the regulations of the Internal Revenue Service adopted thereunder or otherwise applicable thereto. No use of the proceeds of the sale of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused such Bonds to be "arbitrage bonds" as defined in Subsection (d)(2) of Section 103 and Section 148 of the U.S. Internal Revenue Code of 1986. The provisions of this section shall be a covenant with the owners of the Bonds; and, be it

Further Resolved, That the City Comptroller is authorized and directed to (i) transfer the balance in the Debt Service Fund for the Refunded Bonds to the Escrow Account to pay the debt service on the Refunded Bonds and (ii) to apply any such balance not needed to pay debt service on the Refunded Bonds to the Escrow Account to pay a portion of the costs of issuance of the Bonds; and, be it

Further Resolved, That the cost of issuing the Bonds, including the costs of the escrow and verification, and marketing same shall be deducted and paid from the proceeds of the Bond sale; and, be it

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

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

Further Resolved, That the City hereby authorizes and directs the appropriate officers and employees of the City to take all action necessary or appropriate to the issuance, sale and delivery of the Bonds and 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 this resolution, failure of the City to perform in accordance with the Continuing Disclosure Certificate shall not constitute a default under this resolution and the Continuing Disclosure Certificate may be enforced only as provided therein; and be it

Further Resolved, That the Bonds may be sold as bonds or promissory notes, and be sold, with or without a separate series designation, in combination with any other general obligation debt sold from time to time.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

6. [080841](#) Resolution directing the Department of Employee Relations to publish the Visual Organizational Inventory annually.
- Whereas, The Visual Organizational Inventory (VOI), prepared by the Department of Employee Relations, provides a comprehensive list of positions and employees in City departments; and

Whereas, This inventory has served as a valuable source of information since 1947; and

Whereas, For each City department, the VOI displays the following information for each position:

1. Position title.
2. Name of incumbent.
3. Appointment status.
4. Salary data.
5. Representation status designation code.
6. Organizational hierarchies.

; and

Whereas, The document also includes an alphabetical listing of position titles, the number of authorized positions, classification codes, EEO codes, salary rates and average levels of employment in City departments for recent years; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Employee Relations is directed to publish annually a Visual Organizational Inventory containing the above-referenced information, including salary data for each incumbent indicating the step within the pay range.

**Sponsors:** Ald. Bauman

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

**Aye:** 11 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Witkowski, Zielinski Hines Jr.

**No:** 1 - Dudzik

**Excused:** 3 - Coggs, Donovan Witkowiak

7. [080854](#) Resolution relative to application, acceptance and funding of a Milwaukee Area Human Trafficking Task Force Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the US



Department of Justice, Office of Justice Programs; and

Whereas, The operation of this grant from 9/1/08 to 2/28/10 would cost \$205,246, of which \$68,408 (33%) would be provided by the city and \$136,838 (67%) would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that application to the US Department of Justice, Office of Justice Programs 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, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2008 Special Revenue-Grant and Aid Projects, the following amount for the program titled: Milwaukee Area Human Trafficking Task Force:

Project/Grant	Fund	Org	Program	BY Subclass	Account
GR0000800000	0150	9990	0001	0000 R999	000600

Project	Amount
Grantor Share	\$136,838

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

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

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

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

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

Further Resolved, That the 2008 Positions Ordinance be amended as follows to reflect the change in footnote (G):

Milwaukee Area Human Trafficking Task Force Grant. Position authority to expire 2/28/10 unless the Milwaukee Area Human Trafficking Task Force Grant funding is extended.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

PLACING ON FILE THE FOLLOWING:

9. [080728](#) Substitute resolution authorizing the expenditure of the remaining fund balance of the Municipal Health Services Program - Program Income Account by the Milwaukee Health Department.

**Sponsors:** THE CHAIR

**A motion was made by ALD. BAUMAN that this Resolution be ASSIGNED TO the FINANCE & PERSONNEL COMMITTEE . The motion PREVAILED by the following vote:**

**Aye:** 4 - Bauman, Dudzik, Witkowski Hines Jr.

**No:** 8 - Hamilton, Davis, Kovac, Bohl, Wade, Puente, Murphy Zielinski

**Excused:** 3 - Coggs, Donovan Witkowiak

**Sponsors:** THE CHAIR

*Notwithstanding the recommendation of the Committee.*

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

**Aye:** 8 - Hamilton, Davis, Kovac, Bohl, Wade, Puente, Murphy Zielinski

**No:** 4 - Bauman, Dudzik, Witkowski Hines Jr.

**Excused:** 3 - Coggs, Donovan Witkowiak

8. [080664](#) Communication from the Department of Administration - Budget and Management Analysis Division regarding various vacancy requests, fund transfers and equipment requests.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

10. [080770](#) Communication from the Office of the Comptroller relating to the 2007 Delinquent Accounts Report and the Accounts Receivable Activity Report.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

11. [080805](#) Communication from the Department of Employee Relations requesting amendments to the Salary Ordinance.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

12. [080840](#) Communication from the Fire and Police Commission relating to amendments to the Positions Ordinance.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

---The following item may be taken from the Finance & Personnel Committee pursuant to s. 4-21-6-a-2 of the Milwaukee City Charter.

13. [080662](#) A substitute ordinance to further amend the 2008 offices and positions in the City Service under control of the Common Council.

**Sponsors:** THE CHAIR

*Ald. Murphy moved, pursuant to s. 4-21-6 of the Milwaukee City Charter, to take Common Council File #080662 from the Finance & Personnel Committee.*

**A motion was made by ALD. MURPHY that this Ordinance be TAKEN FROM COMMITTEE. The motion PREVAILED by the following vote:**

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

**Sponsors:** THE CHAIR

*Proposed Substitute B offered.*

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

**Aye:** 12 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 1 - Dudzik

**Excused:** 2 - Coggs Donovan

[080662](#)

A substitute ordinance to further amend the 2008 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 070605 relative to offices and positions in the City Service is hereby amended as follows:

Under "Health Department, Adolescent Community Health Grant (J)", delete one position of "Health Project Coordinator-Plain Talk (X) (Y) (NNN) (QQQ) (RRR)" and add one position of "Health Project Coordinator-Plain Talk (X) (Y) (NNN) (QQQ) (RRR) (B)" and add footnote "(B)" to read as follows: "To expire 12/31/09 unless replacement funding is received."

Under "Police Department", amend footnote "(G)" to read as follows: "Milwaukee Area Human Trafficking Task Force Grant. Position authority to expire 2/28/10 unless the Milwaukee Area Human Trafficking Task Force Grant funding is extended."

Part 2. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 3. The provisions 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 4 This ordinance will take effect and be in force from and after its passage and publication.

**Sponsors:** THE CHAIR

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

**Aye:** 11 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Witkowski, Zielinski Hines Jr.

**No:** 1 - Dudzik

**Excused:** 3 - Coggs, Donovan Witkowiak

## THE JUDICIARY &amp; LEGISLATION COMMITTEE RECOMMENDS:

## ADOPTION OF THE FOLLOWING:

1. [080577](#) Substitute resolution relating to an appeal from William Wigderson for property damage.  
Whereas, Members of the Judiciary and Legislation Committee have reviewed the records to this claim in the amount of \$334.50 related to damage allegedly sustained to a privately owned mailbox by a city snowplow. Based on this review, members of the Committee recommend the claimant be reimbursed \$100 in payment of this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$100 payable to William Wigderson, 6773 N. 91st Street, Milwaukee, WI 53224, to reimburse for the loss; and, be it

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

2. [080588](#) Resolution authorizing the Office of the City Attorney to resolve various Municipal Court cases through permanent stay of the forfeiture or dismissal. (City Attorney)  
Whereas, The City of Milwaukee has obtained judgment in a number of Milwaukee Municipal Court cases, as identified by case number, defendant's name, offense and amount of judgment in Appendix A attached to Common Council File Number and incorporated herein by references; and  
  
Whereas, The City of Milwaukee, through the Office of the City Attorney, has been unable to enforce collection of said judgments and recommends no further action at this time; and

Whereas, The City of Milwaukee has, in addition, a number of other pending Milwaukee Municipal Court cases, as identified by case number, defendant's name, and offense in Appendix B, incorporated herein by reference, wherein no judgments have been obtained and warrants have been issued for said defendants; and

Whereas, With respect to such cases listed in Appendix B. the Office of the City Attorney recommends no further prosecution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Office of the City Attorney, be and hereby is authorized to move the Milwaukee Municipal Court to permanently stay the forfeiture portion of the judgments in all of those cases listed in Appendix A; and be it

Further Resolved, That the Office of the City Attorney be and hereby is further authorized to move the Milwaukee Municipal Court to dismiss all of those cases listed in Appendix B.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

3. Various resolutions authorizing the return of real estate:

a. [080584](#) Substitute resolution authorizing the return of real estate located at 3442 N. 18th St., in the 6th Aldermanic District to its former owner. (Mohammad Choudry)

Whereas, The property located at 3442 N. 18th St., previously owned by Mohammad Choudry, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Mohammad Choudry would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Mohammad Choudry has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3442 N. 18th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 173, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- b. [080586](#) Substitute resolution authorizing the return of real estate located at 1729-1731 W. Galena St., in the 4th Aldermanic District to its former owner. (Josephine Brock) Whereas, The property located at 1729-1731 W. Galena St., previously owned by Josephine Brock, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Josephine Brock would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Josephine Brock has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it



Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1729-1731 W. Galena St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 380, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- c. [080648](#) Substitute resolution authorizing the return of real estate located at 2368-2370 N. Martin Luther King, Jr. Dr., in the 6th Aldermanic District to its former owner. (Delma Nimat Hasan)

Whereas, The property located at 2368-2370 N. Martin Luther King, Jr. Dr., previously owned by Delma Nimat Hasan, has delinquent taxes for 2004-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Delma Nimat Hasan would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Delma Nimat Hasan has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return

the property at 2368-2370 N. Martin Luther King, Jr. Dr., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 282, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- d. [080649](#) Substitute resolution authorizing the return of real estate located at 3833 W. Hemlock St., in the 1st Aldermanic District to its former owner. ( O'Dess and Associates, on behalf of Wells Fargo Bank, mortgagee)

Whereas, The property located at 3833 W. Hemlock St., previously owned by Wells Fargo Bank, mortgagee, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, O'Dess and Associates, on behalf of Wells Fargo Bank, mortgagee, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, mortgagee, O'Dess and Associates, on behalf of Wells Fargo Bank, mortgagee, has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return

the property at 3833 W. Hemlock St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 12, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

e. [080651](#) Substitute resolution authorizing the return of real estate located at 4931 N. 25th St., in the 1st Aldermanic District to its former owner. (Otis Moore)

Whereas, The property located at 4931 N. 25th St., previously owned by Otis Moore, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Otis Moore would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Otis Moore has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 4931 N. 25th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of

this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 53, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- f. [080653](#) Substitute resolution authorizing the return of real estate located at 3260 N. 9th St., in the 6th Aldermanic District to its former owner. (Robin Wallingford, Agent for Thirty Two Sixty Corporation)

Whereas, The property located at 3260 N. 9th St., previously owned by Robin Wallingford, Agent for Thirty Two Sixty Corporation, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Robin Wallingford, Agent for Thirty Two Sixty Corporation, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Robin Wallingford, Agent for Thirty Two Sixty Corporation, has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3260 N. 9th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of

this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 171, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

g. [080674](#) Substitute resolution authorizing the return of real estate located at 4260 S. 4th St., in the 13th Aldermanic District to its former owner. (Melanie Walker)

Whereas, The property located at 4260 S. 4th St., previously owned by Melanie Walker, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Melanie Walker would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Melanie Walker has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 4260 S. 4th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 502, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- h. [080698](#) Substitute resolution authorizing the return of real estate located at 625-631 W. Pierce St., in the 12th Aldermanic District to its former owner. (Anselmo Sarmiento) Whereas, The property located at 625-631 W. Pierce St., previously owned by Anselmo Sarmiento, has delinquent taxes for 2004-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Anselmo Sarmiento would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Anselmo Sarmiento has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 625-631 W. Pierce St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee

County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 424, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- i. [080699](#) Substitute resolution authorizing the return of real estate located at 5033-5035 W. Center St., in the 10th Aldermanic District to its former owner. (Colin Alexander) Whereas, The property located at 5033-5035 W. Center St., previously owned by Colin Alexander, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Colin Alexander would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Colin Alexander has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 5033-5035 W. Center St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 320, securing the court's order and recording said order with the Milwaukee County

Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

j. [080700](#) Substitute resolution authorizing the return of real estate located at 3271 N. 9th St., in the 6th Aldermanic District to its former owner. (Percy O'Quin)

Whereas, The property located at 3271 N. 9th St., previously owned by Percy O'Quin, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Percy O'Quin would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Percy O'Quin has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3271 N. 9th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 166, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it



Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- k. [080702](#) Substitute resolution authorizing the return of real estate located at 3731-3733 N. 41st St., in the 7th Aldermanic District to its former owner. (Ronald Pearson)  
Whereas, The property located at 3731-3733 N. 41st St., previously owned by Ronald Pearson, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Ronald Pearson would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Ronald Pearson has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3731-3733 N. 41st St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 124, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process

becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- L. [080703](#) Substitute resolution authorizing the return of real estate located at 2646 N. 18th St., in the 15th Aldermanic District to its former owner. (Jewel Triplett, for the estate of Dennis Triplett)
- Whereas, The property located at 2646 N. 18th St., previously owned by Jewel Triplett, for the estate of Dennis Triplett, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and
- Whereas, Jewel Triplett, for the estate of Dennis Triplett, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and
- Whereas, Jewel Triplett, for the estate of Dennis Triplett, has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2646 N. 18th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it
- Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 292, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it
- Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

m. [080704](#)

Substitute resolution authorizing the return of real estate located at 1963-1965 W. Finn Pl., in the 6th Aldermanic District to its former owner. (Raymond Shaw, on behalf of Haughty Rowe)

Whereas, The property located at 1963-1965 W. Finn Pl., previously owned by Raymond Shaw, on behalf of Haughty Rowe, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Raymond Shaw, on behalf of Haughty Rowe, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Raymond Shaw, on behalf of Haughty Rowe, has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1963-1965 W. Finn Pl., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 136, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

n [080705](#)

Substitute resolution authorizing the return of real estate located at 2353-2355 N. 10th St., in the 15th Aldermanic District to its former owner. (Jermaine Crowder) Whereas, The property located at 2353-2355 N. 10th St., previously owned by Jermaine Crowder, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Jermaine Crowder would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Jermaine Crowder has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2353-2355 N. 10th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 287, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

o. [080706](#) Substitute resolution authorizing the return of real estate located at 430 N. 39th St., in the 10th Aldermanic District to its former owner. (Ramona Stadler)

Whereas, The property located at 430 N. 39th St., previously owned by Ramona Stadler, has delinquent taxes for 2004 and 2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Ramona Stadler would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Ramona Stadler has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 430 N. 39th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 413, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

p. [080707](#) Substitute resolution authorizing the return of real estate located at 2812 W. Wells St., in the 4th Aldermanic District to its former owner. (Peter Slaby and Gene Maeckel)  
Whereas, The property located at 2812 W. Wells St., previously owned by Peter Slaby and Gene Maeckel, has delinquent taxes for 2004-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Peter Slaby and Gene Maeckel would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Peter Slaby and Gene Maeckel have agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2812 W. Wells St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 396, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

q. [080708](#) Substitute resolution authorizing the return of real estate located at 817 N. 28th St., in the 4th Aldermanic District to its former owner. (Peter Slaby and Gene Maeckel)  
Whereas, The property located at 817 N. 28th St., previously owned by Peter Slaby and Gene Maeckel, has delinquent taxes for 2004-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Peter Slaby and Gene Maeckel would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Peter Slaby and Gene Maeckel have agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 817 N. 28th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 393, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- r. [080709](#) Substitute resolution authorizing the return of real estate located at 3745-3749 W. National Ave., in the 8th Aldermanic District to its former owner. (Joseph and Janice Goldman)

Whereas, The property located at 3745-3749 W. National Ave., previously owned by Joseph and Janice Goldman, has delinquent taxes for 2005 and 2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Joseph and Janice Goldman would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Joseph and Janice Goldman have agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3745-3749 W. National Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 436, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- s. [080710](#) Substitute resolution authorizing the return of real estate located at 2810 N. 14th St.,



in the 15th Aldermanic District to its former owner. (Wendy Thompson)

Whereas, The property located at 2810 N. 14th St., previously owned by Wendy Thompson, has delinquent taxes for 2006-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Wendy Thompson would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Wendy Thompson has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2810 N. 14th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 247, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- t. [080712](#) Substitute resolution authorizing the return of real estate located at 4708 W. Medford Ave., in the 7th Aldermanic District to its former owner. (Wells Fargo Bank, Mortgagee)

Whereas, The property located at 4708 W. Medford Ave., previously owned by Wells Fargo Bank, Mortgagee, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Wells Fargo Bank, Mortgagee would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Wells Fargo Bank, Mortgagee has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 4708 W. Medford Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 120, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- u. [080713](#) Substitute resolution authorizing the return of real estate located at 6141 N. 39th St., in the 1st Aldermanic District to its former owner. (Wells Fargo Bank, Mortgagee)
- Whereas, The property located at 6141 N. 39th St., previously owned by Wells Fargo Bank, Mortgagee, has delinquent taxes for 2005-2007 and was foreclosed

upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Wells Fargo Bank, Mortgagee would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Wells Fargo Bank, Mortgagee has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 6141 N. 39th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 27, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- v. [080714](#) Substitute resolution authorizing the return of real estate located at 2403-2405 W. Finn Pl., in the 6th Aldermanic District to its former owner. (Wells Fargo Bank, Mortgagee)

Whereas, The property located at 2403-2405 W. Finn Pl., previously owned by Wells Fargo Bank, Mortgagee, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was

obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Wells Fargo Bank, Mortgagee would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Wells Fargo Bank, Mortgagee has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2403-2405 W. Finn Pl., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 189, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

w. [080715](#) Substitute resolution authorizing the return of real estate located at 5260 N. 49th St., in the 9th Aldermanic District to its former owner. (Monument Street Funding- II, LLC)

Whereas, The property located at 5260 N. 49th St., previously owned by Monument Street Funding- II, LLC, has delinquent taxes for 2002 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Monument Street Funding- II, LLC would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Monument Street Funding- II, LLC has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 5260 N. 49th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 41, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- x. [080716](#) Substitute resolution authorizing the return of real estate located at 8315 N. 107th St., in the 9th Aldermanic District to its former owner. (Bank of New York, Mortgagee) Whereas, The property located at 8315 N. 107th St., previously owned by Bank of New York, Mortgagee, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Bank of New York, Mortgagee would like to reclaim said property by

paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Bank of New York, Mortgagee has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 8315 N. 107th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 10, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- y. [080717](#) Substitute resolution authorizing the return of real estate located at 2853 S. 10th St., in the 14th Aldermanic District to its former owner. (Green Tree Financial Servicing, Mortgagee)

Whereas, The property located at 2853 S. 10th St., previously owned by Green Tree Financial Servicing, Mortgagee, has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Green Tree Financial Servicing, Mortgagee would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and

penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and

Whereas, Green Tree Financial Servicing, Mortgagee has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2853 S. 10th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 482, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

z. [080718](#) Substitute resolution authorizing the return of real estate located at 4915 N. 56th St., in the 7th Aldermanic District to its former owner. (Chase Home Finance, Mortgagee)

Whereas, The property located at 4915 N. 56th St., previously owned by Chase Home Finance, Mortgagee, has delinquent taxes for 2005 and 2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Duetsch National Trust Company as trustee for Chase Home Finance, Mortgagee would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July

28, 2008; and

Whereas, Duetsch National Trust Company as trustee for Chase Home Finance, Mortgagee has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 4915 N. 56th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 61, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

aa. [080719](#) Substitute resolution authorizing the return of real estate located at 2842 N. 52nd St., in the 10th Aldermanic District to its former owner. (Homesales, Inc.)

