



City of Milwaukee

Meeting Minutes

COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, February 7, 2006

9:00 AM

Common Council Chambers

The meeting was called to order at 9:20 a.m.

Present: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski, Hines Jr.

Excused: 1 - Dudzik

The Pledge of Allegiance was said followed by a moment of silent meditation.

The question was put: Are there any corrections to the Common Council Journal of Proceedings for the regular meeting of January 18, 2006? There being none, the minutes of this meeting were approved.

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

THE LICENSES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

- 1. [051231](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- 2. [051232](#) Motion relating to the recommendations of the Licenses Committee relative to various licenses.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

1. [051162](#) 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 This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

2. [051163](#) 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 This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

3. [051219](#) A substitute ordinance relating to the Saint Francis Hospital commuter parking impacted area.

Sponsors: Ald. Witkowski

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

4. [051263](#) An ordinance relating to fee increases for various public passenger vehicle permits.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- 5. [051314](#) A substitute ordinance relating to loitering by criminal gang members.

Sponsors: Ald. Zielinski, Ald. Wade, Ald. Bauman, Ald. Donovan and Mr. Witkowski

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

Aye: 8 - Hamilton, Davis, D'Amato, McGee Jr., Donovan, Murphy, Witkowiak Hines Jr.

No: 6 - Bauman, Bohl, Wade, Puente, Witkowski Zielinski

Excused: 1 - Dudzik

ADOPTION OF THE FOLLOWING:

- 6. [051243](#) Resolution relative to application, acceptance and funding of the SURVNET Grant.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- 7. [051245](#) Resolution relative to application, acceptance and funding of the Lead Poisoning Prevention - Milwaukee Foundation Grant.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- 8. [051258](#) Resolution authorizing the Milwaukee Police Department to accept a donation of video surveillance equipment from 100 East Wisconsin Joint Venture (Police Department).

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

9. [051259](#) Resolution approving a memorandum of understanding between the Milwaukee Police Department and the Wisconsin Department of Natural Resources relating to the use of a large patrol boat.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

10. [051260](#) Resolution relative to application, acceptance and funding of a Homeland Security/Law Enforcement Terrorism Prevention Program (LETPP) Tactical Intervention Grant (Police Department).

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

11. [051261](#) Resolution approving the memorandum of agreement between the Milwaukee Police Department and the United States Secret Service for computer/network training regarding crimes involving computer technology.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

12. [051276](#) Resolution relating to the Milwaukee Fire Department's application for the "Community Involvement Project" grant from the Department of Health & Human Services - Centers for Disease Control and Prevention.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- 13. [051294](#) Resolution relating to Milwaukee Police Department acquisition and exchange of motor vehicles acquired from citizens in conjunction with criminal investigations.

Sponsors: Ald. Donovan

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

APPROVAL OF THE FOLLOWING:

- 14. [051234](#) Motion relating to the recommendations of the Public Safety Committee relative to various licenses.

Sponsors: THE CHAIR

Ald. Donovan moved to remove from the denial list and return to committee the following:

RAMSEY, Colleen F.; Request for a customized vehicle for luxury limousine for "A.M. Limousine" at 7100 N. 60th St., #223.

There was no objection.

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

PLACING ON FILE THE FOLLOWING:

- 15. [051040](#) Communication relating to parking checker duties and activities.

Sponsors: Ald. McGee Jr.

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1. [051007](#) Substitute ordinance to further amend the 2006 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 This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- 2. [051227](#) Substitute ordinance to further amend the 2006 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 This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

ADOPTION OF THE FOLLOWING:

- 3. [051244](#) Substitute resolution relative to application, acceptance and funding of the Health & Safety in Child Care Grant.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- 4. [051257](#) Resolution authorizing application, acceptance, and funding of a Domestic Violence Liaison Project Grant (Police Department).

