



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Tuesday, January 19, 1999

9:00:00 AM

Common Council Chambers

PRESENTATIONS

Present: 16 -

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

Excused: 1 -

Johnson-Odom

THE FINANCE & PERSONNEL COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [981015](#) Substitute ordinance to further amend the 1999 offices and positions in the City Service under control of the Common Council.

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

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

Under "Department of City Development, Community Planning and Development Services Decision Unit, Comprehensive Planning Division, Development Center", delete one position of "Development Center Director" and add one position of "Permit and Development Center 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 All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.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. Pratt that this matter be PASSED. The motion carried by the following vote:

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 2) [981016](#) Substitute ordinance to further amend the 1999 rates of pay of offices and positions in the City Service under control of the Common Council.

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

Part 1. Section 2 of ordinance File Number 980576 relative to rates of pay of offices and positions in the City Service is hereby amended as follows:

Under Salary Grade 012, add the title "Permit and Development Center 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 All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.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. Pratt that this matter be PASSED. The motion carried by the following vote:

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 3) [981375](#) A substitute ordinance relating to acceptance of credit cards by city departments and agencies and rescinding common council resolution file number 76-1416.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Johnson-Odom

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

Part 1. Section 50-41 of the code is created to read:

50-41. Credit Card Acceptance by City Departments and Agencies. 1. CREDIT CARD ACCEPTANCE AUTHORIZED. A city department or agency may accept a credit card as payment for a product or service or to pay a fee, forfeiture or other charge as provided in this section.

2. APPROVAL PROCESS. a. Written Proposal. A department or agency that is not named in par. d or included in the exemptions specified in sub. 3 and that seeks to accept credit cards for payment shall provide the budget director with written notice of the department's or agency's proposal to accept credit cards. Each proposal shall do all of the following:

- a-1. Specify the payments for which credit cards will be accepted.
- a-2. Be consistent with the city's contractual arrangements for credit cards.
- a-3. Name each credit card proposed to be accepted.
- a-4. Contain an estimate of necessary equipment costs and related credit card fees for which the department or agency will be responsible.
- b. Budget Director Review. The budget director shall review each proposal for the acceptance of credit cards except those specified in par. d. If the budget director finds that the proposal meets the criteria in par. c, the director shall prepare a written report of his or her findings and shall approve the proposal. The director shall notify the proposing entity in writing of the director's approval or disapproval.
- c. Criteria for Review. The budget director shall approve a proposal if the director finds that:
 - c-1. The proposed use is consistent with the city's contractual arrangements for credit cards as determined in consultation with the city treasurer.
 - c-2. The benefits to the city of the proposed use justifies the cost to the city of the proposed use.
- d. Treasurer's Office and Water Works Department.

d-1. Whenever the treasurer's office or the department of public works - water works seeks to accept credit cards for payment, it shall provide the chair of the common council finance and personnel committee, the comptroller and the budget director with written notice of its proposal to accept credit cards. Each proposal shall conform to the requirements of par. a-1 to 4.

d-2. The common council finance and personnel committee shall hold a hearing on any proposal submitted pursuant to this paragraph. The committee may approve the proposal, reject the proposal, recommend changes to the proposal or hold the proposal in committee. When the committee approves a proposal, the treasurer's office or water works may implement it, subject to the requirements of par. e.

e. Final Clearance. Prior to implementing credit card usage, all the following actions shall be taken:

e-1. The department or agency shall notify in writing the treasurer, the budget director, the director of purchasing, the comptroller and the chair of the common council finance and personnel committee.

e-2. The director of purchasing shall provide written notice to the entity with which the city has contractual arrangements for credit cards.

e-3. The director of purchasing shall provide written notice to the department or agency of final clearance to implement the approved proposal.