Whereas, The property located at 2842 N. 52nd St., previously owned by Homesales, Inc., has delinquent taxes for 2005-2007 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 28, 2008; and

Whereas, Homesales, Inc. would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 28, 2008; and



Whereas, Homesales, Inc. has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2842 N. 52nd St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 0CV004983 known as the 2008-01 In Rem Parcel 211, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

CONFIRMATION OF THE FOLLOWING:

4. [080878](#) Reappointment of Annie Wacker to the Ethics Board by the Mayor. (9th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

## PLACING ON FILE THE FOLLOWING:

5. [080655](#) Communication from the Center for Driver's License Recovery and Employability related to its activities.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

## DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

6. Various claims against the City

- a. [080564](#) Resolution relating to the claim of Anthony James for property damage.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- b. [080565](#) Resolution relating to the claim of Corey Jones, Agent for American Family Insurance Company on behalf of Agnes Dukatz for property damage. (11th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- c. [080567](#) Resolution relating to the claim of Jeffrey Slattery for property damage. (14th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- d. [080568](#) Resolution relating to the claim of Bernard Harvieux for personal injuries. (5th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- e. [080569](#) Resolution relating to the claim of Brian Artka for property damage. (13th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- f. [080574](#) Resolution relating to the claim of Sherry Woosypiti for property damage. (8th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- g. [080576](#) Resolution relating to the claim of Shurone Nash for property damage. (5th

Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- h. [080580](#) Resolution relating to an appeal from Wallace Owens for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- i. [080581](#) Resolution relating to an appeal from Suzanne Guthrie for property damage.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

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THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [080611](#) Substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as United Methodist Children's Services, on land located North of West Lisbon Avenue and West of North 39th Street, for development of apartment housing and community space, in the 15th Aldermanic District.

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

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

Section 295-907(2)(c).0129.

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

(2) The zoning map is amended to change the zoning for the area described and bounded by Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 in Lisbon Avenue Park, in the Northwest 1/4 of Section 24, Township 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, including the vacated east-west alley, and a line 169.74 feet South and parallel to the south line of West Brown Street, from General Planned Development (GPD) to Detailed Planned Development (DPD).

(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. 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. WADE that this Ordinance be PASSED. The motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

2. [080612](#) Substitute ordinance relating to the change in zoning from Multi-Family Residential and Two-Family Residential to General Planned Development for the properties located at 3940 West Lisbon Avenue and part of 1929 North 39th Street and approving the First Amendment to the General Planned Development known as United Methodist Children's Services, located North of West Lisbon Avenue and West of North 39th Street, for development of apartment housing and community space, in the 15th Aldermanic District.

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

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

Section 295-907(2)(a).0046.

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

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

Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 in Lisbon Avenue Park, in the Northwest 1/4 of Section 24, Township 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, including the vacated east-west alley, and a line 169.74 feet South and parallel to the south line of West Brown Street.

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

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

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

3. [080676](#) A substitute ordinance relating to floodplain zoning regulations.

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

Part 1. Section 295-201-205 of the code is amended to read:

295-201. Definitions.

205. FLOODPROOFING means any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage >>,as further described in s. 295-1011-14<< .

Part 2. Section 295-201-316 and 316.5 of the code is created to read:

316. LETTER OF MAP AMENDMENT means an official notification from the federal emergency management agency stating that a flood hazard boundary map or a flood insurance rate map has been amended.

316.5. LETTER OF MAP REVISION BASED ON FILL means an official notification from the federal emergency management agency indicating that a structure or parcel has been elevated on fill to an elevation at or above the regional flood elevation and is, therefore, excluded from being located in the floodplain as initially denoted on the city's flood hazard boundary map or flood insurance rate map.

Part 3. Section 295-307-3-c of the code is amended to read:

295-307. Amendments to the Zoning Text or Map.

3. PROCEDURE FOR MAP AMENDMENT.

c. Staff Actions. The department shall establish a time and date for a public hearing, notify affected property owners at least 10 days in advance of the hearing and prepare a staff report on the map amendment. >>In the case of any map amendment relating to a floodplain overlay zone, the department shall also submit the amendment and the notice of public hearing to the Wisconsin department of natural resources.<<

Part 4. Section 295-415-9-a-5 and 6 of the code is amended to read:

295-415. Nonconformities.

9. FLOODPLAIN OVERLAY ZONES.

a. General.

a-5. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would >>equal or<< exceed 50% of its present equalized assessed value, shall be allowed unless the entire



structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this subsection. Contiguous dryland access must be provided for residential and commercial uses in compliance with s. 295-1011-10-b. The costs of elevating a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph.

a-6. Except as provided in subd. a-7, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current code requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition >>equals or<< exceeds 50% of the structure's present equalized assessed value.

Part 5. Section 295-415-9-c-3-c of the code is amended to read:

c. Flood Fringe Overlay Zone.

c-3-c. In combination with other previous modifications or additions to the building, the addition does not >>equal or<< exceed 50% of the present equalized assessed value of the building.

Part 6. Section 295-1011-7-a, c and e of the code is repealed and recreated to read:

295-1011. Floodplain Overlay Zones (FM, FF, FSD).

## 7. PROCEDURES.

a. Creation or Revision. Creation of, or revisions to, floodplain overlay zone boundaries or regulations shall be by amendment to the zoning map or zoning code text, pursuant to s. 295-307. Such an amendment shall not be final until approved by both the Wisconsin department of natural resources and the federal emergency management agency. In the case of a floodplain overlay zone boundary change, the federal emergency management agency will determine if an official letter of map amendment or a letter of map amendment based on fill will be required. These letters are waivers of federal insurance requirements and do not fulfill minimum requirements for removing land from the floodplain. To remove land from a floodplain, the requirements of sub. 17 shall be met.

c. Other Approvals. c-1. No amendment shall become effective until it is reviewed and approved by the Wisconsin department of natural resources.

c-2. Any person petitioning for a map amendment that obstructs flow, by increasing

regional flood height 0.01 foot or more, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the common council.

e. Official Maps and Revisions. e-1. Official Maps Adopted. The boundaries of all floodplain overlay zones are designated as floodplains or A-Zones on the following maps and the revisions in the city of Milwaukee floodplain appendix:

e-1-a. Milwaukee County flood insurance study, dated September 26, 2008, volume numbers 55079CV001A, 55079CV002A, 55079CV003A, 55079CV004A and 55079CV005A.

e-1-b. Milwaukee County flood insurance rate map panel numbers 55079CIND0A, 55079C0008E, 55079C0012E, 55079C0014E, 55079C0016E, 55079C0017E, 55079C0018E, 55079C0019E, 55079C0036E, 55079C0037E, 55079C0038E, 55079C0052E, 55079C0056E, 55079C0058E, 55079C0066E, 55079C0067E, 55079C0068E, 55079C0069E, 55079C0076E, 55079C0077E, 55079C0081E, 55079C0082E, 55079C0084E, 55079C0086E, 55079C0087E, 55079C0089E, 55079C0091E, 55079C 0092E, 55079C0093E, 55079C0094E, 55079C0103E, 55079C0111E, 55079C0131E, 55079C0132E, 55079C0151E, 55079C0152E, 55079C0153E, 55079C0154E, 55079C0156E, 55079C0157E, 55079C0158E, 55079C0159E, 55079C0162E, 55079C0166E, 55079C0167E and 55079C0176E dated September 26, 2008, with corresponding profiles that are based on the flood insurance study.

e-1-c. Waukesha County flood insurance rate map panel numbers 55133C0114F and 55133C0227F dated November 19, 2008, with corresponding profiles that are based on the flood insurance study.

e-2. Revision of Maps. Any change to the base flood elevations in the flood insurance study or on the flood insurance rate map shall be reviewed and approved by the Wisconsin department of natural resources and the federal emergency management agency before it is effective. No changes to regional flood elevations on non-federal emergency management agency maps shall be effective until approved by the department of natural resources.

e-3. Location of Maps. The maps listed in subd. 1 are on file in the office of the commissioner.

e-4. More Than One Map or Revision. Whenever more than one map or revision is referenced, the most restrictive information shall apply.

Part 7. Section 295-1011-7-f of the code is amended to read:

f. Variances. Pursuant to [[s. 295-311-4-f-2-a]] >>s. 295-311-4-f-3-a<<, the board of zoning appeals shall take no action on any application for a variance in a floodplain overlay zone for 30 days following the date of receipt of the application or until the Wisconsin department of natural resources has made its recommendation, whichever is sooner.

Part 8. Section 295-1011-9-a-8 of the code is created to read:

#### 9. STANDARDS FOR DEVELOPMENT IN THE FLOODWAY OVERLAY ZONE.

a. Permitted Uses.

a-8. Normal earth-grading activities to permit utilization of the lands for open space, outdoor recreation, yard, parking and similar uses, provided the applicant can demonstrate that the water-carrying and storage capacity of the floodplain will not decrease as a result of the earth-grading activities.

Part 9. Section 295-1011-9-b-4 of the code is created to read:

b. General Development Standards.

b-4. Parking and loading areas may be at elevations lower than the flood protection elevation. However, no such areas in general use by the public may be inundated to a depth greater than 2 feet or subject to flood velocities greater than 2 feet per second. Such areas may be located at lower elevations if an adequate warning system exists to protect life and property.

Part 10. Section 295-1011-9-f-9 of the code is created to read:

f. Prohibited Uses.

f-9. Parking areas for new or used motor vehicle sales or storage.

Part 11. Section 295-1011-10-a of the code is amended to read:

#### 10. STANDARDS FOR DEVELOPMENT IN THE FLOOD FRINGE OVERLAY ZONE.

a. Permitted Uses. Any structure, land use or development is permitted in the flood fringe overlay zone if it meets the standards of sub. 8 and pars. b to [[m]] >>o<<, is

not prohibited elsewhere in this section or this code, and all permits or certificates specified in subs. 12 and 13 have been issued.

Part 12. Section 295-1011-10-b-1 of the code is amended to read:

b. Residential Use Regulations.

b-1. The elevation of the lowest floor, excluding the basement or crawlway, shall be at or above the flood protection elevation on fill. The fill shall be [[one foot]] >>2 feet<< or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. The Wisconsin department of natural resources may authorize other floodproofing measures if the elevations of existing streets or sewer lines make compliance impractical and the board grants a variance.

Part 13. Section 295-1011-10-b-5 of the code is created to read:

b-5. The floodplain overlay zone boundary shall be amended pursuant to sub. 7-b to provide for removal of the land on which the habitable structure is located in accordance with sub. 17.

Part 14. Section 295-1011-10-d and e of the code is amended to read:

d. Commercial >>and Institutional<< Uses. Any commercial >>or institutional<< structure which is erected, altered or moved into a flood fringe overlay zone shall meet the requirements of par. b. Subject to the requirements of [[par. g]] >>pars. f and o<< , storage yards, surface parking lots and similar uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

e. Manufacturing and Industrial Uses. Any manufacturing or industrial structure which is erected, altered or moved into a flood fringe overlay zone shall be protected to the flood protection elevation using fill, levees, floodwalls or other floodproofing measures in sub. 14. Subject to the requirements of [[par. g]] >>pars. f and o<<, storage yards, surface parking lots and similar uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

Part 15. Section 295-1011-10-n and o of the code is created to read:

n. Grading Activities. Normal earth-grading activities to permit utilization of the lands for open space, outdoor recreation, yards, parking and similar uses shall be permitted in the flood fringe overlay zone, provided the applicant can demonstrate that the water-carrying and storage capacity of the floodplain will not decrease as a result of the earth-grading activities.

o. Parking and Loading Areas. o-1. Parking and loading areas may be at elevations lower than the flood protection elevation. However, no such areas in general use by the public may be inundated to a depth greater than 2 feet or subject to flood velocities greater than 2 feet per second. Such areas may be located at lower elevations if an adequate warning system exists to protect life and property.

o-2. Parking areas for new or used motor vehicle sales or storage shall be prohibited.

Part 16. Section 295-1011-11-b-2 and 3 of the code is amended to read:

#### 11. STANDARDS FOR DEVELOPMENT IN THE FLOOD STORAGE OVERLAY ZONE.

b. Other Development Standards.

b-2. [[No]] >>Except as provided in subd. 4, no<< development which removes flood storage volume shall be allowed unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation is provided in the immediate area of the proposed development to compensate for the volume of storage that is lost. Excavation below the groundwater table shall not be considered as providing an equal volume of storage.

b-3. [[If]] >>Except as provided in subd. 4, if<< compensatory storage cannot be provided, the area shall not be developed unless the entire area in the flood storage overlay zone on this waterway is rezoned to the flood fringe overlay zone. This shall include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without floodplain storage, per sub. 7-b.

Part 17. Section 295-1011-11-b-4 of the code is renumbered 295-1011-11-b-5.

Part 18. Section 295-1011-11-b-4 of code is created to read:

b-4. If the 100-year flood profile and floodplain boundary are adjusted through implementation of a flood mitigation system plan that is designed to reduce the flood hazard to existing buildings and to not create an increase of greater than or equal to 0.01 foot in the 100-year flood profile at locations upstream or downstream of the project reach, those portions of the flood storage overlay zone that would be removed from the floodplain through implementation of the plan can be developed, or redeveloped, even if an equal volume of compensatory storage is not provided. In such cases, the flood storage overlay zone shall remain in effect along the waterway. For such an adjustment to the flood storage overlay zone, the flood mitigation system plan, including engineering data and calculations showing the new flood profile, shall be submitted to, and approved by, the Wisconsin department of natural resources and

the federal emergency management agency, and the zoning map shall be revised to reflect the changed flood storage overlay zone boundary in accordance with the procedures of s. 295-307 and sub. 7.

Part 19. Section 295-1011-15-e-1 to 4 of the code is renumbered 295-1011-15-e-2 to 5.

Part 20. Section 295-1011-15-e-1 of the code is created to read:

15. ADMINISTRATION.

e-1. At least 10 days prior to any public hearing on a proposed floodplain zoning map or text amendment or a variance or special use permit request in a floodplain overlay zone, a copy of the notice of the public hearing.

**Sponsors:** THE CHAIR

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

**Aye:** 11 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Witkowski, Zielinski Hines Jr.

**No:** 1 - Dudzik

**Excused:** 3 - Coggs, Donovan Witkowiak

4. [080687](#) Substitute ordinance relating to the First Amendment to the Detailed Planned Development known as Story Hill Place, on land located on the South Side of West Bluemound Road and East of North 51st Street, for residential development, in the 10th Aldermanic District.
- The Mayor and Common Council of the City of Milwaukee ("Common Council"), do ordain as follows:
- Part 1. There is added to the Milwaukee Code of Ordinances ("Code") a new section to read as follows:
- Section 295-907(2)(c).0130.
- (1) In accordance with the provisions of Section 295-907 of the Code relating to the establishment of planned development districts, the Common Council approves the subject amended Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.
- (2) The zoning map is amended to change the zoning for the area described and bounded by Story Hill Place being a subdivision of part of Lot 5, Block 4, Story Hill

Subdivision, and lands, all being in the Northwest 1/4 of the Southeast 1/4 of Section 26, Township 7 North, Range 21 East, City of Milwaukee, Milwaukee County, Wisconsin.