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

5. [051281](#) Resolution authorizing the Commissioners of the Public Debt to market general obligation revenue anticipation notes pursuant to the provisions of Ch. 67, Stats.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

PLACING ON FILE THE FOLLOWING:

6. [050660](#) Communication from the Police Department transmitting the 2005 bi-annual report relative to the status of overtime expenditures.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

7. [051156](#) Communication from the Department of Administration - Budget and Management Analysis Division transmitting 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 This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

8. [051198](#) Communication from the Comptroller's office transmitting a report entitled, Comprehensive

Annual Financial Report of the City of Milwaukee for the year ended December 31, 2004.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

9. [051201](#) Communication from the Comptroller transmitting the Audit of Municipal Court Cashiering.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

10. [051264](#) Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for City Service Commission action.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1. [051296](#) A substitute ordinance requiring the city comptroller to provide an annual report analyzing delinquent outstanding debt.
Sponsors: Ald. Witkowski
A motion was made by ALD. D'AMATO that this Ordinance be PASSED This motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Dudzik

ADOPTION OF THE FOLLOWING:

- 2. [050675](#) Substitute resolution authorizing the return of real estate located at 831-33 E. Clarke St., in the 3rd Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (HMS Grocery, LLC)
Sponsors: THE CHAIR
Ald. D'Amato asked that this matter be held until a later point in the meeting. There was no objection.
A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Dudzik

- 3. [051011](#) Substitute resolution relative to various legislative bills.
Sponsors: THE CHAIR
A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:
Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
No: 0
Excused: 1 - Dudzik

4. [051065](#) Resolution requesting the Wisconsin Department of Transportation to resume invasive weed control programs along state highways.
- Sponsors:** Ald. Murphy
- A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
5. [051208](#) Resolution canceling various City invoices.
- Sponsors:** THE CHAIR
- A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
6. [051209](#) Resolution authorizing payment of the claim of Ryan J. Lemke, C.I. File No. 03-L-138.
- Sponsors:** THE CHAIR
- A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
7. [051211](#) Resolution authorizing payment of the claim of SBC (25200508-50-0132) C.I. File No. 05-S-224.
- Sponsors:** THE CHAIR
- A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
8. [051225](#) Resolution supporting incentives by the State Legislature to enhance the film industry in

Wisconsin.

Sponsors: Ald. Hines Jr. and Ald. Bohl

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

9. [051236](#) Substitute resolution relating to the appeal of Vanessa Vara-Ramos relative to a claim for property damage. (14th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

10. [051242](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2004 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

11. [051292](#) Substitute resolution authorizing settlement in the case entitled Gustafson and Cornejo v. Jones, et al., Case No. 00-C-1397.

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

12. [051297](#) A substitute resolution directing certain city departments to implement various

recommendations of the Outstanding Debt Task Force.

Sponsors: Mr. Witkowski

Ald. McGee asked that this matter be held to a later point in the meeting. There was no objection.

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

13. [051312](#) Substitute resolution relating to City position on proposed state legislation for local airport authorities.

Sponsors: Mr. Witkowski

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

CONFIRMATION OF THE FOLLOWING:

14. [051308](#) Reappointment of Robert Ullenberg to the Board of Review by the Mayor. (14th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

PLACING ON FILE THE FOLLOWING:

15. [050670](#) Substitute resolution authorizing the return of real estate located at 907 W. Atkinson Ave., in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Lincoln Creek Development, Inc. and KSB Construction Development, LLC)

Sponsors: THE CHAIR

**A motion was made by ALD. D'AMATO that this Resolution be PLACED ON FILE
This motion PREVAILED by the following vote:**

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan,
Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

16. [051237](#) Communication from the City Attorney transmitting a semiannual report as to the determination and disposition of all claims filed from July 1, 2005 through December 31, 2005 pursuant to Section 304-7, Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan,
Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

DISALLOWANCE AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

17. **Various claims against the City:**

- a. [051068](#) Resolution relating to a claim from Debbie Griffiths, Risk Manager for SBC, for property damage.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan,
Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- b. [051154](#) Resolution relating to the appeal of Martha Malik relative to a claim for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan,
Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- c. [051212](#) Resolution relating to a claim from Jerome Thornton for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- d. [051213](#) Resolution relating to a claim from Bhanu Mital for personal injuries. (12th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- e. [051214](#) Resolution relating to a claim from Attys. Karp, Karp & Zirgibel, S.C. on behalf of Gerald Weisflog for personal injuries.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- f. [051215](#) Resolution relating to a claim from Meridian Resource Company, LLC for reimbursement for payments to Gerald Weisflog for injuries.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- g. [051216](#) Resolution relating to a claim from Precious Badran for damages.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- h. [051217](#) Resolution relating to the appeal of Thomas Neder relative to a claim for property damage. (14th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- i. [051218](#) Resolution relating to the appeal of Annemarie Sawkins relative to a claim for property damage.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- j. [051280](#) Resolution relating to the appeal of Angelo Newman relative to a claim for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

**THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
RECOMMENDS:**

PASSAGE OF THE FOLLOWING:

1. [050826](#) Substitute ordinance relating to the change in zoning from General Planned Development (GPD) to a Detailed Planned Development (DPD) known as Columbia St. Mary's Main Hospital Campus, on land located on the North Side of East North Avenue between North Prospect Avenue and North Lake Drive, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

2. [051110](#) Substitute ordinance relating to the change in zoning from General Planned Development (GPD) to a Detailed Planned Development (DPD) known as Park Place, Stage 28, Comfort Inn Hotel, on land located on the West Side of North 107th Street and North of West Good Hope Road, in the 5th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

3. [051111](#) Ordinance relating to the approval of the 12th Amendment to the general plan for a General Planned Development (GPD) known as Park Place, located North of West Good Hope Road and West of North 107th Street, in the 5th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

ADOPTION OF THE FOLLOWING:

4. [051108](#) Substitute resolution approving Amendment No. 1 to the Project Plan for Tax Incremental District No. 41 (Time Warner Riverwalk), in the 3rd Aldermanic District.

Sponsors: Ald. D'Amato and Ald. Hines Jr.

1. Amend the term sheet to increase the tax incremental financing by \$250,000 to fund a job-training program for city residents under the direction of the Department of Administration.

2. I move to amend CCFN 051108 by inserting one additional Further Resolved clause immediately preceding the existing final Further Resolved clause, as follows:

"Further Resolved, That the appropriate city officials including the City Attorney, Commissioner of City Development, and the City Comptroller, are directed to negotiate with the developer to fulfill the intent of the motions to amend the term sheets as provided by the Common Council on February 7, 2006; and, be it"

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

Aye: 13 - Hamilton, Davis, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - D'Amato

Excused: 1 - Dudzik

Sponsors: Ald. D'Amato and Ald. Hines Jr.

Amend the term sheets to increase the tax incremental district project costs up to \$125,000 to release an RFP for the purpose of contracting with an accounting firm to monitor the scope of services, budget and expenditures, and, conduct an evaluation and monitoring of the construction contractor's compliance with the Emerging Business Enterprise (EBE), Residence Preference Program (RPP) and apprenticeship requirements for the entire project with the firm reporting directly to the Common Council and the Comptroller's Office.

A motion was made by ALD. MCGEE JR. that this Resolution be AMENDED This motion FAILED by the following vote:

Aye: 1 - McGee Jr.

No: 12 - Hamilton, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

Excused: 2 - Davis Dudzik

Sponsors: Ald. D'Amato and Ald. Hines Jr.

Require a minimum EBE participation rate of 25% and a minimum RPP participation rate of 25% for building hard cost contracts and agreements.

A motion was made by ALD. MCGEE JR. that this Resolution be AMENDED This motion FAILED by the following vote:

Aye: 1 - McGee Jr.

No: 12 - Hamilton, Davis, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

Excused: 2 - D'Amato Dudzik

Sponsors: Ald. D'Amato and Ald. Hines Jr.

Require a minimum EBE participation rate of 25% and a minimum RPP participation rate of 25% for technology FF&E contract and agreements.

A motion was made by ALD. MCGEE JR. that this Resolution be AMENDED This motion FAILED by the following vote:

Aye: 1 - McGee Jr.

No: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

Excused: 1 - Dudzik

Sponsors: Ald. D'Amato and Ald. Hines Jr.

Require the developer to comply with the 25% EBE rate of participation and the 25% RPP rate of participation. If the developer is unable to meet the requirements, but not the goals, the developer shall contribute to the city the difference between the monetary value of the requirement and the monetary value of the actual achievement. Funds received by the city shall be deposited in a special purpose account to be designated to fund job-training programs in the city.

