



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

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

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Friday, September 22, 2000

9:00 AM

Common Council Chambers

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**Present: 17 -**

Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy, Hines Jr.

*The meeting opened with the recitation of the Pledge of Allegiance, Invocation by Ald. Bohl and one minute of silent meditation.*

*The minutes of the Journal of Proceedings of the Common Council for the special meeting held on September 12, 2000 and the regular meeting of September 6, 2000, were approved.*

*Ald. Pawlinski moved that the Common Council do now resolve itself into a Committee of the Whole for the purpose of hearing from Deputy Chief Gielow relative to the foregoing matter.*

*Presentation to Wiliam Gielow, MPD.*

*PROCEEDINGS OF THE COMMITTEE OF THE WHOLE*

*Deputy Chief Gielow appeared and addressed the Committee relative to the foregoing matter.*

*Escorts: Ald. Breier, Sanchez and Hines.*

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

[000349](#)

Substitute ordinance to further amend the 2000 offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 1 of ordinance File Number 990704 relative to offices and positions in the City Service is hereby amended as follows:

Under "Common Council-City Clerk, Central Administration Division", delete one position of "Administrative Services Coordinator" and add one position of position of

"Management and Accounting Officer."

Under "Department of Public Works-Buildings and Fleet Division, Administration Section, General Office", delete one position of "Accounting Assistant II" and one position of "Office Assistant III" and add one position of "Program Assistant I" and one position of "Program Assistant II" and under "Facilities Management Section, Custodial Services", delete one position of "Custodial Services Manager" and add one position of "Building Services Manager."

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 All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 3. The provisions of this ordinance are deemed to be in force and effect from and after the first day of the first pay period following passage and publication.

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

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 2) [000350](#) Substitute ordinance to further amend the 2000 rates of pay of offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 2 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Salary Grade 004, delete the titles "Administrative Services Coordinator", "Custodial Services Manager" and "Security Manager."

Under Salary Grade 006, add the titles "Building Services Manager" and "Security Manager."

Part 2. Section 17 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 2000 – December 26, 1999):

Delete Pay Range 785 in its entirety and recreate it as follows:

"Pay Range 785

Official Rate-Biweekly

\$1,665.39 1,715.35 1,766.81 1,819.82 1,874.41

Plumbing Inspector I"

Part 3. Section 19 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 1, 1999 – December 27, 1998):

Under Pay Range 831, delete the title "Administrative Police Sergeant" and current biweekly rates of pay and substitute therefor the following biweekly rates of pay:

"Pay Range 831

Official Rate-Biweekly

\$1,633.79 1,698.28 1,765.37 1,835.11

\$1,907.65 1,983.13"

Under Pay Ranges 834 through 842, delete the current biweekly rates of pay and substitute therefor the following biweekly rates of pay:

"Pay Range 834

Official Rate-Biweekly

\$1,765.37 1,835.11 1,907.65 1,983.13

\$2,061.57 2,143.18

Pay Range 835

Official Rate-Biweekly

\$1,835.11 1,907.65 1,983.13 2,061.57

\$2,143.18 2,227.94

Pay Range 836

Official Rate-Biweekly

\$1,907.65 1,983.13 2,061.57 2,143.18

\$2,227.94 2,316.20

Pay Range 839

Official Rate-Biweekly

\$2,143.18 2,227.94 2,316.20 2,407.94

\$2,503.43 2,602.67

Pay Range 842

Official Rate-Biweekly

\$2,407.94 2,503.43 2,602.67 2,705.94

\$2,813.29 2,924.93"

Part 4. Section 19 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 1, 2000 – December 26, 1999):

Under Pay Ranges 831 through 842, delete the current biweekly rates of pay and substitute therefor the following biweekly rates of pay:

"Pay Range 831

Official Rate-Biweekly

\$1,686.89 1,753.47 1,822.74 1,894.75

\$1,969.65 2,047.58

Pay Range 834

Official Rate-Biweekly

\$1,822.74 1,894.75 1,969.65 2,047.58

\$2,128.57 2,212.83

Pay Range 835

Official Rate-Biweekly

\$1,894.75 1,969.65 2,047.58 2,128.57

\$2,212.83 2,300.35

Pay Range 836

Official Rate-Biweekly

\$1,969.65 2,047.58 2,128.57 2,212.83

\$2,300.35 2,391.48

Pay Range 839

Official Rate-Biweekly

\$2,212.83 2,300.35 2,391.48 2,486.20

\$2,584.79 2,687.26

Pay Range 842

Official Rate-Biweekly

\$2,486.20 2,584.79 2,687.26 2,793.88

\$2,904.72 3,019.99

Part 5. Section 19 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby further amended as follows (Effective Pay Period 9, 2000 – April 16, 2000):

Under Pay Range 831, add footnote "2/" as follows: "2/ Employees appointed to positions in Pay Range 831 during or after Pay Period 9, 2000, shall be paid ten

dollars more than the rate of pay they were receiving prior to such appointment. This footnote shall expire upon implementation of the 2000 rates of pay for MPSO-represented positions.

Part 6. Section 22 of ordinance File Number 990705 relative to rates of pay of offices and positions in the City Service is hereby amended as follows (Effective Pay Period 16, 2000 – July 23, 2000):

Under Pay Range 863, add footnote "4/" as follows: "4/ Employees appointed to positions in Pay Range 863 during and after Pay Period 16, 2000, shall be paid ten dollars more than the rate of pay they were receiving prior to such appointment. This footnote shall expire upon implementation of the 2000 rates of pay for unrepresented, non-civilian Fire Department management employees.

Part 7. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 8. The provisions of Parts 2 and 4 of this ordinance are deemed to be in force and effect from and after Pay Period 1, 2000 (December 26, 1999).

The provisions of Part 3 of this ordinance is deemed to be in force and effect from and after Pay Period 1, 1999 (December 27, 1998).

The provisions of Part 5 of this ordinance are deemed to be in force and effect from and after Pay Period 9, 2000 (April 16, 2000).

The provisions of Part 6 of this ordinance are deemed to be in force and effect from and after Pay Period 16, 2000 (July 23, 2000).

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

Part 9. This ordinance will take effect and be in force from and after its passage and publication.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

3) [000696](#) An ordinance relating to compensation and reimbursement of certain city board and

commission members.

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

Part 1. Part II, section 8 of the salary ordinance, file number 990705, as amended, is repealed and recreated to read:

Section 8. Boards and Commissions: Compensation and Reimbursement. A member of a city board shall receive compensation for serving on a city board specified under s. 1, pay ranges 030 to 047, as long as the member is not receiving compensation for employment by the city or a city agency, apart from compensation for service on a board or commission; or as long as the member's name does not appear on a city biweekly payroll apart from serving on a board or commission; or as long as the member's name does not appear on a regular payroll of the city apart from serving on a board or commission.

Reimbursement allowances for members of certain city boards are for estimated average expenditures in attending board meetings. A flat allowance of \$20 per meeting shall be provided for the reimbursement of members of those city boards, commissions, committees and authorities listed below for a maximum of 20 meetings per calendar year (\$400 per year). This flat allowance is intended as reimbursement for estimated average expenses, such as traveling, parking and other related expenses, normally incurred by members of such city boards as a consequence of their attending regular meetings of duly authorized city boards. Meetings eligible for reimbursement allowance do not include preparation meetings or subcommittee meetings.

It is clearly intended that members of the following types of board and commissions shall not be eligible for any reimbursement allowances authorized by this section of the salary ordinance.

1. Boards and commissions whose members are compensated under pay range 030 through 047 of Part 1, Sec. 1 of the salary ordinance.
2. Boards and commissions having separate corporate identities who have the power to establish their own reimbursement policies for their members, such as the housing authority and the redevelopment authority.
3. Boards and commissions established other than by common council action.

To simplify the payment of reimbursement allowances for members of eligible boards, such payments shall be made once each year. At the end of the year such board chair shall submit to the comptroller's office a list of members eligible for such compensation payments together with a record of the number of meetings each member has attended during that calendar year. Reimbursement shall be made at the end of the calendar

year or when administratively feasible in the subsequent year. Members of the following city boards shall be eligible for a reimbursement allowance under the provisions of this section:

Arts Board  
Deferred Assessment Board  
Deferred Compensation Board  
Equal Rights Commission  
Ethics Board  
Food License Review Board  
Fourth of July Commission  
Harbor Commission  
Historic Preservation Commission  
Holiday Commission  
Library Board  
Milwaukee Commission on Domestic Violence and Sexual Assault  
Neighborhood Advisory Councils on Crime Prevention  
Policemen's Annuity and Benefit Fund, Retirement Board of  
Public Debt Commission  
Safety Commission  
Transportation Commission

**Board of Assessment:** Members of the board of assessment shall be compensated at the rate of \$60 per meeting, for a maximum of 20 meetings per calendar year.

**Administrative Review Appeals Board:** Regular and alternate members of the administrative review appeals board shall be compensated at the rate of \$60 per meeting for up to 10 meetings per year.

To simplify the payment of compensation for members of the board of assessment and regular and alternate members of the administrative review appeals board, payments shall be made once each year. At the end of the year the chair shall submit to the comptroller's office a list of members eligible for payment together with a record of the number of meetings each member has attended during that calendar year. Compensation shall be made at the end of the calendar year or when administratively feasible in the subsequent year.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.



**No:** 0

- 4) [000697](#) A charter ordinance relating to duty disability retirement allowances.

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

Part 1. Section 36-05-3-g of the charter is repealed.

(Note: The provisions being repealed read as follows:

36-05. Benefits.

### 3. DUTY DISABILITY RETIREMENT ALLOWANCE.

g. Older Worker's Benefit Protection Act. General city employees hired on or after October 17, 1992, and general city employees hired prior to October 17, 1992, who elected an optional benefit under par. f and apply for a duty disability retirement allowance on or after January 1, 1993, will be eligible for a duty disability retirement allowance on the same terms as the duty disability retirement allowance which would otherwise apply to them except:

g-1. The amount of the member's benefit shall be 72% of final average salary. Effective with the installment next following the month such member attains age 62, the member's benefit shall be reduced by the amount of the service retirement allowance which would be payable upon voluntary conversion at age 62 under par. b-2.

g-2. If a member is between the ages of 55 and 59 at the time the benefit is first effective, the member shall continue to receive benefits during the period of eligibility until the member attains age 60 or the expiration of a maximum period of 46 months, whichever is later. If a member is between the ages of 60 and 65 at the time the benefit is first effective, the member shall continue to receive benefits during the period of eligibility until the expiration of a maximum period of 27 months. If a member has attained 65 years of age at the time the benefit is first effective, the member shall continue to receive benefits during the period of eligibility until the expiration of a maximum period of 16 months.)

Part 2. Section 36-05-3-i of the charter is amended to read:

i. [[Notwithstanding par. f or g, general]] >>General<< city employees who retire on a duty disability retirement allowance on or after January 1, 1995 (on or after August 16, 1994 for employees represented by the Milwaukee Building and Construction Trades Council, AFL-CIO), shall be eligible for and receive a duty disability retirement allowance equal to 75% of final average salary. General city employees who have not attained the age of 60 years at the time of such retirement shall continue to

receive such allowance during their period of eligibility until they reach the first of the month next following age 65, at which time they shall convert to a service retirement allowance. General city employes who have attained the age of 60 years at the time of such retirement shall continue to receive such allowance during their period of eligibility for a period of 5 years, at which time they shall convert to a service retirement allowance.

Part 3. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.01(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

ADOPTION OF THE FOLLOWING:

- 5) [980712](#) Substitute resolution approving, ratifying and confirming a memorandum of understanding between the City Negotiating Team and the Milwaukee Police Supervisors' Organization for the period of January 1, 1999 to December 31, 2000. Whereas, The total agreement between the City Negotiating Team and the Milwaukee Police Supervisors' Organization for the period commencing January 1, 1999 through December 31, 2000 has been reduced to writing; and
- Whereas, The memorandum of understanding embodying the agreements reached by the parties to such negotiations, copies of which are attached to Common Council File No. 980712 and incorporated herein as though fully set forth at length, was executed subject to ratification by the Common Council; and
- Whereas, The union membership has ratified the memoranda of understanding a copy of a letter to that effect is attached to Common Council File No. 980712 and incorporated herein as though fully set forth at length; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the agreement between the City of Milwaukee Negotiating Team and the Milwaukee Police Supervisors' Organization be approved; and, be it
- Further Resolved, That the City of Milwaukee Negotiating Team is hereby authorized and directed to reduce the agreement to a formal contract between the union and the

city; and, be it

Further Resolved, That the proper city officials are hereby authorized and directed to execute a formal contract between the City of Milwaukee and the Milwaukee Police Supervisors' Organization which reflects the terms of the agreement; and, be it

Further Resolved, That the proper city officials are hereby authorized and directed to take the necessary action or to make the necessary recommendations to the common council or the appropriate committees or boards to implement the terms of this agreement; and, be it

Further Resolved, That such sums as are necessary for the implementation of the aforementioned labor contract in accordance with its terms and conditions be obtained for and charged to the appropriate departmental budget accounts in accordance with the customary reporting and accounting requirements.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 6) [000296](#) Substitute resolution relating to expenditure of funds to be reimbursed by greater than anticipated revenue (Fire Department and City Attorney)

**Sponsors:** THE CHAIR

*NOT RETURNED BY COMPTROLLER*

- 7) [000505](#) Substitute resolution authorizing attendance at various seminars/meetings and authorizing expenditure of funds for this purpose.
- Resolved, By the Common Council of the City of Milwaukee, that the attendance of the following individuals at the following seminars or meetings is approved, and the funds specified are authorized to be allocated from the Seminar Fund, such travel and reimbursement to be in accordance with guidelines established by Section 350-181, Milwaukee Code:

1)Cassandra Sherrill-Patterson (CC-CC) "The National Development Council"; Orlando, FL; 12/4-8/00; \$1,989.00;

2) Ald. Annette E. Scherbert (CC-CC) "2000 Fall Conference, American Public Works Association"; Wisconsin Rapids, WI; 11/1-3/00; \$737.77; and, be it

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

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

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 8) [000527](#) Resolution incorporating the name change of one of the umbrella organizations involved in the City of Milwaukee Employees Combined Giving Campaign into File Number 961269, a substitute resolution authorizing donor options for the City of Milwaukee Employees Combined Giving Campaign. (Health Department)

Whereas, On December 19, 1996, the Common Council adopted File Number 961269, resolution authorizing donor options for the City of Milwaukee Combined Giving Campaign; and

Whereas, It is in the best interest of the City to amend the resolution governing the campaign; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Resolution File Number 961269 is amended by deleting the text of number 5 of the first "Resolved" clause and inserting in lieu thereof:

5. Umbrella organizations are limited to : A-Choice, United Way of Greater Milwaukee, Inc., and Community Health Charities of Wisconsin.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 9) [000576](#) Substitute resolution approving, ratifying and confirming a memorandum of understanding between the City negotiating team and Plumbers' Local 75, AFL-CIO regarding the implementation of the Plumbing Inspector I/II classification study. Whereas, The total agreement between the City negotiating team and Plumbers' Local 75, AFL-CIO has been reduced to writing; and

Whereas, The memorandum of understanding embodying the agreements reached by the parties to such negotiations, copies of which are attached to Common Council File No. 000576 and incorporated herein as though fully set forth at length, was executed subject to ratification by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the agreement between the City negotiating team and Plumbers' Local 75, AFL-CIO be approved; and, be it

Further Resolved, That the proper city officials are hereby authorized and directed to take the necessary action or to make the necessary recommendations to the Common Council or the appropriate committees or boards to implement the terms of this agreement; and, be it

Further Resolved, That such sums as are necessary for the implementation of the aforementioned labor contract in accordance with its terms and conditions be obtained for and charged to the appropriate departmental budget accounts in accordance with the customary reporting and accounting requirements.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 10) [000578](#) Substitute resolution amending the prevailing wage resolution (Cement Masons, Building, Shaft & Tunnel Construction, Heavy & Highway, Building & Residential; Laborers, Building Agreement, Sewer & Water Open Cut and Shaft & Tunnel Construction, Tunnel - Compressed Air 0-15 Lbs., Milwaukee, Waukesha, Ozaukee & Washington Counties, White Sheet Rates, Private Highway and Bituminous Paving Work (Milwaukee, Waukesha, Washington, Ozaukee, Racine & Kenosha); Plumber Laborer; Laborers, Utility & Cable Work; Roofers; Sheet Metal Workers, Commercial & Residential; Sprinkler Fitters; Tile Layers; Terrazzo; Terrazzo Finishers; Operating Engineers, Master Building Agreement - Area 1 Building Construction & Sewer, Water & Tunnel - Area 1, Shaft & Tunnel Construction

Labor Service and Sewer & Water Open Cut (Associated Earth Movers Assoc. - Area 1), Great Lakes Floating Agreement, Marine Construction and Dredging, Heavy and Highway Construction, Master Labor Agreement, National Distribution & Utilities Construction & Maintenance Statewide; Asbestos and Hazardous Waste; Elevator Constructors; Plumbers; Steamfitters; Division of Steamfitters, Refrigeration Mechanics; Boilermakers; Teamsters, Sewer, Tunnel, Water & Utilities, All Truck Drivers (Hauling Sand-Gravel-Stone), Building Construction, General Building Contractors (Dump Truck-Flat Bed-Semi Drivers-Shop Mechanics)).

Resolved, By the Common Council of the City of Milwaukee, that the resolution relative to minimum rates of pay and fringe benefits for various construction worker categories employed by the private construction industry engaged in public works contracts with the City of Milwaukee is hereby amended to reflect changes as contained in letter(s) from the Milwaukee Building and Construction Trades Council dated July 18 & 19, 2000, and August 1 & 4, 2000, and from the Department of Employee Relations dated September 15, 2000, and attached to Common Council File Number 000578; and, be it

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

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 11) [000585](#) Resolution authorizing the transfer of \$10,000 from the Common Council Contingent Fund to the Outside Counsel/Expert Witness Fund for the purpose of retaining outside legal counsel in MPA. et al. v. City of Milwaukee, et al., Case No. 97-CV-007996. (City Attorney)
- Whereas, The Outside Counsel - Expert Witness Fund is to be used by the City Attorney's Office to retain the services of expert witnesses and outside legal counsel; and
- Whereas, Any appropriation of funds from this Fund requires approval by the Common Council via resolution; and
- Whereas, Common Council File Number 971183, adopted on November 25, 1997, authorized the City Attorney to enter into an agreement with the law firm of Reinhart, Boerner, Van Deuren, Norris & Rieselbach, S.C. ("Firm") to provide the City representation in the case of MPA, et al. v. City of Milwaukee, et al., Case Number

97-CV-007996, as outside counsel in defense of Common Council File Number 970387, passed on October 14, 1997; and Common Council File Number 971183, adopted on November 25, 1997, appropriated \$10,000, and Common Council File Number 971609, adopted on February 10, 1998, appropriated \$50,000, and Common Council File Number 980719, adopted on June 16, 1998 appropriated \$100,000 from the Contingent Fund and Common Council File Number 981209, adopted on December 18, 1999 appropriated \$75,000 from the Contingent Fund, and Common Council File Number 990231, adopted on June 1, 1999, appropriated \$20,000 from the Outside Counsel Expert Witness Fund; and Common Council File Number 980465, adopted on September 28, 2000 appropriated \$10,000 from the Contingent Fund; and

Whereas, There is a remaining balance of \$1,923.31 and there are existing bills in the amount of \$7,159.53 which will result in a negative balance of \$5,236.22 and additional funding in the amount of \$10,000 is needed; now, therefore, be it

Resolved, By the Common Council that \$10,000 be transferred from the Common Council Contingent Fund No. 0001-9990-C001-006300 to the Outside Counsel/Expert Witness Fund No. 0001-1490-0001-9990-634001 and the expenditure of \$10,000 is hereby authorized for the purpose of retaining outside counsel as directed herein; and, be it

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

Further Resolved, That the proper city officers be and are hereby authorized and directed to make whatever fund transfers are necessary or appropriate to carry out the provisions of this resolution and that application of the funds directed herein to a case other than that specifically referred to herein shall be subject to the further direction of the Common Council.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 12) [000586](#) Substitute resolution authorizing the transfer of \$175,000 from the Common Council Contingent Fund to the Outside Counsel/Expert Witness Fund for the purpose of retaining outside legal counsel with regard to the global pension settlement litigation.

Whereas, The Outside Counsel/Expert Witness Fund is to be used by the City Attorney's Office to retain the services of expert witness and outside counsel; and

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

Whereas, Common Council File No. 971183 authorized the City Attorney to enter into an agreement with the Firm to provide the city with representation in the case of MPA, et al. v. City of Milwaukee, et al., Case No. 97-CV-007996, as outside counsel in defense of Common Council File No. 970387; and

Whereas, The parties have entered into an agreement to expand the scope of the Firm's engagement to include acting as a consultant in the establishment of a new retirement system for city employees; and

Whereas, The parties have agreed that the Firm will participate in the global pension settlement litigation to implement the global settlement; and

Whereas, FN 991902 adopted on 4/11//00 expanded the scope of the engagement of the Firm to provide the city with representation in Case No. 00-CV-003439 and allocated \$100,000 for this purpose; and FN 000182 allocated an additional \$89,000 for this purpose; and

Whereas, Of this amount, there is a remaining balance of \$68,605.25 and there are existing bills in the amount of \$153,436.77 which will result in a shortage of \$84,831.52 and \$175,000 of additional funding is necessary; now, therefore, be it

Resolved, That the sum of \$175,000 be and hereby is transferred from the Common Council Contingent Fund No. 0001-9990-0001-C001-006300 to the Outside Counsel/Expert Witness Fund Special Purpose Account Fund No. 0001-1490-0001-S157-634001 for the purpose of funding the Firm to provide the city with representation in pension settlement litigation to implement the global settlement; and, be it

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

Further Resolved, That the proper city officers be and are hereby authorized and directed to make whatever fund transfers are necessary or appropriate to carry out the provisions of this resolution; and that the application of the funds directed herein shall be subject to the further direction of the Common Council.