3. DEPARTMENT AND AGENCY PAYMENTS EXEMPTED FROM APPROVAL PROCESS. The following departments and agencies may accept credit cards for the specified purposes without complying with the approval process specified in sub. 2, but shall be subject to the provisions of subs. 4 and 5 and to contractual arrangements for credit cards that the city has in place:

a. The police department for payment of fines and citations.

b. The municipal court for payment of court penalties, fees, fines and forfeitures.

c. The department of public works tow lot for payment of towing services and related charges.

d. The library for payment of late fees and penalties and charges for lost or damaged items.

e. The department of city development for payment of plan examination and permit

fees, deposits, escrow account payments and all items available for sale at the development center.

f. The department of neighborhood services for payment of billings and other services.

4. FEES AND BUDGETS. a. The city treasurer shall charge any department or agency that has approval and final clearance to accept credit cards, or that is exempted under sub. 3 from the approval process, that department's or agency's respective share of the fees assessed by the credit card contractor against the city's bank account used for credit card collections. City departments and agencies shall comply with consistent policies governing the payment of credit card fees.

b. Beginning January 1, 2000 all departments and agencies accepting a credit card for payment pursuant to this section shall charge that department's or agency's respective credit card fees to its operating (expenditure) appropriation.

5. CHANGES. A department or agency accepting credit cards that seeks to amend or deviate from its operating procedure shall obtain new approval for the amendment or deviation by complying with the approval procedure set forth in sub. 2. Such approval is required for any amendment or deviation, regardless of whether the operating procedure of the department or agency was originally approved under sub. 2 or exempted under sub. 3.

Part 2. 1. Common council resolution file number 76-1416, as amended, is rescinded.

2. Notwithstanding item 1 of part 2, any department or agency currently operating under any course of dealing and performance, and under the existing contractual arrangement the city has for credit cards may continue to do so, to the same extent the department or agency is operating on the effective date of this ordinance [city clerk to insert date], until such time as that existing contractual arrangement is cancelled or otherwise terminated.

3. Notwithstanding items 1 and 2 of part 2, beginning January 1, 2000 all departments and agencies listed in part 4 of this item shall charge that department's or agency's respective credit card fees to its operating (expenditure) appropriation.

4. Notwithstanding items 1, 2 and 3 of part 2, until the existing contractual arrangement the city has for credit cards is cancelled or otherwise terminated, the following departments and agencies may accept credit cards for the specified purposes:

a. The police department for payment of fines and citations.

- b. The municipal court for payment of court penalties, fees, fines and forfeitures.
- c. The department of public works tow lot for payment of towing services and related charges.
- d. The library for payment of late fees and penalties and charges for lost or damaged items.
- e. The department of city development for payment of plan examination and permit fees, deposits, escrow account payments and all items available for sale at the development center.
- f. The department of neighborhood services for payment of billings and other services.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Johnson-Odom

4) [981390](#) A substitute charter ordinance relating to the policemen's relief association.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 20-19 of the charter is repealed and recreated to read:

20-19. Police Relief Association. The city attorney shall serve as legal advisor to the police relief association at no cost to the association.

Part 2. 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 under 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.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

ADOPTION OF THE FOLLOWING:

- 5) [981050](#) Substitute resolution appropriating funds from the 1998 Special Purpose Account - Reimbursable Services Advance Fund to the Department of Public Works Administrative Services Division.

Whereas, Common Council file 980965 established procedural guidelines related to the expenditure of funds to be reimbursed by greater than anticipated revenues; and

Whereas, Expenditures related to the City's citation processing and cash management contract are anticipated to exceed 1998 budgeted levels by approximately \$878,065; and

Whereas, Fine and forfeiture revenues are anticipated to exceed 1998 budgeted levels by approximately \$1,494,850; and

Whereas, The Comptroller has certified greater than anticipated revenue in the amount of \$1,494,850, pursuant to s. 304-91,

Pursuant to s. 304-91, I hereby certify that the money required for this is anticipated to be realized on or before 12/31/98 to be expended only for the purpose in this resolution.