(3) The requirements set forth in said amended 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 amended detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended detailed plan to all conditions and limitations set forth in such amended 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. 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. WADE that this Ordinance be PASSED. The motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

ADOPTION OF THE FOLLOWING:

5. [080622](#) Substitute resolution accepting and ratifying the Federal Emergency Management Agency Digital Flood Insurance Rate Maps dated September 26, 2008 and November 19, 2008 for various City of Milwaukee waterways.
- Whereas, The paper Flood Insurance Rate Maps issued by the Federal Emergency

Management Agency (“FEMA”) with an effective date of 1982, are outdated and FEMA has now issued revised Digital Flood Insurance Rate Maps (“DFIRMs”), which are more accurate; and

Whereas, On June 22, 1999, the Common Council of the City of Milwaukee (“Common Council”) approved the amendment of the Flood Plain District Boundary along a portion of the Menomonee River watershed; and

Whereas, On November 28, 2000, the Common Council approved the amendment of the Flood Plain District Boundary along a portion of the Milwaukee River watershed; and

Whereas, On November 26, 2002, the Common Council approved the amendment of the Flood Plain District Boundary along a portion of Wilson Park Creek, being a part of the Kinnickinnic River watershed; and

Whereas, On November 15, 2005, the Common Council approved the amendment of the Flood Plain District Boundary along a portion of Lincoln Creek; and

Whereas, On May 9, 2006, the Common Council approved Flood Plain District Boundary adjustments in the Menomonee River watershed; and

Whereas, FEMA has prepared DFIRMs and a new Flood Insurance Study for the City of Milwaukee (“City”) lying within Milwaukee County to become effective September 26, 2008, and for a portion of the City lying within Waukesha County to become effective November 19, 2008; and

Whereas, The new DFIRMs reflect the Common Council’s previous amendments to the Flood Plain District Boundaries; and

Whereas, The City must accept and ratify these new DFIRMs to remain compliant with the National Flood Insurance Program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the DFIRMs identified as panel numbers 55079CIND0A, 55079C0008E, 55079C0012E, 55079C0014E, 55079C0016E, 55079C0017E, 55079C0018E, 55079C0019E, 55079C0036E, 55079C0037E, 55079C0038E, 55079C0052E, 55079C0056E, 55079C0058E, 55079C0066E, 55079C0067E, 55079C0068E, 55079C0069E, 55079C0076E, 55079C0077E, 55079C0081E, 55079C0082E, 55079C0084E, 55079C0086E, 55079C0087E, 55079C0089E, 55079C0091E, 55079C 0092E, 55079C0093E, 55079C0094E, 55079C0103E, 55079C0111E, 55079C0131E, 55079C0132E, 55079C0151E, 55079C0152E, 55079C0153E, 55079C0154E, 55079C0156E, 55079C0157E, 55079C0158E, 55079C0159E, 55079C0162E,



55079C0166E, 55079C0167E, 55079C0176E, dated September 26, 2008, for the City lying within Milwaukee County, and panel numbers 55133C0114F and 55133C0227F, dated November 19, 2008, for the portion of the City lying within Waukesha County, all with corresponding profiles that are based on the Milwaukee County Flood Insurance Study, are accepted and ratified as the official DFIRMs for the City.

**Sponsors:** THE CHAIR

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

**Aye:** 10 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Zielinski Hines Jr.

**No:** 2 - Dudzik Witkowski

**Excused:** 3 - Coggs, Donovan Witkowiak

6. [080641](#) Resolution approving the Southeast Side Area Comprehensive Plan as an element of Milwaukee's Overall Comprehensive Plan, in the 12th, 13th and 14th Aldermanic Districts.

Whereas, One step in the City of Milwaukee's ("City") comprehensive planning process is the creation of plans for areas of the City, sometimes referred to as neighborhoods; and

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

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

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

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

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

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

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

**Sponsors:** Ald. Witkowiak, Ald. Zielinski and Ald. Witkowski

*Ald. Witkowski asked to be added as a co-sponsor.*

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

7. [080875](#) Resolution approving a final certified survey map.

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

NAME	TAX KEY NUMBER(S)
City of Milwaukee (DCD #2715)	1819982200, 1819982300, 1819982400

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

CONFIRMATION OF THE FOLLOWING:

8. [080876](#) Appointment of Randy Bryant to the Historic Preservation Commission by the Mayor. (3rd Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

PLACING ON FILE THE FOLLOWING:

9. [080146](#) Communication from the Department of City Development relating to presentation of the 2007 Tax Incremental Finance Districts Annual Report and the December 31, 2007 Tax Incremental Districts Bi-Annual Status Report in June, 2008, and the June 30, 2008 Tax Incremental Districts Bi-Annual Status Report in October, 2008.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

10. [080738](#) Substitute ordinance relating to the change in zoning from Industrial Light to General Planned Development for construction of 90 cottage-style apartments for seniors on land located at 8500 and 8501 North Pfeil Street, in the 9th Aldermanic District.

**Sponsors:** Ald. Puente

**A motion was made by ALD. WADE that this Ordinance be PLACED ON FILE. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

11. [080747](#) Substitute ordinance amending the boundary of a Development Incentive Zone known as Towne Corporate Park of Granville to exclude several properties on lands generally located West of North 107th Street and South of West Brown Deer Road, for senior apartment development and storm water detention, in the 9th Aldermanic District.

**Sponsors:** Ald. Puente

**A motion was made by ALD. WADE that this Ordinance be PLACED ON FILE. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

12. [080803](#) Ordinance relating to a change in zoning from General Planned Development to a Detailed Planned Development, Phase One, known as O. C. Hansen Development, for the properties located at 331 and 341 North Milwaukee Street, for office development and building renovation, in the 4th Aldermanic District.

**Sponsors:** Ald. Bauman

**A motion was made by ALD. WADE that this Ordinance be PLACED ON FILE. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

13. [080806](#) Ordinance relating to a change in zoning from Downtown to a General Planned Development known as O. C. Hansen Development, for the properties located at 331 and 341 North Milwaukee Street, for office development and building renovation, in the 4th Aldermanic District.

**Sponsors:** Ald. Bauman

**A motion was made by ALD. WADE that this Ordinance be PLACED ON FILE. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [080615](#) Substitute resolution creating Neighborhood Improvement District No. 1 (Brewery) and approving its Initial Operating Plan, in the 4th Aldermanic District.  
Whereas, The Brewery neighborhood district is a vital and integral part of the City of Milwaukee (“City”); and  
  
Whereas, A Neighborhood Improvement District (“NID”), as authorized by Section 66.1110, Wisconsin Statutes, provides a financing method to allow the Brewery neighborhood district to become self-sustaining; and  
  
Whereas, Several property owners in the proposed NID have submitted petitions requesting the City to establish a NID in the area; and  
  
Whereas, An Initial Operating Plan has been prepared, a copy of which is attached to this Common Council File, which describes proposed activities within the district and acts in accordance with applicable Wisconsin Statutes; and  
  
Whereas, Said Initial Operating Plan has been reviewed and approved by the City Plan Commission following a public hearing; now, therefore, be it  
  
Resolved, By the Common Council of the City of Milwaukee, that Neighborhood Improvement District No. 1 (Brewery) and the associated District Board are created; and, be it  
  
Further Resolved, That the Initial Operating Plan for NID No. 1 is approved; and, be it  
  
Further Resolved, That the City Treasurer, City Comptroller and other affected departments are directed to collect and disburse NID No. 1 assessments in accordance with the Initial Operating Plan; and, be it  
  
Further Resolved, That all City officials, departments, boards and commissions are directed to take all actions and provide such assistance, as needed, to carry out the intent and purpose of this resolution and the approved Initial Operating Plan for NID No. 1.

**Sponsors:** Ald. Bauman

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

2. [080617](#) Substitute resolution approving the 2009 Operating Plan and boundary expansion for Business Improvement District No. 21 (Milwaukee Downtown), in the 4th Aldermanic District.

Whereas, The Common Council of the City of Milwaukee (“Common Council”) created Business Improvement District No. 21 (“BID No. 21”) via File No. 970900 on October 14, 1997, as authorized by Section 66.1109, Wisconsin Statutes, to provide a financing method to allow the Milwaukee Downtown business district to become self-sustaining; and

Whereas, BID No. 21 proposes to expand its boundaries to include Area A-north on McKinley Avenue, south on Michigan Street, East on Plankinton Avenue and west on North 10th Street; Area B-north on Walnut Street, south on Cherry Street, east on North 2nd Street and west on Dr. Martin Luther King Jr. Drive; Area C-north on Lyon Street, south on State Street, east on Van Buren Street and west on Jefferson Street; Area D-north on Michigan Street, south on Clybourn Street, east on Lincoln Memorial Drive and west on Prospect Avenue; and Area E-north on Wisconsin Avenue, south on Michigan Street, east on North 9th Street and west on Interstate 43; and

Whereas, BID No. 21 is a vital and integral part of the City of Milwaukee; and

Whereas, The Board of BID No. 21 submitted for approval its 2009 Operating Plan and boundary expansion, a copy of which is attached to this Common Council File, which authorizes special assessments totaling \$3,317,390 on taxable properties in the BID; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the 2009 Operating Plan for Business Improvement District No. 21 (Milwaukee Downtown) and associated budget and boundary expansion are approved; and, be it

Further Resolved, That the City Treasurer, the City Comptroller and other affected departments are directed to collect and disburse BID No. 21 assessments in accordance with the 2009 Operating Plan; and, be it

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

boundary expansion for BID No. 21.

**Sponsors:** Ald. Bauman

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

3. [080620](#) Substitute resolution approving Year 2009 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 66.1109(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. 4 (Greater Mitchell Street), 5 (Westtown), 8 (Historic King Drive), 11 (Brady Street), 13 (Oakland Avenue), 15 (Milwaukee Riverwalk), 19 (Villard Avenue), 20 (East North Avenue), 25 (Riverworks), 26 (Menomonee Valley), 27 (Burleigh Street), 28 (North Avenue Gateway), 31 (Havenwoods), 35 (Kinnickinnic River), 36 (Riverworks II), 37 (30th Street Industrial Corridor), 38 (Cesar E. Chavez Drive), 39 (Center Street Marketplace), 40 (Airport Gateway) and 41 (Downer Avenue) have submitted proposed Year 2009 Operating Plans; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Year 2009 Operating Plans for Business Improvement District Nos. 4, 5, 8, 11, 13, 15, 19, 20, 25, 26, 27, 28, 31, 35, 36, 37, 38, 39, 40 and 41 are approved; and, be it
- Further Resolved, That the City Treasurer, City Comptroller, Assessment Commissioner and other affected departments are directed to collect and disburse BID assessments in accordance with said Year 2009 Operating Plans; and, be it
- Further Resolved, That all City officials, departments, boards and commissions are directed to take all actions and provide such assistance as necessary to carry out the intent and purpose of this resolution and said approved Year 2009 Operating Plans.

**Sponsors:** THE CHAIR

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

**Aye:** 11 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Witkowski, Zielinski Hines Jr.

**No:** 1 - Dudzik

**Excused:** 3 - Coggs, Donovan Witkowiak

4. [080816](#) Resolution relative to application, acceptance and funding of a State of Wisconsin, Department of Natural Resources, Brownfields Site Assessment Grant for assessment and removal of underground storage tanks and demolition on various brownfields throughout the City of Milwaukee.

Whereas, The City of Milwaukee ("City") appears to be eligible for grant funds from the State of Wisconsin, Department of Natural Resources, for assessment and remediation of various brownfield sites in the City; and

Whereas, The Department of Administration, Intergovernmental Relations Division, has determined that operation of this Grant program from February 1, 2009 to June 30, 2011 will cost approximately \$405,000, of which \$255,000 or 62.96 percent will be provided by the Grantor; and

Whereas, The In-Kind City Share of this Grant program, \$150,000 or 37.04 percent, will come from the Development Fund and Community Development Block Grant funds:

In-Kind City Share: \$150,000

Out-of-Pocket City Share: \$-0-

Local, Non-City Share: \$-0-

; and

Whereas, The Department of Administration, Intergovernmental Relations Division, has determined that the benefits to the City from this Grant program appear to exceed the City's share of costs and other obligations to be incurred under this program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that acceptance of said Grant from the State of Wisconsin, Department of Natural Resources, under the terms specified above, to be administered by the Department of City Development, is authorized; and, be it

Further Resolved, That the proper City officials and/or the Commissioner of the Department of City Development are authorized to accept such Grant funds without



further Common Council approval unless any of the following occur:

1. The purpose of such Grant program is significantly changed.
2. The amount of the Out-of-Pocket City Share increases from the amount specified above.
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 Parent of the 2009 Special Revenue - Grant and Aid Projects Fund, the following amounts for the program titled State of Wisconsin Brownfields Site Assessment Grant:

Project/Grant: GR0000900000

Fund: 0150

Org: 9990

Program: 0001

By: 0000

Subclass: R999

Account: 000600

Project: Grantor Share

Amount: \$255,000

2. Create the necessary Project and Project Level Values and budget to these project values, the amounts required under the Grant Agreement.
3. Establish the necessary City Share Project Values; and, be it

Further Resolved, That these funds are budgeted for the Department of City Development, 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, be it

Further Resolved, That the funds received from the State of Wisconsin, Department of Natural Resources, be deposited in accordance with procedures established by the City Comptroller; and, be it

Further Resolved, That the Commissioner of the Department of City Development shall have the authority to authorize transfers within the program budget so 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 Commissioner of the Department of City Development, on behalf of the City, is authorized to enter into contracts and subcontracts as detailed in the program budget and in accordance with City Grant and Aid Guidelines for awarding such contracts; and, be it

Further Resolved, That the Department of City Development, on behalf of the City, has declared its intent to complete the Brownfields Site Assessment Grant activities described in the application if awarded funds; and, be it

Further Resolved, That the Department of City Development, on behalf of the City, will maintain records documenting all expenditures made during the Grant period, will allow employees from the Department of Natural Resources access to inspect the grant sites or facilities and grant records and will submit a final report to the Department of Natural Resources with the final payment request.

**Sponsors:** Ald. Davis

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

5. [080853](#) Resolution relative to entering into the 2009 Delivery Services Agreement between the City of Milwaukee, Milwaukee Public Library, and the Milwaukee County Federated Library System.

Whereas, The Milwaukee County Federated Library System was established to facilitate the orderly and efficient operation of cooperative library services throughout Milwaukee County; and

Whereas, In 1994 the CITY and MPL entered into a seven-year lease with the Milwaukee County Federated Library System (SYSTEM) whereby the SYSTEM

leases certain space within the MPL's Central Library; and

Whereas, The lease has been subsequently extended through December 31, 2009;  
and

Whereas, The CITY and MPL have previously entered into agreement with the SYSTEM relative to membership in the SYSTEM and for the MPL to act as a Resource Library for the SYSTEM; and

Whereas, The MPL has been a member of the SYSTEM since its formation in 1973;  
and

Whereas, It is beneficial to the CITY and MPL to enter into the 2009 Delivery Services Agreement with the SYSTEM; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the MPL and the proper CITY officers are hereby authorized to enter into the 2009 Delivery Services Agreement by the City Attorney's Office.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

6. [080861](#) Substitute resolution authorizing the submittal and acceptance for funding of the City of Milwaukee's 2009 consolidated community development entitlement funding for the American Dream Downpayment Initiative (ADDI) from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Whereas, The City of Milwaukee appears to be eligible for Community Development entitlement funding for the ADDI activity in the amount of \$42,427 for 2009; and

Whereas, Common Council File Number (CCFN) 040913 authorized the submission of a revised Consolidated Strategy and Plan and Annual Action Plan for 2009 consolidated community development entitlement funding; and

Whereas, CCFN 080408 adopted on July 30, 2008 authorized the 2009 Funding Allocation Plan; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the Mayor of the

City of Milwaukee is designated as the authorized representative of the City of Milwaukee, in connection with all matters relating to the City’s 2009 ADDI Program; and, be it

Further Resolved, That the City of Milwaukee assures and certifies that it will comply with the regulations, policies, guidelines and requirements with respect to the acceptance and use of Federal ADDI funds as specifically delineated in the Grant Award; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that application to HUD is authorized and the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

Commit Funds within the Project/Grant Parent of the 2009 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/project titled American Dream Downpayment Initiative (ADDI):

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

Project	Amount
Grantor Share	\$42,427

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

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

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

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

Enter into subcontract(s) as detailed in the grant budget; and, be it

Further Resolved That the Community Development Grants Administration is responsible for awarding subrecipient contracts for the attached 2009 providers and

activities for ADDI; and, be it

Further Resolved, that all department/agencies are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File Number 74-92-5v to the Community Development Grants Administration and The City Comptroller for their review and approval; and, be it

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

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2009 Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2009 Program Year under the reductions imposed; and, be it

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

**Sponsors:** THE CHAIR

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

**Aye:** 11 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Witkowski, Zielinski Hines Jr.

**No:** 1 - Dudzik

**Excused:** 3 - Coggs, Donovan Witkowiak

7. [080862](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2009 consolidated community development entitlement funding for Program Administration from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA). Whereas, The City of Milwaukee appears to be eligible for a Community Development entitlement funding for 2009 estimated at \$22,961,931 which includes CDBG funding at \$16,000,000, HOME funding at \$6,200,000 and ESG funding at \$761,931; and

Whereas, Common Council File Number (CCFN) 040913 authorized the submission of a revised Consolidated Strategy and Plan and Annual Action Plan for 2009 consolidated community development entitlement funding; and

Whereas, CCFN 080408 adopted on July 30, 2008 authorized the 2009 Funding Allocation Plan; and

Whereas, CCFN 75-1610-2f authorized the continued allocation of program income from the Milwaukee Economic Development Corporation for economic development activity utilizing a revolving fund; and

Whereas, It has been determined, that operation of this grant program for one year would generate an estimated \$355,000, for CDBG and \$663,000 for HOME in revenue (program income) from authorized revolving fund projects as well as additional program income from other projects; and

Whereas, It has been determined that operation of the combined entitlement programs for one year would cost approximately \$23,979,931 of which \$22,961,931 would be provided by the Grantor; and

Whereas, The local share of this grant program, for a portion of the City's indirect costs, can be provided from the following sources:

Local, Non-City Share	\$2,311,931*
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\*100% match for ESG and 25% match for HOME:

now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Community Development Grants Administration (CDGA) is hereby authorized to submit to the United States Department of Housing and Urban Development a 2009 Annual Action Plan as a part of the application for Community Development Entitlement funding available under Title 1 of the Housing and Community Development Act of 1974 (as amended), as well as any other related documentation required by the Department of Housing and Urban Development; and, be it

Further Resolved, That the Mayor of the City of Milwaukee is designated as the authorized representative of the City of Milwaukee in connection with all matters relating to the City's 2009 Community Development Program; and, be it

Further Revolved, That the City of Milwaukee assures and certifies that it will comply with the regulations, policies guidelines and requirements with respect to the acceptance and use of Federal Community Development Entitlement funds; and, be it

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

Further Resolved, That the City Comptroller is authorized to:

Commit Funds within the Project/Grant Parent of the 2009 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/projects titled Community Development Block Grant, HOME, and ESG:

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

Project	Amount
Grantor Share	\$23,979,931*

\*\$22,961,931 2009 estimated new entitlement, estimated program income of \$1,018,000 (Emerging Business Enterprise program - \$75,000; Department of City Development - \$280,000-CDBG & \$663,000-HOME);

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

Establish a cash advance procedure in order to make funds available to those departments or agencies which are unable to implement the Community Development Program projects on a reimbursable basis.