**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

13) [000694](#) Resolution relative to application, acceptance, and funding of an Interlibrary Services Grant. (Library)

Whereas, The operation of this grant from 07/01/00 to 06/30/01 would cost \$95,000 of which \$95,000 (100%) would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue--Grant and Aid Projects, the following amounts for the project titled Interlibrary Services Grant:

Proj/Grant	Fund	Org	Program	BuYr
GR000000000000	0150	9990	0001	0000

Subclass	Acct	Project	Amount
R999	000600	Grantor Share	\$95,000

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

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

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

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

2. Expend from the 2000 grant budget funds for specific items of equipment;

3. Expend from the 2000 grant budget funds for training and out-of-town travel by departmental staff.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

14) [000695](#) Resolution relative to application, acceptance, and funding of a Regional Library for the Blind and Physically Handicapped Grant. (Library)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Public Instruction to serve the blind and physically handicapped of the state by providing reading material on phonodiscs, cassette tapes, and braille books; and

Whereas, The operation of this grant from 07/01/00 to 06/30/01 would cost \$736,400 of which \$736,400 (100%) would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2000 Special Revenue--Grant and Aid Projects, the following amounts for the project titled Regional Library for the Blind and Physically Handicapped:

Proj/Grant	Fund	Org	Program	BuYr
GR00000000000	0150	9990	0001	0000

Subclass	Acct	Project	Amount
R999	000600	Grantor Share	\$736,400

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

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

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

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2000 grant budget funds for specific items of equipment;
3. Expend from the 2000 grant budget funds for training and out-of-town travel by departmental staff.
4. Enter into subcontracts and leases as detailed in the grant budget.

**Sponsors:** Ald. Murphy

*Add Ald. Murphy as sponsor*

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 15)      [000725](#)      Resolution relative to application, acceptance and funding of a disaster assistance program relating to the July 2, 2000 storm in the City of Milwaukee. (DPW)
- Whereas, Under the terms of Section 403 of Public Law 93-288, the City of Milwaukee appears to be eligible for grant funds from the Federal Emergency Management Agency (FEMA) and the Wisconsin Division of Emergency Management for disaster assistance relating to the July 2, 2000 storm in the City of Milwaukee; and
- Whereas, The 1988 Catalog of Federal Domestic Assistance number for the Federal Emergency Management Disaster Assistance Program is 83.544; and
- Whereas, The Federal Emergency Management Agency has agreed to provide 100% of the \$1405 in administrative costs for this grant project and 75% (\$35,137.50) of the \$46,850 in disaster assistance for the project; and
- Whereas, An additional 12.5% of the non-administrative cost of the project or \$5,856.25 would be provided by the State of Wisconsin through its Division of Emergency Management; and

Whereas, The remaining 12.5% of the non-administrative project cost, or \$5,856.25 would be the responsibility of the City of Milwaukee; and

Whereas, The breakdown of funding and funding sources is as follows:

FEMA	\$35,137.50
State of Wisconsin	\$ 5,856.25
Local Share	\$ 5,856.25
Total Non-Admin.	\$46,850.00

FEMA - Admin.	\$ 1,405.00
Total	\$48,255.00

;and

Whereas, The Department of Public Works has determined that the benefits to the City from this grant-funded project appear to exceed the City's share of obligations to be incurred under the project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Federal Emergency Management Agency is authorized and the Department of Public Works shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843; and, be it

Further Resolved, That funding of a disaster assistance project relating to the July 2, 2000 storm in Milwaukee using the cost participation terms specified above is approved; and, be it

Further Resolved, That the Department of Public Works is authorized and directed to administer the disaster assistance program and to accept Federal and State grant funding for the program without further Common Council approval unless:

1. The purpose of this grant-funded project is significantly changed, or
2. The amount of the in-kind City share is higher than \$5,856.25

;and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit Funds within the Project/Grant Parent of the 2000 Special Revenue Grant and Aid Projects Fund the following amounts for the program titled FEMA

2000 Public Assistance Grant:

Project Grant Parent	Grantor Share
Project/Grant	GR0000000000
Fund	0150
Organization	9990
Program	0001
Budget Year	2000
Subclass	R999
Account	000600
Grantor Share Amount	\$42,398.75

2. Establish the necessary City Share Project Values and create a Special Revenue Fund - Grant and Aid Projects and the necessary Grant Chartfield Values at the Project, Segment, Phase and/or Activity Levels; and to budget to the Project, Segment Phase or Activity level the amounts required under the grant agreement;

and, be it

Further Resolved, That these funds are budgeted for the Department of Public Works which is authorized to:

Expend from the amount budgeted for specific purposes as indicated in the grant budget and incur costs consistent with the grant award as follows:

Sanitation	\$44,120	Debris Disposal
Infrastructure	\$ 2,730	Road Repair
DPW	\$ 1,405	Administration
Total	\$48,255	

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

16) [000731](#) Resolution approving a settlement agreement in Walsh, et al. v. City, et al., Circuit Court Case No. 99-CV-001419. (City Attorney)

Whereas, In Walsh, et al. v. City, et al., each named plaintiff brought an action alleging that their rights had been violated by the ordinances of the city, which provided for

cost of living adjustments for active fire fighters and catch-up for certain retired fire fighters without also providing for benefits to the plaintiffs; and

Whereas, The global pension settlement requires dismissal of the aforementioned case; and

Whereas, The parties have negotiated a settlement agreement that would result in a stipulation for dismissal of the case upon its merits; and

Whereas, Under the terms of the settlement agreement, each of the named plaintiffs will be eligible for payment from the city in the amount of \$1,000; now, therefore, be it

Resolved, By the Common Council of the city of Milwaukee that the settlement agreement entered into between the plaintiff's counsel and the City Attorney on behalf of the defendant city be and hereby is approved and that the City Attorney is authorized to proceed with the implementation of such settlement; and, be it

Further Resolved, That the proper city officers be and hereby are authorized and directed to deliver a check in the amount of \$1,000 as the city's contribution per the settlement agreement, to each of the named individuals in paragraph 2 of the settlement agreement, and a check in the amount of \$14,744.91 payable to the law firm of Fuchs Snow DeStefanis, S.C., such check to be drawn from the damages and claims fund and delivered upon receipt of properly executed releases approved by the City Attorney.

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli Hines Jr.

**No:** 0

**Abstain:** 1 - Murphy

PLACING ON FILE THE FOLLOWING:

- 17) [000357](#) Communication relative to the use of cellular telephone use in certain City departments.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 18) [000473](#) An ordinance relating to funding sources for the city's permanent improvement fund.

**Sponsors:** Ald. Gordon and Ald. Pratt

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 19) [000528](#) 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. Gordon that this matter be PLACED ON FILE. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 20) [000577](#) Communication from the Comptroller's Office transmitting the Annual Report of the Public Debt Amortization Fund for the year ended December 31, 1999.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 21) [000641](#) 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, 1999.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 22) [000682](#) Communication from the Mayor's office transmitting a report and recommendations from the Mayor's Commission on Crime.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 23) [000744](#) Communication from the Comptroller's Office relative to the annual accounts receivable activity report.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [000434](#) Substitute resolution approving a conduit occupancy license agreement between the City of Milwaukee and Enron Broadban Services, Inc. for Enron Broadban Services, Inc. to occupy a portion of the City's communications conduit system.

Whereas, The City of Milwaukee owns and operates a conduit system located in the public right of way within the City of Milwaukee, County of Milwaukee, State of Wisconsin; and

Whereas, Enron Broadban Services, Inc. has registered in accordance with the provisions and criteria specified in Sec. 98-7, Milwaukee Code of Ordinances, for permission to place and maintain telecommunications facilities in the portions of the



City of Milwaukee's conduit system; and

Whereas, Sec. 98-7 provides for negotiation of a conduit occupancy license agreement specifying the terms and extent of Enron Broadban Services, Inc.'s use of the City's conduit system; and

Whereas, A conduit occupancy license agreement ahs been developed, Exhibit A which fully describes the extent of Enron Broadban Services, Inc.'s use of the City's conduit system; and

Whereas, Enron Broadban Services, Inc. has agreed pursuant to Sec. 98-5, Milwaukee Code of Ordinances, to permit for, under certain conditions and for a 4 year renewable term at the City of Milwaukee's option, on a license basis, the placement of Enron Broadban Services, Inc. facilities within the portions of the City of Milwaukee's conduit system designated in Enron Broadban Services, Inc. conduit maps on file in the Office of the City Engineer and the Department of Public Works and summarized in Exhibit A of the conduit occupancy license agreement; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee grants approval of the conduit occupancy license agreement between the City of Milwaukee and Enron Broadban Services, Inc., a copy of which is attached to Common Council Resolution File Number 000434 and incorporated in this resolution by reference as though set forth therein in full; and, be it

Further Resolved, That the Commissioner of revisions to said license agreement that do not change the intent of said license agreement; and be it

Further Resolved, That the Commissioner of Public Works and the City Engineer are hereby authorized and directed to execute said license agreement after execution by Enron Broadban Services, Inc.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 2) [000491](#) Substitute resolution amending Access Management Contract between the City of Milwaukee and the Milwaukee Access Telecommunication Authority, Inc.

Whereas, The City, acting pursuant to Common Council Resolution File No. 991747, and the Milwaukee Access Telecommunication Authority, Inc. ("MATA") entered into an April 20, 2000 Access Management Contract (the "Agreement"); and

Whereas, Under the terms of the Agreement, MATA is to provide specified community and educational access services for the 17 year term of the Agreement; and

Whereas, Prior to the City's disbursement of the PE capital grant in the amount of at least \$850,000, the City Clerk was to have approved MATA's initial capital and operating plan objectives by September 30, 2000; and

Whereas, MATA is in the process of finalizing the long term facilities aspects of its initial capital plan, but will not be able to complete that process in time for the City Clerk to review the plan prior to the current September 30, 2000 deadline established in the Agreement; and

Whereas, Time Warner Cable of Southeastern Wisconsin ("Time Warner") has indicated its willingness to allow MATA to remain at MATA's current facility until Time Warner vacates that facility and moves into its new facility which Time Warner anticipates to be between May 15 and June 1, 2001; and

Whereas, In order to give MATA adequate time to complete the long term facilities aspect of its initial capital plan, the City Clerk recommends and MATA agrees that the Agreement should be amended to extend the time for MATA's submission of its initial operating and long term capital plan until December 31, 2000 and that the City Clerk's time to review and approve those plans should be extended until January 31, 2001; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers are hereby authorized and directed to execute the amendment to the Access Management Contract between the City of Milwaukee and the Milwaukee Access Telecommunication Authority, Inc. attached to this file.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 3) [000698](#) Resolution relative to the execution of the renewal agreement for water service with the Village of Brown Deer. (Water Works)

Whereas, The Common Council under Resolution File No. 940089 authorized the Commissioner of Public Works and the Water Works Superintendent to negotiate the renewal of water service agreements with surrounding communities; and

Whereas, Agreement has been reached with the Village of Brown Deer and Village officials have executed the renewal agreement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are hereby authorized and directed to execute the Agreement between the City of Milwaukee and the Village of Brown Deer for the purchase of water at wholesale, attached to this File; and be it

Further Resolved, That the Water Works file with the Public Service Commission of Wisconsin, a fully executed copy of the Agreement.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

APPROVAL OF THE FOLLOWING:

- 4) [991606](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

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

**Sponsors:** THE CHAIR

*ALD. CAMERON-ROLLINS abstain "Peoples' Lounge" (10th Ald. District)*

*ALD. MURPHY voting "no" on "Spice Island" (16th Ald. District)*

*ALD. RICHARDS moved for reconsideration of Item 991606 by voting "no" on Forest Co. Potawatomi".*

*ALD. PAWLINSKI moved for approval.*

*The motion prevailed.*

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 5) [000579](#) Communication from the Federal Energy Regulatory Commission Office of Energy Projects transmitting the Guardian Pipeline Project's Draft Environmental Impact Statement.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 6) [000728](#) Communication from the City Clerk relative to establishment of a franchise application deposit schedule.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

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

- [991607](#) Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

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

**Sponsors:** THE CHAIR

*THE CLERK SWORE in the Court Reporter:*

*Recommendation of nonrenewal of the Class "B" Tavern and Tavern Dance license of Colleen R. Manuel for the premises located at 3762 N. Dr. Martin Luther King, Jr. Drive ("Club Coco"), in the 6th Ald. District. Written objections have been filed by the licensee. (Committee Vote: 4 Ayes; 1 Noes; Expiration Date: 10-18-00).*

*The President questioned whether the members of the Common Council read the Report and Recommendations of the Utilities and Licenses Committee in these matters and any written exceptions, if filed by the licensees.*

*Ayes: 16 - Ald. Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron-Rollins, Sanchez, Pawlinski, Breier, Nardelli, Murphy, Hines and President Pratt.*

*Excused: 1 Scherbert.*

*The Clerk questioned whether the following applicant or her Counsel are present and wish to address the Council:*

*The applicant's Attorney was present and wished to address the Council.*

*ALD. GORDON moved that the Common Council do now resolve into the Committee of the Whole for the purpose of hearing from Attorney Andrew Arena and Assistant City Attorney Bruce Schrimpf relative to the foregoing matter.*

*PROCEEDINGS OF THE COMMITTEE OF THE WHOLE*

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

*ALD GORDON moved that the Committee do now rise.*

*The motion prevailed.*

*ALD. NARDELLI moved to amend the Findings of Fact to include "Fitness of*

*Location".*

*ALD. MURPHY moved to go into the THE COMMITTEE OF THE WHOLE*

*Assistant City Attorney Bruce Schrimpf appeared and addressed the committee relative to the foregoing matter.*

*ALD. MURPHY moved that the Committee do now rise.*

*ALD. NARDELLI moved to amend :*

*The Licensee has been unable to maintain order in and about the premises.*

*The conditions of the neighborhood have changed so that a licensed premises is no longer warranted at this location;*

*The health, safety and welfare of the neighborhood will be threatened by the continuance of a licensed premises at this location.*

*The motion prevailed by the following vote:*

*Ayes: -13- Ald. Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Sanchez, Pawlinski, Breier, Nardelli, Murphy and President Pratt.*

*Noes: -2- Ald. Cameron-Rollins and Hines.*

*Excused: -2- Ald. Henningsen and Scherbert.*

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000623](#) An ordinance relating to appeals for vision setback line violations.

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

Part 1. Section 105-71-3 of the code is amended to read:

105-71. Vision Setback Lines.

3. INVESTIGATION. Investigation of violations of this section shall be conducted by the [[safety commission]] >>police department<<.

Part 2. Section 105-71-5 to 9 of the code is renumbered 105-71-6 to 10.

Part 3. Section 105-71-5 of the code is created to read:

5. APPEALS. Appeals relating to violations of sub. 1 and subsequent notification to remove or abate nuisances pursuant to sub. 4 may be made to the administrative review appeals board, pursuant to s. 320-11.

**Sponsors:** Ald. Murphy

**A motion was made by Ald. D'Amato that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

2) [000686](#) An ordinance relating to the terms of office of municipal court commissioners.

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

Part 1. Section 315-1-5 of the code is repealed and recreated to read:

315-1. Municipal Court Commissioners.

5. LENGTH OF TERM. The term of office for all municipal court commissioners appointed after September 1, 2000, but prior to May 1, 2001, shall expire April 30, 2002. The term of office for all municipal court commissioners appointed thereafter shall be 12 months, beginning on May 1 and expiring on April 30 of the following year.

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

## ADOPTION OF THE FOLLOWING:

- 3) [960779](#) Substitute resolution affirming the City's stand against domestic terrorism in the form of violence against health-care providers, especially those providing family planning services.

**Sponsors:** Ald. D'Amato, Ald. Henningsen, Ald. Johnson-Odom, Ald. Gordon and Ald. Richards

*Ald. Herron presented a motion to amend the foregoing resolution, but he withdrew the motion.*

**Sponsors:** Ald. D'Amato, Ald. Henningsen, Ald. Johnson-Odom, Ald. Gordon and Ald. Richards

*Ald. Henningsen moved to amend File Number 991471 by inserting the following "whereas" clause immediately prior to the "Resolved" clause:*

*"Whereas, Harassment, for the purpose of this resolution means the following: 'insults, taunts or challenges another in a manner likely to provoke violent or disorderly response; or makes repeated communications anonymously or at extremely inconvenient hours, or in offensively coarse language; engages in any other course of alarming conduct serving no legitimate purpose of the actor.'"*

*The motion failed.*

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

**Aye:** 8 - Pratt, Herron, D'Amato, Henningsen, Gordon, Cameron, Pawlinski Hines Jr.

**No:** 9 - Bohl, Johnson-Odom, Donovan, Richards, Scherbert, Sanchez, Breier, Nardelli Murphy

**Sponsors:** Ald. D'Amato, Ald. Henningsen, Ald. Johnson-Odom, Ald. Gordon and Ald. Richards

*Ald. Murphy moved to delete the word "harassment" entirely from this resolution.*

*The motion failed.*

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

**Aye:** 8 - Bohl, Donovan, Cameron, Scherbert, Sanchez, Breier, Nardelli Murphy

**No:** 9 - Pratt, Herron, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Pawlinski Hines Jr.

Whereas, Roe v. Wade was adopted by the United States Supreme Court on January 22, 1973, granting women legal access to abortion services under the sanction of the



right to privacy; and

Whereas, A nationwide campaign of violence, vandalism and blockades is curtailing the availability of abortion services and endangering providers and patients; and

Whereas, Since 1977, 5 doctors, 2 clinic employes and a clinic escort have been murdered and 16 additional attempted murders have also occurred; and

Whereas, In addition to the shootings and murders, over 2,300 reported acts of violence including bombings, arsons, death threats, kidnappings and assaults, and over 35,000 reported acts of disruption have been directed at abortion providers since 1977; and

Whereas, Physicians and other clinic workers must take extraordinary measures for protection because they face the daily possibility of terrorism and violence in order to provide women with essential reproductive health services; and

Whereas, Some anti-abortion proponents have created an atmosphere of intense intimidation and violence that deters physicians from entering the field and have caused others to stop providing abortion services; and

Whereas, Wisconsin is one of the 12 states that face particularly sustained levels of violence; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Common Council affirms its stand against domestic terrorism in the form of clinic and clinic-related violence, including harassment of abortion providers, clinic employes and patients both on and off clinic premises; and, be it

Further Resolved, That the City of Milwaukee's public safety employes are directed to act in a manner that affords zero tolerance for clinic violence and harassment; and, be it

Further Resolved, That those persons who harass, terrorize, threaten or injure clinic providers, employes or associates or who damage clinic buildings or property, are advised that they will be punished to the full extent of the law; and, be it

Further Resolved, That the City of Milwaukee's public safety employes are nonetheless directed to act in a manner that demonstrates full regard for the right of citizens to assemble, demonstrate and protest peaceably in accordance with their First Amendment constitutional rights; and, be it

Further Resolved, That a copy of this resolution be sent to the Milwaukee Coalition

for Choice, the Milwaukee Chapter of the National Organization for Women, the National Abortion Rights Action League of Wisconsin, Planned Parenthood of Wisconsin, the Wisconsin Women's Network and Peace Action Milwaukee.

**Sponsors:** Ald. D'Amato, Ald. Henningsen, Ald. Johnson-Odom, Ald. Gordon and Ald. Richards

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

**Aye:** 10 - Pratt, D'Amato, Henningsen, Johnson-Odom, Gordon, Richards, Cameron, Pawlinski, Murphy Hines Jr.

**No:** 7 - Herron, Bohl, Donovan, Scherbert, Sanchez, Breier Nardelli

- 4) [000433](#) Resolution relating to the introduction and passage of state legislation relating to state motor vehicle title forms and notice to the state about used motor vehicle sales.

Whereas, State law requires the buyer of a used motor vehicle to notify the Department of Transportation so that the state title records reflect the true ownership of the vehicle; and

Whereas, Sellers frequently find that purchasers of used vehicles at private sales do not properly register the vehicles' new owners, making the sellers vulnerable to citations and sanctions for violations attributable to vehicles that they no longer own; and

Whereas, Although private sellers of motor vehicles are legally responsible for remitting sales tax to the state Department of Revenue, many sellers do not pay the sales tax that is due when used vehicles are sold at private sales; and

Whereas, Accurate recording of private vehicle sales and collection of unpaid sales tax would be greatly enhanced if each seller retained a copy of the title showing the transfer and if each seller notified the state that a sale had occurred; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division - Department of Administration is directed to seek introduction and passage of state legislation directing the Wisconsin Department of Transportation to revise the motor vehicle title form to provide a copy for the seller of a used vehicle and to require each seller to furnish a copy to the Department of Revenue for sales tax purposes.