W. Martin Morics

1-12-99

Comptroller

Date

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that \$878,065 be and hereby is appropriated from the Reimbursable Services Advance Fund (Account Number 01-074-8001) to the Department of Public Works Administrative Services Division (Account Number 01-514-6300) for expenses associated with the City's citation processing and cash management contract; and, be it

Further Resolved, That the City Comptroller be, and hereby is, authorized and directed to establish the necessary accounts and accounting procedures to carry out the intent of this resolution.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 6) [981258](#) Substitute resolution authorizing a transfer from the 1998 Common Council Contingent Fund to facilitate the close out of the Department of Employee Relations Training and Development Services Division as an internal service fund.

Whereas, The Department of Employee Relations - Training and Development Services Division is changing from an internal service fund to be part of the Department of Employee Relations operating department in 1999; and

Whereas, The Training and Development Services Division must fund its 1998 operating deficit to close out its internal fund status; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that funding of up to \$120,000 is appropriated from the 1998 Common Council Contingent Fund (Account Number 09-910-8000) to the Department of Employee Relations Training and Development Services Division internal services fund; and, be it

Further Resolved, That the Comptroller's Office is authorized and directed to transfer up to \$120,000 from the 1998 Common Council Contingent Fund to the Department of Employee Relations Training and Development Services Division fund balance (Account Number 56-2720-00) to offset operating deficits and to book the necessary entries to close out the fund.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 7) [981366](#) Substitute resolution relating to application, acceptance and funding of a disaster assistance program relating to the August 1998 flooding in the City of Milwaukee.
- 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 Government for disaster assistance relating to the August 1998 flooding in the City of Milwaukee; and
- Whereas, The 1998 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 \$7,046 in administrative costs for this grant project and 75% (\$226,739) of the \$309,364 in disaster assistance for the project; and
- Whereas, An additional 12.5% of the non-administrative cost of the project, or \$37,789.50, would be provided by the State of Wisconsin through its Division of Emergency Government; and
- Whereas, The remaining 12.5% of the non-administrative project cost, or \$37,789.50, would be the responsibility of the City of Milwaukee; and
- Whereas, The Department of Administration 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 and the Wisconsin Division of Emergency Government is authorized, and the Department of Administration shall accept these grants without further approval unless the terms of the grants change as indicated in s. 304-81 of the Milwaukee Code of Ordinances; and, be it
- Further Resolved, That funding of a disaster assistance project relating to the August 1998 flooding in Milwaukee using the cost participation terms specified above is approved; and, be it
- Further Resolved, That the Department of Administration is authorized and directed to administer this 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 \$37,789.50.

; and, be it

Further Resolved, That the City Comptroller is authorized and directed to reserve, in the operating and capital parent accounts of the 1998 Special Revenue Accounts-Grant and Aid Projects, the following amounts for the project titled "Federal Emergency Management Disaster Assistance Program":

Operating Grant Portion:

Account No.	Account Description	Amount
15-010-0100	Grantor Share - FEMA	233,785.00
15-010-0100	Grantor Share - State	37,789.50
15-010-0101	Local Share - City In-kind	37,789.50
	Total Grantor & Local	\$309,364.00

; and, be it

Further Resolved, That upon acceptance of these grant funds, the City Comptroller is authorized and directed to create, within the Special Revenue Fund-Grant and Aid Projects, the necessary revenue and expenditure accounts for this disaster assistance program, to appropriate from these parent accounts to the operating and capital subaccounts the amounts specified in the grant agreements with FEMA and the Wisconsin Division of Emergency Government, and in keeping with City accounting policy, said amounts not to increase more than 10% above the amounts reserved for the Grantor's Share and the In-Kind City Share, and to transfer the corresponding offsetting estimated revenue; and, be it

Further Resolved, That the funds received from FEMA and the Wisconsin Division of Emergency Government shall be deposited in accordance with procedures established by the City Comptroller; and, be it

Further Resolved, That upon acceptance of these grant funds, the appropriate City officials are authorized and directed to proceed with implementation of the following grantor-approved projects:

