



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes COMMON COUNCIL

Tuesday, May 5, 2009

9:00 AM

Common Council Chambers

The meeting was called to order at 9:08 a.m.

The roll was called.

Present: 15 -

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

The Pledge of Allegiance was said followed by an invocation offered by Rabbi Michael Stern.

Ald. Murphy moved that the Common Council convene itself into a Committee of the Whole for the purpose of making a presentation.

There was no objection.

Representatives of the 2008-2009 WIAA Division 2 State Boys' Basketball Champion Wisconsin Lutheran High School came forward, accompanied by Aldermen Michael Murphy, Willie Wade, Jim Bohl, and Nik Kovac.

Following a presentation, Ald. Bohl moved that the Committee of the Whole rise.

There was no objection.

Council President Hines acknowledged a group of students from Marshall Montessori International Baccalaureate High School accompanied by their principal, Josh Zimmer, and their teacher, Mark Magnuson.

The question was put: Are there any corrections to the Common Council Journal of Proceedings for the regular meeting of April 14, 2009?

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

Various commendatory and condolatory resolutions were read and ordered on file without objection.

THE LICENSES COMMITTEE RECOMMENDS:

PLACING ON FILE THE FOLLOWING:

- 1. [081608](#) Motion relating to the revocation of the loading zone permit of Nicholas Buzzell, Agent for Metzger & Buzzell LLC, for the location at 4110 West Martin Drive.

Sponsors: THE CHAIR

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

All members present indicated that they had done so.

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

Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

APPROVAL OF THE FOLLOWING:

- 2. [081413](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

Sponsors: THE CHAIR

The question was put: Have the members of the Common Council read the Report and Recommendations of the Licenses Committee in these matters?

All members present indicated that they had done so.

MOTION: Delete from the grant list and refer back to the Licenses Committee Secondhand Motor Vehicle Dealer License application for "Fay Auto Sales", Khairi A. Al-Hassan, Agent.

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

Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

As amended.

APPROVED

Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

1. [081618](#) Motion relating to the recommendations of the Public Safety Committee relative to various licenses.

 Sponsors: THE CHAIR

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

 Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

 No: 0

PASSAGE OF THE FOLLOWING:

2. [081616](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.

 Sponsors: THE CHAIR

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

 Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

 No: 0

3. [081617](#) A substitute ordinance relating to traffic controls in various Aldermanic Districts.

 Sponsors: THE CHAIR

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

 Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

 No: 0

ADOPTION OF THE FOLLOWING:

4. [081747](#) Substitute resolution authorizing the Department of Public Works to amend a lease agreement with Miller Compressing Company for a portion of the City Tow Lot for the preparation of vehicles for recycling and to amend a contract with Miller Compressing Company for the processing, transporting and recycling of all vehicles scheduled for recycling by the City of Milwaukee.

 Sponsors: Ald. Donovan

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

Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

CONFIRMATION OF THE FOLLOWING:

5. [081732](#)

Appointment of Sharon Williams to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (6th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

PLACING ON FILE THE FOLLOWING:

6. [081660](#)

Communication from the Commissioner of Public Works transmitting a report comparing current revenue generated from oversized and overweight vehicle permit fees, from 2005 through 2008.

Sponsors: THE CHAIR

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

Aye: 15 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:**PASSAGE OF THE FOLLOWING:**

1. [081619](#) A substitute ordinance to further amend the 2009 rates of pay of offices and positions in the City Service.
Sponsors: THE CHAIR
A motion was made by ALD. MURPHY that this Ordinance be PASSED. The motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak

2. [081620](#) A substitute ordinance to further amend the 2009 offices and positions in the City Service.
Sponsors: THE CHAIR
A motion was made by ALD. MURPHY that this Ordinance be PASSED. The motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak

ADOPTION OF THE FOLLOWING:

3. [081702](#) Resolution directing the Department of Employee Relations to submit the necessary application documents for self-insurance status (workers' compensation benefits) to the State of Wisconsin.
Sponsors: THE CHAIR
A motion was made by ALD. MURPHY that this Resolution be ADOPTED. The motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak

4. [081705](#) Substitute resolution relative to application, acceptance and funding of the Beach Monitoring Grant from the Wisconsin Department of Natural Resources.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

5. [081706](#) Substitute resolution relative to application, acceptance and funding of the Healthy Homes Demonstration Grant from the U.S. Department of Housing and Urban Development (HUD).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

6. [081707](#) Substitute resolution relative to the application, acceptance and funding of the Public Health Legal Action in Communicable Disease Grant from the National Assoc. of City and County Health Officials (NACCHO).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

CONFIRMATION OF THE FOLLOWING:

7. [081743](#) Reappointment of Margaret Henningsen to the Public Debt Commission by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

PLACING ON FILE THE FOLLOWING:

8. [081289](#) Substitute resolution appropriating up to \$134,949.23 from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of three lawsuits against the City of Milwaukee regarding 2006, 2007 and 2008 tax assessments.
- Sponsors:** THE CHAIR
- An earlier motion by Alderman Bohl to send this matter to the Finance Committee was withdrawn. This motion had been ruled to supercede an earlier motion from Alderman Dudzik moving adoption notwithstanding the recommendation of the Committee.*
- A motion was made by ALD. DONOVAN that this Resolution be REFERRED TO the JUDICIARY & LEGISLATION COMMITTEE . The motion PREVAILED by the following vote:**
- Aye:** 13 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Zielinski Hines Jr.
- No:** 1 - Witkowski
- Excused:** 1 - Witkowiak
9. [081291](#) Communication from the Department of Employee Relations relative to classification studies scheduled for Fire and Police Commission action.
- 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:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
10. [081621](#) 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:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak

11. [081748](#) Communication from the Milwaukee Public Library relating to an amendment to the Positions Ordinance.
- 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:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
12. [090005](#) Communication from the Department of Public Works relating to amendments to the Positions Ordinance.
- 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:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak

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

Excused: 1 -
Witkowiak

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1.** [081724](#) A substitute ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

ADOPTION OF THE FOLLOWING:

- 2.** [081656](#) Substitute resolution authorizing Settlement and Cancellation of a Claim Against Barbara Busalacchi under the City's Basic Health Plan.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak
- 3.** [081693](#) Substitute resolution to settle claims of Cermele & Associates for defense of various police officers.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

4. [081720](#) Substitute resolution relative to various legislative bills.

Sponsors: THE CHAIR

Opposed to "primary enforcement of seatbelt laws": DUDZIK

Opposed to "data collection related to primary enforcement of seatbelt laws": BOHL and DUDZIK

Opposed to "elimination of Department of Transportation issuance of decals to indicate a vehicle's period of registration": BOHL, DUDZIK, PUENTE and WITKOWSKI

Ald. Bohl moved for suspension of the rules to offer a motion not in writing.

There was no objection.

Ald. Bohl moved to amend the file to change the City's position on the elimination of the Department of Transportation issuance of decals from SUPPORT to OPPOSE.

Ald. Bohl withdrew motion.

A motion was made by ALD. HAMILTON that this Resolution be ADOPTED.

This motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Witkowiak

CONFIRMATION OF THE FOLLOWING:

5. [081729](#) Appointment of Gina Spang to the Board of Assessment by the Mayor. (4th 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: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

6. Claims against the city:

- a. [081670](#) Resolution relating to the claim of Atty. Steven Gabert on behalf of Thomas Tillman for property damage and personal injuries. (7th 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:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
- b. [081671](#) Resolution relating to the claim of Atty. Phillip Ranthum on behalf of Linda McCready for personal injuries. (6th 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:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
- c. [081672](#) Resolution relating to the claim of Attorney S. A. Schapiro on behalf of Min'Imah Shaheed for personal injuries. (6th 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:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
- d. [081725](#) Resolution relating to an appeal from Levante Washington for property damage.
- 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: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:**PASSAGE OF THE FOLLOWING:**

1. [081521](#) Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as Highbridge Condominiums, for comprehensive building envelope rehabilitation, on land located on the South Side of East Kane Place and East of North Water Street, in the 3rd Aldermanic District.