**Sponsors:** Ald. Nardelli and Ald. Murphy

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

5) Resolutions authorizing payment for various claims:

a) [000498](#) Resolution authorizing payment of the claim of James A. Meyer, C.I. File No. 00-L-72. (City Attorney)

Whereas, The claimant James A. Meyer has filed a claim against the City of Milwaukee in the amount of \$8,665.10; and

Whereas, The claimant has agreed to settle the claim in the amount of \$8,665.10; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deem it expeditious and just to pay this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$8,665.10, payable to the order of James A. Meyers, in full and final settlement of this claim, upon receipt of a release of claims, approved as to form and execution by the City Attorney, said amount to be charged to the Damages and Claims Account No. 636506, Fund - 0001, Organization - 1490, Program - 2631, Sub Class - S118.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

b) [000620](#) Resolution authorizing payment of the claim of Charles Childs, C.I. File No. 97-L-195. (City Attorney)

Whereas, The claimant, Charles Childs, through his attorney, Murphy, Gillick, Wicht & Prachthausen, has filed a claim for damages against the City of Milwaukee pursuant to sec. 66.189, Stats., for injuries and damages incurred on August 3, 1997, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$15,000.00; and

Whereas, Pursuant to Common Council Resolution File No. 890916, the City

Attorney's Office retained the services of the law firm of Crivello, Carlson, Mentkowski & Steeves, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

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

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$15,000.00, payable to Charles Childs and Murphy, Gillick, Wicht & Prachthausen Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2631, Sub Class No. S118; and be it

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

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 6) [000526](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1998 and 1999 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

Whereas, Assessments were made against certain parcels of real estate for the years 1998 and 1999 as contained in Common Council Resolution File No. 000526; and

Whereas, The Board of Review has decreased these assessments as shown in this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue city checks in the amounts as shown in this file, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate of 9.6% applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and said

checks to be delivered to the Tax Billing and Collection Division of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That delinquent interest and penalties on any account covered by this resolution are hereby canceled.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

7) Substitute resolutions to settle various claims:

a) [000604](#) Substitute resolution to settle claim of Kevin Rodgers for property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$355.45 payable to Kevin Rodgers, 7158 North Presidio Drive-Apt. E, 53223, to reimburse him for property damage; and, be it

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

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

b) [000605](#) Substitute resolution to settle claim of Kathleen Hallett for property damage.

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the total sum of \$91.00 payable to Kathleen Hallett, 1508 E. Hartford Avenue, 53211, to

reimburse her for property damage; and, be it

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

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 8) [000630](#) Resolution authorizing cancellation of Department of Public Works Invoice No. 71717 in the amount of \$7,095.47 billed to James Cape & Sons. (City Attorney) Whereas, On April 22, 1999 the conduit and communications cable located at West Orchard Street on the west side of Layton Avenue were damaged during reconstruction of South Layton Avenue and James Cape & Sons was the contractor performing the reconstruction; and

Whereas, Invoice No. 71717 was billed to James Cape & Sons for the repair of said damage in the amount of \$7,095.47; and

Whereas, The Department of Public Works has determined that the conduit was laid too shallow and portions of the conduit had been crushed by heavy equipment passing over it, and there were plans to reconstruct the conduit in conjunction with this project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of Public Works Invoice No. 71717 in the amount of \$7,095.47 billed to James Cape & Sons, be and hereby is cancelled.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 9) [000683](#) Substitute resolution authorizing the return of real estate located at 2029 North 41st Street, in the 17th 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.

Whereas, The property located 2029 North 41st Street, tax key number 348-0744-6 previously owned by James Hightower, has delinquent taxes for 1997 through 1999 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated August 21, 2000; and

Whereas, James Hightower, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since August 21, 2000; and

Whereas, The Department of Neighborhood Services indicates currently no unabated orders exist on this property; and

Whereas, The City Treasurer's records show outstanding 1997 through 1999 taxes, plus interest, penalties and costs; and

Whereas, The Department of City Development reports that this property is not suitable for use by a public agency or community based organization. Said property is occupied but no rent has been collected and administrative costs have been incurred totalling \$450; and

Whereas, The Health Department reported no outstanding orders or notices, and no clean up notices have been issued against this property under Section 80-8 or 17-12 in 1999 or thus far in 2000; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2029 North 41st Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 00-CV-002120 known as the 2000-1, In Rem Parcel 346, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

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

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

10)

*Substitute resolutions authorizing cancellation of a portion of the City of Milwaukee's subrogation claims.*

a) [000705](#)

Substitute resolution authorizing cancellation of a portion of the City of Milwaukee's subrogation claim against Gary Marks, for payments made pursuant to the City's Basic Health Plan.

Whereas, Gary Marks commenced a medical malpractice action against Aurora Health Metro, Inc., St. Luke's Medical Center, Dr. Jeffrey A. Derus, certain nurses, and certain insurers thereof, and the Wisconsin Patients Compensation Fund, seeking recovery for injuries sustained as the result of medical malpractice allegedly occurring on November 4 and 5, 1996; and

Whereas, As a result of the injuries allegedly sustained as a result of that alleged malpractice, the City of Milwaukee has made payments on behalf of Gary Marks for medical care and treatment pursuant to its Basic Health Plan in the amount of \$68,109.05; and

Whereas, The City has a subrogation claim against Gary Marks as a result of such payments; and

Whereas, Gary Marks has offered to settle this subrogation claim for \$2,000.00, and the difference between the original claim and the settlement is \$66,109.05; and

Whereas, This settlement reflects the legal liability of the parties and is a fair and equitable resolution of the City of Milwaukee's subrogation claim; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that the subrogation claim of the City of Milwaukee against Gary Marks arising out of medical treatment for injuries allegedly sustained as the result of medical malpractice occurring on November 4 and 5, 1996 is hereby cancelled in the amount of \$66,109.05, and the City Attorney is authorized and directed to enter into a release and settlement of said claim.

**Sponsors:** CHAIR

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



**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [000720](#) Substitute resolution authorizing cancellation of a portion of the City of Milwaukee's subrogation claim against Kathleen Conrad, for payments made pursuant to the City's Basic Health Plan.

Whereas, The surviving spouse of Kathleen Conrad and the personal representative of the estate of Kathleen Conrad commenced a medical malpractice action against Ohio Hospital Insurance Company, the Wisconsin Patients Compensation Fund, and Columbia Hospital, Inc., seeking recovery for medical malpractice allegedly occurring in the administration of narcotic pain medication to Kathleen Conrad on January 13, 1997, which allegedly caused injuries and resulted in her ultimate death; and

Whereas, As a result of the injuries allegedly sustained as a result of the alleged malpractice, the City of Milwaukee has made payments on behalf of Kathleen Conrad for medical care and treatment pursuant to its Basic Health Plan in the amount of \$540,811.58; and

Whereas, The City has a subrogation claim against Kathleen Conrad as a result of such payments; and

Whereas, The personal representative of the estate of Kathleen Conrad has offered to settle this subrogation claim for \$135,452.89, and the difference between the original claim and the settlement is \$405,358.69; and

Whereas, This settlement reflects the legal liability of the parties and is a fair and equitable resolution of the City of Milwaukee's subrogation claim; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that the subrogation claim of the City of Milwaukee against Kathleen Conrad arising out of medical treatment for injuries allegedly sustained as a result of the alleged medical malpractice occurring on January 13, 1997, is hereby cancelled in the amount of \$405,358.69, and the City Attorney is authorized and directed to enter into a release and settlement of said claim.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 11) [000706](#) Substitute resolution authorizing settlement of the lawsuit entitled Grow, et al. v. City of Milwaukee, Case No. 97-C-0572.
- Whereas, The plaintiffs, Mark Grow, Therese Barwinski-Gipp, Jean Docter, and Ronald L. Lindsey, have filed a lawsuit against the City of Milwaukee seeking damages in an unspecified amount; and
- Whereas, The presiding judge in the case has issued a Decision and Order dismissing the claims of Therese Barwinski-Gipp and Jean Docter, but allowing the claims of Mark Grow and Ronald Lindsey to proceed to trial; and
- Whereas; The remaining plaintiffs, Mark Grow and Ronald Lindsey, have agreed to settle all of their claims in this lawsuit, including claims for actual attorneys fees, in the amount of \$20,000; and
- Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this lawsuit; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and are hereby authorized and directed to issue a City check in the amount of \$20,000.00, payable to the order of the Trust Account of Fuchs Snow DeStefanis, S.C., in full and final settlement of this lawsuit, upon receipt of a release of claims, approved as to form and execution by the City Attorney, said amount to be charged to the Damages and Claims Fund, Account No. 0001-1490-636506-2631-S118-2000.
- Sponsors:** CHAIR
- A motion was made by Ald. D'Amato that this matter be ADOPTED. The motion carried by the following vote:**
- Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 12) [000717](#) Substitute resolution relative to receipt of monies due to settlement of a federal lawsuit with Baker & Taylor, Inc.
- Whereas, Section 304-24 of the City of Milwaukee Code of Ordinances regulates the receipt, appropriation, and expenditure of contributions received by the City; and
- Whereas, The State of Wisconsin participated in a multi-state action against Baker & Taylor, Inc. relative to allegations that they engaged in a scheme to defraud and to give smaller discounts than contracted for to various public buyers of books, primarily

schools and libraries; and

Whereas, The Milwaukee Public Library purchased materials from Baker & Taylor, Inc. and due to these actions fewer items were available for its public collections; and

Whereas, The Milwaukee Public Library will receive a settlement in the amount of \$106,979; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Public Library is authorized to accept the lawsuit settlement of \$106,979 from Baker & Taylor, Inc. for the purchase of additional library materials, in accordance with established City policies and procedures for acceptance of contributions; and, be it

Further Resolved, That upon receipt and deposit of these funds, the City Comptroller is authorized and directed to establish a Special Account within the Milwaukee Public Library's budget for the expenditure of this contribution; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer appropriations and estimated revenue from the Contribution Fund-General, Account number 0001-2110-0001-D001-006300, and the estimated revenue account for Contributions, Account Number 0001-2110-0001-009850 to the Milwaukee Public Library's special account 0001-8610-0001-Dxxx-006800 and the Milwaukee Public Library's estimated revenue account 0001-8610-0001-009850 in the amount of \$106,979.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 13) [000726](#) Substitute resolution authorizing agreement among City of Milwaukee, its assessor, RACM, and the YMCA of Metropolitan Milwaukee, Inc. (the "Y"), concerning property tax exempt status of the Y's Grand Avenue site and other parcels in the City of Milwaukee and payments in lieu of taxes.

Whereas, Y (by its then lawyers, Davis & Kuelthau) filed a "1999 Real Estate Exemption Application" with Assessor on or about 9/21/98 seeking property-tax exemption, beginning with tax year 1999, pursuant to Wis. Stat. § 70.11(10), for Y's downtown Milwaukee site (the "Grand Ave. Site," 161 West Wisconsin Avenue, Units 4 and 5(c)) (Unit 4 being 397-0207-000-0, and Unit 5(c) being 397-0212-000-8); and

Whereas, On or about 2/25/99, Assessor notified Y that its 9/21/98 filing had to be denied in that § 70.11(10) does not apply to any parcel within the limit of any incorporated city; and, Assessor invited Y to submit a new application for reconsideration; and

Whereas, On 3/1/99, Y submitted to Assessor a new application for the Grand Ave. Site for 1999 – this time claiming exemption pursuant to Wis. Stat. § 70.11(4); and

Whereas, Assessor: received the Y's filings; toured each of Y's locations in the City; met and spoke with Y personnel; and requested, received and reviewed supplemental information and documentation concerning the Y, all the Y's properties in the City, and the Y's operations; and

Whereas, Assessor reached a tentative decision regarding exempt status of Y property in the City for 1999 and 2000, concluding, among other things, that 60% of the Y's real property on the 4th floor of its Grand Ave. Site should be taxed for years 1999 and 2000 (the "60% Decision"); and

Whereas, Subsequent to Assessor's 60% Decision, Y and City met on various occasions to further discuss the Y, its parcels, and the 60% Decision; and

Whereas, Assessor rescinded her 60% Decision; and

Whereas, In light of RACM having assisted the Y in obtaining financing on favorable terms regarding the Grand Ave. Site, RACM and the Y entered an "Agreement Regarding Payments in Lieu of Taxes" dated 12/1/98 (the "RACM Agreement") pursuant to which RACM and Y agreed, inter alia, that if the Grand Ave. Site were determined to be exempt from real estate tax, Y would enter a PILOT Agreement with City providing for an annual payment in lieu of taxes ("PILOT") to City for as long as RACM bonds issued in conjunction with the Grand Ave. Site remained outstanding, with annual PILOT payments being determined by applying City's tax rate for each year to \$467,300, which was the assessed value of the Grand Ave. Site prior to Y acquisition; and

Whereas, Despite the RACM Agreement, Y has not yet entered into any PILOT Agreement with City; and

Whereas, The Assessor and the Y negotiated the agreement attached to this file as Exhibit One (the "Agreement") to resolve issues amicably and without litigation; and

Whereas, RACM, at its 9/14/00 meeting, approved the Agreement subject to approval by the Common Council; now, therefore, be it

Resolved, That the City hereby approves the Agreement and directs and authorizes its execution by the appropriate City employees.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 14) [991562](#) Resolution canceling the delinquent real property taxes on a property contaminated by hazardous substances located at 4924 West Roosevelt Drive.

**Sponsors:** Ald. Butler and Ald. Murphy

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 15) [991890](#) Substitute resolution in support of 1999 Assembly Bill 735, a bill to create single-factor taxation in the State of Wisconsin.

**Sponsors:** Ald. Henningsen

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

DISALLOW AND INDEFINITELY POSTPONE THE FOLLOWING:

- 16) Various claims against the City:

- a) [000499](#) Communication from the City Attorney's Office transmitting a communication from Harri Hoffman Co, Inc. relative to claim for property damage.

**Sponsors:** THE CHAIR

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**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Herron, D'Amato, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 1 - Henningsen

- b) [000500](#) Communication from the City Attorney's Office transmitting a communication from Teen Challenge International relative to claim for property damage.

**Sponsors:** THE CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- c) [000523](#) Appeal of Andrew Woods relative to claim for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- d) [000524](#) Communication from the City Attorney's Office transmitting a communication from Linda Torres relative to claim for personal injuries.

**Sponsors:** THE CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- e) [000525](#) Communication from the City Attorney's Office transmitting a communication from Sentry Insurance, on behalf of Linda Justmann and itself relative to claim for property damage.

**Sponsors:** THE CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- f) [000594](#) Appeal of Byron Armstrong relative to claim for property damage. (2nd Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- g) [000595](#) Communication from the City Attorney's Office transmitting a communication from Thaddeus Derynda relative to claim for property damage.

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- h) [000596](#) Appeal of Roger Robbins relative to claim for property damage. (9th Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 1 - Richards

- i) [000597](#) Appeal of Timothy Kushava relative to claim for property damage. (15th Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- j) [000606](#) Appeal of Mary Richardson relative to claim for property damage. (7th Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- k) [000609](#) Communication from the City Attorney's Office transmitting a communication from Washington Law Offices on behalf of Ruby Hanyard relative to claim for personal injuries.

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- l) [000610](#) Communication from the City Attorney's Office transmitting a communication from Lawrence Thompson relative to claim for property damage.

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- m) [000611](#) Communication from the City Attorney's Office transmitting a communication from



Ohio Casualty Insurance Co. on behalf of Davey's on Milwaukee relative to claim for property damage.

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- n) [000684](#) Appeal of Sherry Michaels relative to claim for property damage. (11th Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- o) [000685](#) Appeal of Dan Kallay relative to claim for property damage. (13th Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- p) [000701](#) Communication from the City Attorney's Office transmitting a communication from Stacy Atwater relative to claim for property damage.

**Sponsors:** CHAIR

**A motion was made by Ald. D'Amato that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000352](#) A substitute ordinance relating to traffic controls in various Aldermanic Districts.
- The Mayor and Common Council of the City of Milwaukee do ordain as follows:
- Part 1. Section 101-13-8 of the Code relating to School Speed 20 Miles Per Hour is amended by adding the following:
- On E. Russell Street from S. Kinnickinnic Avenue to S. Bay Street
- On N. 60th Street from W. Thurston Avenue to W. Bobolink Avenue
- On N. 35th Street from W. Villard Avenue to W. Sheridan Avenue
- Part 2. Section 101-15 of the Code relating to Yield signs is amended by striking the following:
- "W. Courtland Avenue and N. 39th Street"
- Part 3. Section 101-16-1 of the Code relating to Stop signs is amended by striking the following:
- "E. Linnwood Avenue at N. Summit Avenue"
- Part 4. Section 101-16-1 of the Code relating to Stop signs is amended by adding the following:
- W. Courtland Avenue at N. 39th Street
- E. Linnwood Avenue at N. Summit Avenue in all directions
- On S. 20th Place at W. Tripoli Avenue
- W. Melvina Avenue at N. 93rd Street in all directions
- On W. Keefe Avenue at N. 24th Street in all directions
- On W. Keefe Avenue at N. 24th Place in all directions
- On W. Keefe Avenue at N. 25th Street in all directions

On W. Keefe Avenue at N. 21st Street in all directions

On W. Keefe Avenue at N. 22nd Street in all directions

On W. Keefe Avenue at N. 23rd Street in all directions

On W. Bobolink Avenue at N. 70th Street in all directions

On W. Meinecke Avenue at N. 10th Street in all directions

On N. 77th Street at W. Glendale Avenue

On W. Concordia Avenue at N. 86th Street in all directions

On W. Concordia Avenue at N. 88th Street in all directions

On N. 89th Street at W. Hadley Street

On W. Vienna Avenue at N. 78th Street

On W. Bobolink Avenue at W. Bobolink Place N. 78th Street westbound

Part 5. Section 101-16-2 of the Code relating to Through Highways is amended by adding the following:

On N. Commerce Street from E. Pleasant Street to E. Humboldt Avenue

Part 6. Section 101-18-1 of the Code relating to No Heavy Traffic is amended by adding the following:

On S. 1st Street at W. College Avenue northbound

On S. 3rd Street at W. College Avenue northbound

Part 7. Section 101-22-1 of the Code relating to One Way Streets is amended by adding the following

On N. 24th Place from W. Melvina Street to W. Capitol Drive northbound

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

2) [000353](#) A substitute ordinance relating to parking controls in various Aldermanic Districts.

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

Part 1. Section 101-23-3 of the Code relating to No Parking is amended by striking the following:

"On the east side of N. 2nd Street from the south curb line of W. Locust Street to a point 50 feet south thereof at any time"

"On S. 4th Street from the north curb line of W. Mineral Street to a point 50 feet north thereof at any time"

"On the south side of W. Sarnow Street from N. 35th Street to W. Lisbon Avenue from 7:00 a.m. to 9:00 a.m. except Saturday and Sunday"

"On W. Mallory Avenue from S. 13th Street to S. 14th Street at any time"

Part 2. Section 101-23-3 of the Code relating to No Parking is amended by adding the following:

On the north side of W. Mallory Avenue from S. 13th Street to S. 14th Street at any time

On the north side of W. Spokane Street from N. 60th Street to N. 61st Street at any time

Part 3. Section 101-23-4-d of the Code relating to Two Hour Parking is amended by striking the following:

"On W. Wright Street between N. 2nd Street and N. 3rd Street"

"On N. 5th Street between W. Auer Avenue and W. Ring Street from 7:00 a.m. to 7:00 p.m. except Saturday and Sunday"

"On S. 2nd Street from W. Mitchell Street to W. Maple Street between the hours of 7:00 a.m. and 5:00 p.m."

"On the south side of W. Walnut Street between N. 15th and N. 16th Streets from 9:00 a.m. to 7:00 p.m."

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

"On S. 6th Street between W. National Avenue and W. Pierce Street"

"On W. Wright Street between N. 16th Street and N. 17th Street from 8:00 a.m. to 5:00 p.m."

Part 5. Section 101-23-10-a of the Code relating to Winter Parking is amended by striking the following:

"On the west side of N. 22nd Street from W. Atkinson Avenue to W. Roosevelt Drive"

"On the east side of N. 23rd Street from W. Capitol Drive to W. Atkinson Avenue"

"On the west side of N. 25th Street from W. Capitol Drive to W. Hope Avenue"

"On the west side of N. 25th Street from W. Hope Avenue to W. Roosevelt Drive except Sunday from 7:00 a.m. to 1:00 p.m."

"On the east side of N. 26th Street from W. Capitol Drive to W. Roosevelt Drive"

Part 6. Section 101-23-10-c of the Code relating to Winter Parking is amended by striking the following:

"On the east side of N. 24th Place from W. Capitol Drive to W. Atkinson Avenue"

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 3) [000476](#) A substitute ordinance relating to rates at city-owned parking lots and structures.  
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 309-61-2-a-1 to 4 of the code is amended to read:

309-61. Operation of Parking Facilities.