GRANT PROJECT I.D. FEMA-1238-DR-079-53000

DSR.	Dept.	Total	Projects
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96401	Housing	\$ 15,656	repair transformer
96416	DPW	182,166	debris disposal
96458	Housing	8,000	repair boilers
98733	DPW	4,675	demolition
98735	DPW	29,500	repair road shoulders
98745	Housing	42,000	Northlawn damage
98747	Housing	9,590	pump water & repair equipment
98754	Housing	10,731	Westlawn damage
Non-City		7,046	administration

\$309,364

; and, be it

Further Resolved, That the Departments of Public Works and City Development are authorized to expend the grant funds in the sums and for the purposes specified in the program budget, as presented; and, be it

Further Resolved, That the Comptroller is authorized to transfer additional funds to individual projects, as authorized by the grantor agency; and, be it

Further Resolved, That the appropriate City officials, on behalf of the City, are authorized to enter into subcontracts for the projects detailed above in accordance with purchasing and grant guidelines for awarding such contracts.

Sponsors: Ald. Pratt

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 8) [981368](#) Substitute resolution authorizing a contract for services for an examination of the City of Milwaukee and its component unit's financial activity for the year ended December 31, 1998 by a qualified independent auditor.

Whereas, An examination of the financial activity of the City of Milwaukee by an independent auditor is an essential element of financial control and accountability; and

Whereas, The firm of KPMG Peat Marwick LLP has been the auditor for the City of Milwaukee for fiscal years 1995-1997 and successfully completed all activity under the audit contract; and

Whereas, The City of Milwaukee is in the process of installing a new financial management information system using new client server technology and software in 1999, and

Whereas, It is prudent to continue the current audit contract for one additional year with an audit firm who is familiar with the City's mainframe accounting system; and

Whereas, Funds in the amount of \$115,000 have been included in the 1999 budget for conducting an audit of the city's financial activity for 1998; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officials are hereby authorized to enter into a contract extension with KPMG Peat Marwick, LLP for one year for services to provide for an examination of the City of Milwaukee and its component units financial activity for the year ending December 31, 1998; and, be it

Further Resolved, That the City's share of costs for the 1998 audit is available in the amount of \$115,000 in the 1999 budget in Fund 0001, Organization 1310, Program 0001, Subclass S106, Account 006300; and, be it

Further Resolved, That payments made under the contract for the City's share of costs be charged to the Special Purpose Account, Audit Fund, Fund 0001, Organization 1310, Program 1870, Subclass S106, Account 634005.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 9) [981382](#) Substitute resolution authorizing an agreement with outside counsel Friebert, Finerty & St. John, S.C., to assist the City in pursuing public nuisance building code actions.
- Whereas, The Mayor and the Common Council of the City of Milwaukee have directed the City Attorney to commence public nuisance and human health hazard lawsuits for the elimination of building code violations where municipal court has not been a successful remedy for the violations; and

Whereas, The City Attorney with the assistance of the former Building Inspection Department and the Department of City Development have recently investigated over 100 public nuisance actions including one case which involves over 62 properties in violation of the building code; and

Whereas, There are approximately 50 building code public nuisance and human health hazard cases ready to file in court and the Department of Neighborhood Services has many more cases which could be referred immediately; and

Whereas, The law firm of Friebert, Finerty & St. John, S.C. has developed a significant amount of experience in the prosecution of building code cases through their representation of the City's receiver, the Neighborhood Improvement Development Corporation, in the previously filed public nuisance cases, and their training and experience on these matters will allow them to immediately take many cases to court to have the public nuisances abated; and

Whereas, The municipal court has not proved an acceptable alternative for the filing and refiling of building code cases for the same buildings in which the amount of the forfeiture has not been a deterrent in eliminating the nuisances; and

Whereas, The Razing and Vacant Building Protection Fund is designated for the purpose of rehabilitating housing which falls into the public nuisance category to avoid the cost of demolition for a condemned property; and

Whereas, The law firm of Friebert, Finerty & St. John, S.C., has agreed to a \$110.00 per hour fee with a maximum of \$50,000, the provisions of which are attached to File 981382 as Exhibit A; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials including the City Attorney and the Commissioner of the Department of Neighborhood Services are directed to enter into a Contract For Services with the law firm of Friebert, Finerty & St. John, S.C. at a rate of \$110.00 per hour with a total limit on the Contract of \$50,000 with the money to be paid directly to the law firm from the 1998 Razing and Vacant Building Protection Fund Special Purpose Account (01-054-8001). The Contract shall be for the purposes of representing the City of Milwaukee in cases where building code violations arise to the level of a public nuisance or a human health hazard.