; and, be it

Further Resolved, That prior to making any cash advance to any department or agency the City Comptroller shall receive from the Block Grant Director of the Community Development Grants Administration a statement indicating the circumstances that resulted in a decision to provide such cash advance based on a review of the needs of such department or agency; and, be it

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

Expend from the amount budgeted for specified purposes as indicated in the grant

budget and incur costs consistent with the award date;

Expend from the 2009 grant budget funds for updating computer equipment.

Expend from the 2009 grant budget funds for training and out-of-town travel by departmental staff.

Enter into subcontracts and leases as detailed in the grant budget.

; and, be it

Further Resolved, That the Community Development Grants Administration is hereby authorized to incur costs not to exceed \$993,000 - CDBG, and \$443,000 - HOME, for the administration of the City of Milwaukee’s 2009 Community Development Program; and be it

Further Resolved, That the Positions Ordinance be amended to extend the positions authority for the Community Development Grants Administration associated with the 100% Grant and Aid funded positions and as identified in the current Position Ordinance;

Position Title	Number of Positions
Block Grant Director	1
Associate Director	1
Grant Compliance Manager	1
Grant Monitors	7
Business Services Specialist	2
Program Assistant I	1
Administrative Assistant I	1
Office Assistant IV	1
	15

; and, be it

Further Resolved, That the following ten positions be considered eligible for private automobile mileage reimbursement:

Block Grant Director	1
Associate Director	1
Grant Compliance Manager	1
Grant Monitors	7



; and, be it

Further Resolved, That the City department/agency responsible for each of the 2009 Consolidated Community Development Entitlement Projects implementing Program Administration are hereby authorized in the total amount of \$2,430,800 in CDBG funds and \$532,000 of HOME funds; and, be it

Further Resolved, That all departments/agencies are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File Number 74-92-5v to the Community Development Grants Administration and the City Comptroller for their review and approval; and, be it

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

Further Resolved, That all Grant and Aid positions currently identified in the Positions Ordinance as eligible to receive mileage reimbursement are approved to the expiration of the CDBG Program Year; and, be it

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

Further Resolved, That close-out procedures previously approved by the Community & Economic Development Committee remain in effect should the CDBG funded year be changed; and, be it

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2009 CDBG Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects proposed in this resolution in order to carry out the 2009 Program Year under the reductions imposed; and, be it

Further Resolved, That should there be a delay in the Funding Approval and Grant Agreement from HUD, the Community Development Grants Administration is authorized under CCFN 901873, adopted on March 5, 1991, to request the use of City funds for 2009 CDBG, HOME, ESG and HOPWA activities through revenue anticipation note (RAN) authority identified in the annual City budget; and be it

Further Resolved, That the Community Development Grants Administration is authorized to allocate DPW Site Improvement Contingency funds to appropriate site-specific projects accounts upon request of the Commissioner of Public Works in accordance with City procedure and Community Development Program regulations; and, be it

Further Resolved, That CDGA is authorized to allocate the NIP Fund and Housing Production Fund to appropriate projects in accordance with NIP and Housing Production policies and practices as approved by the Community & Economic Development Committee; and, be it

Further Resolved, That the Emerging Business Enterprise Program be authorized to carryover any funds remaining from 2008 into 2009; and, be it

Further Resolved, That any Section 108 Guaranteed Loan Program projects that may be proposed in 2009 must comply with all requirements and conditions established pursuant to CCFN 940849 (approved September 28, 1994) and CCFN 941466 (approved April 25, 1995); and, be it

Further Resolved, That the authorization for the projects listed in this resolution are subject to the availability of 2009 Community Development Block Grant funds and the release of funds for the purpose by the U. S. Department of Housing and Urban Development; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the City's 2009 Community Development Program in accordance with the 2009 Annual Action Plan determinations as to whether funds be awarded in the form of grant or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

8. [080863](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2009 consolidated community development entitlement funding for Mandated/Essential Services from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

**Sponsors:** THE CHAIR

*Ald. Murphy moved to amend the Year 2009 Recommendations under "Economic Development by:*

*1. Reducing the recommended funding for the request titled "Northwest Side Community Development Corporation - Special Economic Development" by \$15,000, from \$40,000 to \$25,000. The reference to the proper Northwest Side Community Development Corporation category is the second caption on the Economic Development page.*

*2. Increasing the recommended funding for the request titled: "Burleigh Street Community Development Corporation - Special Economic Development" by \$15,000, from \$50,000 to \$65,000.*

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

Whereas, Common Council File Number (CCFN) 040913 authorized the submission of a revised Consolidate Strategy and Plan and Annual Action Plan for 2009 consolidated community development entitlement funding; and

Whereas, CCFN 080408 adopted on July 30, 2008 authorized the 2009 Funding Allocation Plan; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that these funds are budgeted to the Community Development Grants Administration which is authorized to:

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

Enter into subrecipient contracts as detailed in the grant budget.

; and, be it

Further Resolved That the Community Development Grants Administration is responsible for awarding subrecipient contracts for each of the 2009 approved activities for Mandated/Essential Services as amended per attachment; and, be it

Further Resolved, That these projects are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File number 74-92-5v to the Community Development Grants Administration and the City Comptroller for their review and approval; and, be it

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

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2009 CDBG Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2009 Program Year under the reductions imposed; and, be it

Further Resolved, That the authorization for the projects listed in this resolution are subject to the availability of 2009 Community Development Block Grant funds and the release of funds for this purpose by the U. S. Department of Housing and Urban Development; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the City's 2009 Community Development Program in accordance with the 2009 Annual Action Plan, including but not limited to the Community Development Grants Administration's determinations as to whether funds be awarded in the form of grants or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

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

**Sponsors:** THE CHAIR

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

9. [080864](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2009 consolidated community development entitlement funding for Housing Opportunities For Persons With AIDS (HOPWA) from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).
- Whereas, The City of Milwaukee appears to be eligible for Community Development entitlement funding for HOPWA activity estimated at \$515,000 for 2009; and
- Whereas, Common Council File Number (CCFN) 040913 authorized the submission of a revised Consolidated Strategy and Plan and Annual Action Plan for 2009 consolidated community development entitlement funding; and
- Whereas, CCFN 080408 adopted on July 30, 2008 authorized the 2009 Funding Allocation Plan; and
- Whereas, It has been determined that operation of the HOPWA programs for one year would cost approximately \$515,000 of which \$515,000 would be provided by the Grantor; and
- Whereas, There is no local share required for this grant program; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, That the Mayor of the City of Milwaukee is designated as the authorized representative of the City of Milwaukee, in connection with all matter relating to the City's 2009 HOPWA Program; and, be it
- Further Resolved, That the City of Milwaukee assures and certifies that it will comply with the regulations, policies, guidelines and requirements with respect to the acceptance and use of Federal HOPWA funds as specifically delineated in the Grant Award; and, be it
- Further Resolved, By the Common Council of the City of Milwaukee that application to HUD is authorized and the Community Development Grants Administration shall accept this grant without further approval unless the terms of the grant 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 the Project/Grant Parent of the 2009 Special Revenue Grant and Aid Projects Fund, the following amounts for the program/project titled Housing Opportunities For Persons With AIDS (HOPWA):

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

Project	Amount
Grantor Share	\$515,000

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

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

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

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

Enter into subcontract(s) as detailed in the grant budget; and, be it

Further Resolved That the Community Development Grants Administration is responsible for awarding subrecipient contracts for the attached 2009 providers and activities for HOPWA; and, be it

Further Resolved, that all department/agencies are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File Number 74-92-5v to the Community Development Grants Administration and The City Comptroller for their review and approval; and, be it

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

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations

in the 2009 Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2009 Program Year under the reductions imposed; and, be it

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

10. [080865](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2009 consolidated community development entitlement funding for Neighborhood Strategic Planning Areas from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Whereas, Common Council File Number (CCFN) 040913 authorized the submission of a revised Consolidate Strategy and Plan and Annual Action Plan for 2009 consolidated community development entitlement funding; and

Whereas, CCFN 080408 adopted on July 30, 2008 authorized the 2009 Funding Allocation Plan; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that these funds are budgeted to the Community Development Grants Administration which is authorized to:

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

Enter into subrecipient contracts as detailed in the grant budget.

; and, be it

Further Resolved, That the Community Development Grants Administration is responsible for awarding subrecipient contracts for each of the 2009 approved

activities for Neighborhood Strategic Planning Areas as attached; and, be it

Further Resolved, That these projects are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File number 74-92-5v to the Community Development Grants Administration and the City Comptroller for their review and approval; and, be it

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

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2009 CDBG Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2009 Program Year under the reductions imposed; and, be it

Further Resolved, That the authorization for the projects listed in this resolution are subject to the availability of 2009 Community Development Block Grant funds and the release of funds for this purpose by the U. S. Department of Housing and Urban Development; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the City's 2009 Community Development Program in accordance with the 2009 Annual Action Plan, including but not limited to the Community Development Grants Administration's determinations as to whether funds be awarded in the form of grants or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

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

**Sponsors:** THE CHAIR

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



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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

11. [080866](#) Substitute resolution authorizing the submittal, acceptance and funding of the City of Milwaukee's 2009 consolidated community development entitlement funding for City Strategic Objectives from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).
- Whereas, Common Council File Number (CCFN) 040913 authorized the submission of a revised Consolidate Strategy and Plan and Annual Action Plan for 2009 consolidated community development entitlement funding; and
- Whereas, CCFN 080408 adopted on July 30, 2008 authorized the 2009 Funding Allocation Plan; now therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that these funds are budgeted to the Community Development Grants Administration which is authorized to:
- Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date.
- Enter into subrecipient contracts as detailed in the grant budget.
- ; and, be it
- Further Resolved, That the Community Development Grants Administration is responsible for awarding subrecipient contracts for each of the 2009 approved activities for City Strategic Objectives as attached; and, be it
- Further Resolved, That these projects are required to submit budget and activity reports in amounts and according to any conditions approved by the Common Council and the Mayor in conformance with File number 74-92-5v to the Community Development Grants Administration and the City Comptroller for their review an approval; and, be it
- Further Resolved, That payments for CDBG costs incurred shall be paid in accordance with approved CDBG reimbursement policy based on the approval by the Community Development Grants Administration and City Comptroller of a Budget Forecast (CDA-51); and, be it

Further Resolved, That should HUD impose deficit reduction cuts and sequestrations in the 2009 CDBG Program Year, the Mayor and the Community & Economic Development Committee shall have the authority to amend any or all projects in this resolution in order to carry out the 2009 Program Year under the reductions imposed; and, be it

Further Resolved, That the authorization for the projects listed in this resolution are subject to the availability of 2009 Community Development Block Grant funds and the release of funds for this purpose by the U. S. Department of Housing and Urban Development; and, be it

Further Resolved, That the Block Grant Director of the Community Development Grants Administration is hereby authorized on behalf of the City and the Community Development Grants Administration, to execute, deliver, publish, file and record such documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to implement the City's 2009 Community Development Program in accordance with the 2009 Annual Action Plan, including but not limited to the Community Development Grants Administration's determinations as to whether funds be awarded in the form of grants or loans, and determination of payback provisions, interest rates, amortization schedules, collateral security requirements (if any), forgiveness of debt, and release of collateral; and, be it

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

CONFIRMATION OF THE FOLLOWING:

12. [080756](#) Reappointment of David Ferron to the Business Improvement District Board #35 (Kinnickinnic River) by the Mayor. (12th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

13. [080757](#) Reappointment of John Klement to the Business Improvement District Board #35 (Kinnickinnic River) by the Mayor.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

14. [080758](#) Reappointment of Christopher Svoboda to the Business Improvement District Board #35 (Kinnickinnic River) by the Mayor.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

15. [080892](#) Appointment of Ossie Kendrix to serve as Emerging Business Enterprise Manager by the Mayor.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

PLACING ON FILE THE FOLLOWING:

16. [080894](#) Communication by Mr. Marc Levine, UWM - Center for Economic Development

relating to his Research Update: "The Crisis Continues: Black Male Joblessness in Milwaukee 2007."

**Sponsors:** Ald. Davis

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

THE PUBLIC WORKS COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. Various resolutions relating to special privileges:

a. [071659](#) Substitute resolution amending a special privilege for change of ownership to 230 Wisconsin Group Ltd for and alteration of a building façade encroaching into the public right-of-way for the premises at 234 West Wisconsin Avenue, in the 4th Aldermanic District.

Whereas, Sidney Kohl requested permission to construct and maintain metal and tile building façades projecting into the public right-of-way; and

Whereas, Permission for said building façades was granted in 1969 under Common Council File Number 69-175; and

Whereas, 230 Wisconsin Group Ltd now owns the property; and

Whereas, The applicant has removed the metal and tile building façades and constructed a replacement stucco-like façade that occupies the approximately the same area of the public right-of-way as the old façades; and

Whereas, Said altered building façade may only legally encroach into the public right-of-way by the granting of a special privilege resolution adopted by the Common Council; and

Whereas, For the liability to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 69-175 is hereby rescinded; and, be it

Further Resolved, That 230 Wisconsin Group Ltd, 12201 West Burleigh Street, #6, Milwaukee, WI 53222, is hereby granted the following special privilege:

To construct and maintain a faux stucco building façade projecting into the north, 16-foot 6-inch wide sidewalk area of West Wisconsin Avenue. The façade commences at a point approximately 49 feet west of the westline of North 2nd Street and extends 60 feet 3 inches to the west. At grade to a height of approximately 10 feet, the façade projects an average of 4 inches into the public way. The façade projects an average of 8 inches into the public way between 10 feet and 20 feet above grade. The façade projects an average of 4 inches into the public way above the 20-foot elevation excluding allowances for the second and third floor windows.

Said above-mentioned building facade shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said building facade shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, 230 Wisconsin Group Ltd shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$191.16. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- b. [080115](#) Substitute resolution amending a special privilege for change of ownership to Leon L Williamson Funeral Home Inc for a covered walk and fence and for addition of a gate in the public right-of-way for the premises at 2143-57 North 12th Street, in the 15th Aldermanic District.

Whereas, Leon Williamson requested permission to construct and maintain a covered walk, fence and wall in the public right-of-way; and

Whereas, Permission for said items was granted in 1995 under Common Council File Number 950207; and

Whereas, The wall has been removed from the public right-of-way and the fence replaced in approximately the same location as the previously existing wall and fence; and

Whereas, Leon L Williamson Funeral Home Inc now owns the property; and

Whereas, For the liability for the covered walk and fence to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; and

Whereas, A site visit revealed the presence of a gate for a garage in the public right-of-way; and

Whereas, Said gate may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council File Number 950207 is hereby rescinded; and, be it

Further Resolved, That Leon L Williamson Funeral Home Inc, 2143-57 North 12th Street, Milwaukee, Wisconsin 53205, is hereby granted the following special privileges:

1. To construct and maintain a gate in the south, 12-foot wide sidewalk area of West Garfield Avenue comprised of two gate leaves that are each 5 feet 8 inches long and supported by a bollard. The gate is located 2 feet north of the southline of West Garfield Avenue adjacent to a garage door.
2. To keep and maintain a 2-foot 6-inch tall fence in the public right-of-way. Said fence projects 2 feet 8 inches into the south, 12 foot wide sidewalk area of West Garfield Avenue, commencing at North Teutonia Avenue and extending 18 feet 4 inches to the west. Said fence projects 10 inches into the westerly, 9-foot wide sidewalk area of North Teutonia Avenue commencing at West Garfield Avenue and extending in a southerly direction for a total fence length of 66 feet, which excludes an opening for the main building entrance. Said fence projects 1 foot 4 inches into the west, 10-foot wide sidewalk area of North 12th Street commencing at North Teutonia Avenue and extending south for a total fence length of 101 feet, which excludes two driveway openings. Total area of public right-of-way enclosed by the fence is 237.65 square feet.
3. To keep and maintain a covered walk projecting 8 feet into the westerly, 9-foot wide sidewalk area of North Teutonia Avenue. Said 13-foot wide covered walk is centered approximately 36 feet southerly of the southline of West Garfield Avenue. The covered walk is supported by the building at one end and by two sets of vertical supports located approximately 2 feet and 12 feet from the curb line. The minimal vertical clearance between the skirt of the covered walk and the sidewalk below is 8 feet.

Said covered walk shall generally be constructed in accordance with the policies set forth in Common Council Resolution File Number 62-1211-a, adopted July 24, 1962. The covered walk frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot applied in any direction. No guy wire 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 the covered walks shall be indicated on 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 walks. 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 "No Parking" status adjacent to the covered walks as long as the covered walk occupies the public right-of-way.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Leon L Williamson Funeral Home Inc, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$259.22. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the

Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

c. [080116](#) Substitute resolution amending a special privilege for change of ownership to Badger Truck Center Inc for a fence and an aerial communications cable in the public right-of-way for the premises at 2301 West St. Paul Avenue, in the 8th Aldermanic District.