2. PARKING RATES.

a. Parking structures at MacArthur Square, 4th & Highland, 724 N. Plankinton, 535 N. Milwaukee and 1000 N. Water:

a-1. 1st half hour - [[[\$0.75 to \$1.75]] >>\$1.00 to \$2.50<<.

a-2. Daily maximum and special event - [[[\$1.00 to \$10.00]] >>\$3.00 to \$15.00<<.

a-3. Early bird and non-event night and weekend - [[[\$1.00 to \$6.00]] >>\$2.00 to \$8.00<<.

a-4. Monthly: unreserved - [[[\$35.00 to \$80.00]] >>\$45 to \$100.00<<; reserved - [[[\$65.00 to \$100.00]] >>\$80.00 to \$150.00<<.

Part 2. Section 309-61-2-b-1 to 5 of the code is amended to read:

b. Non-permit, non-metered city surface parking lot lease maximum rates:

b-1. Daily parking - [[[\$6.00]] >>\$7.50<<.

b-2. Evening parking - [[[\$5.00]] >>\$6.00<<.

b-3. Monthly day - [[[\$60.00]] >>\$75.00<<.

b-4. Monthly evening - [[[\$50.00]] >>\$60.00<<.

b-5. Monthly 24 hours - [[[\$80.00]] >>\$100.00<<.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

ADOPTION OF THE FOLLOWING:

- 4) [000192](#) Substitute resolution approving an agreement between the City of Milwaukee and the

Milwaukee Metropolitan Sewerage District relating to tunnel rescue services provided by the Fire Department.

Whereas, The Milwaukee Metropolitan Sewerage District (MMSD) will be starting construction on new deep tunnels; and

Whereas, As part of this construction, MMSD is required to have contracted tunnel rescue services available; and

Whereas, The MMSD is willing to pay salary, training costs and equipment costs to the Milwaukee Fire Department for costs related to Milwaukee Fire Department tunnel rescue services provided by the Heavy Urban Rescue Team (HURT); and

Whereas, All costs associated with providing tunnel rescue services through the attached contract shall be paid by MMSD; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Fire Department is authorized and directed to execute the contract attached to this File Number 000192 related to the provision of deep tunnel rescue services to the Milwaukee Metropolitan Sewerage District.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 5) [000607](#) Substitution resolution establishing a Litter Control Task Force to study and make recommendations concerning litter problems in the City of Milwaukee.
- Whereas, The prevalency of litter varies widely from neighborhood to neighborhood within the City of Milwaukee; and
- Whereas, Many neighborhoods continually battle litter created by drivers, pedestrians and residents; and
- Whereas, Some neighborhoods bear the brunt of more litter deposited on public and private land for a variety of reasons, including vehicle and foot traffic, and commercial locations; and
- Whereas, No agency or body currently examines litter issues on a city-wide basis; and
- Whereas, A city-wide study could result in a more uniform standard of litter control

throughout the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Litter Control Task Force is created, composed of the following 12 members:

1. Four members of the Common Council and a citizen member, to be appointed by the Council President.
2. One member, to be appointed by the Mayor.
3. One representative from each of the following:
  - a. Sanitation Division of the Department of Public Works.
  - b. Department of Neighborhood Services.
  - c. Public Employees Union #61.
  - d. Keep Greater Milwaukee Beautiful.
  - e. Wisconsin Restaurant Association.
  - f. Metropolitan Milwaukee Association of Commerce.

; and, be it

Further Resolved, That the Common Council President shall designate the Chair of the Litter Control Task Force; and, be it

Further Resolved, That the purpose of this task force shall be to:

- a. Assess the current status of litter conditions on a defined-area basis, as well as on a city-wide basis.
- b. Make recommendations to the Common Council relating to decreasing the number of littered areas of the city, and decreasing the litter in these areas to bring all areas of the city into compliance with a city-wide "litter average".
- c. Make recommendations to the Common Council regarding potential legislative changes related to litter control and remediation.
- d. Act as liaison with neighborhood organizations and institutions to accelerate and maintain litter pick-up operations within neighborhoods.



e. Act as liaison in the creation of anti-litter media relations campaigns.

; and, be it

Further Resolved, That the Sanitation Division of the Department of Public Works and the City Clerk's Office shall provide staff assistance; and, be it

Further Resolved, That all departments are authorized and directed to provide assistance to this task force as needed; and, be it

Further Resolved, That the task force shall submit a report of its findings and recommendations to the Common Council by March 1, 2001, and, upon submission of the report, automatically be dissolved.

**Sponsors:** Ald. Cameron, Ald. Bohl, Ald. Pratt and Ald. Sanchez

*Add Ald. Sanchez as sponsor*

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

6) [000619](#) Resolution relating to installation of a flashing light traffic signal at the intersection of Appleton Avenue and Villard Avenue.

Whereas, Engleburg School is located near the intersection of 2 busy Milwaukee thoroughfares -- Appleton Avenue and Villard Avenue; and

Whereas, This intersection appears to be within the jurisdiction of the Wisconsin Department of Transportation; and

Whereas, The principal of Engleburg School has requested installation of a flashing light, on or near the existing Engleburg School signs, to control traffic at this intersection; and

Whereas, The safety of school children and other pedestrians would be greatly improved if traffic at the intersection was controlled by a flashing traffic signal device; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is directed to take all actions necessary to effect the installation of a

flashing light traffic control device at the intersection of Appleton Avenue and Villard Avenue; and, be it

Further Resolved, That the Common Council requests the Wisconsin Department of Transportation install a flashing light traffic control device at the intersection of Appleton Avenue and Villard Avenue; and, be it

Further Resolved, That the Department of Public Works is directed to report in writing to the common council no later than October 31, 2000, concerning the installation of this traffic control device; and, be it

Further Resolved, That the City Clerk is directed to forward a copy of this resolution to the Wisconsin Department of Transportation.

**Sponsors:** Ald. Bohl

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

7) [000632](#) Resolution relating to "Jet Grind Radio," a new game produced by Sega of America, Inc.

Whereas, Sega of America, Inc., is renowned around the world for its inventive and demanding action/adventure games; and

Whereas, Sega action/adventure games such as "Sonic Adventure" and "Super Magnetic Neo" provide challenging fun for players without denigrating law enforcement or glorifying graffiti vandalism and property damage; and

Whereas, Sega of America, Inc., has announced its intention to market a new game, "Jet Grind Radio," that treats graffiti vandalism as an art form and that glorifies successful evasion of law enforcement officers; and

Whereas, Graffiti vandalism is a worldwide urban plague, which frightens neighborhood residents, damages and destroys property and requires the expenditure of large sums of public money which could be better used for other projects; and

Whereas, The City of Milwaukee alone spends over \$1 million a year to prevent and abate graffiti and to enforce the legal prohibitions against it; and

Whereas, The Sega web site describes "Jet Grind Radio" as a game featuring kids

who are "unified and inspired to fight for their rights of expression, which includes graffiti art;" and

Whereas, The Sega web site directs the game players to "grab your spray cans and design your own piece on one of the immense walls" in the game's city, and further warns players that "the cops will be after you too, so you'll have to be quick;" and

Whereas, Such glorification of illegal graffiti vandalism in the imaginary world of Sega games will only encourage proliferation of this serious and costly problem in the real world which we all inhabit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council expresses its dismay over the proposed production and distribution of the "Jet Grind Radio" game by Sega of America, Inc.; and, be it

Further Resolved, That the Common Council requests that Mr. Shoichiro Irimajiri, CEO and Chairman of the Board of Sega of America, Inc., give serious consideration to the increased graffiti vandalism that can be anticipated after widespread distribution of "Jet Grind Radio;" and, be it

Further Resolved, That the Common Council requests that Mr. Irimajiri direct that all proposed production and distribution of "Jet Grind Radio" be cancelled.

**Sponsors:** Ald. Breier, Ald. Sanchez, Ald. Pawlinski, Ald. Cameron, Ald. Donovan, Ald. Bohl and Ald. Herron

*Add Ald. Bohl and Ald. Herron as sponsor*

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

8) [000692](#) Resolution authorizing the Milwaukee Police Department to accept a donation of child safety seats. (Police Department)

Whereas, The Common Council passed File Number 930380 on July 6, 1993, an ordinance codifying the City's procedural guidelines regarding the receipt, appropriation and expenditure of contributions; and

Whereas, A local donor has made available to the Police Department 7 child safety seats; and

Whereas, The Police Department is in need of newer child safety seats on occasions

when officers must safely transport a child; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Police Department is authorized to accept donations of child safety seats, in accordance with established City policies and procedures for acceptance of contributions; and, be it

Further Resolved, That such authority to accept donations for the above stated purpose shall continue unless otherwise rescinded or amended by future Common Council action.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 9) [000693](#) Resolution authorizing the Milwaukee Police Department to apply for a Project COMPASS Grant from the U.S. Department of Justice – National Institute of Justice. (Police Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the United States Department of Justice – National Institute of Justice for a Project COMPASS; and

Whereas, Project COMPASS, which stands for Community Mapping, Planning and Analysis of Safety Statistics, would provide the City of Milwaukee and other agencies with statistical information and analytical tools to enhance local public safety and neighborhood stability programs; and

Whereas, It is appropriate for the City of Milwaukee to apply for such grant funds in the amount of \$625,000 for the purpose of improving data-sharing and strategic planning among law enforcement and justice agencies; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Police Department is authorized to apply for a Project COMPASS Grant; and, be it

Further Resolved, That acceptance and expenditure of these funds by the Milwaukee Police Department is not authorized herein and any such acceptance and expenditure shall require express Common Council approval by adoption of a separate resolution.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 10) [000703](#) Resolution relative to application of a Local Law Enforcement Block Grant. (Police Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a Local Law Enforcement Block Grant; and

Whereas, It is appropriate for the City of Milwaukee to apply for such grant funds in the amount of approximately \$1,145,000, provided that no funds will be accepted or expended without express Common Council approval by resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application by the Milwaukee Police Department to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance is authorized; and, be it

Further Resolved, That acceptance and expenditure of these funds by the Milwaukee Police Department is not authorized herein and any such acceptance and expenditure shall require express Common Council approval by adoption of a separate resolution.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 11) [000709](#) Resolution relative to application, acceptance and funding of the Pregnancy Prevention Consortium Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Centers for Disease Control for developing and implementing a city-wide community action plan for the prevention of adolescent pregnancy; and

Whereas, The operation of this grant project (CFDA #93.283) from 09/30/00 to 09/29/01 would cost \$523,235 entirely provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that application to the Centers for Disease Control is authorized and the Health Department shall accept this

grant without further approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent account of the 2000 Special Revenue Accounts-Grant and Aid Projects, the following amounts for the project titled Pregnancy Prevention Consortium Grant:

Project/Grant	GR0000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$523,235

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

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

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

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

2. Expend from the 2000 grant budget funds for training and out-of-town travel by departmental staff;

3. Enter into subcontracts and leases as detailed in the grant budget;

4. Expend funding for equipment as defined in the grant budget.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

12) [000710](#) Resolution relative to application, acceptance and funding of the Refugee Health Screening Grant. (Health Department)

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Economic Support to aid the Tuberculosis Control Clinic in its activities; and

Whereas, The operation of this grant project from 10/01/00 to 09/30/01 would cost \$34,000 provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to commit funds within the Project/Grant Parent of the 2000 Special Revenue Grant and Aid Projects, the following amount for the project titled Refugee Health Screening:

Project/Grant	GR0000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$34,000

; and, be it

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

1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2000 grant budget funds for items of equipment as may be

deemed necessary for the effective operation of the program;

3. Expend from the 2000 grant budget funds for training and out-of-town travel by departmental staff.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 13) [000711](#) Resolution relative to application, acceptance and funding of the MBCAP Well Women Health Initiative Grant. (Health Department)
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services to expand the scope of the Wisconsin Women's Cancer Control Program beyond its current focus of breast and cervical cancer screening to include health promotion and risk reduction for cardiovascular disease, osteoporosis, diabetes, mental illness and domestic violence; and
- Whereas, The operation of this grant project from 07/01/00 to 12/31/00 would cost \$65,692 provided by the grantor; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that application to the State of Wisconsin Division of Health and Family Services is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as indicated in Common Council File 940843 (Grant Ordinance); and, be it
- Further Resolved, That the City Comptroller is authorized to commit funds within the Project/Grant parent account of the 2000 Special Revenue Accounts-Grant and Aid Projects, the following amount for the project titled MBCAP - Well Women Health Initiative:

Project/Grant	GR00000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600



Project	Grantor Share
Amount	\$65,692

; and, be it

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

1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2000 grant budget funds for items of equipment as may be deemed necessary for the effective operation of the program;
3. Expend from the 2000 grant budget funds for training and out-of-town travel by departmental staff;
4. Expend from the 2000 grant budget funds for contracts and leases as required by the program.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 14) [000712](#) Resolution relative to application, acceptance and funding of the Milwaukee Fetal Infant Mortality Review Grant - Phase II. (Health Department)
- Whereas, The City of Milwaukee appears to be eligible for grant funds from the U.S. Health Resources and Services Administration through the Black Health Coalition of Wisconsin for the interdisciplinary review of infant deaths occurring in the central city of Milwaukee to identify opportunities to reduce infant mortality and support families at risk; and
- Whereas, The operation of this grant project/program from September 1, 2000 to June 30, 2001 would cost \$54,494 entirely provided by the grantor; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that application to the Black Health Coalition of Wisconsin is authorized and the Health Department shall accept this grant without further approval unless the terms of the grant change as

indicated in Common Council File 940843 (Grant Ordinance); and, be it

Further Resolved, That the City Comptroller is authorized to:

- 1. Commit funds within the Project/Grant Parent Account of the 2000 Special Revenue Grant and Aid Projects, the following amounts for the project titled Milwaukee Fetal Infant Mortality Review Grant - Phase II:

Project/Grant	GR0000000000
Fund	0150
Org	9990
Program	0001
BY	0000
Subclass	R999
Acct	000600
Project	Grantor Share
Amount	\$54,494

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

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

- 1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
- 2. Expend from the 2000 grant budget funds for training and out-of-town travel by departmental staff; and
- 3. Enter into subcontracts and leases as detailed in the grant budget.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 15) [000713](#) Resolution relative to application, acceptance and funding of the Bioterrorism Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the State of Wisconsin Division of Health and Family Services to develop key components of a system that will prepare Milwaukee to better respond to bioterrorism threats; and

Whereas, The operation of this grant project from 09/01/00 to 08/31/2001 would cost \$113,245 provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant parent account of the 2000 Special Revenue Accounts-Grant and Aid Projects, the following amounts for the project titled Bioterrorism Grant:

Project/Grant	GR0000000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Subclass	R999
Account	000600
Project	Grantor Share
Amount	\$113,245

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

1. Expend from the amount appropriated sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2000 grant budget funds for training and out-of-town travel by departmental staff.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

16) [000729](#) Resolution relative to application, acceptance and funding of a 2001 Vehicle Miles of Travel Monitoring Grant.

Whereas, The City of Milwaukee appears to be eligible for grant funds from the Wisconsin Department of Transportation to provide expanded monitoring of roadway usage levels and travel characteristics in the City of Milwaukee; and

Whereas, The operation of this grant project from January 1, 2001 to December 31, 2001 would cost \$38,450 and would be provided by the grantor; now, therefore, be it

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

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2001 Special Revenue Grant and Aid Projects, fund the following amounts for the program/project titled 2001 Vehicle Miles of Travel Monitoring Project, if budgetary funds for 2001 become available.

Project/Grant Parent	Grantor Share
Project/Grant ChartField	GR0000000000
Fund	0150
Organization	9990
Program	0001
Budget Year (BY)	0000
Subclass	R999
Account	000600
Project/Grant Total	\$38,450

2. Create a Special Revenue Fund – Grant and Aid Projects and the necessary Project/Grant ChartField Values at the Project, Segment, Phase and/or Activity Levels; and to budget to the Project, Segment, Phase or Activity level the amount required under the grant agreement.

; and, be it

Further Resolved, That these funds are budgeted for the Department of Public Works, which is authorized to:

1. Expend from the amount budgeted for specific purposes as indicated in the grant budget and incur costs consistent with the award date; and
2. Expend from the 2001 grant budget funds for training and out-of-town travel by departmental staff.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 17)      [000734](#)      Substitute resolution authorizing the Commissioner of Public Works to execute a contract with the Wisconsin Department of Transportation for the funding and operation of a Transportation Demand Management Grant on behalf of the East Side Transportation Management Association.

Whereas, Funding was provided by the Wisconsin Department of Transportation under the 1998 Transportation Demand Management (TDM) Program to explore the feasibility of creating a Transportation Management Association with the intent of identifying and pursuing measures to mitigate transportation related problems in the University of Wisconsin – Milwaukee (UWM) Campus and eastside Milwaukee areas; and

Whereas, The City of Milwaukee served as local sponsor and administered the 1998 TDM Grant at the request of UWM, as authorized by the Common Council of the City of Milwaukee under Resolution File Number 980365; and

Whereas, The East Side Transportation Management Association (ETMA) was created through the adoption of their bylaws on January 25, 2000, as part of the work funded under the 1998 TDM Grant; and

Whereas, The ETMA is eligible for an additional Grant under the 2001 TDM Program to provide funds for the operation of the newly created Transportation Management Association; and

Whereas; The ETMA has requested the City of Milwaukee to serve as local sponsor for the 2001 TDM Grant Project at no cost to the City of Milwaukee; and

Whereas, The operation of this TDM Grant project from August 15, 2000 to December 31, 2001 would cost \$17,500, of which \$14,000 (80%) would be

provided by the Grantor and \$3,500 (20%) would represent the local share to be provided by the University of Wisconsin – Milwaukee; and

Whereas, The Wisconsin Department of Transportation has submitted a Grant Contract for the project, a copy of which is attached to this file, to be executed by the public sponsor; now therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to accept and execute a grant contract with the Wisconsin Department of Transportation, a copy of which is attached to Common Council File Number 000734, to provide funding support for costs associated with the operation of the East Side Transportation Management Association under the 2001 Transportation Demand Management Program; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized to engage the services of a consultant or enter into other agreements on behalf of the East Side Transportation Management Association to carry out the intent of this resolution, as proposed in the TDM project application; and, be it

Further Resolved, That the City Comptroller is authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield values for this project, and to transfer to these accounts the amount required under the agreement with the Wisconsin Department of Transportation and City accounting policy, but not to exceed a 10 percent increase of the total amount reserved for the Grantor's Share or the local share or \$5,000, whichever is greater, as follows:

Infrastructure Services Division Accounts

Grantor Share  
Fund No. 0306  
Project Grant No. SP032000100  
\$14,000

Local Share  
Fund No. 0306  
Project Grant No. SP032000100  
\$3,500

; and, be it

Further Resolved, That upon receipt of invoices for this project, the Commissioner of Public Works is authorized to request funds from the Wisconsin Department of Transportation and the University of Wisconsin – Milwaukee for the Grantor and Local Shares of the project costs.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

CONFIRMATION OF THE FOLLOWING:

- 18) [000558](#) Appointment of Martha Love to serve as the Milwaukee County Executive's representative on the Milwaukee Commission on Domestic Violence & Sexual Assault.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 19) [000652](#) Reappointment of Kathie Stolpman to the Milwaukee Commission on Domestic Violence and Sexual Assault by the Mayor. (3rd Aldermanic District)

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 20) [990820](#) Substitute ordinance relating to the vehicle reclamation and storage charge imposed in order to reclaim a vehicle towed under city ordinance.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 21) [000205](#) Resolution establishing a contribution account for the acceptance of funds from the Milwaukee Metropolitan Sewerage District (MMSD) to equip and train Heavy Urban Rescue Team for tunnel rescue operations.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 22) [000235](#) Resolution relating to installation of a flashing light traffic signal at the intersection of Appleton Avenue and Villard Avenue.

**Sponsors:** Ald. Bohl

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 23) [000364](#) Communication from the Comptroller's office transmitting a report entitled Audit of City of Milwaukee Department of Public Works Apartment Solid Waste Collection.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 24) [000555](#) Resolution seeking introduction and passage of state legislation relating to municipal authority to require payment of parking citations for impounded motor vehicles.