 Sponsors: Ald. Kovac

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

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

 No: 0

 Excused: 1 - Witkowiak

ADOPTION OF THE FOLLOWING:

2. [081657](#) Substitute resolution authorizing an Option to Purchase for City-owned vacant lots with the Housing Authority of the City of Milwaukee for development of scattered-site, affordable housing, in the 7th and 15th Aldermanic Districts.

 Sponsors: Ald. Hines Jr. and Ald. Wade

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

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

 No: 0

 Excused: 1 - Witkowiak

3. [081712](#) Resolution accepting a proposal for the sale of the surplus, City-owned property at 407 North Hawley Road for development of artist work studio and retail space, in the 10th Aldermanic District.

 Sponsors: Ald. Murphy

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

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

 No: 0

 Excused: 1 - Witkowiak

4. [081716](#) Resolution authorizing the sale of the City-owned vacant lots at 2125 and 2133 North 17th Street to Walnut Way Conservation Corp. for urban agriculture, in the 15th Aldermanic District.

Sponsors: Ald. Hines Jr.

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

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

No: 0

Excused: 1 - Witkowiak

5. [081744](#) Substitute resolution directing the Commissioner of City Development and the City Comptroller to provide information relating to possible use of tax incremental financing to fund public infrastructure projects outside the boundaries of tax incremental districts.

Sponsors: Ald. Bohl

Ald. Bohl offered Proposed Substitute A.

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

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

No: 0

Excused: 1 - Witkowiak

- [081744](#) Substitute resolution directing the Commissioner of City Development and the City Comptroller to provide information relating to possible use of tax incremental financing to fund public infrastructure projects outside the boundaries of tax incremental districts.

Sponsors: Ald. Bohl

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

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

No: 0

Excused: 1 - Witkowiak

THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:**ADOPTION OF THE FOLLOWING:**

1. [081689](#) Resolution authorizing a transfer of funds from the Development Fund for environmental testing, remediation and demolition on brownfield properties located in the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

2. [081703](#) Resolution appropriating \$5,000 from the Economic Development Committee Fund for participation by City of Milwaukee staff in the 2009 International Council of Shopping Centers International Spring Convention to facilitate neighborhood retail development in the City of Milwaukee.

Sponsors: Ald. Davis

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, Coggs, Wade, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 1 - Donovan

Excused: 1 - Witkowiak

CONFIRMATION OF THE FOLLOWING:**3. Appointments/Reappointments to Business Improvement District Board #25:**

- a. [081738](#) Reappointment of Carl Nilssen to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th 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: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- b. [081739](#) Reappointment of Bill Swanson to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th 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: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- c. [081741](#) Appointment of Sandra Woycke to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th 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: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

- d. [081742](#) Appointment of Thomas Casper to the Business Improvement District Board #25 (Riverworks) by the Mayor. (6th 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: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Witkowiak

PLACING ON FILE THE FOLLOWING:

4. [081674](#) Communication relating to the 2008 Consolidated Annual Performance and Evaluation Report and the participation of City departments in block-grant-funded activities.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

THE PUBLIC WORKS COMMITTEE RECOMMENDS:**PASSAGE OF THE FOLLOWING:**

1. [081573](#) A substitute ordinance relating to amending planting standards in certain portions of the public right-of-way.
Sponsors: Ald. Witkowski
A motion was made by ALD. BAUMAN that this Ordinance be PASSED. The motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak

2. [081687](#) A substitute ordinance relating to special privilege procedures.
Sponsors: Ald. Bauman
Ald. Bauman move to amend the analysis and Part 3 of this ordinance, per the recommendation of the City Attorney's Office, which is to maintain the current insurance requirements for a special privilege. (The City Attorney has opined that the special privilege insurance requirements should remain unchanged pending a comprehensive review of insurance requirements for all similar encroachments and uses in the public right of way.)
A motion was made by ALD. BAUMAN that this Ordinance be AMENDED. The motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak

- [081687](#) A substitute ordinance relating to special privilege procedures.
Sponsors: Ald. Bauman
As amended.
A motion was made by ALD. BAUMAN that this Ordinance be PASSED. This motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Witkowiak

ADOPTION OF THE FOLLOWING:

3. [080390](#) Substitute resolution to vacate a portion of the east-west alley in the block bounded by West Meinecke Avenue, West North Avenue, North 53rd Street and North 54th Street, in the 10th Aldermanic District.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
4. [081498](#) Substitute resolution amending a special privilege to Mark Saigh for addition of a covered walk and for change of ownership for an existing dumpster enclosure, moveable planters and a concrete step for the premises at 1673-77 North Farwell Avenue, in the 3rd Aldermanic District.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
5. [081578](#) Substitute resolution accepting a \$10,000 cash contribution from the City of Wauwatosa for the purpose of funding the development of Hartung Park.
- Sponsors:** Ald. Bohl
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED. The motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, Kovac, Bauman, Bohl, Coggs, Wade, Donovan, Puente, Murphy, Dudzik, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Witkowiak
6. [081582](#) Resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the replacement of the West Forest Home Avenue (STH 24) Bridge over the Kinnickinnic River with 100% Federal and/or State aid under the State Trunk Highway Improvement Program with estimated total cost of the project at \$4,472,500, which is an increase of \$2,295,000.
- Sponsors:** THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

7. [081637](#) Substitute resolution approving Lease Agreement between Waters' New Biotech Company and the Port of Milwaukee.

Sponsors: THE CHAIR

A motion was made by ALD. BAUMAN that this Resolution be REFERRED TO the PUBLIC WORKS COMMITTEE . The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Witkowiak

8. [081645](#) Resolution authorizing the Commissioner of Public Works to execute a Cost Sharing Agreement with Milwaukee County for the planned improvement of the West Good Hope Road (CTH PP) Bridges over the Little Menomonee River, and authorizing construction costs of \$18,400.00, which represents the City of Milwaukee's 100 percent cost share for replacement of its communications duct package that is affixed to the underside of the bridge deck.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

9. [081666](#) Resolution approving and authorizing the proper City officials to execute an easement agreement to allow American Transmission Company LLC to install and maintain overhead cables within the easement area located at 2113 West Van Norman Avenue in the 13th Aldermanic District.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

10. [081667](#) Resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the improvement of East State Street (USH 18) from North Edison Street to North Prospect Avenue, with 90 percent Federal and/or State aid under the State Trunk Highway Improvement Program with estimated total cost of the project at \$1,978,500, which is an increase of \$1,374,300.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

11. [081676](#) 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 \$150,000 for a total estimated cost of these projects being \$1,374,000.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

12. [081677](#) 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 \$3,338,955 for a total estimated cost of \$3,889,345.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

13. [081678](#) 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 \$196,000 for a total estimated cost of these projects being \$10,883,000.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

14. [081679](#) Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$1,468,665.87 for a total estimated cost of these projects being \$5,628,665.87.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

PLACING ON FILE THE FOLLOWING:

15. [081745](#) Communication from the Department of Public Works Operations Division Forestry Section relating to the status of the Sustainable Boulevard Plan.

Sponsors: Ald. Dudzik

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

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

No: 0

Excused: 1 - Witkowiak

Communications from city officers were read and ordered on file without objection.

MATTERS FOR IMMEDIATE ADOPTION:

1. [090040](#) Resolution approving a final certified survey map for Milwaukee Habitat for Humanity, Inc.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Witkowiak

2. [090047](#) Resolution naming the Commissioner of Public Works as the authorized representative for the City of Milwaukee for the purpose of filing Safe Drinking Water Loan Fund applications with the Department of Natural Resources.

Sponsors: Ald. Bauman

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

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

No: 0

Excused: 1 - Witkowiak

Announcements were made.

There being no further business to come before the Common Council, the meeting was adjourned at 10:30 a.m.

-- Jim Owczarski, Deputy City Clerk