Whereas, SIVA Truck Leasing Inc requested permission to construct and maintain an aerial communications cable and a fence in the public right-of-way; and

Whereas, Permission for said items was granted in 1981 under Common Council Resolution File Number 77-2555-a; and

Whereas, Badger Truck Center Inc now owns the property; and

Whereas, For the liability for said items to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 79-2555-a is hereby rescinded; and, be it

Further Resolved, That Badger Truck Center Inc, PO Box 1530, Milwaukee, Wisconsin 53201, is hereby granted the following special privileges:

1. To keep and maintain an aerial communication cable crossing West St Paul Avenue to connect the properties at 2326 West St Paul Avenue and 2301 West St Paul Avenue. Said cable crosses the 70-foot wide public right-of-way of St Paul Avenue perpendicularly at a point approximately 350 feet west of the east property line of 2326 West St Paul Avenue. The cable is attached to a light pole located north

of the northline of West St Paul Avenue and crosses to a sign pole located south of the southline of West St Paul Avenue.

2. To keep and maintain a chain link fence in the south sidewalk area of West St Paul Avenue adjacent to the property at 2301 West St Paul Avenue. Said fence is located 3 feet 6 inches north of the southline of West St Paul Avenue. Said fence is approximately 388 feet long and 7 feet tall.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Badger Truck Center, Inc., shall:

Become primarily liable for damages to persons or property by reason of the granting of this special privilege.

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$1922.61. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed,

changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- d. [080173](#) Substitute resolution amending a special privilege for change of ownership to Harley-Davidson Museum LLC for underground conduit and pipe and for addition of electrical conduit, light fixtures, and clearance signage in the public right-of-way for the premises at 126 North 6th Street, in the 12th Aldermanic District.
- Whereas, H-D Milwaukee LLC requested permission to construct and maintain an underground conduit and irrigation pipe under and across West Canal Street; and
- Whereas, Permission for said underground conduit and irrigation pipe was granted in 2008 under Common Council File Number 071218; and
- Whereas, Harley-Davidson Museum LLC now owns the property; and
- Whereas, For the liability for the underground conduit and irrigation pipe to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; and
- Whereas, The applicant is requesting permission to construct and maintain additional electrical conduit, light fixtures and clearance signs all of which will be attached to the 6th Street Viaduct; and
- Whereas, The City has granted the applicant an easement for the area under the 6th Street Viaduct for the purposes of installing streetscape items; however, the easement specifically precludes the attachment of items to the 6th Street Viaduct; and

Whereas, Said additional underground conduit, light fixtures and clearance signs may only legally be attached to the 6th Street Viaduct by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council File Number 071218 is hereby rescinded; and, be it

Further Resolved, That Harley-Davidson Museum LLC, PO Box 300, Milwaukee, Wisconsin 53201-0300, is hereby granted the following special privileges:

1. To install and maintain 6 private light fixtures under the 6th Street Viaduct bridge columns located south of the Menomonee River in the vicinity of Tracer Street, a private street. Two light fixtures are attached to each of the southern bridge columns, such that there one light on the north side and one light of the south side of each column. One light fixture is attached to the southern side of each of the northern bridge columns.
2. To construct and maintain  $\frac{3}{4}$ -inch steel electrical conduit to provide power to the aforementioned light fixtures. The conduit commences at the southeast bridge column and extends west approximately 54 feet underground; then extends north 67 feet along and attached to the underside of the 6th Street Viaduct; and then extends east approximately 54 feet underground to the northeast bridge column. Total length of said conduit that is attached to the 6th Street Viaduct is approximately 90 feet.
3. To install and maintain 2 signs denoting the clearance height available to vehicles moving under the 6th Street Viaduct. The signs are bolted into the underside of the bridge deck, one each, near the east and west edges of the 6th Street Viaduct structure. Said signs are 8 feet long, 7 inches tall and 4 inches deep.
4. To keep and maintain a 1-inch diameter electrical conduit crossing under the 85-foot wide right-of-way of West Canal Street. Said conduit crosses West Canal Street at a point approximately 145 feet west of the west curblineline of North 6th Street.
5. To keep and maintain a 1-inch diameter sprinkler pipe crossing under the 85-foot wide right-of-way of West Canal Street. Said pipe crosses West Canal Street at a point approximately 145 feet west of the west curblineline of North 6th Street.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public

Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Harley-Davidson Museum LLC, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$350.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- e. [080236](#) Substitute resolution to grant a special privilege to National Real Estate Investors LLC for a door swing and three pilasters to encroach into the public right-of-way for the premises at 721 South Cesar E Chavez Drive, in the 12th Aldermanic District. Whereas, National Real Estate Investors LLC is requesting permission to construct and maintain an excess door swing in the public right-of-way; and

Whereas, A site visit revealed the presence of three pilasters in the public right-of-way; and

Whereas, Said items may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Further Resolved, That National Real Estate Investors LLC, 1614 West National Avenue, Milwaukee, Wisconsin 53204, is hereby granted the following special privileges:

1. To construct and maintain an excess door swing that, when fully open, projects 3 feet into the west, 9-foot wide sidewalk area of Cesar E Chavez Drive. Said door is centered approximately 248 feet north of the northline of West National Avenue. The door, when open, projects into the public right-of-way in excess of the 12 inches allowed under Section 245-4-8 of the Milwaukee Code of Ordinances.
2. To construct and maintain three pilasters projecting 4 inches into the west, 9-foot wide sidewalk area of Cesar E Chavez Drive. Said pilasters are 4 feet, 3 feet 4 inches, and 4 feet long and are centered approximately 250, 261, and 288 feet north of the northline of West National Avenue, respectively.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, National Real Estate Investors LLC, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$45.47. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

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



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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- f. [080290](#) Substitute resolution to grant a special privilege to Rider Hotel LLC for a retaining wall, gas meter with appurtenant piping, excess door swing and dumpsters to encroach into the public right-of-way for the premises at 500 West Florida Street, in the 12th Aldermanic District.

Whereas, The applicant is requesting permission to keep, use and maintain three dumpsters in the public right-of-way; and

Whereas, A site visit revealed the presence of a retaining wall, gas meter with appurtenant piping, and an excess door swing in the public right-of-way; and

Whereas, Said items may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Further Resolved, That Rider Hotel LLC, 1830 North Hubbard Street, Suite 700, Milwaukee, Wisconsin 53212, is hereby granted the following special privileges:

1. To keep, use and maintain three dumpsters in the public right-of-way of South 5th Street. Two of the dumpsters will be 6 feet long and 3 feet wide. The third dumpster will be 8 feet long and 6 feet wide. Said dumpsters will be located in the west half of the 76-foot wide public right-of-way of South 5th Street.
2. To construct and maintain a 1-foot wide concrete retaining wall with railing in the public right-of-way of South 5th Street centered approximately 55 feet north of the northline of West Florida Street. The retaining wall projects perpendicularly from the westline of South 5th Street 22 feet 8 inches and then turns and extends north an additional 6 feet. The wall varies in height between 3 and 5 feet. The railing is 3 feet 6 inches and is mounted to the top of the retaining wall. Total length of said retaining wall is 28 feet 8 inches.
3. To construct and maintain a gas meter with appurtenant piping projecting perpendicularly from the westline of South 5th Street 16 feet 8 inches. The 1-foot 8 -inch wide meter and piping are centered approximately 56 feet north of the northline of West Florida Street, adjacent to the aforementioned retaining wall.
4. To construct and maintain an excess door swing that, when fully open, projects 3 feet into the public right-of-way. Said door is located at the westline of South 5th

Street centered approximately 59 feet north of the northline of West Florida Street. The door projection is in excess of the 12 inches allowed under Section 245-4-8 of the Milwaukee Code of Ordinances.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Rider Hotel 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 \$5,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$130.92. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the

Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

g. [080298](#)

Substitute resolution to grant a special privilege to Palermathen LLC for a storm enclosure to encroach into the public right-of-way for the premises at 718 North Milwaukee Street, in the 4th Aldermanic District.

Whereas, The applicant is requesting permission to construct and maintain a storm enclosure in the public right-of-way; and

Whereas, Said storm enclosure may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Further Resolved, That Palermathen LLC, 1522 North Prospect Avenue, #802, Milwaukee, Wisconsin 53202, is hereby granted the following special privilege:

To construct and maintain a storm enclosure projecting 3 feet into the east, 16-foot 6-inch wide sidewalk area of North Milwaukee Street. Said storm enclosure is located approximately 140 feet north of the northline of North Milwaukee Street. There will be a 3-foot wide door swing on the west wall of the storm enclosure.

The storm enclosure frame shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot applied in any direction. No guy wires, brackets, or diagonal braces shall be permitted.

All fixtures and materials for illumination of storm enclosures shall be indicated upon the construction plans and approved prior to construction. No sign or advertising device shall be hung from, attached to, printed, or painted on any part of the covered walk. The business may be indicated only on the upper portion of the covering, near the roofline, and not to exceed 8 inches in height.

Said above-mentioned storm enclosure shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said storm enclosure shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Palermathen LLC, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$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 and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- h. [080301](#) Substitute resolution amending a special privilege for change of ownership to GE Healthcare, Inc. for encroachment into the public right-of-way of underground cable and aerial cabling for the premises at 8200 West Tower Avenue, in the 9th Aldermanic District.

Whereas, Marquette Electronics, Inc. requested permission to install and maintain underground and aerial data cabling in the public right-of-way; and

Whereas, Permission for said underground and aerial cabling was granted in 1983 under Common Council File Number 83-520-a; and

Whereas, GE Healthcare, Inc. now owns the property; and

Whereas, For the liability to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 83-520-a is hereby rescinded; and, be it

Further Resolved, That GE Healthcare, Inc., 8200 West Tower Avenue, Milwaukee, WI 53223, is hereby granted the following special privileges:

1. To keep and maintain underground and aerial cable within the public right-of-way of the east side of North 91st Street, including attachment to WEPCO poles located as follows:

a. An underground cable run commencing at the eastline of North 91st Street at a point approximately 279 feet north of the center line of West Brown Deer Road and extending west, 25 feet to a WEPCO pole, where it rises up the pole.

b. An aerial cable run commencing at the aforementioned pole, then extending south approximately 781 feet to a WEPCO pole located approximately 50 feet north of the northline of the Chicago and North Western Transportation Company right-of-way, where it descends below grade. Said cable is supported between its end points by five other WEPCO poles.

c. An underground cable run commencing from the WEPCO pole, mentioned above, located approximately 50 feet north of the northline of the Chicago and North Western Transportation Company right-of-way, then extending east 15 feet to a point, then extending south, parallel to and 48 feet east of the center line of West Brown Deer Road, a distance of approximately 395 feet where it then extends 10 feet east onto private property.

2. To keep and maintain an underground cable under and across the 70-foot right-of-way of West Fairlane Avenue at a point approximately 479 feet east of the eastline of North 84th Street. Said cable is buried at a minimum depth of 3 feet.

Said above-mentioned underground and aerial cabling shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said underground and aerial cabling shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege, the grantee, GE Healthcare, Inc. shall:

Become primarily liable for damages to persons or property by reason of the granting of this special privilege.

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000.00 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$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 own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$1296.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

Department of Public Works

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- i. [080435](#) Substitute resolution amending a special privilege to Marquette University to construct and maintain additional steam pipe and two chiller pipes in the public right-of-way for the university campus at and adjacent to 1801 West Wisconsin Avenue, in the 4th Aldermanic District.

Whereas, Marquette University had requested permission for heating, electrical and communications conduit in various public rights-of-way to serve buildings on the university campus; and

Whereas, Permission for said items was granted under Common Council Resolution File Number 010578 in 2007; and

Whereas, Marquette University is currently requesting permission to construct and maintain an additional steam pipe and two chiller pipes; and

Whereas, Said steam pipe and chiller pipes may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 010578 is hereby rescinded; and, be it

Further Resolved, That Marquette University, c/o Facilities Services, 517 North 14th Street, Milwaukee, Wisconsin 53233 is hereby granted the following special privileges:

1. To construct and maintain a 12-inch diameter steam pipe under and across the 60-foot wide right-of-way of North 13th Street at a point approximately 165 feet north of the northline of West Wisconsin Avenue. Said pipe is located 5 feet 6 inches below grade.
2. To construct and maintain two 14-inch diameter chiller pipes under and across the 100-foot wide public right-of-way of West Wisconsin Avenue. Said pipes are centered approximately 193 feet west of the westline of North 12th Street and will be located 18 feet below grade.
3. To construct and maintain eight 4-inch diameter conduits encased in a 34-inch wide and 18-inch high concrete box commencing at the intersection of the eastline of North 18th Street and the northline of West Wisconsin Avenue and, then, extending south 110 feet under and across West Wisconsin Avenue to a point approximately 10 feet south of the southline of West Wisconsin Avenue on the eastline of North 18th Street and, then, extending west 62 feet under and across North 18th Street to a point approximately 15 feet south of the southline of West Wisconsin Avenue at the westline of North 18th Street. Said underground conduits will be approximately 2 feet below grade. Total length of said conduit in the public right-of-way is 182 feet.
4. To keep and maintain a 4-inch diameter conduit under and across the 60-foot right-of-way of North 13th Street approximately 192 feet north of the northline of West Wells Street. Said conduit is approximately 30 inches below grade.
5. To keep and maintain six 4-inch diameter conduits encased in concrete extending under and across North 16th Street located approximately 2 feet below finished grade beginning at a point on the west side of North 16th Street, approximately 203 feet north of the northline of West Wisconsin Avenue, then extending easterly for a distance of approximately 60 feet under the public right-of-way to a point on the east side of North 16th Street.



6. To keep and maintain six 4-inch diameter conduits encased in concrete extending under and diagonally across North 17th Street located approximately 2 feet below finished grade beginning at a point on the west side of North 17th Street, approximately 187 feet north of the northline of West Wisconsin Avenue, then extending northeasterly for a distance of approximately 60.2 feet under the public right-of-way to a point located approximately 192 feet north of the northline of West Wisconsin Avenue.

7. To keep and maintain four 3-inch and two 4-inch diameter conduits encased in concrete extending under and across North 18th Street located approximately 2 feet below finished grade beginning at a point on the east side of North 18th Street, approximately 207 feet south of the southline of West Wells Street, then extending westerly for a distance of approximately 60 feet under the public right-of-way to a point on the west side of North 18th Street.

8. To keep and maintain six 4-inch diameter conduits encased in concrete extending under and diagonally across North 19th Street located approximately 2 feet below finished grade beginning at a point on the west side of North 19th Street, approximately 175.5 feet north of the northline of West Wisconsin Avenue, then extending southeasterly for a distance of approximately 60.06 feet under the public right-of-way to a point approximately 172.8 feet north of the northline of West Wisconsin Avenue.

9. To keep and maintain six 4-inch diameter electrical conduits encased in concrete extending under and diagonally across West Wisconsin Avenue located approximately 5 feet below finished grade and extending from a point along the northline of West Wisconsin Avenue, approximately 15 feet east of the eastline of North 13th Street, in a southeasterly direction, to a point along the southline of West Wisconsin Avenue into a manhole located on private property covering a total distance of approximately 169.61 feet under the public right-of-way.

10. To keep and maintain four 4-inch diameter electrical conduits encased in concrete located approximately 2 feet below finished grade, extending for a distance of approximately 4 feet south from the building at 729 North 11th Street into the east-west alley bounded by West Wells Street, West Wisconsin Avenue, North 11th Street and North 12th Street, approximately 4 feet west of the westline of North 11th Street to a manhole, then continuing east for a distance of approximately 4 feet to the westline and 70 feet directly across North 11th Street, approximately 162 feet north of the northwest corner of North 11th Street and West Wisconsin Avenue, to a manhole at or near the eastline of North 11th Street for a total distance of 78 feet under the public rights-of-way.

11. To keep and maintain six 4-inch diameter conduits encased in concrete located

approximately 2 feet below finished grade extending from a point approximately 152 feet north of the northline of West Wisconsin Avenue on the westline of North 13th Street then crossing 30 feet to the centerline of North 13th Street, then continuing in a southeasterly direction for approximately 30 feet to the eastline of North 13th Street for a distance of approximately 60 feet under the public right-of-way, then connecting to a manhole located approximately 2 feet east of the eastline of North 13th Street on private property.

12. To keep and maintain four 4-inch diameter electrical conduits encased in concrete located approximately 2 feet below finished grade. Said conduit commences from a point on the westline of North 12th Street located approximately 184 feet north of the northline of West Wisconsin Avenue then extending east crossing North 12th Street for a distance of approximately 70 feet under the public right-of-way to the eastline of North 12th Street.

13. To keep and maintain six 4-inch diameter electrical conduits encased in concrete under and across West Wisconsin Avenue located approximately 2.5 feet below finished grade. Said conduit is located approximately 125 feet west of the northline of North 15th Street covering a total distance of approximately 100 feet under the public right-of-way.

14. To keep and maintain one 15-inch diameter heating pipe with one 4-inch diameter return pipe both encased in concrete under and across West Wisconsin Avenue located approximately 5 feet below finished grade. Said conduit is located approximately 155 feet west of North 15th Street covering a total distance of approximately 100 feet under the public right-of-way.

15. To keep and maintain one 12-inch diameter steam heating pipe and a group of six 4-inch diameter electrical conduits located under and directly across North 16th Street, approximately 2.5 feet below finished grade. Said conduit is located approximately 249 feet north of the northline of West Clybourn Street covering a total distance of approximately 60 feet under the public right-of-way. Each type of facility is encased in concrete.

16. To keep and maintain six 4-inch diameter conduits encased in a 22-inch wide and 16-inch high concrete box extending under and across North 16th Street located approximately 2 feet below finished grade beginning at a point on the eastline of North 16th Street, located approximately 184 feet north of the northline of West Wells Street, then crossing west for a distance of approximately 60 feet under the public right-of-way to a point on the westline of North 16th Street, located approximately 184 feet north of the northline of West Wells Street.