**Sponsors:** Ald. Donovan



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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 25) [000714](#) Communication from the Fire and Police Commission transmitting a report relative to analysis of Milwaukee Police Department quality of life statistics.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

ADOPTION OF THE FOLLOWING:

- 1) [000590](#) Resolution approving a three party agreement between the City of Milwaukee, the Brady Street Business Improvement District (BID #11), and the Milwaukee Metropolitan Sewerage District regarding improvement and maintenance of MMSD property adjacent to the North Holton Street bridge. (DPW)

Whereas, The Brady Street Business Improvement District and the City of Milwaukee have worked together in recent years to bring about dramatic improvements to the Brady Street area; and

Whereas, An existing pedestrian corridor connects Brady Street to East Pearson Street along the eastern edge of the Holton Street bridge; and

Whereas, This corridor (referred to as the Brady Street Plaza) is owned by the Milwaukee Metropolitan Sewerage District; and

Whereas, The Brady Street Business Improvement District (BID #11), MMSD, and the City of Milwaukee desire to work together to enhance the corridor as the first step in creating a pedestrian and bicycle connection to the emerging Beer Line residential area; and

Whereas, An agreement has been prepared and is attached to this file outlining the responsibilities of all three parties regarding the funding, construction, and maintenance

of the Brady Street Plaza; and

Whereas, The total project cost is expected to be around \$100,000, the City's share of which would be \$42,500 to be provided from a combination of already-approved Community Development Block Grant funds, and funds from capital accounts under the jurisdiction of the Departments of Public Works and City Development; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the attached agreement between the Brady Street Business Improvement District (BID #11), the Milwaukee Metropolitan Sewerage District, and the City of Milwaukee is hereby approved; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized to make minor changes in the agreement prior to its execution; and, be it

Further Resolved, That the appropriate City officials are hereby authorized and directed to prepare the necessary funding resolutions and create the appropriate funding accounts to implement the intent of this resolution.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 2) [000690](#) Resolution approving a Ninth Amendment to the Riverwalk Development Agreement for Business Improvement District No. 15. (DCD)

Whereas, The City of Milwaukee ("City") and the Business Improvement District No. 15 Board entered into a Riverwalk Development Agreement for the District dated as of May 23, 1994; and

Whereas, This Agreement established the standards, rules and procedures for construction of the Downtown Riverwalk; and

Whereas, The Agreement has been amended eight previous times; and

Whereas, The City and the Board of Business Improvement District No. 15 now desire to enter into a Ninth Amendment to the Development Agreement to provide for the development of two additional project segments located approximately between West McKinley Avenue and West Cherry Street and to provide funding for such

project segments in an estimated amount of \$4 million; and

Whereas, The source of funding for such new project segments will be funds raised in connection with the creation of proposed Tax Incremental District No. 41 and such funding will be contingent upon the final creation of Tax Incremental District No. 41; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to execute the Ninth Amendment to the Riverwalk Development Agreement for Business Improvement District No. 15, a copy of which is attached to this Common Council File; and, be it

Further Resolved, That the City Attorney's Office, in cooperation with the Commissioner of City Development, is authorized to make such further minor modifications to said Ninth Amendment that are consistent with the intent and purpose of this resolution, and which are mutually acceptable to the City Attorney, the Commissioner of City Development and the Board of Business Improvement District No. 15.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

[000691](#)

Substitute resolution approving Year 2001 Operating Plans for various Business Improvement Districts located in the City of Milwaukee.

**Sponsors:** CHAIR

*Ald. Hines presented a substitute resolution to be substituted in lieu of the substitute resolution recommended for adoption by the Economic Development Committee and moved for its acceptance.*

*The motion prevailed.*

*Ald. Hines moved for adoption of the foregoing substitute resolution.*

*The motion prevailed.*

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

[000691](#)

Substitute resolution approving Year 2001 Operating Plans for various Business Improvement Districts located in the City of Milwaukee.

Whereas, The Common Council of the City of Milwaukee ("Common Council") has created Business Improvement Districts in the City of Milwaukee and has approved their first year Operating Plans; and

Whereas, Section 66.608(3)(b), Wisconsin Statutes, requires that Boards of Business Improvement Districts submit annual Operating Plans to the Common Council for approval; and

Whereas, The Boards of Business Improvement District Nos. 8 (Historic King Drive), 10 (Avenues West), 15 (Milwaukee Riverwalk), 17 (North 76th Street and West Brown Deer Road), 20 (East North Avenue), and 25 (Riverworks) have submitted proposed Year 2001 Operating Plans; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Year 2001 Operating Plans for Business Improvement District Nos. 8, 10, 15, 17, 20 and 25, copies of which are attached to this Common Council File, are approved; and, be it

Further Resolved, That the City Treasurer, City Comptroller, Assessment Commissioner, and other affected departments are authorized and directed to collect and disburse BID assessments in accordance with said Year 2001 Operating Plans; and, be it

Further Resolved, That all City officials, departments, boards and commissions are authorized and directed to take all actions and provide such assistance needed to carry out the intent and purpose of this resolution and said approved Year 2001 Operating Plans.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

CONFIRMATION OF THE FOLLOWING:

- 4) Various Appointments/Reappointments.
- a) [000531](#) Appointment of Rana Altenburg to the Business Improvement District No. 10 (Avenues West) Board by the Mayor. (4th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by Ald. Hines, Jr. that this matter be CONFIRMED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [000539](#) Appointment of Pamela Smith-Anderson to the Business Improvement District No. 10 (Avenues West) Board by the Mayor. (4th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by Ald. Hines, Jr. that this matter be CONFIRMED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- c) [000645](#) Appointment of Jai Barber to the Business Improvement Board #8 (Historic King Drive) by the Mayor. (6th Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. Hines, Jr. that this matter be CONFIRMED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- d) [000649](#) Reappointment of JoAnne Olson to the Business Improvement District #20 (East North Avenue) by the Mayor. (3rd Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. Hines, Jr. that this matter be CONFIRMED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- e) [000650](#) Appointment of Maggie Jacobus to the Milwaukee Arts Board by the Mayor. (3rd Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. Hines, Jr. that this matter be CONFIRMED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- f) [000651](#) Reappointment of Peter Goldberg to the Milwaukee Arts Board by the Mayor. (3rd Aldermanic District)

**Sponsors:** CHAIR

**A motion was made by Ald. Hines, Jr. that this matter be CONFIRMED. The motion carried by the following vote:**

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 5) [991674](#) Communication relative to expenditures for travel from the Economic Development Committee Fund.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000395](#) A substitute ordinance relating to the zoning of payday loan businesses

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

Part 1. Section 295-7-128.5 of the code is created to read:

128.5. PAYDAY LOAN AGENCY: An establishment engaged in the business of making loans to individuals in exchange for personal checks as collateral.

Part 2. Section 295-323-6-c of the code is created to read:

295-323. Special Uses.

6. OFFICES.

c. Payday loan agencies.

Part 3. Section 295-333-6-c of the code is created to read:

295-333. Special Uses.

6. OFFICES.

c. Payday loan agencies.

Part 4. Section 295-343-6-c of the code is created to read:

295-343. Special Uses.

6. OFFICES.

c. Payday loan agencies.

Part 5. Section 295-423-6-c of the code is created to read:

295-423. C9B (Residential and Specialty Use): Special Uses.

6. OFFICES.

c. Payday loan agencies.

Part 6. Section 295-433-6-d of the code is created to read:

295-433. C9C (Neighborhood Retail): Special Uses.

6. OFFICES.

d. Payday loan agencies.

Part 7. Section 295-453-6-e of the code is created to read:

295-453. C9E (Major Retail): Special Uses.

6. OFFICES.

e. Payday loan agencies.

Part 8. Section 295-463-6-c of the code is created to read:

295-463. C9F (Office and Service): Special Uses.

6. OFFICES.

c. Payday loan agencies.

Part 9. Section 295-473-6-c of the code is created to read:

295-473. C9G (Mixed Activity): Special Uses.

6. OFFICES.

c. Payday loan agencies.

Part 10. Section 295-483-6-c of the code is created to read:

295-483. C9H (Warehousing and Light Manufacturing): Special Uses.

6. OFFICES.

c. Payday loan agencies.

Part 11. Section 295-513-6-e of the code is created to read:

295-513. Special Uses.

6. OFFICES.

e. Payday loan agencies.

Part 12. Section 295-523-6-b and c of the code is amended to read:

295-523. Special Uses.

6. OFFICES.



b. In I/A/125 to I/D/60 districts, banks and other financial institutions, currency exchanges [[and]] >>, << title loan agencies >> and payday loan agencies <<.

c. In I/E/40 and I/E/60 districts, banks and other financial institutions, excluding drive-thru facilities, currency exchanges [[and]] >>, << title loan agencies >> and payday loan agencies <<.

**Sponsors:** Ald. Herron and Ald. Bohl

*Add Ald. Bohl as sponsor.*

*ALD. HENNINGSEN moved to refer File 000395 back to the Committee.*

*The motion failed by the following vote:*

*Ayes: 8 - Ald. D'Amato, Henningsen, Gordon, Richards, Scherbert, Pawlinski, Nardelli and President Pratt.*

*Noes: 9 - Ald. Herron, Bohl, Johnson-Odom, Donovan, Cameron-Rollins, Sanchez, Breier, Murphy and Hines.*

*ALD. HENNINGSEN moved for separate action.*

*Ayes: 16 Ald. Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron-Rollins, Scherbert, Sanchez, Pawlinski, Breier, Murphy, Hines and President Pratt.*

*Noes: 0.*

*Excused: 1 - Ald. Nardelli.*

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 2) [000415](#) Substitute ordinance relating to the change in zoning from Industrial (I/D/40) to Multi-Family Residence (R/D/40), located on the East Side of North 33rd Street and North of West Auer Avenue, in the 10th Aldermanic District.

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

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

Section 295-130(10).0027. The zoning map is amended to change the zoning for the area bounded by the centerline of North 33rd Street, a line 395 feet North and parallel to the north line of West Auer Avenue, a line 120 feet East and parallel to the

east line of North 33rd Street and a line 455 feet North and parallel to the north line of West Auer Avenue, from Industrial (I/D/40) to Multi-Family Residence (R/D/40).

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 3) [000416](#) Substitute ordinance relating to the change in zoning from General Planned Development (GPD) to a Detailed Planned Development (DPD) known as Kilbourn Square, Phase 2, on land located on the West Side of North 20th Street between West State Street and West Kilbourn Avenue, in the 4th Aldermanic District. The Mayor and Common Council of the City of Milwaukee ("Common Council") do ordain as follows:

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

Section 295-810(2)(b).0151.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the subject Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

for part of Parcel 1 of Certified Survey Map No. 6830, being part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 30, Town 7 North, Range 22 East, in the City of Milwaukee, C(2) The zoning map is amended to change the zoning county of Milwaukee, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said Parcel 1, said point being the intersection of the north line of West Kilbourn Avenue and the east line of North 23rd Street; thence North 00 deg. 10 min. 23 sec. West along said east line 138.36 feet to a point; thence North 89 deg. 53 min. 47 sec. East 23.84 feet to a point; thence North 00 deg. 06 min. 13 sec. West 9.23 feet to a point; thence South 89 deg. 38 min. 06 sec. East 14.67 feet to a point; thence North 00 deg. 01 min. 36 sec. West 8.19 feet to a point; thence North 89 deg. 41 min. 16 sec. East 42.82 feet to a point; thence South 00 deg. 08 min. 23 sec. East 9.21 feet to a point; thence South 89 deg.

48 min. 47 sec. West 17.92 feet to a point; thence South 00 deg. 11 min. 06 sec. East 57.38 feet to a point; thence North 89 deg. 55 min. 13 sec. East 10.70 feet to a point; thence South 00 deg. 11 min. 06 sec. East 5.65 feet to a point; thence South 72 deg. 06 min. 17 sec. East 28.03 feet to a point; thence South 00 deg. 08 min. 28 sec. East 74.74 feet to a point; thence South 89 deg. 48 min. 52 sec. West along the north line of West Kilbourn Avenue 100.79 feet to the point of beginning of this description.

Together with part of Lots 32 and 33, all of Lots 34 through 44, and the vacated alleys adjoining said lots in Block 238 in subdivision of the North 12.918 acres of the East 21.918 acres of the East 21.2378 of the West 100 acres of the Northwest 1/4 of Section 30 in Township 07 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows:

Commencing at the Southeast corner of said Lot 34, Block 238, said point being the intersection of the north line of West Kilbourn Avenue and the west line of North 23rd Street; thence South 89 deg. 48 min. 02 sec. West along the north line of West Kilbourn Avenue 290.67 feet to the Southwest corner of Block 238 of said subdivision and a point in the east line of North 24th Street; thence North 00 deg. 09 min. 01 sec. West along said east line 122.80 feet to a point; thence North 89 deg. 30 min. 02 sec. East 290.59 feet to a point in the west line of North 23rd Street; thence South 00 deg. 11 min. 17 sec. East along said west line 124.32 feet to the point of beginning of this description.

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

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

Part 3. In accordance with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. If any section, subsection, sentence, clause, phrase or portion of this

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

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 4) [000490](#) A substitute ordinance relating to fees for multiple reinspections to determine compliance with orders to correct building code violations.  
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 200-33-48 of the code is amended to read:

200-33. Fees.

48. REINSPECTION FEE. To compensate for inspectional and administrative costs, a fee of ~~[[ \$60 ]]~~ >>\$50<< may be charged for any reinspection to determine compliance with an order to correct conditions of provisions of the Milwaukee code under the jurisdiction of the department of neighborhood services or assigned to the department, except no fee shall be charged for the reinspection when compliance is recorded. >>A fee of \$75 may be charged for a second reinspection, a fee of \$150 for a third reinspection and a fee of \$300 for each subsequent reinspection.<< Reinspection fees shall be charged against the real estate upon which the reinspections were made, shall be a lien upon the real estate and shall be assessed and collected as a special charge.

**Sponsors:** Ald. D'Amato

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 5) [000552](#) Substitute ordinance approving the rezoning from General Planned Development (GPD) to Detailed Planned Development (DPD) for a planned development known as Park Place, Stage 20, Tumbleweeds Restaurant, on land located North of West Good Hope Road and East of North 110th Street, in the 15th Aldermanic District. The Mayor and Common Council of the City of Milwaukee ("Common Council") do ordain as follows:

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

Section 295-810(2)(b).0154.

- (1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves said Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.
- (2) The zoning map is amended to change the zoning for Part of the Southeast 1/4 of the Southeast 1/4 of Section 18, Town 8 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows:
- Commencing at a point in the south line of said 1/4 Section, said point being South 86 deg. 47 min. 33 sec. West 1043.17 feet from the Southeast corner of the Southeast 1/4 of said Section; thence North 03 deg. 12 min. 27 sec. East 33.00 feet to a point on the northerly line of West Good Hope Road and the easterly line of North 110th Street and the point of beginning; thence North 24 deg. 45 min. 56 sec. West along said easterly line 327.38 feet to a point on the southerly line of West Park Place; thence Easterly along said southerly line 221.46 feet along the arc of a curve whose center lies to the Southeast, whose radius is 748.51 feet and whose chord bears North 77 deg. 58 min. 27 sec. East 220.65 feet to a point; thence South 24 deg. 45 min. 56 sec. East 362.83 feet to a point on the northerly line of West Good Hope Road; thence West 3.48 feet along the arc of a curve whose center lies to the Southeast, whose radius is 1717.02 feet and whose chord bears South 73 deg. 23 min. 51 sec. feet to a point; thence South 86 deg. 46 min. 45 sec. West along said northerly line 227.68 feet to the point of beginning.
- (3) The requirements set forth in said detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such

planned development district described, provided further, that the effect of the approval of such detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed plan.

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

Part 3. In accordance with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

ADOPTION OF THE FOLLOWING:

- 6) [000233](#) Substitute resolution approving various certified survey maps.

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

Name Tax Key Number

Wisconsin Preservation      389-9990-100-7  
Fund LLC

Point Loomis Associates      553-9999-114-4

**Sponsors:**      THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

7) Various resolutions approving final plats in the 15th Aldermanic District:

a) [000273](#) Resolution approving the final plat of Riverwoods of Milwaukee Addition No. 1 located on the West Side of North 91st Street and North of West Mill Road, in the 15th Aldermanic District. (DCD)

Resolved, By the Common Council of the City of Milwaukee that the final plat of Riverwoods of Milwaukee Addition No. 1, all that part of the Northeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 20, Township 08 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described by:

Commencing at the Northeast corner of the Southeast 1/4 of Section 20; thence South 00 deg. 40 min. 20 sec. East along the east line of said Southeast 1/4 1270 feet; thence South 87 deg. 37 min. 42 sec. West 55.024 feet to the West right-of-way line of North 91st Street and to the beginning of the lands herein to be described; thence South 87 deg. 37 min. 42 sec. West 1064.856 feet; thence South 00 deg. 40 min. 20 sec. East 360 feet; thence North 87 deg. 37 min. 42 sec. East 1064.856 feet to the west right-of-way line of North 91st Street; thence North 00 deg. 40 min. 20 sec. West and along said west right-of-way line 360 feet to the place of beginning, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved.

**Sponsors:**      THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- b) [000667](#) Resolution approving the revised final plat of Heritage Meadows located West of North 107th Street and South of West Daphne Road, in the 15th Aldermanic District. (DCD)

Resolved, By the Common Council of the City of Milwaukee that the revised final plat of Heritage Meadows, being part of Parcel 2, Certified Survey Map No. 6427, and lands in the Northwest 1/4 and Northeast 1/4 of the Southeast 1/4 of Section 19, Township 08 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved.

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- c) [000658](#) Resolution approving the final plat of Heritage Woods Addition No. 1 located on the North Side of West Green Tree Road and East of North 114th Street, in the 15th Aldermanic District. (DCD)

Resolved, By the Common Council of the City of Milwaukee that the final plat of Heritage Woods Addition No. 1, being Parcel 3 of Certified Survey Map No. 6646 and Parcel 2 of Certified Survey Map No. 6790, all being part of the Southwest 1/4 of the Northeast 1/4 of Section 19, Township 08 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved.

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 8) [000689](#) Resolution authorizing the proper City officials to enter into a Development



Agreement with Kilbourn Canal, LLC, for the redevelopment of the area generally bounded by North Dr. Martin Luther King, Jr. Drive, vacated Vliet Street, West Cherry Street and the Milwaukee River in proposed Tax Incremental District No. 41, in the 6th Aldermanic District. (DCD)

Whereas, The City of Milwaukee ("City") is in the process of creating Tax Incremental District No. 41 ("TID No. 41") and adopting a Project Plan for TID No. 41 ("the TID Plan"); and

Whereas, The Common Council of the City of Milwaukee ("Common Council") desires to enter into a Development Agreement with Kilbourn Canal, LLC, to implement portions of the TID Plan; and

Whereas, The obligations of the City under the proposed Development Agreement will be contingent upon the final creation of TID No. 41 and adoption of the TID Plan; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to execute a Development Agreement with Kilbourn Canal, LLC, for the redevelopment of certain property within TID No. 41 in accordance with the terms of the TID Plan and consistent with the Term Sheet, a copy of which is attached to this Common Council File; and, be it

Further Resolved, That the City Attorney's Office, in cooperation with the Commissioner of City Development, is directed to draft a Development Agreement that is consistent with the Term Sheet and is mutually acceptable to the City Attorney, the Commissioner of City Development, and Kilbourn Canal, LLC; and, be it

Further Resolved, That all City officials, departments, boards and commissions are authorized and directed to provide such assistance as is necessary to carry out the intent and purpose of this resolution and the TID Plan, as and when adopted.