Sponsors: Ald. Henningsen, Ald. D'Amato, Ald. Butler and Ald. Richards

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

10) [981386](#)

Resolution approving amendments to an existing contract with Standard Insurance Company to provide long-term disability insurance to certain City employees participating in the long-term disability benefit program. (City Attorney)

Whereas, The Department of Employee Relations, Employee Benefits Division has recommended two amendments to the existing policy of insurance between the City of Milwaukee and Standard Insurance Company, Group Policy No. 626556A (the Group Policy) under which long-term disability benefits are provided to eligible City employees, with such amendments to be effective January 1, 1999, or as soon thereafter as the same can be implemented; and

Whereas, The recommended amendments to the Group Policy are as follows: (1) an amendment providing employees who are members of the Association of Municipal Attorneys and are insured under the State Bar of Wisconsin's Disability Insurance Plan can waive the City of Milwaukee's long-term disability coverage, and (2) an amendment necessitated to correct an erroneous reference in subsection (2) of the third Whereas clause in Resolution File No. 970490, which pertained to "employees who are members of both District Council 48 or Local #61, or," so that the Group Policy accurately reflects that employees of the City of Milwaukee who are laid off from positions represented by Milwaukee District Council 48, AFSCME, AFL-CIO, and who are thereafter appointed to positions represented by Public Employees' Union #61, Laborers' International Union of North America, AFL-CIO, CLC shall be covered by the City's long-term disability program only for such time as they are represented by District Council 48 and not while working in a position represented by Local #61; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the amendments to the existing policy of insurance between the City of Milwaukee and Standard Insurance Company, substantially in the form as required to effectuate this resolution, with such revisions as required by the City Attorney, are approved, such amendments to take effect on or as soon after January 1, 1999 as administratively possible.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 11) [981387](#) Substitute resolution authorizing an appropriation of up to \$28,500 from the Common Council Contingent Fund to pay for 1998 debt issuance services account costs within the Public Debt Commission operating budget.

Whereas, The adopted 1998 City Budget provided \$346,055 in the Public Debt Commission's O&M Budget - Service Account (Account Number 01-240-6300) for the purpose of paying City of Milwaukee debt issuance expenses based upon an estimated level of debt issuance of \$200 million of Revenue Anticipation debt and \$85 million of General Obligation debt; and

Whereas, Actual debt issuance needs of the City in 1998 significantly exceeded these budgeted levels with \$205 million of Revenue Anticipation debt issued and \$139 million of General Obligation debt issued; and

Whereas, This level of issuance resulted from a number of reasons, including the settlement of legal suits as well as borrowing for capital purposes at levels higher than anticipated; and

Whereas, This level of issuance caused expenses in excess of funds available to pay for such debt issuance; and

Whereas, The Public Debt Commission's 1998 O&M Budget has certain unused funds to contribute, but not in the total amount required to make up this funding need; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is authorized and directed to reserve up to \$28,500 from the 1998 Common Council Contingent Fund (09-910-8000) for potential transfer to the Public Debt Commission's Services Account (01-240-6300), and to transfer the reserved funds on an as-needed basis; and, be it