A motion was made by ALD. MCGEE JR. that this Resolution be AMENDED This motion FAILED by the following vote:

Aye: 1 - McGee Jr.

No: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

Excused: 1 - Dudzik

Sponsors: Ald. D'Amato and Ald. Hines Jr.

Amend the term sheets to provide that only trade workers shall be counted toward the developer's efforts to meet the RPP goals.

A motion was made by ALD. MCGEE JR. that this Resolution be AMENDED This motion FAILED by the following vote:

Aye: 2 - Hamilton McGee Jr.

No: 12 - Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

Excused: 1 - Dudzik

Sponsors: Ald. D'Amato and Ald. Hines Jr.

Amend the term sheets to require the developer to provide quarterly EBE reports to the Common Council.

A motion was made by ALD. MCGEE JR. that this Resolution be AMENDED This motion FAILED by the following vote:

Aye: 1 - McGee Jr.

No: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

Excused: 1 - Dudzik

Sponsors: Ald. D'Amato and Ald. Hines Jr.

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

5. [051169](#) Substitute resolution relative to funding for Tax Incremental District No. 22 (Beerline "B"), in the 3rd and 6th Aldermanic Districts.

Sponsors: Ald. D'Amato

A motion was made by ALD. D'AMATO that this Resolution be SUBSTITUTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

Sponsors: Ald. D'Amato

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

6. [051246](#) Resolution authorizing and directing a transfer of funds from the Capital Improvements Advance Planning Fund to subaccounts for the preparation of the Northeast Side, Near North Side and Near South Side Area Plans in Aldermanic Districts 1, 2, 3, 4, 6, 7, 8, 9, 12, 13, 14, 15 as well as for Economic Studies and Special Engineering and Technical Studies.

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

7. [051271](#) Resolution approving the boundary for the Avenues West Redevelopment Project Area and directing the Redevelopment Authority of the City of Milwaukee to prepare a Redevelopment Plan for said Area.

Sponsors: Ald. Bauman and Ald. Murphy

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

8. [051295](#) Resolution amending Common Council Resolution 051017 relating to the membership of the Affordable Housing Task Force.

Sponsors: Ald. Murphy

A motion was made by ALD. D'AMATO that this Resolution be ADOPTED This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

CONFIRMATION OF THE FOLLOWING:

9. [051301](#) Appointment of Lyle Balistreri to the City Plan Commission by the Mayor. (10th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

10. [051302](#) Reappointment of Gaurie Rodman to the City Plan Commission by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED This motion PREVAILED by the following vote:

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

11. [051303](#) Reappointment of Patricia Torres to the City Plan Commission by the Mayor. (13th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED This motion PREVAILED by the following vote:**
- Aye:** 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
- Excused:** 1 - Dudzik
12. [051304](#) Reappointment of J. Allen Stokes to the City Plan Commission by the Mayor. (6th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED This motion PREVAILED by the following vote:**
- Aye:** 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
- Excused:** 1 - Dudzik
13. [051316](#) Appointment of Sernorma Mitchell to the Redevelopment Authority by the Mayor. (9th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by ALD. D'AMATO that this Appointment be CONFIRMED This motion PREVAILED by the following vote:**
- Aye:** 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 1 - McGee Jr.
- Excused:** 1 - Dudzik

**THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
RECOMMENDS:**

ADOPTION OF THE FOLLOWING:

1. [051220](#) Resolution amending the term of office for members of the District Board of the Menomonee Valley Business Improvement District (BID #26).

Sponsors: Ald. Donovan

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

2. [051247](#) Resolution relative to the return of 2006 CDBG funding to Milwaukee Alliance for the activity of Community Prosecution and awarding the funds to Southside Organizing Committee.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

3. [051248](#) Resolution authorizing attendance at the National League of Cities meetings and conferences.

Sponsors: THE CHAIR

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

Aye: 13 - Hamilton, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

Abstain: 1 - Davis

4. [051289](#) Resolution relative to acceptance and funding of a Ready to Read with Books2Go Grant.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

5. [051290](#) Resolution relative to acceptance and funding of a "Library a la Carte" - Homebound Service for Seniors Grant.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

6. [051293](#) Substitute resolution relative to changes in the 2006 HUD funding for Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Shelter Grant (ESG), Housing Opportunities for Persons With AIDS (HOPWA) and American Dream Downpayment Initiative (ADDI).