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 9) [000428](#) Substitute resolution approving a Project Plan and creating Tax Incremental District Number Forty-One (Harley Riverwalk) in the 6th Aldermanic District.  
Whereas, Section 66.46, Wisconsin Statutes, the "Tax Increment Law," provides a

means for cities to finance the improvement of areas in need of redevelopment; and

Whereas, Subsection ("ss") 66.46(4) of the Tax Increment Law sets forth certain criteria that the Common Council of the City of Milwaukee ("Common Council") and the City Plan Commission must follow to create a Tax Incremental District ("District") and approve a Project Plan ("Plan") for the District; and

Whereas, Pursuant to ss 66.46(4)(a) through (gm), Wisconsin Statutes, requiring Plan preparation, notice, public hearing and Plan adoption, the City Plan Commission designated the area generally bounded by West McKinley Avenue, North Dr. Martin Luther King, Jr. Drive, West Galena Street, and the Milwaukee River, recommended that the District be created, and submitted the recommendation to the Common Council for approval along with a proposed Plan for Tax Incremental District Number Forty-One, City of Milwaukee, a copy of which is attached to this Common Council File; and

Whereas, Ss 66.46(4)(g), Wisconsin Statutes, provides that a Plan for a District shall be approved by the Common Council prior to or concurrent with the adoption of a resolution by the Common Council which contains findings that such Plan is feasible and in conformity with the Master Plan of the City; and

Whereas, Under the provisions of ss 66.46(4)(gm)4.a., Wisconsin Statutes, not less than 50 percent, by area, of the real property within a proposed District must qualify as either a "blighted area" within the meaning of ss 66.46(2)(a), Wisconsin Statutes; an area "in need of rehabilitation or conservation work" within the meaning of ss 66.435(3), Wisconsin Statutes; or must be suitable for "industrial sites" within the meaning of Section 66.52, Wisconsin Statutes, and be zoned for industrial use; and

Whereas, Property standing vacant for an entire seven-year period immediately preceding adoption of this resolution and not suitable for "industrial sites" shall not exceed 25 percent, by area, of the District, and the District shall not include any area identified as a wetland on a map under Section 23.32, Wisconsin Statutes; and

Whereas, Based upon field survey and available public information and records, 64 percent (13 acres, more or less), by area, of the real property located within the proposed District, as identified in Exhibit 1 of the above referenced Plan, consists of properties which, in the aggregate, are blighted or in need of rehabilitation or conservation work, and, therefore, the District meets at least one of the criteria essential to creation of a District as set forth in ss 66.46(4)(gm)4.a., Wisconsin Statutes; and

Whereas, Based upon field survey and available public information and records, only 14.5 percent (three acres, more or less), by area, of the real property located within

the proposed District, as identified in Exhibit 1 of the above referenced Plan, consists of properties that are vacant; and

Whereas, The Plan prepared by the City Plan Commission and recommended for approval by the Common Council in connection with the creation of the District contains statements and other factual information indicating that the improvement of such area is likely to enhance significantly the value of real property in the District; that project costs directly serve to promote development of the District consistent with the purpose(s) for which the District is created under ss 66.46(4)(gm)4.a., Wisconsin Statutes, and that the aggregate value of equalized taxable property of the District plus all existing Districts has been determined to be 3.77 percent of the total value of equalized taxable property within the City of Milwaukee; and

Whereas, The Plan for this project was duly reviewed and considered by the Standing Committee on Zoning, Neighborhoods and Development and determined to be a feasible Plan; by the City Plan Commission and determined to be sufficiently complete in detail to establish that the public works and improvements and the land uses proposed therein conform with the Master Plan for the City of Milwaukee, as amended to date; and by the City Attorney and determined to be complete and compliant with ss 66.46(4)(f), Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee regarding Tax Incremental District Number Forty-One, City of Milwaukee, generally bounded by West McKinley Avenue, North Dr. Martin Luther King, Jr. Drive, West Galena Street, and the Milwaukee River, that it finds and determines as follows:

1. By virtue of the fact that vacant property by area, does not exceed the maximum 25 percent and that not less than 50 percent, by area, of the real property within the proposed District, qualifies as "blighted" or "in need of rehabilitation or conservation work," the District as proposed therefore meets the criteria set forth in ss 66.46(4)(gm)4.a., Wisconsin Statutes, for creation of the District.
2. The improvement and/or redevelopment of such area, as hereinafter provided, is likely to enhance significantly the value of substantially all of the other real property in and adjoining such District.
3. Project costs relate directly to eliminating blight and directly serve to promote development consistent with the City's Master Plan, and with the purpose(s) for which this District is created under ss 66.46(4)(gm)4.a., Wisconsin Statutes.
4. The percentage of the aggregate value of the equalized taxable property of the District plus all existing Districts, which has been determined to be 3.77 percent, does not exceed the statutory maximum 7 percent of the aggregate value of total equalized

value of taxable property within the City of Milwaukee; and, be it

Further Resolved, That Tax Incremental District Number Forty-One, City of Milwaukee, is created as of the date January 1, 2000 and that the boundaries of said District recommended by the City Plan Commission, are approved as described and more precisely set forth in the Plan, and that said boundaries include only those whole units of property as are assessed for general property tax purposes, and do not include any area identified as a wetland on a map under Section 23.32, Wisconsin Statutes; and, be it

Further Resolved, That the Plan is approved as the Project Plan for said District, and that the Plan is feasible, in conformity with the Master Plan for the City of Milwaukee, and will promote the orderly development of the City of Milwaukee; and, be it

Further Resolved, That:

1. The City Clerk is authorized and directed to apply in writing to the Wisconsin Department of Revenue in such form as may be prescribed by said Department for a "Determination of Tax Increments and Tax Incremental Base," as of January 2, 2000 for the District pursuant to the provisions of ss 66.46(5), Wisconsin Statutes.

2. Pursuant to the provisions of ss 66.46(5)(f), Wisconsin Statutes:

a. The Assessment Commissioner is authorized and directed to identify upon the assessment roll, returned and examined under Section 70.45, Wisconsin Statutes, those parcels of property which are within Tax Incremental District Number Forty-One, City of Milwaukee, specifying thereon the name of the District.

b. The City Clerk is authorized and directed to make notations on the tax roll for the District similar to those required to be made under Section 70.65, Wisconsin Statutes.

3. The Commissioner of the Department of City Development or her designee(s), is authorized and directed to act on behalf of the Common Council as coordinator of all Tax Incremental District ("TID") related activities which, in her judgment, are necessary to carry out the Plan and intent of this resolution.

4. A variance is authorized from the procedures of Common Council File No. 68-461-x, being the Guidelines for the Control of Capital Expenditures, and directs the City Comptroller to:

a. Establish a supplemental appropriation offset by estimated revenue appropriation account to accept funds from the private sector.

b. Authorizes the City Comptroller to transfer the funds to the TID Number 41 project account, 0336-1910-TDO4180000.

c. Receive appropriate tax increment collections equal to the total required to repay the private sector in such amounts as set forth in the Plan, as shall be necessary to implement the Plan.

5. The Commissioners of the Department of City Development and Public Works and the City Engineer are authorized and directed to take such actions as are necessary, including the acceptance of developer deposits and the review and/or execution of contracts to finance, design, engineer and construct the proposed improvements in accordance with the objectives of the approved Plan.

6. The City Comptroller, in conjunction with the Commissioner of the Department of City Development, is authorized and directed to establish all accounts and make all appropriation transfers upon request of the Department of City Development for all revenue or expenditure activity under this resolution.

7. All City officials, departments, boards, authorities and commissions are requested, authorized and directed, respectively, to take all necessary actions and to provide all necessary assistance as may from time-to-time be needed by the above-identified officials to carry out the Plan and intent of this resolution.

8. The City Clerk is directed to transmit a certified copy of this Resolution, with a copy of the Plan which is part of this File, to the City Comptroller, Commissioner of Public Works, Commissioner of the Department of Neighborhood Services, Commissioner of the Department of City Development, Assessment Commissioner, and City Engineer, for administrative and/or informational purposes, respectively, and to the Joint Review Board established by the Common Council in File No. 84-202, adopted June 12, 1984, for review in accordance with the procedures and criteria set forth in ss 66.46(4m), Wisconsin Statutes.

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 10) [000659](#) Resolution authorizing acceptance of the secondary Offer to Purchase submitted for the surplus, vacant, City-owned lot located at 7126 North 45th Street for new home

construction, in the 9th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 991662 adopted on February 29, 2000, declared said lot surplus and authorized its sale to Rachel and Torlan Triplett for new home construction; and

Whereas, Rachel and Torlan Triplett have cancelled their Offer to Purchase; and

Whereas, The Department of City Development received a secondary Offer to Purchase from Jessie L. Williams and Curlie M. Williams for construction of an owner-occupied, single-family home in the amount of \$10,050; and

Whereas, The Department of City Development recommends acceptance of said secondary Offer, contingent upon the following:

1. Closing must occur within ninety days from the date of adoption of this resolution.
2. Buyers must obtain approval of building and site plans by the Department of City Development.
3. Financial commitment must be in place to complete construction as proposed.
4. Construction must commence no later than twelve months from the date of closing or property will automatically revert back to the City of Milwaukee's ownership with no further action necessary; and

Whereas, If any contingencies are not met by Mr. and Mrs. Williams, the Department of City Development may accept an Offer to Purchase which meets all requirements in this resolution from any other qualified buyer; and

Whereas, Said lot is being sold in an "as is" condition and the City of Milwaukee makes no representations as to the condition of the lot including, but not limited to soil or subsoil condition; and

Whereas, The City Plan Commission has approved the acceptance of said Offer, the sale of said lot to be consummated in the manner provided for in the sale of other City-owned/tax-deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said secondary Offer to Purchase is accepted, that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot in accordance with the above contingencies and that the proceeds be credited to the Reserve for General City Revenue Fund Account No. 0001-983014.

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

11) [000662](#) Resolution amending the disposition of the surplus, improved, tax-deed property located at 2469 North Holton Street, in the 6th Aldermanic District. (DCD-Real Estate)

Whereas, Common Council File No. 990308 adopted on June 22, 1999, declared surplus and accepted an Offer to Purchase 2469 North Holton Street from Gloria Oliver; and

Whereas, Gloria Oliver is unable to complete the purchase of said property; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of the Department of City Development is directed to dispose of said property in accordance with the ordinance governing the sale of surplus property; and, be it

Further Resolved, That the Commissioner of the Department of City Development is directed to sell said property in "as is" condition via the open listing method:

PROPERTY ADDRESS-2469 North Holton Street

LISTING PRICE-\$16,000

ALDERMANIC DISTRICT-6th

; and, be it

Further Resolved, That the Zoning, Neighborhoods and Development Committee has determined that said property should be sold via the open listing method pursuant to Section 304-49 of the Milwaukee Code of Ordinances under the following terms and conditions:

A. The Offer conforms in all respects with the sales procedure.

B. The net offer (offer less sale's commission) is greater than 75 percent of the listing

price.

C. The buyer is not delinquent in the payment of real estate taxes on any properties that he/she may own in the City of Milwaukee.

D. The buyer has not been convicted, within twelve months preceding the date of the Offer, of failure to comply with an order from the Commissioner of the Department of Neighborhood Services of the City of Milwaukee to correct code violations; and, be it

Further Resolved, That the Commissioner of the Department of City Development is authorized and directed to accept Offers to Purchase on behalf of the City of Milwaukee and to perform such acts as are necessary to close the transaction under the terms and conditions as set forth above; and, be it

Further Resolved, That if no offer is received for said property after advertising it on two occasions, the asking price will be reduced by up to 25 percent; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or property may revert back to the ownership of the City of Milwaukee upon action by the Common Council; and, be it

Further Resolved, That the proceeds remaining from the sale of surplus property after payment of commissions and other closing related expenses be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 12) [000707](#) Resolution declaring the City-owned parking lot at 1912 North Farwell Avenue surplus to municipal needs and accepting an Option to Purchase from New Land Enterprises for mixed-use development, in the 3rd Aldermanic District. (DCD-Real Estate)

Whereas, In Common Council File No. 972002, adopted on May 5, 1998, the Common Council of the City of Milwaukee ("Council") directed the Department of City Development ("DCD") to market underutilized City-owned parking lots in the 3rd



Aldermanic District for sale and development; and

Whereas, The parking lot at 1912 North Farwell Avenue was advertised for sale in accordance with the guidelines established by the Council and one proposal was received prior to the established deadline; and

Whereas, DCD reviewed the submittal and recommends acceptance of the proposal from New Land Enterprises to build a multi-story, mixed-use development as outlined in the Land Disposition Report, a copy of which is attached to this Common Council File; and

Whereas, The City Plan Commission has determined that said property is surplus to municipal needs; and

Whereas, Prior to the transfer or sale of said property, an exemption is required from the provision of Common Council File No. 920379, which placed a moratorium on the purchase, sale or construction of any new or existing City parking facilities until a City-wide Transportation Plan is adopted by the Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City-owned parking lot at 1912 North Farwell Avenue is declared surplus to municipal needs and that the development proposal of New Land Enterprises is accepted; and, be it

Further Resolved, That the Commissioner of DCD is authorized to execute an Option to Purchase on behalf of the City of Milwaukee and to close the transaction according to the terms of the Land Disposition Report; and, be it

Further Resolved, That the proper City officials are authorized to execute any other legal documents necessary to close the transaction including any required easements; and, be it

Further Resolved, That said property is exempt from the provision of Common Council File No. 920379, which placed a moratorium on the purchase, sale or construction of any new City parking facilities until a City-wide Transportation Plan is adopted by the Council; and, be it

Further Resolved, That the net proceeds from the sale shall be deposited in the Department of Public Works Parking Fund Account or such other accounts as may be determined by the Commissioner of Public Works or the Comptroller of the City of Milwaukee.

**Sponsors:** Ald. D'Amato

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

13) Various resolutions declaring/vacant/surplus/and accepting offer to purchase in the 4th, 8th and 10th Aldermanic Districts:

a) [000553](#) Substitute resolution declaring the vacant, tax-deed lot at 2359-A South 16th Street surplus and accepting Offers to Purchase from Robert Paul Meetz and Judith Ann Meetz and Melvin Schwulst for use as green space in the 8th Aldermanic District. Whereas, The Department of City Development ("DCD") is identifying and disposing of small, unbuildable, vacant lots in the City of Milwaukee's inventory and is marketing such lots to the adjoining homeowners; and

Whereas, The lot at 2359-A South 16th Street has been identified as a small, unbuildable, lot; and

Whereas, Robert Paul Meetz and Judith Ann Meetz with their property located at 2357 South 16th Street have offered to purchase part of said lot for the amount of \$225; and

Whereas, Melvin Schwulst with his property located at 2363 South 16th Street has offered to purchase part of said lot for the amount of \$225; and

Whereas, The DCD recommends acceptance of said Offers to Purchase; and

Whereas, The City Plan Commission has approved the acceptance of said Offers, the sale of said lot to be consummated in the manner provided for in the sale of other vacant, tax-deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the vacant, tax-deed lot at 2359-A South 16th Street is declared surplus, that said Offers to Purchase are accepted, that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot, and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- b) [000554](#) Resolution declaring the vacant, tax-deed lot at 3737 Adjoining North 41st Street surplus and accepting Offers to Purchase from Georgia G. Brown and Denise Loretta Brown and Robert Hunter and Bettie Hunter for use as green space in the 10th Aldermanic District. (DCD-Real Estate)
- Whereas, The Department of City Development ("DCD") is identifying and disposing of small, unbuildable, vacant lots in the City of Milwaukee's inventory and is marketing such lots to the adjoining homeowners; and
- Whereas, The lot at 3737 Adjoining North 41st Street has been identified as a small, unbuildable, lot; and
- Whereas, Georgia G. Brown and Denise Loretta Brown with their property located at 3738 North 41st Street have offered to purchase part of said lot for the amount of \$50; and
- Whereas, Robert Hunter and Bettie Hunter with their property located at 3737 North 40th Street have offered to purchase part of said lot for the amount of \$50; and
- Whereas, The DCD recommends acceptance of said Offers to Purchase; and
- Whereas, The City Plan Commission has approved the acceptance of said Offers, the sale of said lot to be consummated in the manner provided for in the sale of other vacant, tax-deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the vacant, tax-deed lot at 3737 Adjoining North 41st Street is declared surplus, that said Offers to Purchase are accepted, that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot, and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- c) [000654](#) Resolution declaring the vacant, surplus size, tax-deed lot at 3212-14 West St. Paul Avenue surplus and accepting an unsolicited Offer to Purchase from Abron E. Dawson and Tracy M. Dawson for use as green space in the 4th Aldermanic District. (DCD-Real Estate)

Whereas, Abron E. Dawson and Tracy M. Dawson with their property located at 403 North 32nd Street, Tax Key No. 401-0166-000-3, have offered to purchase said lot for the amount of \$1.00; and

Whereas, The Department of City Development recommends acceptance of said Offer to Purchase with closing to occur within 90 days from the date of adoption of this resolution; and

Whereas, The City Plan Commission has approved the acceptance of said Offer, the sale of said lot to be consummated in the manner provided for in the sale of other vacant, tax-deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the vacant, tax-deed lot at 3212-14 West St. Paul Avenue is declared surplus, that said Offer to Purchase is accepted, that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot, and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** Ald. Henningsen

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- d) [000664](#) Resolution declaring the vacant, tax-deed lot at 3140 North 40th Street surplus and accepting an Offer to Purchase from Andrae Virgil for use as green space in the 10th Aldermanic District. (DCD-Real Estate)

Whereas, The Department of City Development ("DCD") is identifying small, unbuildable, vacant lots in the City's inventory and is marketing such lots to the adjoining homeowners; and

Whereas, The vacant, tax-deed lot at 3140 North 40th Street, Tax Key No. 287-0800-2, has been so identified and marketed to both adjoining owners; and

Whereas, Andrae Virgil with his property located at 3144 North 40th Street, Tax Key No. 287-0801-8, has offered to purchase said lot for the amount of \$180; and

Whereas, The other adjoining owner did not respond to our offer; and

Whereas, The DCD recommends acceptance of said Offer to Purchase with closing to occur within 90 days from date of adoption of this resolution; and

Whereas, The City Plan Commission has approved the acceptance of said Offer, the sale of said lot to be consummated in the manner provided for in the sale of other vacant, tax-deed lots pursuant to Section 304-49 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said vacant, tax-deed lot is declared surplus, that said Offer to Purchase is accepted, that the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said lot, and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- 14) [000670](#) Resolution declaring as surplus and authorizing the sale of improved, City-owned/tax-deed properties located in various aldermanic districts. (DCD)
- Whereas, The Commissioner of the Department of City Development recommends the sale of the following City-owned/tax-deed properties in "as is" condition via the open listing method:

PROPERTY ADDRESS, LISTING PRICE, ALDERMANIC DISTRICT

3650 North 27th Street, TK #270-0155-000-X  
\$10,000  
10th

2743-45 North 34th Street, TK #309-0846-000-2  
\$14,000  
7th

2313 West Brown Street, TK #350-1602-000-X  
\$6,000  
17th

1925 West Center Street, TK #324-0919-000-5  
\$6,000  
7th

4829 North Hopkins Street, TK #208-0599-000-8  
\$10,000  
2nd

4406 West Medford Avenue, TK #267-0690-000-3  
\$20,000  
10th

6127 West Park Hill Avenue, TK #405-0208-000-X  
\$36,000  
16th

; and

Whereas, Any adjoining City-owned/tax-deed vacant lot may be sold with an improved property to enhance its disposition and by this resolution is declared surplus; and

Whereas, The City Plan Commission and the Public Improvements Committee have determined that said properties have no possible municipal use and are surplus to the City's needs and recommends sale of them to the highest acceptable offer; and

Whereas, The Zoning, Neighborhoods and Development Committee has determined that said properties should be sold via the open listing method pursuant to Section 304-49 of the Milwaukee Code of Ordinances under the following terms and conditions:

- A. The Offer conforms in all respects with the sales procedure.
- B. The net offer (offer less sale's commission) is greater than 75 percent of the listing price.
- C. The buyer is not delinquent in the payment of real estate taxes on any properties that he/she may own in the City of Milwaukee.
- D. The buyer has not been convicted, within twelve months preceding the date of the Offer, of failure to comply with an order from the Commissioner of the Department of Neighborhood Services of the City of Milwaukee to correct code violations; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said properties are declared surplus and that the Commissioner of the Department of City Development or designee is authorized and directed to advertise and list said properties for sale to the highest acceptable offer; and, be it

Further Resolved, That the Commissioner of the Department of City Development or designee is authorized and directed to accept Offers to Purchase on behalf of the City of Milwaukee and to perform such acts as are necessary to close the transactions under the terms and conditions as set forth above; and, be it

Further Resolved, That if no offer is received for any property after advertising it on two occasions, the asking price will be reduced by up to 25 percent; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchasers are required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or said property may revert back to the ownership of the City of Milwaukee upon action by the Common Council; and, be it

Further Resolved, That the proceeds remaining from the sale of surplus property after payment of commissions and other closing related expenses be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

CONFIRMATION OF THE FOLLOWING:

15) Various Appointments/Reappointments.

a) [000408](#) Reappointment of Craig Zetley to the Board of Zoning Appeals by the Mayor. (3rd Aldermanic District)

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

b) [000409](#) Reappointment of Scott Winkler to the Board of Zoning Appeals by the Mayor. (3rd Aldermanic District)

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

c) [000410](#) Reappointment of Henry Szymanski to the Board of Zoning Appeals by the Mayor. (14th Aldermanic District)

**Sponsors:** THE CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli



- d) [000647](#) Reappointment of Gary Mitchem to the City Plan Commission by the Mayor. (3rd Aldermanic District)

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

- e) [000648](#) Reappointment of Larri Sue Jacquart to the City Plan Commission by the Mayor. (3rd Aldermanic District)

**Sponsors:** CHAIR

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

**Aye:** 16 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Murphy Hines Jr.

**No:** 0

**Excused:** 1 - Nardelli

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [000615](#) An ordinance repealing the prohibition against tall barberry shrubs in the city.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:  
Part 1. Section 116-54 of the code is repealed.

(Note: The provision being repealed reads as follows:

116-54. Planting of Tall Barberry Shrubs Prohibited. No person shall hereafter sell or plant within the city the berberis vulgaris, commonly known as the tall barberry or the berberis purpurea, and all such shrubs now planted in the city shall be eradicated within one month after the passage of this section.)

**Sponsors:** Ald. Breier and Ald. Pawlinski

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

ADOPTION OF THE FOLLOWING:

2) Substitute resolutions granting/amending various special privileges:

a) [000227](#) Substitute resolution to grant a special privilege to Nanakusa L.L.C. to place a covered entrance structure on the north side of East Chicago Street, within the public right-of-way at the 408 East Chicago Street entrance to the building, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, The applicant desires to construct and maintain a covered entrance structure on the sidewalk on the north side of East Chicago Street, which is to be supported by the existing building and by vertical wood supports on concrete piers, with a metal façade and landscaped area, which is to be located in the public right-of-way; and

Whereas, The covered entrance structure will encroach approximately 8 feet 8 inches into the 15-foot wide fully concrete paved sidewalk area on the north side of East Chicago Street; and

Whereas, Said covered entrance structure may only legally encroach into the public right-of-way by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Nanakusa L.L.C., 408 East Chicago Street, Milwaukee, WI 53202, is hereby granted the following special privilege:

To erect and maintain a covered entrance structure at the property known as 408 East Chicago Street. Said covered entrance structure, 9 feet 9 inches in width, is to be centered approximately 70 feet west of the westline of North Jefferson Street. The structure, which consists of metal cladding attached to vertical wood framing, shall encroach approximately 8 feet 8 inches into the 15-foot wide fully concrete paved sidewalk area on the north side of East Chicago Street at 408 East Chicago Street. Two concrete piers which extend a minimum of 4 feet below grade will support the structure on the sidewalk at the south end. A landscaped area shall be provided to intercept the structure's roof drainage.