Further Resolved, That the Public Debt Commission is authorized to expend the appropriated funds in accordance with the purposes of its Services Account - Debt Issuance Expenses.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 12) [981391](#) Substitute resolution authorizing a \$50,000 appropriation from the 1998 Common Council Contingent Fund to the City Attorney Collection Contract Special Purpose Account.
- Whereas, On December 17, 1996 the Common Council passed resolution File Numbers 961270 and 961271 authorizing contracts with the Kohn Law Firm for the collection of City receivables and Professional Account Management, Inc. (PAM) for the collection of overdue Municipal Court judgments; and
- Whereas, Funding for both these activities is under the jurisdiction of the City Attorney's Office Collection contract Special Purpose Account; and
- Whereas, Expenditures for the Kohn Law Firm through November total \$317,079.57 and expenditures for PAM through October total \$334,652.22 and total expenditures for collection services year-to-date total \$651,731.79 and there is a balance of \$48,167.41 remaining in the account and additional funding of \$50,000 is necessary for the remainder of the year; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that \$50,000 be appropriated from the 1998 Common Council Contingent Fund Account No. 09-910-8000 to the City Attorney Collection Contract Special Purpose Account No. 01-003-8001.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

PLACING ON FILE THE FOLLOWING:

- 13) [980904](#) An ordinance to amend the 1998 rates of pay of offices and positions in the City Service under control of the Common Council.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 14) [981078](#) Resolution authorizing the study of a short term disability program as a new employee benefit.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 15) [981210](#) An ordinance to amend the 1998 offices and positions in the City Service under control of the Common Council.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 16) [981269](#) Communication from the Department of Employee Relations transmitting a communication relative to classification studies scheduled for City Service Commission action.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 17) [981359](#) Communication from the Office of the Comptroller transmitting a report relative to the "1998 Capital Spending and Debt" report.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

- 18) [981379](#) Communication from Milwaukee Area Technical College transmitting their 1998 Annual Report for the fiscal year ended June 30, 1998.

Sponsors: THE CHAIR

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

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

A motion was made by Ald. Pratt to adopt the foregoing. The motion carried by the following vote:

Aye: 15 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli Murphy

No: 0

Excused: 2 - Johnson-Odom Hines Jr.

THE UTILITIES AND LICENSES COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [981326](#) An ordinance prohibiting the sale of any merchandise within 500 feet of the premises of the Riverside Theater.

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

Part 1. Section 105-56-1 of the code is amended to read:

105-56. Sales on Public Premises.

1. PURPOSE. It is determined and declared that the use of certain public premises for the specific public purposes to which such premises are intended is preeminent. It is further determined and declared that sales on the designated public premises interfere with their use for their intended purposes. It is further determined and declared that the use of the public sidewalk and streets outside of the entrance to the Midwest Express Center, the Auditorium, the Arena, the Milwaukee public museum, the Bradley Center, the Performing Arts Center, the Eagle's Auditorium, >>the Riverside Theater,<< Summerfest, the circus grounds, as may be specified annually, on the day of the circus parade and the 3 days prior to the parade, and county stadium parking facilities, for sales interferes with the orderly ingress and egress to and from those premises and therefore with their use for their intended purposes.

Part 2. Section 105-56-2-b of the code is amended to read:

2. REGULATIONS.

b. It shall be unlawful for any person to sell, or offer to sell, any goods, merchandise, foodstuffs, tickets or any other article of any kind on any public street or public sidewalk within 500 feet of the premises of the Midwest Express Center, the Auditorium, the Arena, the Milwaukee public museum, the Bradley Center, the Performing Arts Center, the Eagle's Auditorium, >>the Riverside Theater,<< Summerfest, the circus grounds, as may be specified annually, on the day of the circus parade and the 3 days prior to the parade, or county stadium parking facilities, for the period of time beginning 2 hours immediately before the commencement of any scheduled event therein and ending one hour immediately after the conclusion of the event. This paragraph does not apply to any sales or offers to sell on the premises listed.

Sponsors: Ald. Henningsen

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

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

No: 0

Excused: 1 - Johnson-Odom

APPROVAL OF THE FOLLOWING:

- 2) [981022](#) 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

Note: 3 dissenting signatures on Larry Leiting for a Class "A" Liquor and Malt license for Kohl's-Ald. D'Amato, Schramm and Gordon.