17. To keep and maintain six 4-inch diameter conduits encased in a 22-inch wide and

16-inch high concrete box extending under and across West Wells Street located approximately 2 feet below finished grade beginning at a point on the southline of West Wells Street, located approximately 171 feet east of the eastline of North 16th Street, then crossing northerly for a distance of approximately 79.18 feet under the public right-of-way to a point on the northline of West Wells Street, located approximately 134 feet east of the eastline of North 16th Street.

18. To install and maintain six 4-inch diameter conduits encased in a 22-inch wide and 16-inch high concrete box extending under and across West Wells Street located approximately 2 feet below finished grade beginning at a point on the southline of West Wells Street, located approximately 135 feet east of the eastline of North 18th Street, crossing easterly for a distance of approximately 70.86 feet under the public right-of-way to a point on the northline of West Wells Street located approximately 146 feet east of the eastline of North 18th Street.

19. To install and maintain six 4-inch diameter conduits encased in a 22-inch wide and 16-inch high concrete box extending under and across the east-west alley bounded by North 19th Street, West Wisconsin Avenue and West Wells Street. Said conduits shall be located approximately 2 feet below finished grade beginning at a point on the south side of the alley, located approximately 111 feet west of the westline of North 18th Street, then crossing north for a distance of approximately 15 feet under the public right-of-way to a point on the north side of the alley, located approximately 111 feet west of the westline of North 18th Street.

20. To install and maintain four 4-inch diameter conduits encased in concrete located approximately 2 feet below finished grade. Conduit commences at a point approximately 152 feet north of the northline of West Wisconsin Avenue, then crossing from the westline of North 13th Street directly to the eastline of North 13th Street for a distance of approximately 60 feet under the public right-of-way, then connecting to a manhole located on private property approximately 2 feet east of the eastline of North 13th Street.

21. To install and maintain six 4-inch diameter conduits encased in a 22-inch wide and 16-inch high concrete box extending under and across North 15th Street located approximately 2 feet below finished grade beginning at a point on the eastline of North 15th Street, located approximately 70 feet north of the northline of West Wells Street, then crossing west for a distance of approximately 60 feet under the public right-of-way to a point on the westline of North 15th Street, located approximately 70 feet north of the northline of West Wells Street.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special

privilege.

Said items shall be maintained or removed from the public right-of-way, at such future time as it is no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Marquette University, shall:

Become primarily liable for damages to persons or property by reason of the granting of this special privilege.

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$10,000.00 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$2855.95. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the

Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Not now or in the future use the cable communication facility in a manner that will conflict with the provisions of Chapter 99 of the Code of Ordinances regarding the transmission and distribution of video entertainment programming to subscribers.

Join and continue to be a member of Digger's Hotline, the one call system that operates in the Milwaukee area, as long as there are private underground facilities in the public right-of-way as required in Section 182.0175(lm)(6) of the Wisconsin Statutes.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- j. [080509](#) Substitute resolution amending a special privilege for change of ownership to Water Street Lofts Condominium Association Inc for a retaining wall and barrier free access ramp and for addition of bollards in the public right-of-way for the premises at 210 South Water Street, in the 12th Aldermanic District.
- Whereas, Water Street Development Corporation requested permission to construct a concrete retaining wall and barrier free access ramp in the public right-of-way; and
- Whereas, Permission for said retaining wall and barrier free access ramp was granted in 2004 under Common Council Resolution File Number 031091; and
- Whereas, Water Street Lofts Condominium Association Inc is condominium association for the property; and
- Whereas, For the liability to be formally transferred to the condominium association for the property, the Common Council needs to adopt an amending resolution; and
- Whereas, A site visit revealed the presence of bollards in the public right-of-way; and
- Whereas, Said bollards may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that Common Council

Resolution File Number 031091 is hereby rescinded; and, be it

Further Resolved, That Water Street Lofts Condominium Association Inc, 16535 West Blue Mound Road, Suite 120, Brookfield, WI 53005 is hereby granted the following special privileges:

1. To keep and maintain a concrete retaining wall with metal railing in the west, variable width sidewalk area of East Pittsburgh Avenue. The wall commences at a point approximately 8 feet east of the eastline of South Water Street and extends 90 feet east where it connects to the North Broadway Bridge over the Menomonee River. Said 1-foot wide retaining wall runs parallel and approximately 5 feet southerly of the northerly line of East Pittsburgh Avenue.
2. To keep and maintain a barrier free access ramp in the variable width, west sidewalk area of East Pittsburgh Avenue. The barrier free access ramp commences at a point approximately 8 feet east of the eastline of South Water Street and extends east to the Riverwalk. Said barrier free access ramp is located between the northline of East Pittsburgh Avenue and the aforementioned retaining wall, which is located 5 feet south of the northline of East Pittsburgh Avenue, such that there is a minimum width of 5 feet available for pedestrian usage.
3. To install and maintain two, 6-inch diameter bollards to protect a gas service pipe located on private property. Said 5-foot tall bollards are located 6 inches west of the eastline of South Water Street and are centered about a point approximately 6 feet west of the westline of East Pittsburgh Street.
4. To install and maintain two, 8-inch diameter bollards located 4 inches west of the eastline of South Water Street. Said 4-foot tall bollards area centered approximately 60 and 73 feet north of the northline of East Pittsburgh Avenue.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Water Street Lofts Condominium Association 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 \$10,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$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 own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$428.27. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

k. [080510](#) Substitute resolution amending a special privilege for change of ownership to El Charro Beverages, Inc for encroachment into the public right-of-way for concrete curbing, light poles with appurtenant electrical conduit and bollards for the premises at 1207 South Cesar E. Chavez Drive, in the 12th Aldermanic District.

Whereas, Adhan Ahmad requested permission to construct concrete curbing and to maintain light poles with appurtenant electrical conduit and bollards in the public right-of-way; and

Whereas, Permission for said items was granted in 2005 under Common Council Resolution File Number 021052; and

Whereas, El Charro Beverages, Inc now owns the property; and

Whereas, For the liability to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 021052 is hereby rescinded; and, be it

Further Resolved, That El Charro Beverages, Inc, 1207 South Cesar E. Chavez Drive, Milwaukee, WI 53204 is hereby granted the following special privileges:

1. To keep, use and maintain a concrete barrier curb, which serves the same function as a fence, in the south, 16-foot wide sidewalk area of West Scott Street. Said 8-inch tall commences at a point approximately 3 feet west of the westline of South Cesar E Chavez Drive and extends 118 feet west. Said curb runs parallel and 3 feet 2 inches north of the southline of West Scott Street except where it turns onto private property at the east and west ends of the curb and at the east and west side of a driveway opening. Total length of said curbing excluding the driveway opening is 98 feet.
2. To keep and maintain two light poles with appurtenant electrical conduit within the south, 16-foot wide sidewalk area of West Scott Street. Said light poles are centered approximately 42 and 118 feet west of the westline of South Cesar E. Chavez Drive and 1 foot 6 inches north of the southline of West Scott Street. The light poles are 17 feet tall and mounted onto concrete bases 2 feet in diameter. The electrical conduit is located between the southline of West Scott Street and the aforementioned concrete curb.
3. To keep and maintain five concrete-filled bollards in the south, 16-foot wide sidewalk area of West Scott Street. Said bollards are centered approximately 6 inches north of the southline of West Scott Street and 44, 50, 70, 115 and 121 feet west of the westline of South Cesar E. Chavez Drive. Two bollards protect each of the two aforementioned light poles and the fifth light pole is located on the west side of



the driveway. The bollards are 4 inches in diameter and 4 feet 6 inches tall.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, El Charro Beverages, 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 \$5,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$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 own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$607.32. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- L. [080511](#) Substitute resolution amending a special privilege to River View Lofts, LLC for addition of a non-code compliant awning encroaching in the public right-of-way for the premises at 245-49 North Water Street, in the 4th Aldermanic District.
- Whereas, River View Lofts, LLC requested permission to install a non-code compliant fixed awning and to keep two sets of double doors in the public right-of-way; and
- Whereas, Permission for said items was granted under Common Council Resolution File Number 061523 in 2007; and
- Whereas, The applicant is presently requesting permission to install an additional non-code compliant fixed awning in the public right-of-way; and
- Whereas, The new fixed awning will not slope away from the building at an angle between 30 and 45 degrees from the horizontal, in violation of Section 245-7-6-d of the Milwaukee Code of Ordinances; and
- Whereas, Said non-code compliant fixed awning may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 061523 is hereby rescinded; and, be it
- Further Resolved, That, River View Lofts, LLC, 117 North Jefferson Street, Suite 200, Milwaukee, Wisconsin 53202 is hereby granted the following special privileges:
1. To construct and maintain a non-code compliant fixed awning in the south 9-foot wide sidewalk area of East Buffalo Street. The awning will commence at a point

approximately 90 feet west of the westline of North Water Street and will extend 27 feet to the west. The awning will project 6 feet into the public right-of-way and have a minimum elevation of 8 feet. The awning will not slope away from the building at an angle between 30 and 45 degrees from the horizontal in violation of Section 245-7-6-d of the Milwaukee Code of Ordinances.

2. To keep and maintain a non-code compliant fixed awning in the south, 9-foot wide sidewalk area of East Buffalo Street. Said 13-foot long awning is centered at a point approximately 81 feet west of the westline of North Water Street. The awning projects 4 feet into the public right-of-way. Said awning does not slope away from the building at an angle between 30 and 45 degrees from the horizontal, in violation of Section 245-7-6-d of the Milwaukee Code of Ordinances.

3. To keep and maintain two sets of double doors, each comprised of two 3-foot wide doors. Said doors project 3 feet into the south 9-foot wide sidewalk area of East Buffalo Street in excess of the 12 inches allowed under Section 245-4-8 of the Milwaukee Code of Ordinances. Said double doors are centered approximately 68 and 81 feet west of the westline of North Water Street.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, River View Lofts, LLC, shall:

Become primarily liable for damages to persons or property by reason of the granting of this special privilege.

File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the

special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

Pay to the City Treasurer an annual fee, which has an initial amount of \$122.59. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- m. [080513](#) Substitute resolution amending a special privilege for change of ownership to Teresa Espitia for encroachment into the public right-of-way of a retaining wall and steps for the premises at 1222 West Washington Street, in the 12th Aldermanic District.
- Whereas, Eloisa Rivas requested permission to construct and maintain a retaining wall and steps in the public right-of-way; and
- Whereas, Permission for said items was granted in 1979 under Common Council File Number 79-736; and
- Whereas, Teresa Espitia now owns the property; and

Whereas, For the liability to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 79-736 is hereby rescinded; and, be it

Further Resolved, That Teresa Espitia, 1222 West Washington Street, Milwaukee, WI 53204, is hereby granted the following special privileges:

1. To keep and maintain a retaining wall in the north, 16-foot wide sidewalk area of West Washington Street. The first section of retaining wall commences at a point approximately 219 feet west of the westline of South 12th Street and 11 inches south of the northline of West Washington Street; extends south 4 feet; then extends east 20 feet 7 inches; and then extends north 4 feet 3 inches. The second section of retaining wall commences at a point approximately 194 feet west of the westline of South 12th Street at the northline of West Washington Street; extends south 4 feet 11 inches; extends east 6 feet 10 inches; and then extends north 4 feet 3 inches. Both sections of retaining wall are 2 feet 3 inches tall and 8 inches thick. The total area of retaining wall in the public way is 28.24 square feet.

2. To keep and maintain a set of concrete steps in the north sidewalk area of West Washington Street. Said steps project 1 foot 7 inches into the north 16-foot wide sidewalk area and are 4 feet 5 inches wide. Said steps are centered approximately 196 feet west of the westline of South 12th Street.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Teresa Espitia shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.

2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such

bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$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 own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee, which has an initial amount of \$37.73. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- n. [080598](#) Substitute resolution amending a special privilege for change of ownership to David Jorgensen LLC and Craig Jorgensen LLC for a fence in the public right-of-way for the premises at 236 South Water Street, in the 12th Aldermanic District.
- Whereas, Admiral's Warf Inc requested permission to construct and maintain a fence in the public right-of-way; and

Whereas, Permission for said fence was granted in 1980 under Common Council File Number 80-1337; and

Whereas, David Jorgensen LLC and Craig Jorgensen LLC now own the property; and

Whereas, For the liability for the fence to be formally transferred to the current property owners, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council File Number 80-1337 is hereby rescinded; and, be it

Further Resolved, That David Jorgensen LLC and Craig Jorgensen LLC, W233 N2847 Round Circle West, Pewaukee, Wisconsin 53072, are hereby granted the following special privilege:

To keep and maintain a fence in the east sidewalk area of South Water Street commencing at a point 1-foot south of the southline of East Pittsburgh Avenue and projecting south approximately 76 feet to an angle point. Said fence runs parallel and 5 feet west of the eastline of South Water Street within the 10-foot wide sidewalk area. From the angle point the fence continues south approximately 170 feet, running parallel and 10 feet west of the eastline of South Water Street within the 15-foot wide sidewalk area.

Said above-mentioned fence shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said fence shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantees, David Jorgensen LLC and Craig Jorgensen 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 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee, which has an initial amount of \$2096.60. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

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

5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

- o. [080606](#) Substitute resolution amending a special privilege for change of ownership to Mark Clough for a concrete step and excess door swing and addition of an air conditioner and vent pipes in the public right-of-way for the premises at 3935 West Vliet Street, in the 15th Aldermanic District.



Whereas, Westside Development Corporation requested permission to construct and maintain a concrete platform with step in the public right-of-way; and

Whereas, Permission for said concrete platform with step was granted in 1982 under Common Council File Number 82-543; and

Whereas, Said concrete platform with step was never built, but the concrete step and excess door swing that were at the proposed location still exists; and

Whereas, Mark Clough now owns the property; and

Whereas, For the liability for the concrete step and door swing to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; and

Whereas, A site visit revealed the presence of vent pipes and an air conditioner in the public right-of-way; and

Whereas, Said vent pipes and air conditioner may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council File Number 82-543 is hereby rescinded; and, be it

Further Resolved, That Mark Clough, 3935 West Vliet Street, Milwaukee, Wisconsin 53208, is hereby granted the following special privileges:

1. To install and maintain an air conditioner projecting 1 foot into the east, 15-foot wide sidewalk area of North 40th Street. Said 2-foot wide air conditioner is centered approximately 45 feet south of the southline of West Vliet Street and is, at minimum, 7 feet above the adjacent sidewalk grade.
2. To construct and maintain three vent pipes in the east, 15-foot wide sidewalk area of North 40th Street. Said pipes are located approximately 32 feet south of the southline of West Vliet Street at grade. Two of said pipes are 4 inches in diameter and one is 3 inches in diameter.
3. To keep and maintain a concrete step projecting 1 foot 3 inches into the east, 15-foot wide sidewalk area of North 40 Street. Said 3-foot 10-inch long concrete step is centered approximately 38 feet south of the southline of West Vliet Street.
4. To keep and maintain an excess door swing that, when fully open, projects 2 feet

2 inches into the east, 15-foot wide sidewalk area of North 40th Street. Said door is centered approximately 38 feet south of the southline of West Vliet Street and opens over the concrete step mentioned above. Said door, when fully open, projects in excess of the 12 inches allowed under Section 245-4-8 of the Milwaukee Code of Ordinances.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Mark Clough, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

2. [071680](#) Substitute resolution vacating the north-south alley in the block bounded by West Garfield Avenue, West North Avenue, North 7th Street and North 8th Street, in the 6th Aldermanic District.

Whereas, It is proposed that the north-south alley in the block bounded by West Garfield Avenue, West North Avenue, North 7th Street and North 8th Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

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

Whereas, That as provided by Section 62.73, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

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

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

That part of the north-south 15-foot wide alley as platted in Block 210 of Houghton's Addition, a recorded subdivision, in the Northwest 1/4 of Section 20, Township 7 North, Range 22 East, lying between a line 133.33 feet south of and parallel to the north line of said 1/4 Section and a line 5.00 feet north of and parallel to the north line of West Garfield Avenue extended is vacated; and, be it

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

Further Resolved, That the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation and when a money deposit is required, it must be deposited prior to implementing said actions; and, be it

Further Resolved, That as provided by Section 62.73, Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said alley had not been vacated.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

3. [080743](#) Resolution declaring the former Army Reserve site at 2372 South Logan Avenue surplus to municipal needs and directing the Department of City Development to market the property for redevelopment, in the 14th Aldermanic District.
- Whereas, On August 6, 2008, the Board of Harbor Commissioners declared the former Army Reserve site at 2372 South Logan Avenue surplus to Port of Milwaukee needs and asked the Department of Public Works (“DPW”) to work with the Department of City Development (“DCD”) to evaluate whether the property is suitable for another municipal function, or whether it should be marketed for private redevelopment; and
- Whereas, DPW has notified DCD that the former Army Reserve site at 2372 South Logan Avenue is no longer needed by the City of Milwaukee (“City”) and no other municipal need exists for the property; and
- Whereas, DCD proposes to market the property for redevelopment according to established criteria, a copy of which is attached to this Common Council File; and

Whereas, Upon publication of a Request for Proposal and receipt of an acceptable development proposal, DCD will present to the Common Council for approval the buyer and proposal that best meets the established criteria; and

Whereas, The City Plan Commission has determined that the former Army Reserve site at 2372 South Logan Avenue is surplus to municipal needs; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the former Army Reserve site at 2372 South Logan Avenue is declared surplus to municipal needs; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is directed to advertise a Request for Proposal according to the established criteria and, upon receipt of development proposals, to make a recommendation to the Common Council for the proposal that best meets said criteria; and, be it

Further Resolved, That at such time as the property is sold, the sale proceeds, less marketing and closing expenses and a 30 percent reimbursement to the Redevelopment Authority of the City of Milwaukee, shall be returned to the General Fund.