All fixtures and materials for illumination of covered entrance structure shall be indicated upon the construction plans and approved prior to installation. No sign or advertising device shall be hung from, attached to, printed or painted on any part of

the covered entrance structure. The name, street number, or character of the business may be indicated only on the vertical portion of the structure and shall not exceed 12 inches in height. All runoff shall be contained within the structure and shall not adversely impact the public right-of-way nor pedestrian usage of the sidewalk.

Prior to installation, permits shall be obtained from the Departments of Public Works and City Development/Neighborhood Services for the covered entrance structure itself and from the Department of Public Works to occupy the right-of-way during construction.

Said covered entrance structure shall be constructed, used and maintained to the approval of the Departments of Public Works and Neighborhood Services

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Nanakusa L.L.C. shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$2,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$99.87. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Johnson Controls Inc., shall:

4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the

Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [000342](#) Substitute resolution granting a special privilege to Raymond Ropel, to keep and maintain one groundwater monitoring well in South Clement Avenue, adjacent to 1127 East Oklahoma Avenue, in the 14th Aldermanic District in the City of Milwaukee.

Whereas, The Wisconsin Department of Natural Resources has deemed it necessary to conduct an environmental assessment for a site located at 1127 East Oklahoma Avenue to determine petroleum product migrational patterns; and

Whereas, It has been determined that, in addition to the proposed monitoring wells needed to be placed on private property, one location needs to be monitored within the public right-of-way for an extended period of time; and

Whereas, This monitoring well may only legally remain in the public right-of-way by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Raymond Ropel, 1127 East Oklahoma Avenue, Milwaukee, WI 53207, is hereby granted the following special privilege:

To keep and maintain one flush-mounted monitoring well in the vicinity of 1127 East Oklahoma Avenue as follows: the well is located in the east sidewalk area of South

Clement Avenue centered approximately 7 feet south of the southline of East Oklahoma Avenue and 7 feet west of the eastline of South Clement Avenue. This monitoring well shall be maintained and used/removed to the satisfaction of the Departments of Public Works and Neighborhood Services in accordance with the City of Milwaukee Building Codes and Zoning Ordinances. All necessary permits shall be obtained from the Departments of Public Works and Neighborhood Services/City Development of the City of Milwaukee;

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Raymond Ropel, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

7. Hold the City of Milwaukee harmless from all claims regarding the remediation process, which includes the public right-of-way of South Clement Avenue.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- c) [000489](#) Substitute resolution granting a special privilege to Woodland Pattern, Inc., located at 720 East Locust Street, allowing the installation of seven metal signs attached to City street light poles on East Locust Street, between North Holton Street and North Humboldt Boulevard, in the 6th and 3rd Aldermanic Districts of the City of Milwaukee.

Whereas, A proposal was advanced to pursue the placement of public art as a project; and

Whereas, Although the proposal was not selected to be included in the Spirit of Milwaukee's Neighborhood Millennium Art Initiative, it was, nevertheless, determined to be an important project to be undertaken; and therefore Woodland Pattern, Inc., a nonprofit corporation dedicated to literary arts and education, in addition to other neighborhood groups, has recently sought permission through the special privilege process to place seven sculptural aluminum "cut-out" signs on City street light poles on East Locust Street between North Holton Street and North Humboldt Boulevard; now, therefore, be it

Resolved, That Woodland Pattern, Inc., 720 East Locust Street, Milwaukee, Wisconsin 53212, is hereby granted the following special privilege:

To have seven signs be attached to City of Milwaukee street light poles on East Locust Street, between North Holton Street and North Humboldt Boulevard, specifically elaborated as follows:

1. Based upon preliminary locations, final locations to be mutually determined by the grantee and the Department of Public Works (DPW) staffs.

2. Signs are not produced by the DPW.
3. Signs to be placed either by private contractor, with qualified trades personnel under a DPW street light pole display permit or by DPW at the cost of the grantee through a "deposit" process.
4. Sign height to be determined by DPW.
5. Signs will be mounted over the sidewalk.
6. Signs are periodically monitored by the grantee for need of maintenance.
7. Signs are maintained at the cost of the grantee

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Woodland Pattern, Inc., a nonprofit 501©(3) community-based art organization, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$100,000 covering bodily injury to any one person and \$300,000 covering bodily injury to more than one person in any one accident and \$50,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$105.00 (\$15/sign). The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement

which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** Ald. Johnson-Odom and Ald. D'Amato

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

d) [000556](#) Substitute resolution granting a special privilege to Stout Bros. Public House, LLC for light fixtures to encroach into the public right-of-way adjacent to 777 North Water Street, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, Stout Bros. Public House LLC owns and occupies the premises at 777 North Water Street and has undertaken renovations to the building at this location, which include placement of three wall-mounted light fixtures encroaching into the sidewalk area on the west side of North Water Street; and

Whereas, The fixtures as selected and/or where mounted do not comply with Section 245-4-25 of the Milwaukee Code of Ordinances which allows a maximum encroachment of 1.0 foot for fixtures mounted between 7 and 10 feet above grade, therefore, Code relief is needed if they are going to remain; and

Whereas, Encroachment of the light fixtures into the public right-of-way, as existing, can only be allowed through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Stout Bros. Public House LLC, 777 North Water Street, Milwaukee, WI 53202, is hereby granted the following special privilege:

To keep and maintain three wall-mounted light fixtures on the east face of the building



at 777 North Water Street. The fixtures project approximately 2 feet into the 15-foot wide sidewalk area on the west side of North Water Street, with a clear height of approximately 7 feet 5 inches above the sidewalk. The lights are centered approximately 124, 162 and 200 feet north of the northline of East Mason Street.

Said light fixtures shall be used and maintained to the satisfaction of the Commissioners of Public Works and Neighborhood Services. Said items shall be removed from the public right-of-way at such future time as they are no longer needed, to the satisfaction of the Departments of Public Works and Neighborhood Services

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Stout Bros. Public House, LLC, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$35.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.

5 Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

3) Resolutions to extend/renew various lease agreements:

a) [000583](#) Resolution relating to extending a lease agreement between the City of Milwaukee and the Fondy Market Farmers' Cooperative providing for the operation of the Fondy Green Market. (Buildings & Fleet Div.)

Whereas, The Common Council, on February 15, 1994, adopted Resolution File Number 931557, authorizing a lease agreement providing for the operation of the Fondy Green Market by the Fondy Market Farmers' Cooperative; and

Whereas, The Common Council, on October 15, 1996, adopted Resolution File Number 960922, authorizing automatic annual extensions of this lease agreement until March 31, 1999; and

Whereas, Both the City and the Fondy Market Farmers' Cooperative desire to see the Fondy Green Market continue to operate and, to that end, have prepared a lease agreement, a copy of which is attached to this Common Council File; and

Whereas, This agreement provides for a 2-year extension of the lease agreement between the City and the Fondy Market Farmers' Cooperative from August 1, 2000 through July 31, 2002, with the option to extend the lease for an additional year should both parties agree to do so; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the lease agreement between the City of Milwaukee and the Fondy Market Farmers' Cooperative, a copy of which is attached to this file, is approved and the proper City officials are authorized and directed to execute said lease agreement on behalf of the City of Milwaukee.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [000587](#) Resolution relating to renewing a lease agreement between the City of Milwaukee and Milwaukee County for the Northwest Senior Center.

Whereas, The Common Council, on July 27, 1982, adopted Resolution File Number 81-1863-y which authorized a lease agreement between the City of Milwaukee and Milwaukee County for the County to use part of the former Granville Town Hall Building located at 7717 West Good Hope Road as a senior center; and

Whereas, On May 14, 1991, the Common Council adopted Resolution File Number 910150 which extended this lease for an additional 8 years ending on April 30, 1999; and

Whereas, Milwaukee County has requested that the existing lease agreement be renewed; and

Whereas, The parties desire to reaffirm the lease previously approved by the Common Council in all respects with the exception of one change made in the amendment in the lease agreement which is attached to this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are authorized and directed to execute the amendment to the lease agreement attached to this file on behalf of the City of Milwaukee thereby extending the present lease agreement for 8 years; and, be it

Further Resolved, That the proper City officials are authorized and directed to do all things necessary to carry out the intent of this resolution.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 4) [000591](#) Resolution approving a Memorandum of Understanding between the City of

Milwaukee and the Forest County Potawatomi Indian Tribe regarding the design, construction and funding of West Pittsburgh Street extended from its current terminus to West Canal Street. (DPW)

Whereas, The Forest County Potawatomi Indian Tribe is expanding its casino at South 16th and West Canal Streets in the Menomonee Valley; and

Whereas, The expansion will result in significant increases in traffic necessitating improvements to the street system in the immediate area; and

Whereas, The Tribe has offered to construct at its expense a new public street linking existing West Pittsburgh Street to West Canal Street; and

Whereas, The Tribe would dedicate the new street segment to the City upon its completion with the City assuming responsibility for its maintenance; and

Whereas, The City would commit to consider vacation of certain public street segments which directly abut the casino with the Tribe granting public access rights in return; and

Whereas, A Memorandum of Understanding outlining these commitments has been drafted and is attached to the file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Memorandum of Understanding between the Forest County Potawatomi Indian Tribe and the City of Milwaukee is hereby approved; and, be it

Further Resolved, that the Commissioner of Public Works is hereby authorized to make minor, non-substantive changes in the MOU prior to its execution.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 5) Resolutions authorizing the Commissioner of Public Works to issue various permits:
- a) [000592](#) Resolution authorizing the Commissioner of Public Works to issue a permit to Bentley Construction Services allowing temporary occupancy of the right turn by-pass lanes of North Prospect Avenue at East Bradford Avenue for use in conjunction with planned improvements at the Milwaukee Protestant Home, 2429 East Bradford Avenue. (DPW)

Whereas, Bentley Construction Services are making improvements to the parking facilities at the Milwaukee Protestant Home, 2429 East Bradford Avenue; and

Whereas, The construction site is constrained; and

Whereas, During construction, Bentley wishes to disrupt as little as possible the existing on-site parking thereby minimizing the impact upon on-street parking in the neighborhood; and

Whereas, The project is expected to last from September of 2000 to August of 2001; and

Whereas, Bentley has requested permission to occupy the right turn by-pass section of North Prospect Avenue where the street intersects with East Bradford Avenue during this time frame; and

Whereas, The Commissioner of Public Works is authorized to issue permits for temporary occupancy of up to one-third of public rights-of-way while temporary use beyond that must be approved by the Common Council; now, therefore, be it

Resolved, That the Commissioner of Public Works is hereby authorized to issue a permit to Bentley Construction Services allowing occupancy of the right turn by-pass area of North Prospect Avenue at its intersection with East Bradford Avenue.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [000727](#) Resolution authorizing the Commissioner of Public Works to issue permits to several community based organizations wishing to erect sculpture in the public way or on property under control of the Department of Public Works.

Whereas, The Spirit of Milwaukee is sponsoring a public art project known as the Millennium Art Initiative; and

Whereas, Six of the approved sculptures would be located either in public right-of-way or on property under control of the Department of Public Works; and

Whereas, Each of these sculptures is being sponsored by an agency with direct linkages to the City (e.g. a Business Improvement District or a Community

Development Block Grant funded non-profit); and

Whereas, The six sculptures along with the sponsoring agencies and proposed locations are listed in Exhibit "A" attached to this file; and

Whereas, Each of the sponsoring agencies will either be directly responsible for its sculpture's maintenance or will assign such responsibility upon notification to the City; and

Whereas, The sculptures may only occupy City right-of-way or City property upon approval of the Common Council; and

Whereas, Public art can enliven neighborhoods and enhance the livability of the community; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is authorized to issue permits to the various organizations listed in Exhibit "A" for the purpose of installing and maintaining sculptural art in the public right-of-way or on public property under the jurisdiction of the Department of Public Works subject to the following:

1. Only those sculptures approved and funded through the Millennium Art Initiative program are encompassed by this resolution.
2. The sculptures shall all be installed in a location and in a manner which does not interfere with existing public improvements and the delivery of public services.
3. The various permit holders shall hold the City of Milwaukee or its agents harmless and accept responsibility for any and all liabilities that may arise through implementation of the permission granted herein.
4. The various permit holders shall agree that if and when any sculpture is deemed by its owner to be no longer desirable in its location or if ordered removed for public necessity, not only to remove the sculpture but also to restore to its former condition, or a condition determined to be acceptable by the Commissioner of Public Works, the site of the sculpture. A permit holder shall not be entitled to any damages for such removal and site restoration regardless of the circumstances of sculpture removal.
5. The various permit holders shall agree to assume all responsibility for maintenance of their respective sculptures and shall commit to maintain them in an appropriate manner. Should a sculpture not be adequately maintained, the Commissioner of Public Works may, at his discretion and after notice to the permit holder, remove the sculpture or undertake the necessary maintenance and bill the permit holder for the

cost.

and, be it

Further Resolved, That the rights and privileges herein granted and obligations herein assigned may be reassigned or transferred by the permit holder to another party upon the written permission of the Commissioner of Public Works.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 6) [000616](#) Resolution determining it necessary to make various assessable public improvements at various locations. (Infrastructure Services Division)
- Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:
- 2nd Aldermanic District
- N. 73rd St. – W. Hampton Ave. to W. Fairmount Ave. (ST211020106): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)
- 5th Aldermanic District
- N. 89th St. – W. Burleigh St. to W. Lisbon Ave. (ST211020108): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)
- W. Chambers St. – N. 84th St. to N. 87th St. (ST211020110): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

## 6th Aldermanic District

N. 6th St. – W. Garfield Ave. to W. North Ave. (ST211020102): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

## 7th Aldermanic District

W. Meinecke Ave. – W. Medford Ave. to N. 25th St. (ST211020112): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

## 8th Aldermanic District

W. Harrison Ave. – S. 13th St. to S. 16th St. (ST211020111): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

Alley between W. Becher St., S. Layton Blvd., W. Rogers St. and S. 26th St. (ST212010148): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$1,000)

## 8th and 12th Aldermanic Districts

W. Burnham St. – S. 16th St. to S. Muskego Ave. (ST211020109): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

## 11th Aldermanic District

W. Eden Pl. – S. Sunset Dr. to S. Massachusetts Dr. (ST211020113): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

S. Sunset Dr. – W. Wedgewood Dr. to W. Morgan Ave. (ST211020114): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable



Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

13th Aldermanic District

S. 20th St. – South City Limits to W. College Ave. (ST211020101): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

S. 29th St. – W. Parnell Ave. to W. Wanda Ave. (ST211020104): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

S. 30th St. – W. Parnell Ave. to W. Wanda Ave. (ST211020105): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

15th Aldermanic District

N. 82nd Ct. – A point south of W. Clovernook St. to W. Clovernook St. (ST211020107): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

17th Aldermanic District

N. 15th St. – W. Galena St. to W. Walnut St. (ST211020103): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$1,000) (2002 Paving Program)

;and, be it

Further Resolved, That the abutting and adjacent properties be assessed a portion of the cost, said assessment to be recommended by the Commissioner of Public Works in his report; and, be it

Further Resolved, That all assessments and payments be made in accordance with Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That all City departments are authorized to do engineering, surveying, preparing of plans, and estimates of cost thereof, to be utilized in the preparation of said report of the Commissioner of Public Works; and, be it

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

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 7) [000617](#) Resolution determining it necessary to make various nonassessable public improvements at various locations. (Infrastructure Services Division)  
Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:

8th Aldermanic District

W. Branting Ln. – S. 37th St. to S. 38th St. (SM495010550): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$8,000)

W. Lapham St. – S. 36th St. to S. 37th St. (SM495010549): Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund -- \$5,200)

10th Aldermanic District

W. Chambers St. – N. 24th St. to N. 29th St. (WT410001090): Valve replacing. (Nonassessable Water Fund -- \$5,000)

11th Aldermanic District

S. 39th St. – 120 feet m/l north of W. Ohio Ave. (SM495010548): Relay sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$4,000)

12th Aldermanic District

W. Scott St. at S. 16th St. (WT410011090): Valve replacing. (Nonassessable

Water Fund -- \$5,000)

13th Aldermanic District

S. 20th St. – 100 feet m/l north of W. Klein Ave. to 250 feet m/l south of W. Klien Ave. (SM495010547): Relay storm sewer. (Nonassessable Relief and Relay Sewer Fund -- \$10,400)

14th Aldermanic District

S. 14th St. – W. Oklahoma Ave. to W. Ohio Ave. (SM495010546): Relay sanitary sewer. (Nonassessable Relief and Relay Sewer Fund -- \$10,500)

;and, be it

Further Resolved, That all City Departments are authorized to perform engineering, surveys, plan preparation, and determine an estimated cost thereof; and, be it

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

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 8) [000618](#) Resolution approving construction of nonassessable public improvement projects at various locations. (Infrastructure Services Division)

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

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

1st and 9th Aldermanic Districts

N. 47th St. – W. Rohr Ave. to W. Custer Ave. (WT410001078) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$105,000)

## 1st Aldermanic District

N. 29th St. – 560 feet m/l south of W. Roosevelt Dr. to W. Roosevelt Dr.  
(WT410001077) File Number 991732: Relay water main. (Nonassessable Water  
Fund -- \$90,000)

W. Capitol Dr. at N. 16th St. (WT410001089) File Number 000118: Valve  
replacement. (Nonassessable Water Fund -- \$90,000)

## 8th and 12th Aldermanic Districts

The Menomonee River (South Side) – N. 25th St. to a point 1400 feet m/l east and  
The Menomonee River (South Side) – N. 16th St. to N. Emmer Ln.  
(ST32094001/CS32094001) File Number 990923: Installing asphalt surface. (Hank  
Aaron State Park Trail) Wisconsin Coastal Management Program (Grantor Share --  
\$44,800; Local Share (in-kind) -- \$69,400)

## 9th Aldermanic District

N. 32nd St. – W. Oriole Dr. to W. Bobolink Ave. (WT41091328) File Number  
980034: Relay water main. (Nonassessable Water Fund -- \$60,000)

N. 41st St. – W. Vera Ave. to W. Cheyenne St. (WT41001022) File Number  
990314: Relay water main. (Nonassessable Water Fund -- \$85,000)

W. Bobolink Ave. – N. 63rd St. to N. 64th St. (WT41001039) File Number  
990314: Relay water main. (Nonassessable Water Fund -- \$70,000)

W. Thurston Ave. – N. 40th St. to N. 41st St. (WT41091314) File Number 980034:  
Relay water main. (Nonassessable Water Fund -- \$50,000)

## 15th Aldermanic District

N. 81st St. – W. Clovernook St. to W. Acacia St. (WT41001030) File Number  
990314: Relay water main. (Nonassessable Water Fund -- \$62,500)

N. 81st St. – W. Brentwood Ave. to W. Clovernook St. (WT41001070) File  
Number 991613: Relay water main. (Nonassessable Water Fund -- \$125,000)

N. 83rd St. – W. Acacia St. to W. Kiehnau Ave. (WT41001017) File Number  
990314: Relay water main. (Nonassessable Water Fund -- \$55,000)

N. 85th St. – W. Brentwood Ave. to W. Hastings St. (WT41001072) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$225,000)

N. 86th St. – W. Brentwood Ave. to W. Hastings St. (WT410001084) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$170,000)

W. Brentwood Ave. – N. 85th St. to N. 86th St. (WT410001085) File Number 991732: Relay water main. (Nonassessable Water Fund -- \$72,500)

W. Clovernook St. – N. 81st St. to N. 82nd Ct. (WT41001069) File Number 991613: Relay water main. (Nonassessable Water Fund -- \$65,000)

W. Clovernook St. – N. 82nd Ct. to N. 83rd St. (WT41001041) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$80,000)

W. Heritage Dr. – N. 110th St. to N. 113th St. (WT430003009) File Number 980526: Install eight-inch water main extension. (Developer Water Fund -- \$235,000)

W. Mill Rd. – N. 84th St. to 400 feet m/l east of N. 87th St. (WT41001056) File Number 990314: Relay water main. (Nonassessable Water Fund -- \$95,000)

now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is authorized and directed to proceed with said work; and, be it

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

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

*Resolutions determining as surplus and authorizing the sale of various improved, tax-deed properties.*

- a) [000655](#) Resolution declaring as surplus and authorizing the sale of the improved, tax-deed

property located at 2129-31 West Hopkins Street, in the 10th Aldermanic District. (DCD)

Whereas, Rose of Sharon Church, a nonprofit organization, has offered to purchase said property for \$500 for commercial development purposes, a day care center; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that 2129-31 West Hopkins Street, Tax Key No. 285-1061-X, is declared surplus and that the Department of City Development is authorized and directed to sell said property to Rose of Sharon Church at a fixed price of \$500; and, be it

Further Resolved, That closing is contingent upon receipt and approval of rehabilitation plans and evidence of financing within 180 days from the date of adoption of this resolution to satisfactorily complete the project; and, be it

Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said property and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or said property may revert back to the ownership of the City of Milwaukee upon action by the Common Council.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [000657](#) Resolution declaring as surplus and authorizing the sale of the improved, tax-deed property located at 5174 North 35th Street, in the 1st Aldermanic District. (DCD) Whereas, CCTR Group, Inc., a nonprofit organization, has offered to purchase said property for \$15,000 as a new location for its offices; and

Whereas, CCTR Group, Inc., has agreed to pay property taxes based upon the full assessed value of said property; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that 5174 North 35th

Street, Tax Key No. 207-0001-8, is declared surplus and that the Department of City Development is authorized and directed to sell said property to CCTR Group, Inc., at a fixed price of \$15,000; and, be it

Further Resolved, That said property will be taxed at full assessed value; and, be it

Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said property and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or said property may revert back to the ownership of the City of Milwaukee upon action by the Common Council.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 10)        [000660](#)        Resolution accepting the donation of two vacant lots located at 2428 North 28th Street and 2114 North 38th Street, in the 7th and 17th Aldermanic Districts. (DCD-Real Estate)

Whereas, The Neighborhood Improvement Development Corporation wishes to donate to the City of Milwaukee by Warranty Deed, free and clear of any and all encumbrances, the vacant lots located at 2428 North 28th Street, Tax Key No. 326-1189-0, and 2114 North 38th Street, Tax Key No. 348-1046-X; and

Whereas, The Department of City Development recommends acceptance of said lots to assemble with existing City-owned vacant lots for future in-fill housing; and

Whereas, The City Plan Commission has approved the acceptance of said lots; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the donation of said vacant lots is accepted, provided that the donor delivers clear title, free of any and all liens, encumbrances, taxes, charges or any other assessments affecting title, and further provided that environmental contamination is not known or suspected to exist

on or under said lots.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 11)        [000661](#)        Resolution amending the disposition of the surplus, improved, tax-deed property located at 2212-14 West National Avenue, in the 12th Aldermanic District.  
(DCD-Real Estate)

Whereas, Common Council File No. 990042, adopted on May 11, 1999, declared surplus and directed that the Department of City Development sell 2212-14 West National Avenue via the open listing method; and

Whereas, Milwaukee Victory Church, a nonprofit organization, has offered to purchase said property for \$500 to expand their capabilities to assist the down-trodden to become law-abiding, drug-free, productive citizens; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized and directed to sell 2212-14 West National Avenue, Tax Roll Key No. 434-515-000-9, to Milwaukee Victory Church at a fixed price of \$500; and, be it

Further Resolved, That closing is contingent upon receipt of the rehabilitation plans and evidence of financing within 180 days from the date of adoption of this resolution to satisfactorily complete the project; and, be it

Further Resolved, That Milwaukee Victory Church obtain all necessary permits and zoning approvals for its ministry; and, be it

Further Resolved, That the proper City officials are authorized and directed to perform such acts as may be required to consummate the sale of said property and that the proceeds be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106; and, be it

Further Resolved, That as a condition of the sale of surplus property, purchaser is required to bring property into compliance with applicable building codes within the time specified by the Department of Neighborhood Services or property may revert back to the ownership of the City of Milwaukee upon action by the Common Council.