Sponsors: Ald. Davis

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

7. [051319](#) Substitute resolution relating to the acceptance of funds for City of Milwaukee Youth Council activities.

Sponsors: Ald. Davis

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

Sponsors: Ald. Davis

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

CONFIRMATION OF THE FOLLOWING:

8. [051181](#) Appointment of Chaudhry Asif Rana 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 This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

9. [051182](#) Appointment of Jason Sikowski to the Business Improvement District Board #31 (Havenwoods) by the Mayor. (9th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

10. [051193](#) Appointment of Jeffrey Peelen to the Milwaukee Symphony Orchestra Board by the Mayor.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

11. [051307](#) Appointment of William Koehn to the Symphony Orchestra Board by the Mayor. (14th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

PLACING ON FILE THE FOLLOWING:

12. **051320** Communication from the manager of the Emerging Business Enterprises program relating to the BusinessSense data tracking system.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

THE PUBLIC WORKS COMMITTEE RECOMMENDS:**ADOPTION OF THE FOLLOWING:****1. Substitute resolutions granting/amending various special privileges:**

- a. [000566](#) Substitute resolution amending a special privilege to 1000 Water Street Condominium Association, Incorporated for change of name and to grant permission for two light fixtures on city-owned light poles on Highland Avenue at 1000 North Water 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 ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- b. [031644](#) Substitute resolution to grant a special privilege to Harbor Front Condominium Association to construct and maintain a riser and barrier-free access ramp and 13 excess door swings in the public right-of-way for the premises at 601 East Erie 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 ADOPTED This motion PREVAILED by the following vote:

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- c. [050924](#) Substitute resolution amending a special privilege for change of ownership to HCP/0BG Milwaukee Property Co., LLC d/b/a Hampton Inn for encroachment into the public right-of-way of two excess door swings and modification of the existing porta cochere for the building at 176 West Wisconsin Avenue, in the 4th Aldermanic District in the City of Milwaukee.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

- d. [051019](#) Substitute resolution amending a special privilege for change of ownership to MB Real Estate, LLC, for encroachment into the public right-of-way of items previously granted permission and grants permission for encroachment into the public right-of-way of three bollards for the building at 2214 North 35th Street, in the 15th Aldermanic District in the City of Milwaukee.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

2. [050851](#) Substitute resolution authorizing the honorary naming of West Highland Boulevard, from North 27th Street to North 29th Street, as "Dr. R.E. McCrory".

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

3. [051190](#) Resolution authorizing the Commissioner of Public Works to enter into a professional services contract for the modifications to the fuel management system at various sites (Facilities Development and Management Section).

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

4. [051221](#) Substitute resolution approving construction of nonassessable public improvement projects at various locations.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

5. [051222](#) Resolution determining it necessary to make various nonassessable public improvements at various locations.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

6. [051223](#) Substitute resolution determining it necessary to make various assessable public improvements at various locations.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

7. [051224](#) Substitute resolution approving levying of assessments and construction of assessable public improvement projects at various locations.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

8. [051240](#) Resolution directing the Department of City Development to prepare a resolution to vacate North 6th Street from West St. Paul Avenue to a point South 160 feet, in the 4th Aldermanic District.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

9. [051249](#) Resolution authorizing the City Engineer to grant permission to Milwaukee County for the construction and maintenance of an off-road bicycle trail in the public right of way of North Hawley Road at West Trenton Place.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

10. [051250](#) Resolution authorizing the Commissioner of Public Works to execute an agreement with the Wisconsin Department of Transportation to fund the installation of permanent lighting improvements on North 11th Street from West Wells Street to West Highland Avenue and West Tory Hill from North 11th Street to a point east of North 9th Street.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

11. [051251](#) Resolution granting an easement to the Wisconsin Electric Power Company on City of Milwaukee owned property at 5701 West McKinley Avenue, and authorizing and directing the proper City officers to execute the easement document.
(Water Works)