**Sponsors:** Ald. Zielinski

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

4. [080807](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes with the City cost of these projects approved by this resolution is estimated to be \$9,525,237.20 for a total estimated cost of \$16,499,000.00.

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

2nd, 5th and 10th Aldermanic Districts

N. 76th St. (STH 181) - W. Center St. to W. Appleton Ave. (Portions in the City of Wauwatosa) (ST320061001) (2140-11-70) File Number 041289: Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway

approaches where necessary, sodding, grading, and tree removal where necessary. (Grantor Paving Non-Reimbursable Fund Milwaukee -- \$7,401,775; Grantor Paving Non-Reimbursable Fund Wauwatosa -- \$261,905; Grantor Paving Reimbursable Fund Milwaukee -- \$1,155,520; Non-Assessable Paving Fund -- \$629,700; Assessable Paving Fund -- \$50,000; Grantor Reimbursable Paving Fund Wauwatosa -- \$22,100). These funds are to be transferred to the construction account (ST320061010) (2140-11-70).

Previously authorized for bridge and street construction: \$0.00

Current estimated cost of the total project prior to this resolution: \$11,499,000.00

Original estimated cost of the total project (Resolution #030836): \$11,499,000.00

This project is anticipated to be completed during the 2009 construction season.

5th and 9th Aldermanic Districts

W. Good Hope Rd. - N. 76th St. to N. 107th St. (Phase III) (ST320071510):

Asphalt pavement resurfacing; replace curb and gutter, and sidewalk.

(City Share Non-assessable Paving Fund -- \$1837.20; City Share Assessable Paving Fund -- \$2400.00 )

These additional funds are to be transferred to the construction account (ST320071510)

Resolution 071073 authorized the cost sharing agreement with Milwaukee County for the majority of the construction. This sets up the funds for the sidewalk construction between North 51st St and North 91st Street in areas that currently do not have sidewalks which is funded 100 percent by the City of Milwaukee.

Previously authorized for street construction: \$80,872.00

Current estimated cost of the total project including this resolution: \$ 5,000,000.00.

Original estimated cost of the total project File Number 071073 \$ 5,000,000.00.

This project is anticipated to be completed during the 2009 construction season.

; and

Whereas, The report of the Commissioner of Public Works has been filed with the

City Clerk; and

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

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

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

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

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

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

Further Resolved, That the City Engineer and the Commissioner of Public Works are hereby authorized to negotiate and enter into an agreement with the State of Wisconsin, Department of Transportation for the City to undertake construction management duties on the following projects: N. 76th St. (STH 181) (ST320061001); and, be it

Further Resolved, That the City Engineer is authorized and directed to approve and make periodic payments to the State of Wisconsin, Department of Transportation after receipt of invoices from said State for the city's share of the costs for said projects: N. 76th St. (STH 181) (ST320061001); and, be it

Further Resolved, That upon the completion of projects: N. 76th St. (STH 181) (ST320061001) and W. Good Hope Rd. (ST320071510) and a determination of the actual costs, it is understood that if the City of Milwaukee's share is less than the amount previously paid, the difference will be refunded to said City; and, be it

Further Resolved, That the Department of Public Works is authorized to use the

funding as specified in the above description of work; and, be it

Further Resolved, That projects N. 76th St. (STH 181), ST320061001 and W. Good Hope Rd. (ST320071510) will be billed after January 1, 2011, but not before 12 months after the project contract has been completed.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

5. [080808](#) Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$65,000 for a total estimated cost of these projects being \$484,000.

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

5th Aldermanic District

N. Lovers Lane Rd. - W. Silver Spring Dr. to a point north of W. Silver Spring Rd. (ST211080101) File Number 080122: Asphalt surface overlay, replace curb and gutter, sidewalk and driveway approaches where needed, sodding. (Nonassessable Reconstruction Paving Fund -- \$60,000 Additional Funds). The total estimated cost for this project including the requested amount is \$380,000. This project is anticipated to be completed during the 2008 construction season.

11th Aldermanic District

Alley between W. Cleveland Ave., W. Harrison Ave., S. 71st St. and S. 72nd St. (Portions in the City of West Allis) (ST212020103): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. Nonassessable Alley Paving Fund -- \$5,000). The total estimated cost for this project including the requested amount is \$104,000. This project is anticipated to be completed during the 2009 construction season.



; and, be it

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

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

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

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

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

6. [080809](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$120,000 for a total estimated cost of these projects being \$2,471,000.

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

3rd Aldermanic District

N. Downer Ave. - E. Locust St. to E. Kenwood Blvd. (SM495070103) File Number 071055: Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000 Additional Funds). The total estimated cost for this project including the requested amount is \$421,000. This project is anticipated to be completed during the 2009 construction season.

N. Prospect Ave. - 180 feet m/l south of E. Park Pl. to E. Kenwood Blvd. (SM495070063) File Number 070266: Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000 Additional Funds). The total estimated cost for this project including the requested amount is \$687,000. This project is anticipated to be completed during the 2009 construction season.

#### 8th Aldermanic District

W. Canal St. Viaduct Drainage Adjustment - W. Greves St. to a point 250 feet west (ST211080150): Downspouts, grading, construction of a new trap catch basin. The total estimated cost for this project is \$33,100. This project is anticipated to be completed during the 2008 construction season.

W. Forest Home Ave. - W. Becher St. to W. Lincoln Ave. (SM495080060): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$401,000. This project is anticipated to be completed during the 2009 construction season.

S. 23rd St. - W. Lincoln Ave. to W. Forest Home Ave. (SM495080061): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$138,000. This project is anticipated to be completed during the 2009 construction season.

S. 26th St. - W. National Ave. to W. Mineral St. (SM495080063): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$106,000. This project is anticipated to be completed during the 2009 construction season.

#### 10th Aldermanic District

W. Center St. - N. 63rd St. to N. 67th St. (SM495080062): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$245,000. This project is anticipated to be completed during the 2009 construction season.

N. 54th St. - 300 feet m/l north of W. Wells St. to W. Wells St. (SM495080059): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$90,000. This project is anticipated to be completed during the 2009 construction season.

#### 12th and 14th Aldermanic Districts

S. 9th Pl. - W. Harrison Ave. to W. Cleveland Ave. (SM495070194): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$103,000. This project is anticipated to be completed during the 2009 construction season.

13th Aldermanic District

W. Birchwood Ave. - S. Madeline Ave. to 115 feet southwest of S. Madeline Ave. (WT410091038): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$35,000. This project is anticipated to be completed during the 2009 construction season.

14th Aldermanic District

E. Clarence St. - S. Burrell St. to S. Howell Ave. (SM495080058): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$137,000. This project is anticipated to be completed during the 2009 construction season.

15th Aldermanic District

W. Center St. - N. 8th St. to N. 9th St. (SM495080056): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$10,000). The total estimated cost for this project including the requested amount is \$75,000. This project is anticipated to be completed during the 2009 construction season.

;and, be it

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

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

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

7. [080815](#) Resolution authorizing the transfer of a City-owned vacant lot at 2113 West Van Norman Avenue from the Department of City Development to the Department of Public Works for the construction of utility facilities, in the 13th Aldermanic District. Whereas, The Department of Public Works (“DPW”) desires to use the City-owned neighborhood property at 2113 West Van Norman Avenue (“Property”) for installation of an electrical transformer to provide street lighting to the Wilson Park neighborhood; and

Whereas, The Property was acquired through In-Rem foreclosure on January 25, 1965 and is under the jurisdiction of the Department of City Development (“DCD”); and

Whereas, The Property has no development potential due to its small size and location; and

Whereas, DCD has reviewed DPW’s proposal and agrees to the transfer of jurisdiction of the Property to DPW along with all maintenance responsibilities; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the jurisdiction for the property at 2113 West Van Norman Avenue is transferred to DPW.

**Sponsors:** Ald. Witkowski

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

8. [080832](#) Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$33,100 for a total estimated cost of these projects being \$33,100.

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:

8th Aldermanic District

W. Canal St. Viaduct Drainage Adjustment - W. Greves St. to a point 250 feet west (ST211080150) File Number 080809. Downspouts, grading, construction of a new trap catch basin. (Nonassessable Reconstruction Paving Fund -- \$33,100). The total estimated cost for this project including the requested amount is \$33,100. This project is anticipated to be completed during the 2008 construction season.

now, therefore, be it

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

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

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

9. [080843](#) Resolution authorizing the Commissioner of Public Works to execute a Revised Project Agreement titled "State/Municipal Agreement for a Highway Improvement Project" between the City of Milwaukee and Wisconsin Department of Transportation associated with the bridge rehabilitation of the North Teutonia Avenue Bridge over West Silver Spring Drive with 80 percent Federal and/or State aid under the Local Bridge Replacement Program.

Whereas, The Common Council of the City of Milwaukee adopted Resolution File Number 071479 authorizing and directing the Commissioner of Public Works to execute an agreement with the Wisconsin Department of Transportation (WISDOT) for bridge rehabilitation of the North Teutonia Avenue Bridge over West Silver Spring Drive with 80 percent Federal and/or State aid under the Local Bridge Replacement Program; and

Whereas, The construction costs for the bridge rehabilitation were within estimate but the accompanying Hazard Elimination Safety (HES) improvement to the interchange was under funded; and

Whereas, The HES project federal funding was capped resulting in construction costs in excess of this amount to be the responsibility of the City of Milwaukee; and

Whereas, The WISDOT has agreed the eligible HES construction costs could be included under the Local Bridge Replacement Program, which would allow 80 percent federal/state funding participation.

Whereas, The WISDOT has submitted a Revised Project Agreement that includes additional funding for the construction associated with the HES and bridge rehabilitation for City execution; and

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized to execute the Revised Project Agreement updating and revising the construction costs associated with the bridge rehabilitation of the North Teutonia Avenue Bridge over West Silver Spring Drive with 80 percent Federal and/or State aid under the Local Bridge Replacement Program, a copy of which is attached to Common Council File Number 080843 and incorporated in this resolution as though set forth therein in full.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

10. [080844](#) Resolution relative to the cost participation under the 2008 Safe Routes to School Program for the installation of traffic control signal improvements at the intersections of West Forest Home Avenue, West Oklahoma Avenue, and South 43rd Street in the 8th and 11th Aldermanic Districts at a total estimated cost of \$51,189.31 with one hundred percent of the total cost funded by the Wisconsin Department of Transportation.

Whereas, The Project Agreement for the installation of pedestrian and bicycle improvements for Manitoba Elementary School under the 2008 SRTS Program was approved by the Common Council under File Number 061546; and,

Whereas, The total estimated cost of the installation of traffic control signal improvements in conjunction with the project is \$51,189.31; and

Whereas, One hundred percent of the participating project cost, or \$51,189.31, is reimbursable from the Wisconsin Department of Transportation (WISDOT), and should be earmarked for this project in the 2008 Capital Grant and Aids Projects Fund Project/Grant Number SP032080100; and

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

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

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

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

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are authorized to enter into a funding agreement and execute the contract with WISDOT for the installation of traffic control signal improvements at the intersections of West Forest Home Avenue, West Oklahoma Avenue, and South 43rd Street under the 2008 SRTS with unit prices based on a predetermined estimate prepared under the Federal/State aided highway program, a copy of which is attached to this resolution, and is incorporated into this resolution as though set forth in full; 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 Chartfield Value for this project; and transfer to these accounts the amount required under the agreement and City accounting policy, but not to exceed a ten percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater as follows:

Location:

Project I.D.- 2984-77-90

West Oklahoma Avenue and South 43rd Street

Grantor Reimbursable Cash - Traffic Control

Fund Number-0306

Project/Grant Number-SP032080100  
\$51,189.31

Total-\$51,189.31

Previously Authorized for Traffic Control Improvements-\$0.00  
Current Estimated Cost of the Total Project Including this Resolution-\$400,000.00  
Original Estimated Cost of the Total Project (Common Council Resolution File  
Number 061546)-\$400,000.00

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

11. [080846](#) Resolution authorizing the Commissioner of Public Works to execute a project agreement titled "Cost Sharing Agreement Between the City of Milwaukee and the City of Mequon" for the cost sharing of the preliminary engineering and construction for the replacement of the West County Line Road structure over the Little Menomonee River and to fund preliminary engineering for the structure with a total estimated cost of \$125,000, of which the City's share is \$62,500 and Mequon's share is \$62,500.

Whereas, The culvert on County Line Road over the Little Menomonee River was constructed in 1917 and is in need of replacement as a result of advanced structural deterioration; and

Whereas, The culvert replacement is included in the Department of Public Works Capital Bridge Program; and

Whereas, The City's of Milwaukee and Mequon share jurisdictional ownership of the culvert and will share the preliminary engineering and construction costs at a 50/50 share; and

Whereas, The City of Milwaukee will be the lead agency of the project design and construction; and

Whereas, The City of Mequon Common Council adopted Resolution 2815 authorizing signing of the proposed Cost Sharing Agreement with the City of Milwaukee and funding their share of the preliminary engineering; and



Whereas, The Department of Public Works shall notify the Common Council of the City of Milwaukee of any such cost overruns and/or changes in scope approved by the Department of Public Works; and

Whereas, This project is programmed for construction starting in 2010; and

Whereas, Funding for the construction phase of the project will be included in a future resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized to execute the project agreement titled "Cost Sharing Agreement Between the City of Milwaukee and the City of Mequon" for the cost sharing of the preliminary engineering and construction for the replacement of the West County Line Road structure over the Little Menomonee River, copies of which are attached to Common Council Resolution File Number ----, and are incorporated by reference as though set forth in full: and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized to undertake, or to engage a consultant to undertake, preliminary engineering for the replacement of the structure and to bill the City of Mequon 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 and transfer the amount required under the agreement and City Accounting Policy but not to exceed a 10 percent increase of the total amount for the grantor's share and local share or \$5,000, whichever is greater, as follows:

Infrastructure Services Division Accounts

West County Line Road Structure  
over the Little Menomonee River

City Share Non-Assessable Fund, Structure  
BR300080000  
Fund 0303  
\$62,500

Grantor Reimbursable Fund, Structure  
SP032080100  
Fund 0306  
\$62,500

Previously authorized for preliminary engineering (structure): 0  
Current estimated costs of the total project including this resolution: \$725,000  
Original estimated costs of the total project: \$725,000

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

12. [080847](#) Resolution authorizing the City Comptroller to transfer funds to various State and/or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs totaling \$629,432.25, City share is \$523,796.28 and the Grantor's share is \$105,635.97.

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

Whereas, Additional planning and review during the design stage and additional work during the construction stage have resulted in increased costs charged against the projects; and

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

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

Project Grant Value  
State I.D. 1360-01-94  
ST30180715  
West Fond du Lac Avenue  
North 19th Street to North 36th Street

City Share Non-Assessable Paving  
ST320080000  
Fund 0333

\$23,160.00

Project Grant Value

State I.D. 2100-05-00

ST30580401

North 35th Street

West Townsend Avenue to West Hopkins Street

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$1,213.85

Project Grant Value

State I.D. 2160-00-73

ST30683710

North 76th Street

West Appleton Avenue to West Grantosa Court

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$41,027.76

Project Grant Value

State I.D. 2155-02-70

BR30881410 and ST30881410

North Sherman Boulevard

Lincoln Creek Bridge

City Share Structures

BR300080000

Fund 0303

\$130,035.31

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$13,949.29

Project Grant Value

State I.D. 2145-04-01

BR30980301 and ST30980301

West Bradley Road

Little Menomonee River Bridge

□ City Share Structures

BR300080000

Fund 0303

\$5,470.05

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$2,816.81

Project Grant Value

State I.D. 1060-05-99

ST320054310

Marquette Interchange

2005 Traffic Mitigation

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$72,005.50

Project Grant Value

State I.D. 2615-08-70

ST32000410

North 16th Street

West Clybourn Street to West Wisconsin Avenue

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$17,793.48

Project Grant Value

State I.D. 2105-00-71

ST32000611

North 12th Street

West Wells Street to West Highland Boulevard

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$7,719.92

Project Grant Value  
State I.D. 2540-00-00  
ST320020601  
North 91st Street  
West Flagg Avenue to West Mill Road  
 City Share Non-Assessable Paving  
ST320080000  
Fund 0333  
\$1,690.89

Project Grant Value  
State I.D. 2235-02-00  
ST32091901  
South 6th Street  
West Ohio Avenue to West Hayes Avenue

City Share Non-Assessable Paving  
ST320080000  
Fund 0333  
\$3,428.75

Project Grant Value  
State I.D. 2565-00-72  
ST32092610  
North Green Bay Avenue  
West Lawn Avenue to North City Limits

City Share Non-Assessable Paving  
ST320080000  
Fund 0333  
\$25,352.38

Project Grant Value  
State I.D. 1693-26-06  
ST320030401  
East/West Wisconsin Avenue - North Water Street - Phase III

City Share Non-Assessable Paving  
ST320080000  
Fund 0333  
\$173,573.77

Project Grant Value  
 State I.D. 1693-26-05  
 ST320030301  
 East/West Avenue - North Water Street - Phase II

City Share Non-Assessable Paving  
 ST320080000  
 Fund 0333  
 \$4,558.52  
 Project Grant Value  
 State I.D. 2060-08-00  
 ST320030101  
 South 6th Street  
 South Chase Avenue to West Maple Street

Grantor Reimbursable Cash Paving  
 SP032080100  
 Fund 0306  
 \$105,635.97

Summary of projects in this resolution:  
 City Share Non-Assessable Paving: \$523,796.28  
 Grantor Reimbursable Cash Paving: \$105,635.97

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

13. [080848](#) Resolution authorizing the City Comptroller to transfer funds to various State and/or Federal Aid project subaccounts for the estimated remaining Wisconsin Department of Transportation and City of Milwaukee preliminary engineering and construction costs totaling \$149,000.00, City share is \$147,000.00 and the Grantor's share preliminary engineering and construction is \$2,000.00.