**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 12) [000669](#) Resolution directing the Department of City Development to prepare a resolution to vacate a portion of the Southern leg of alley between North 27th Street and North 28th Street located North of West Center Street to a point North, in the 7th Aldermanic District. (DCD)

Whereas, It has been proposed by the Department of City Development that a portion of the Southern leg of alley between North 27th Street and North 28th Street located North of West Center Street to a point North, be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, The vacation of said portion of alley is necessary for redevelopment; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is directed to prepare a resolution to vacate said portion of alley in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 13) [000673](#) Resolution accepting seven Water Easements. (Department of City Development)

Resolved, By the Common Council of the City of Milwaukee that the following easements offered the City of Milwaukee:

Water Easement WE-837, executed by the City of Franklin, a municipal corporation of the State of Wisconsin, and Home Depot U.S.A., Inc., a Delaware Corporation, for a permanent water main easement in C.S.M. No. 6503, Parcel 1, North of West Sycamore Street and West of South 27th Street, in the City of Franklin.

Water Easement WE-859, executed by the City of Milwaukee, a municipal

corporation of the State of Wisconsin, and Milwaukee Area Technical College District a/k/a Milwaukee Area Vocational, Technical and Adult Education District and a/k/a Vocational, Technical and Adult Education, District 9, for a permanent water main easement in vacated North 7th Street, from 150 feet North of West State Street to West Juneau Avenue, in the City of Milwaukee.

Water Easement WE-863, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Gerd D. Voelker, for a permanent water main easement at 306 feet East of North 111th Street from West Arch Court to 140 feet North of West Arch Court, in the City of Milwaukee.

Water Easement WE-864, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and the Redevelopment Authority of the City of Milwaukee, in C.S.M. 5975, Parcel 2 from South Barclay Street at 850 feet South of East Florida Street to East National Avenue at 300 feet West of South Water Street, in the City of Milwaukee.

Water Easement WE-871, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Rudolf Drexler and Franziska Drexler, his wife, for a permanent water main easement in the east line of North 124th Street from West Villard Avenue to 203 feet North of West Villard Avenue, in the City of Milwaukee.

Water Easement WE-872, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and John E. Yarmark, in the east line of North 124th Street from 203 feet North of West Villard Avenue to West Rohr Avenue, in the City of Milwaukee.

Water Easement WE-878, executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and P.Y. Godfrey, LLC, and Joseph P. DiFrances (Land Contract Vendor) and P.Y. Godfrey, LLC (Land Contract Purchaser), for a permanent water main easement in East Park Place from 200 feet West of North Newhall Street to 800 feet West of North Newhall Street, in the City of Milwaukee.

are accepted, ordered recorded by the City Real Estate Office, and thereafter kept on file in the Office of the City Comptroller.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 14) [000687](#) Resolution granting permission to the Halyard Park Association to install a sign in the Lincoln & Marie Gains Triangle located at 2043 North 6th Street, in the 6th Aldermanic District in the City of Milwaukee. (Buildings & Fleet Division)

Whereas, The Halyard Park Association wishes to place a permanent single face wood identification sign on City property known as Lincoln & Marie Gains Triangle located at 2043 North 6th Street; and

Whereas, The proposed sign may only be placed on City property with Common Council approval; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioners of Public Works and City Development are hereby authorized and directed to issue the respective permits for the placement of a permanent single face wood sign on City property known as Lincoln & Marie Gains Triangle located at 2043 North 6th Street; and, be it

Further Resolved, That this permission is granted only on the conditions that the Halyard Park Association shall:

1. Hold the City of Milwaukee or its agents harmless and accept responsibility for any and all liabilities that may arise through implementations of the permission granted herein;
2. Obtain the necessary Department of Public Works and Development Center permits prior to installation of the permanent identification sign;
3. Install the 30" high by 72" wide single faced identification sign fixed between two vertical 6" x 6" timber posts.
4. Whenever the sign is no longer needed or when so ordered for public necessity, the Halyard Park Association shall remove the sign and restore the area to its former condition to the approval of the Commissioner of Public Works. The grantee shall not be entitled to any damages for such removal.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 15) [000699](#) Resolution authorizing the proper City officers to execute an amendment to a land lease between the City of Milwaukee and the United States of America for the property located at 1600 East College Avenue. (DPW)
- Whereas, The Common Council has adopted resolution file number 85-1906 wherein the proper City officers were authorized and directed to execute a lease between the City of Milwaukee and the United States of America for the property located at 1600 East College Avenue; and
- Whereas, The lease agreement was executed by the parties; and
- Whereas, The Department of the Army has determined that a large portion of the property is no longer required and that this portion of the tract of land covered by the lease should be deleted from the lease; and
- Whereas, The portion of land remaining as a part of this lease will be used as roadways for ingress and egress to other lands held by the United States of America; and
- Whereas, It would be in the best interests of the City of Milwaukee to accept this amendment to the land lease for the property at 1600 East College Avenue; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the amendment to the lease attached to this file is hereby approved and that the proper City officers are hereby authorized and directed to execute said amendment on behalf of the City of Milwaukee.
- Sponsors:** CHAIR
- A motion was made by Ald. Scherbert that this matter be ADOPTED. The motion carried by the following vote:**
- Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- 16) [000700](#) Resolution authorizing the Commissioner of Public Works to enter into an agreement with Milwaukee County for the traffic control signal at the intersection of West Good Hope Road and North 99th Street in the 15th Aldermanic District. (Infrastructure Services Division)
- Whereas, This intersection is currently controlled by a temporary traffic control signal and will be upgraded to a permanent traffic control signal and no prior agreement has been reached regarding the design, construction, operation, and maintenance of the

traffic control signal; and

Whereas, The issues of cost sharing, ownership, responsibility, and liability will be described and agreed to in this agreement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to enter into an agreement between the City of Milwaukee and Milwaukee County, for the design, construction, operation, and maintenance of the traffic control signal at the intersection of West Good Hope Road and North 99th Street.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

17) Resolutions approving various lease agreements:

a) [000715](#) Resolution approving a lease agreement with Voicestream Wireless for the placement of personal communications services antennas at the Hawley Road Water Tower at 1235 North 57th Street. (DOA)

Whereas, The Common Council adopted Resolution File Number 960170 on June 25, 1996, establishing a policy for the leasing of City facilities for the provision of wireless telecommunications services; and

Whereas, The Common Council further adopted Resolution File Number 991575 on February 18, 2000, amending said policy; and

Whereas, These resolutions also designated the Department of Administration as the City's sole negotiating agent for marketing City-owned sites to communication services vendors; and

Whereas, The Department of Administration has been working with the Water Works Division and the City Attorney's Office to negotiate a lease agreement with Voicestream Wireless for placement of personal communications services (PCS) antennas at the Hawley Road Water Tower at 1235 North 57th Street; and

Whereas, The lease agreement offers a fair market value to the City, protects other City interests, and is acceptable to all City participants; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council approves a lease agreement with Voicestream Wireless for the placement of PCS antennas at the Hawley Road Water Tower, a copy of which is attached to this file, and authorizes the proper City officials to enter into said lease agreement on behalf of the City of Milwaukee.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [000716](#) Resolution approving a lease agreement with Ameritech for the replacement of a tower, building of a 200-foot monopole and the placement of personal communications services antennas at the Fire Station at 5600 W. Oklahoma Ave. (DOA)
- Whereas, The Common Council adopted Resolution File Number 960170 on June 25, 1996, establishing a policy for the leasing of City facilities for the provision of wireless telecommunications services; and
- Whereas, The Common Council further adopted Resolution File Number 991575 on February 18, 2000, amending said policy; and
- Whereas, These resolutions also designated the Department of Administration as the City's sole negotiating agent for marketing City-owned sites to communication services vendors; and
- Whereas, The Department of Administration has been working with the Fire and Police Departments, and the City Attorney's Office to negotiate a lease agreement with Ameritech for placement of personal communications services (PCS) antennas at the Fire Station at 5600 W. Oklahoma Ave; and
- Whereas, The lease agreement offers a fair market value to the City, protects other City interests, and is acceptable to all City participants; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee, that the Common Council approves a lease agreement with Ameritech for the replacement of a tower, building of a 200-foot monopole and placement of PCS antennas at the Fire Station at 5600 W. Oklahoma Ave., a copy of which is attached to this file, and authorizes the proper City officials to enter into said lease agreement on behalf of the City of Milwaukee.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 18) [000718](#) Resolution authorizing and directing the Commissioner of Public Works to execute documents titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming and construction of various projects with Federal and/or State aid under the Surface Transportation Program. (Infrastructure Services Division)
- Whereas, Preliminary approval has been requested and received from the Wisconsin Department of Transportation (WISDOT) along with agreements to be executed by the City of Milwaukee for the programming and construction of the following projects with Federal and/or State aid under the Surface Transportation Program:

Aldermanic Project  
District Location

3 E. Kenwood Boulevard  
N. Oakland Avenue to  
N. Downer Avenue

8, 12 W. Canal Street  
N. Emmber Lane to  
N. 25th St.

13 W. Howard Avenue  
S. 27th Street to  
S. 13th Street

;now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works (CPW) is hereby authorized and directed to execute agreements for the programming and construction of the aforementioned projects with Federal and/or State aid under the Surface Transportation Program, copies of which are attached to Common Council Resolution File Number 000718, and are incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the CPW is hereby authorized and directed to undertake or

engage a consultant to undertake preliminary engineering for the improvement of the aforementioned projects and to reimburse the WISDOT for preliminary engineering costs they incur for the improvement; and, be it

Further Resolved, That the CPW is hereby authorized and directed to enter into an agreement with the WISDOT pertaining to the cost participation for the installation and/or modification of traffic control facilities in conjunction with the improvements of the aforementioned projects; and, be it

Further Resolved, That the CPW is hereby authorized and directed to install the traffic control facilities necessary in conjunction with the aforementioned projects, following the execution of the traffic control agreement the cost of which will be included in future resolutions; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield Values for preliminary engineering for the projects (Expenditure) and transfer to any of these accounts the amount required under the grant agreement and City Accounting Policy but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

Infrastructure Services Division Accounts

East Kenwood Boulevard  
North Oakland Avenue to  
North Downer Avenue

City Share Account No. ST320000000  
Fund 0333  
\$27,466

Grantor Share Account Number SP032000100  
Fund 0306  
\$91,550

Grantor Share (Non-Reimbursable)  
Account No. SP032000100  
Fund 0306  
\$18,310  
Estimated Total  
\$137,326



West Canal Street  
North Emmber Lane to  
North 25th Street

City Share Account Number ST320000000  
Fund 0333  
\$16,866

Grantor Share Account No. SP032000100  
Fund 0306  
\$56,220

Grantor Share (Non-Reimbursable)  
Account No. SP032000100  
Fund 0306  
\$11,244

Estimated Total  
\$84,330

West Howard Avenue  
South 27th Street to  
South 13th Street

City Share Account No. ST320000000  
Fund 0333  
\$60,016

Grantor Share Account No. SP032000100  
Fund 0306  
\$200,050

Grantor Share (Non-Reimbursable)  
Account Number SP032000100  
Fund 0306  
\$40,010

Estimated Total  
\$300,076

;and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to

approve and make periodic payments to the WISDOT upon receipt of invoices for the City's share of costs of the above projects.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

19) Resolutions authorizing and directing the proper City Officers to execute various agreements:

a) [000723](#) Substitute resolution authorizing and directing the proper City Officers to execute an Out-of-Program Agreement between August Urbanek and the City of Milwaukee for construction of a storm water detention basin to serve the area generally bound by North 107th Street, West Mill Road, Highway 41/45, and West Green Tree Road. Whereas, August Urbanek has developed, and continues to develop, a series of single family home subdivisions in the area generally bound by North 107th Street, West Mill Road, Highway 41/45, and West Green Tree Road; and

Whereas, The cumulative impact of these residential subdivisions necessitates the construction of a storm water detention basin; and

Whereas, The area to be served by the planned basin includes lands not under control of the Developer, such lands constituting about one third of the total area being served; and

Whereas, The general public will benefit from construction of a larger basin to serve the broader area; and

Whereas, The Developer now wishes to enter into an Out-of-Program Agreement with the City of Milwaukee to provide for the construction and funding of the storm water detention basin; and

Whereas, The Out-of-Program Agreement provides that the City of Milwaukee will refund to the Developer a portion of the basin construction cost reflecting the public benefits from this improvement; and

Whereas, The Out-of-Program Agreement for this project is attached to this file; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee hereby approves the Out-of-Program Agreement attached to the file and that the proper City Officers are

hereby authorized and directed to execute said agreement on behalf of the City of Milwaukee; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to make minor non-substantive changes to the agreement prior to its execution.

**Sponsors:** CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- b) [000735](#) Substitute resolution authorizing and directing the proper City officers to execute Permit and Agreements SA-2128, located in Vacated South 29th Street from a point 575 feet m/l north of West Oklahoma Avenue to a point 265 feet m/l north of West Oklahoma Avenue, and SA-2231, located in Vacated South 29th Street from a point 310 feet north of West Oklahoma Avenue to a point 181 feet m/l north of West Oklahoma Avenue.

Whereas, On September 8, 1975 St. Luke's Hospital Association, Inc. granted the City of Milwaukee an easement, SE-2128, for sewer purposes located in Vacated South 29th Street from a point 772 feet m/l north of West Oklahoma Avenue to a point 265 feet m/l north of West Oklahoma Avenue; and

Whereas, On December 13, 1978 St Luke's Hospital Association, Inc. granted the City of Milwaukee an easement, SE-2231, for sewer purposes located in Vacated South 29th Street from West Oklahoma Avenue to a point 310 feet north of West Oklahoma Avenue; and

Whereas, Said easements are located in lands presently owned by Aurora Healthcare, Inc. (the Owner); and

Whereas, The Owner has requested the City's permission to construct portions of a building in the easements area; and

Whereas, The City will allow the construction of said portions of the building in the easements area, subject to conditions stipulated in Permit and Agreement documents known as SA-2128 and SA-2231; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers are hereby authorized and directed to execute Permit and Agreement documents SA-2128 and SA-2231, said Permit and Agreements being attached to

this Common Council Resolution File Number 000735 and incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That after said Permit and Agreement documents have been executed by the proper City officers, they shall be forwarded to the Office of the City Attorney for approval as to form and execution and then to the Office of City Real Estate for recording and proper distribution.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- 20)        [000730](#)        Resolution requesting variance from procedure as adopted in Common Council Resolution File No. 881665 as this procedure relates to financing assessable work in the Capital Program for Alley Construction Paving Projects. (Infrastructure Services Division)

Whereas, Common Council Resolution File No. 881665 adopted December 20, 1988, provides that appropriation authority for anticipated gross expenditures regardless of the sources of funds shall be provided in the Capital Budget; and

Whereas, For the 2000 budget, the assessable appropriation for Alley Construction Paving Projects was provided in the amount of \$750,000; and

Whereas, Alley Construction Paving Projects require an assessable amount which exceeds that provided in the 2000 budget appropriation for this purpose; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that procedure as outlined in Common Council Resolution File No. 881665 adopted on December 20, 1988, with respect to financing assessable Alley Construction Paving shall be waived for the year 2000 to allow Alley Construction Paving of \$150,000 in excess of the 2000 budgeted amounts to be undertaken; and, be it

Further Resolved, That the City Comptroller be and hereby is authorized and directed to establish appropriate accounting for this purpose which will record the financing of the additional Alley Construction Paving Program for 2000 by means of anticipated receipts from assessments.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

CONFIRMATION OF THE FOLLOWING:

21) Various Appointments or Reappointments:

a) [000532](#) Appointment of William Christofferson to the Milwaukee Metropolitan Sewerage District Commission by the Mayor. (14th Aldermanic District)

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

b) [000533](#) Reappointment of Richard Cecil to the Citizens' Advisory Committee on Naming Public Buildings and Streets by the Mayor. (3rd Aldermanic District)

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

c) [000535](#) Appointment of Ronald San Felippo to the Harbor Commission by the Mayor. (4th Aldermanic District)

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

- d) [000537](#) Appointment of Mariano Schifalacqua to serve as the Commissioner of Public Works by the Mayor.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

PLACING ON FILE THE FOLLOWING:

- 22) [000243](#) Resolution to grant a special privilege to NL Partners and Waterhouse, LLC to construct and maintain curb push outs and a decorative crosswalk at 1661 North Water Street, in the 3rd Aldermanic District in the City of Milwaukee.

**Sponsors:** THE CHAIR

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

THE FOLLOWING FILE WAS PRESENTED FOR IMMEDIATE ADOPTION:

[000778](#) Resolution urging elected federal representatives for the City of Milwaukee to support its attempt to obtain federal grant money for lead abatement efforts.

Whereas, The City of Milwaukee has approximately 44,000 residential rental units which meet the criteria established by the Milwaukee Health Department for identifying high-risk properties for possible lead-paint contamination; and

Whereas, The City of Milwaukee has an efficient and effective Childhood Lead Poisoning Prevention Program; and

Whereas, This program has received \$11 million in grants from the U.S. Department of Housing and Urban Development since 1993; and

Whereas, This program has applied for a \$3 million grant from the U.S. Department of Housing and Urban Development, which is currently being evaluated; and

Whereas, This program has already created 2 pilot project areas within the City for proactive lead-abatement actions in residential rental property; and

Whereas, This program has created a lead hot line, which allows potential renters to check whether a unit has been issued a certificate of lead-based paint hazard control; and

Whereas, If additional grant money is available to the city, these efforts could be expanded and new programs initiated to abate lead hazards which are harming the children of Milwaukee; and

Whereas, A number of federal grants for lead abatement are available from the Department of Housing and Urban Development, the Centers for Disease Control and Prevention and the Environmental Protection Agency; and

Whereas, The City of Milwaukee needs the support of its elected federal representatives in its efforts to reduce the poisoning of Milwaukee's children; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee urges Senators Herb Kohl and Russell Feingold, and Representatives Gerald Kleczka and Thomas Barrett to support the City of Milwaukee's attempts to secure federal grants to increase Milwaukee's efforts to combat lead poisoning in its children; and, be it

Further Resolved, That the City Clerk shall forward certified copies of this resolution to said officials.

**Sponsors:** Ald. Nardelli

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

**Aye:** 17 - Pratt, Herron, D'Amato, Henningsen, Bohl, Johnson-Odom, Gordon, Donovan, Richards, Cameron, Scherbert, Sanchez, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

**No:** 0

*There being no further business the Council thereupon adjourned 12:05 P.M.*

*Ronald D. Leonhardt*

*City Clerk*