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

12. [051252](#) Resolution authorizing the Commissioner of Public Works to issue one or more permits to the Milwaukee Riverwalk District allowing installation of decorative trellises on the downtown riverwalk along both sides of the river between Wells Street and Kilbourn Avenue.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
13. [051253](#) Resolution authorizing and directing the Commissioner of Public Works to execute a project agreement with the Wisconsin Department of Transportation for traffic signal improvements and pavement marking changes at the intersection of West Center Street and North Teutonia Avenue in the 15th Aldermanic District under the Hazard Elimination Safety Program.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
14. [051254](#) Resolution authorizing and directing the Commissioner of Public Works to execute a project agreement with the Wisconsin Department of Transportation for median island reconfiguration and alteration and the installation of a traffic signal at the intersection of West Vliet Street and North 40th Street in the 10th and 15th Aldermanic Districts under the Hazard Elimination Safety Program.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
15. [051255](#) Resolution authorizing and directing the Commissioner of Public Works to execute a project agreement with the Wisconsin Department of Transportation for median island reconfiguration and alteration and traffic signal and signing improvements at the intersection of South Layton Boulevard and West National Avenue in the 8th Aldermanic District under the Hazard Elimination Safety Program.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

16. [051256](#) Resolution regarding the removal or reconstruction of encroachments, projections, and special privileges on streets and alleys on the 2006 Paving Program.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

17. [051262](#) Resolution relating to application for, and acceptance and funding of, a U.S. Environmental Protection Agency 2005 Great Cities Grant titled "Stormwater Parking" (Department of Public Works).

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

18. [051266](#) Resolution authorizing the Commissioner of Public Works to enter into a Mutual Aid Agreement with other public works organizations within Milwaukee County to support each other in the event of a disaster within a member community.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

19. [051267](#) Resolution authorizing the Commissioner of Public Works to enter into professional consulting contracts for the architectural, mechanical, environmental, and electrical designs of 2006 Capital Improvements Projects. (Facilities Development and Management Section)
- Sponsors:** THE CHAIR
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
20. [051269](#) Resolution authorizing the Commissioner of Public Works to execute a revised Memorandum of Understanding with WiscNet Association concerning the provision of Internet service from WiscNet to the City of Milwaukee in exchange for dark fiber at agreed upon routes and collocation facilities at agreed upon locations within the City.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
21. [051273](#) Resolution declaring a City-owned vacant lot at 2425-27 North 33rd Street surplus to municipal needs and authorizing its sale to Milwaukee Habitat for Humanity, Inc., for residential construction, in the 15th Aldermanic District.
- Sponsors:** Ald. Hines Jr.
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
22. [051284](#) Resolution authorizing and directing the Commissioner of Public Works to execute an agreement with the Wisconsin Department of Transportation for programming and construction of the improvement of West Loomis Road (STH 36) from South 51st Street to West Fardale Avenue with Federal and/or State Aid under the State Trunk Highway Program.
- Sponsors:** Ald. Bauman
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:**

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

23. [051285](#) Resolution authorizing and 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 (WISDOT) for the replacement of the West Bradley Road Bridge over the Little Menomonee River to update construction costs and include railroad work as part of the project reconstruction with 80% Federal and/or State aid under the Local Bridge Replacement Program.

Sponsors: Ald. Bauman

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

24. [051287](#) Resolution authorizing the issuance of a permit to Gorman & Company Incorporated, allowing occupancy of a portion of the public alley in the block bounded by West Clarke Street, West Wright Street, North 28th Street, and North 29th Street.

Sponsors: Ald. Bauman and Ald. Hines Jr.

Ald. Hines asked to be added as a co-sponsor.

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

25. [051317](#) Resolution granting the Enderis Park Neighborhood Association permission to place welcome signs at the boundaries of its neighborhood within various public rights-of-way in the 5th and 10th Aldermanic Districts in the City of Milwaukee.