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

Whereas, Additional planning and review during the design stage and additional work during the construction stage have resulted in increased costs charged against the

projects; and

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

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

Project Grant Value  
State I.D. 2667-04-70  
ST32001310  
North Humboldt Avenue  
Bridge over Milwaukee River

City Share Non-Assessable Paving  
ST320080000  
Fund 0333  
\$28,000.00

Grantor Reimbursable Paving  
SP032080100  
Fund 0306  
\$2,000.00

Previously authorized for construction: \$5,033,069.00  
Current estimated cost of total project including this resolution: \$5,699,069.00  
Original estimated cost of total project (Resolution #041494): \$2,420,000.00

Project Grant Value  
State I.D. 2667-03-70  
ST32001710  
North Humboldt Avenue Bridge and Approaches  
Over Riverboat Road

City Share Non-Assessable Paving  
ST320080000  
Fund 0333  
\$30,000.00

Previously authorized for construction: \$3,688,640.00  
Current estimated cost of total project including this resolution: \$4,206,180.00

Original estimated cost of total project (Resolution #041495): \$1,035,000.00

Project Grant Value

State I.D. 2984-24-00

ST32001001

Kinnickinnic River BikeTrail

South 6th Street - West Rosedale Avenue to East Washington Street

City Share Non-Assessable Paving

ST320080000

Fund 0333

\$89,000.00

Previously authorized for preliminary engineering: \$274,000.00

Current estimated cost of total project including this resolution: \$2,623,230.00

Original estimated cost of total project (Resolution #000019): \$2,600,000.00

Summary of project in this resolution:

City Share Non-Assessable Paving (0333): \$147,000.00

Grantor Reimbursable Paving (0306): \$2,000.00

Resolution total: \$149,000.00

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

14. [080849](#) Resolution authorizing the acceptance by Milwaukee Water Works of a Gimmicks & Gadgets award from the American Water Works Association and donation of the \$500 prize as a contribution to the Combined Giving campaign from employees of the Linnwood Water Treatment Plant.

Whereas, The operations and maintenance staff at the Linnwood Water Treatment Plant collaborated to find a more efficient and safer procedure to rinse chemical storage tanks; and

Whereas, The employees devised and constructed a sprayer device which was mounted internally in a chemical storage tank and this device reduced the amount of time required to rinse the tank, reduced the amount of water used, reduced energy used to pump water out of the tank, and lessened the time that employees were



required to monitor the process; and

Whereas, The design for the device was submitted to the American Water Works Association for consideration for the 2008 Gimmicks & Gadgets Award, which recognizes simple mechanical devices that provide a more efficient, safer and/or simplified means of performing routine tasks in water systems; and

Whereas, The device won first place in the Gimmicks & Gadgets Award contest which has a prize of \$500.00; now, therefore, be it

Resolved, By the Common Council of The City of Milwaukee, that Milwaukee Water Works is authorized to accept the award of \$500 from the American Water Works Association, in accordance with established City policies and procedures for acceptance of contributions; and, be it

Further Resolved, That the funds be donated to the Combined Giving Campaign as a contribution from the employees of the Linnwood Water Treatment Plant.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

15. [080851](#) Resolution authorizing the City of Milwaukee to become a member of the WisWARN Mutual Aid and Assistance program with other water and wastewater systems within the State of Wisconsin to provide mutual aid in the event of an emergency or disaster within a member community.

Whereas, Wis.Stat. § 66.0301 authorizes a municipality to enter into an agreement with other municipalities for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law; and

Whereas, Pursuant to Wis. Stat. § 66.0301, Wisconsin municipalities seek to create and participate in an intrastate program for mutual aid and assistance for water and wastewater systems called WisWARN; and

Whereas, The purpose of WisWARN is to provide for cooperation and coordination of activities relating to emergency and disaster mitigation, preparedness, response, and recovery for municipal water and wastewater systems in Wisconsin; and

Whereas, The Department of Public Works - Milwaukee Water Works wishes to

provide or receive mutual aid and assistance during an emergency or disaster; 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 sign the WisWARN Mutual Aid and Assistance Agreement attached to this File; and be it

Further Resolved, That the City of Milwaukee will comply with all terms of the Agreement.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

16. [080859](#) Substitute resolution relating to an Assignment of Lease Agreement and Second Amendment to Lease Agreement between Innovation Fuels, Inc., IFI Terminal Milwaukee, LLC, and the Board of Harbor Commissioners for real property located at 1626 S. Harbor Drive, and to a Leasehold Mortgage for the same property.
- Whereas, Support Terminals Operating Partnership, L.P. (“STOP”) and the City, by and through its Board of Harbor Commissioners, previously entered into a lease agreement dated October 30, 1990 (“Lease Agreement”), whereby the City leased to STOP approximately 10 acres of bare-ground real property located at 1626 S. Harbor Drive on the South Harbor Tract for an initial term commencing on August 17, 1990 and terminating on August 16, 1995 and up to 4 successive periods of 5 years each, at the option of the STOP and commencing on August 17, 1995; and
- Whereas, STOP and the City previously entered into the First Amendment to this Lease Agreement on May 7, 1992; and
- Whereas, STOP’s name was legally changed on March 31, 2008 to NuStar Terminals Operations Partnership L.P.; and
- Whereas, The Lease Agreement was assigned to Innovation Fuels, Inc. on August 6, 2008; and
- Whereas, On October 2, 2008, Innovation Fuels, Inc., created an operating project entity under the name IFI Terminal Milwaukee, LLC (“Tenant”), and now desires to assign the Lease Agreement and the First Amendment to Lease Agreement to the Tenant; and

Whereas, The sale of the Tenant's leasehold improvements on the property in question requires City approval of the Assignment of Lease Agreement and Second Amendment to Lease Agreement (Exhibit "A") and City consent to the Leasehold Mortgage (Exhibit "B"); and

Whereas, The Board of Harbor Commissioners, at its meeting of October 8, 2008, approved the Assignment of Lease Agreement and Second Amendment to Lease Agreement and gave its consent to the Leasehold Mortgage; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the "ASSIGNMENT OF LEASE AGREEMENT AND SECOND AMENDMENT TO LEASE AGREEMENT Between Innovation Fuels, Inc., IFI Terminal Milwaukee, LLC, and the BOARD OF HARBOR COMMISSIONERS City of Milwaukee," which is attached to this file as Exhibit "A," is approved; and, be it

Further Resolved, That the proper officers of the City of Milwaukee and the Board of Harbor Commissioners are authorized and directed to execute the Assignment of Lease Agreement and Second Amendment to Lease Agreement; and, be it

Further Resolved, That the Common Council consents to the "LEASEHOLD MORTGAGE OF REAL PROPERTY, SECURITY AGREEMENT OF PERSONAL PROPERTY AND ASSIGNMENT OF RENTS AND PROFITS" between Securant Bank and Trust Company and IFI Terminal Milwaukee, LLC, that is attached to this file as Exhibit "B".

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

17. [080860](#) Resolution approving an extension and an amendment to a lease agreement with Federal Marine Terminals, Inc.

Whereas, Federal Marine Terminals, Inc. has been the Port of Milwaukee's general cargo stevedore since 1998; and

Whereas, The extension and amendment to lease agreement may be extended beyond the Initial Term for two (2) additional five (5)-year periods under the same terms and conditions, save and except for the base rent; and

Whereas, The Board of Harbor Commissioners at their meeting of September 22, 2008 acted by vote of the Board to approve this Extension and Amendment of Lease Agreement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said Common Council hereby ratifies and approves the Lease Agreement between Federal Marine Terminals, Inc. and the City of Milwaukee, by and through its Board of Harbor Commissioners for the period of January 1, 2009 through December 31, 2013; and, be it

Further Resolved, That the designated officers of said government and of said Board of Harbor Commissioners are hereby authorized and directed to execute an agreement to carry out this purpose as prepare by the City Attorney's Office.

**Sponsors:** Ald. Bauman

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

PLACING ON FILE THE FOLLOWING:

18. [990540](#) Resolution to amend a special privilege for Kenneth Morris, agent for Towne Realty, Inc. d/b/a Park East Hotel, Inc., for a landscape buffer wall with plantings for the premises at 916 East State Street, in the 4th Aldermanic District in the City of Milwaukee.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

19. [070633](#) Resolution to grant a special privilege to Downer Avenue Development, LLC to construct and maintain a new egress door exiting from the existing stair for the premises at 2524 E. Webster Place and 2559-2565 N. Downer Avenue, in the 3rd Aldermanic District.

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

20.        [080300](#)        Resolution amending a special privilege for change of ownership to Harley-Davidson Museum, LLC for encroachment into the public right-of-way for underground conduit and pipe for the premises at 131 N. 6th St., in the 12th Aldermanic District.

**Sponsors:**        THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

21.        [080432](#)        Communication from the Department of Public Works relative to a pilot program to contract day time board-ups.

**Sponsors:**        THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

THE STEERING & RULES COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

1. [080313](#) Substitute resolution urging Milwaukee County to withdraw from the Southeastern Wisconsin Regional Planning Commission.

**Sponsors:** Ald. Bauman, Ald. Bohl and Ald. Kovac

*Proposed Substitute D offered.*

*Ald. Wade asked to be added as a co-sponsor.*

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

**Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Wade, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

**No:** 0

**Excused:** 2 - Coggs Donovan

[080313](#) Substitute resolution relating to the composition of the Southeastern Wisconsin Regional Planning Commission.

Whereas, In 1960, the Wisconsin Legislature created the Southeastern Wisconsin Regional Planning Commission (“SEWRPC”), an agency charged with performing comprehensive planning activities for a 7-county region that includes Milwaukee, Waukesha, Racine, Kenosha, Washington, Ozaukee and Walworth counties; and

Whereas, Pursuant to s. 66.0309, Wis. Stats., SEWRPC is governed by a 21-member commission consisting of 3 members from each of the 7 counties in the region; and

Whereas, This governing structure is fundamentally unfair in that it gives counties with relatively low populations disproportionately large representation on the commission; and

Whereas, At the same time, the 3-members-per-county configuration results in underrepresentation of counties and municipalities with large populations, thus reducing the likelihood that the needs and interests of urban communities will be given fair and adequate attention by the commission; and

Whereas, Milwaukee County, with over 47% of the region’s population, is allocated only 14% of the votes on the commission, while the City of Milwaukee, with 30% of the region’s population, is afforded no votes whatsoever; and

Whereas, Ozaukee and Walworth counties, which together account for 9% of the SEWRPC region's population, have 29% of the votes on the commission; and

Whereas, In 2007, Milwaukee County paid \$834,000 (35.2%) of the \$2,370,000 in property tax levies collected by SEWRPC from its 7 member counties; and

Whereas, These statistics clearly demonstrate that SEWRPC's organizational structure is a classic example of taxation without representation; and

Whereas, The City of Milwaukee, Milwaukee County and other populous municipalities and counties in Southeastern Wisconsin would benefit from a restructuring of the composition of SEWRPC based on the concept of proportional representation; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division-Department of Administration is authorized and directed to seek introduction and passage of state legislation changing the composition of a regional planning commission containing a city of the first class such that membership on the commission is proportional to the populations of member counties; and, be it

Further Resolved, That the City of Milwaukee opposes Federal Highway Administration recertification of the Southeastern Wisconsin Regional Planning Commission as the Metropolitan Planning Organization for Southeastern Wisconsin in its current format and organizational structure; and, be it

Further Resolved, That, in the event the state legislature does not pass legislation changing the composition of a regional planning commission containing a city of the first class such that membership is proportional to county populations, the City of Milwaukee urges Milwaukee County to withdraw from membership and participation in the Southeastern Wisconsin Regional Planning Commission; and, be it

Further Resolved, That upon adoption of this resolution, the City Clerk shall send copies of the resolution to County Executive Scott Walker, all members of the Milwaukee County Board, Milwaukee's representatives in the state legislature and the Federal Highway Administration.

**Sponsors:** Ald. Bauman, Ald. Bohl, Ald. Kovac and Ald. Wade

*As substituted*

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

2. [080856](#) Substitute resolution authorizing the submittal and acceptance of the Housing and Economic Recovery Act of 2008 - Neighborhood Stabilization Program (NSP) funded through the Community Development Block Grant (CDBG) Program from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

Whereas, The City of Milwaukee has been allocated \$9,197,465 from the United States Department of Housing and Urban Development (HUD) through the Neighborhood Stabilization Program (NSP); and

Whereas, The Neighborhood Stabilization Program was authorized by a recently enacted Housing and Economic Recovery Act (HERA) of 2008; and

Whereas, The uses of the Neighborhood Stabilization Program funds are as follows:

- Establishment of financing mechanisms for the purchase and redevelopment of foreclosed upon homes and residential properties;
- Purchase and rehabilitation of abandoned and foreclosed homes and residential properties;
- Establishment of land banks for homes that have been foreclosed upon;
- Demolition of blighted structures; and
- Redevelopment of demolished or vacant properties; and

Whereas, The NSP is closely related to the Community Development Block Grant (CDBG) Program. HUD will implement the Neighborhood Stabilization Program by relying upon existing CDBG requirements and making appropriate adjustments to accommodate the directives of HERA; and

Whereas, The proposed Annual Action plan amendment must be published by the usual methods for no less than 15 calendar days of public comment; and

Whereas, The City of Milwaukee must fully obligate its award within 18 months of receipt of the NSP funds. All NSP funds must be expended within 4 years of receipt of those funds from HUD: now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Community Development Grants Administration (CDGA) is hereby authorized to submit to the United States Department of Housing and Urban Development a complete and substantial amendment to its 2008 Annual Action Plan as well as any other related documentation required by the Department of Housing and Urban Development. This document is due to the Department of Housing and Urban Development by December 1, 2008; and, be it



Further Resolved, That the Mayor of the City of Milwaukee is designated as the authorized representative of the City of Milwaukee in connection with all matters relating to the City's Neighborhood Stabilization Program; and, be it

Further Resolved, That the City of Milwaukee assures and certifies that it will comply with the regulations, policies guidelines and requirements with respect to the acceptance and use of the Neighborhood Stabilization Program; and, be it

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

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

3. [080885](#) Substitute resolution authorizing the Department of City Development (DCD) to enter into a Consultant contract for the Housing and Economic Recovery Act of 2008 - Neighborhood Stabilization Program (NSP) funded through the Community Development Block Grant (CDBG) Program from the U. S. Department of Housing and Urban Development through the Community Development Grants Administration (CDGA).

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

Various communications from city officers were read and ordered on file without objection.

RESOLUTIONS FOR IMMEDIATE ADOPTION:

[080914](#) Resolution approving various final certified survey maps.

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

NAME	TAX KEY NUMBER(S)
Schuyler Belott, Cheryl Belott, Mark Wagner, Sr. (DCD #2709)	110411000
Housing Authority of the City of Milwaukee (DCD #2711)	2822716000, 2822714100
Housing Authority of the City of Milwaukee (DCD #2712)	3540073100
Brewery Project, LLC (DCD #2714)	3620454000 and part of 3611410111
Ambassador Enterprise, LLC (DCD #2716)	2891812000, 3891810110, 3891815100, 3891816000, 3891817000, 3891819000, 3891803000, 3891818000, 3891805000
Syed Hasan Turab (DCD #2718)	3211717100

**Sponsors:** THE CHAIR

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

[080948](#) Motion amending the schedule of regular meetings of the Common Council and standing committees for 2009.

It is moved, By the Common Council of the City of Milwaukee, that the calendar of

Common Council and council committee meetings for the year 2009 (January 1 through December 31, 2009) as adopted by Common Council File Number 080765 is amended as follows:

The Licenses Committee meeting previously scheduled for June 2, 2009, is re-scheduled to June 1, 2009.

It is further moved, that the start times for the meeting affected by this motion may be altered at the discretion of the chair of the committee provided written notice of the change is submitted to the City Clerk no less than 24 hours before the time at which the committee will meet.

**Sponsors:** THE CHAIR

**A motion was made by ALD. MURPHY that this Motion-Immediate Adoption be APPROVED. The motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

[080952](#)

Resolution authorizing participation in the City of Milwaukee Employees Combined Giving Campaign.

Whereas, It is desirable to encourage participation in the City of Milwaukee Employees Combined Giving campaign; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that resolution file number 070070 is rescinded and recreated to read:

Resolved, By the Common Council of the City of Milwaukee, that the following rules and conditions shall govern the City of Milwaukee Employees Combined Giving Campaign:

1. Employee participation in the City of Milwaukee Employees' Combined Giving Campaign includes City employees and employees of the Housing Authority of the City of Milwaukee, the Redevelopment Authority of the City of Milwaukee and the Milwaukee Area Workforce Investment Board.
2. A steering committee of city employees representing both management and union shall be designated by the Mayor to oversee the campaign. The steering committee shall represent all city departments.
3. A campaign chair and co-chair shall be designated by the Mayor, and the co-chair will succeed the chair in subsequent years.
4. The United Way of Greater Milwaukee, Inc. is designated as the administrator for the City of Milwaukee Employees Combined Giving Campaign.

5. Funds contributed by employees by means of payroll deductions are to be used for the announced purposes of the charitable organizations.

6. Umbrella organizations are limited to United Way of Greater Milwaukee, Inc., Community Shares of Greater Milwaukee, Community Health Charities of Wisconsin and the Hunger Relief Fund.

; and, be it

Further Resolved, That the Police Officer Defense Fund, Inc. and the United Negro College Fund are also eligible for donations through the City of Milwaukee Employees Combined Giving Campaign; and, be it

Further Resolved, That the Common Council encourages all City employees to participate in the City of Milwaukee Employees Combined Giving Campaign for local eligible organizations.

**Sponsors:** Ald. Murphy

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

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

**No:** 0

**Excused:** 3 - Coggs, Donovan Witkowiak

Various announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 12:01 a.m.

-- Jim Owczarski, Deputy City Clerk