Sponsors: Ald. Murphy and Ald. Bohl

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

26. [051318](#) Resolution granting the Washington Heights Neighborhood Association permission to place welcome signs at the boundaries of its neighborhood within various public rights-of-way in the 10th Aldermanic District in the City of Milwaukee.
- Sponsors:** Ald. Murphy
- A motion was made by ALD. BAUMAN that this Resolution be ADOPTED This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik

PLACING ON FILE THE FOLLOWING:

27. [050105](#) Substitute resolution relating to the fencing of certain City-owned vacant lots.
- Sponsors:** Ald. McGee Jr.
- A motion was made by ALD. BAUMAN that this Resolution be PLACED ON FILE This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik
28. [051226](#) Communication from the Department of Public Works transmitting a report relative to special event permits.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BAUMAN that this Communication-Report be PLACED ON FILE This motion PREVAILED by the following vote:**
- Aye:** 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.
- No:** 0
- Excused:** 1 - Dudzik

- [051299](#) Resolution directing the Election Commission of the City of Milwaukee to provide, on the spring general election ballot, April 4, 2006, an advisory referendum seeking approval to seek introduction and passage of state legislation enabling cities of the first class to enact forms of alternative funding for the purpose of financing public safety services and essential infrastructure projects.
- Sponsors:** Ald. Donovan
- A motion was made by ALD. DONOVAN that this Resolution be TAKEN FROM COMMITTEE This motion FAILED by the following vote:**

Aye: 7 - D'Amato, Bauman, McGee Jr., Donovan, Murphy, Witkowiak Hines Jr.

No: 7 - Hamilton, Davis, Bohl, Wade, Puente, Witkowski Zielinski

Excused: 1 - Dudzik

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

051323 Resolution approving various final certified survey maps.

Sponsors: THE CHAIR

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

Aye: 14 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 0

Excused: 1 - Dudzik

051391 Resolution directing the Intergovernmental Relations Division - Department of Administration to seek introduction and passage of state legislation necessary for adjusting the Milwaukee Parental Choice Program's funding formula prior to expanding the Milwaukee Parental Choice Program.

Sponsors: Ald. Murphy, Ald. Bohl, Ald. Bauman, Ald. Witkowski, Ald. Davis, Ald. Hamilton, Ald. Donovan and Ald. D'Amato

Ald. D'Amato asked to be listed as a co-sponsor.

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

Aye: 13 - Hamilton, Davis, D'Amato, Bauman, Bohl, Wade, Donovan, Puente, Murphy, Witkowiak, Witkowski, Zielinski Hines Jr.

No: 1 - McGee Jr.

Excused: 1 - Dudzik

Various announcements were made.

051299 Resolution directing the Election Commission of the City of Milwaukee to provide, on the spring general election ballot, April 4, 2006, an advisory referendum seeking approval to seek introduction and passage of state legislation enabling cities of the first class to enact forms of alternative funding for the purpose of financing public safety services and essential infrastructure projects.

Sponsors: Ald. Donovan

Ald. Witkowski moved that the motion to take from committee be reconsidered. On the motion: PASS: Hamilton, Davis, Bohl, Wade, Puente, Zielinski NO; Davis and Witkowiak EXCUSED.

A motion was made by ALD. DONOVAN that this Resolution be TAKEN FROM COMMITTEE This motion PREVAILED by the following vote:

Aye: 7 - D'Amato, Bauman, McGee Jr., Donovan, Murphy, Witkowski Hines Jr.

No: 6 - Hamilton, Davis, Bohl, Wade, Puente Zielinski

Excused: 2 - Dudzik Witkowiak

Sponsors: Ald. Donovan

Ald. D'Amato moved to replace the last "Further Resolved" clause with the following:

"Do you agree that the City of Milwaukee should work with the state legislature and the Governor to explore ways to pay for basic city services and stem their further reduction and offer much-needed property tax relief?"

This motion was WITHDRAWN.

Subsequently, Ald. McGee called for the previous question. On the motion: FAIL: D'Amato, Bauman, Bohl, Wade, Donovan, Puente NO; Dudzik and Witkowiak EXCUSED.

A motion was made by ALD. DONOVAN that this Resolution be REFERRED TO to the JUDICIARY & LEGISLATION COMMITTEE This motion PREVAILED by the following vote:

Aye: 12 - Hamilton, Davis, D'Amato, Bauman, Bohl, McGee Jr., Wade, Donovan, Puente, Murphy, Zielinski Hines Jr.

No: 1 - Witkowski

Excused: 2 - Dudzik Witkowiak

There being no further business to come before the Common Council, the meeting adjourned at 12:11 p.m.