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

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

No: 0

Excused: 1 - Johnson-Odom

PLACING ON FILE THE FOLLOWING:

- 3) [981287](#) Communication from the Office of the Commissioner of Railroads transmitting a report relative to a petition of the Soo Line Railroad Co. for the closure of the public crossing of its tracks with N. 12th Street in the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Johnson-Odom

THE JUDICIARY & LEGISLATION COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [981296](#) An ordinance relating to the sale, possession and use of laser pointers and providing a penalty.

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

Part 1. Sections 105-45 of the code is created to read:

105-45. Sale, Possession and Use of Laser Pointers. 1. DEFINITIONS. In this

section:

- a. "Laser pointer" means any hand-held device that emits light amplified by the stimulated emission of radiation which is visible to the human eye.
 - b. "Person" means an individual, firm, partnership, corporation or association.
2. PROHIBITED USE. No person may intentionally, and without good cause, direct a beam from a laser pointer at any part of the body of another individual.
 3. SALES TO MINORS. No person, except a parent or legal guardian, employer, teacher or other person authorized to supervise minors, may sell or give away or in any way furnish a laser pointer to any person under the age of 18.
 4. POSSESSION BY MINORS. No person under the age of 18 may possess a laser pointer in a public or private place, without the express permission of the owner or operator of the property.
 5. RETAIL SALES REGULATIONS. Each person that owns, conducts, operates or manages a retail commercial establishment selling laser pointers shall:

- a. Place a sign in the direct view of persons responsible for accepting customer payment for laser pointers stating:

SELLING LASER POINTERS TO PERSONS UNDER 18 YEARS OF AGE IS AGAINST THE LAW. VIOLATORS CAN BE FINED UP TO \$5,000 OR IMPRISONED UP TO 90 DAYS.

- b. Display laser pointers in one of the following ways:

b-1. Display laser pointers in such a manner as to make them inaccessible to a customer present in the area allocated for customer use without assistance from an employe of the establishment.

b-2. Display laser pointers in such a manner that cameras or personnel can readily observe customers during all times the establishment is open to the public. Observation by personnel may be facilitated by mirrors.

6. PENALTIES. a. Any person convicted of violating sub. 4 shall forfeit \$200 per violation.
- b. Any person convicted of violating any provision of this section except sub. 4 shall forfeit not less than \$500 nor more than \$5,000 per violation or, upon default of payment, be imprisoned for not more than 90 days.

Sponsors: Ald. Pawlinski, Ald. Butler, Ald. Pratt, Mr. Schramm, Ald. Breier, Ms. Scherbert, Ald. Nardelli, Ald. Richards, Ald. Frank, Ald. Henningsen and Ald. Witkowiak

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

Aye: 14 - Kalwitz, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 1 - D'Amato

Excused: 2 - Pratt Johnson-Odom

ADOPTION OF THE FOLLOWING:

2) Substitute resolutions authorizing return of real estate 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:

a) [980991](#) Substitute resolution authorizing the return of real estate located at 3806 N. 41st Street, in the 10th 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 3806 North 41st Street, tax key number 268-0323-4 previously owned by Herbert Haralson, has delinquent taxes for 1993 through 1997 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 September 24, 1998; and

Whereas, Herbert Haralson would like to reclaim said property by paying all City and County real estate taxes, Bond TL 04229, 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 September 24, 1998; and

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

Whereas, The City Treasurer's records show outstanding 1993 through 1997 taxes, Bond TL 04229, 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; 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 1998; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 3806 North 41st Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to 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. 98-CV-003303 known as the 1998-1, In Rem Parcel 56, 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, Bond TL 04229, 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: Ald. Frank and JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- b) [981114](#) Substitute resolution authorizing the return of real estate located at 2837 North Palmer Street, in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

Whereas, The property located 2837 North Palmer Street, tax key number 313-1321-9 previously owned by Herbert Haralson, has delinquent taxes for 1993 through 1997 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 September 24, 1998; and

Whereas, Herbert Haralson 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 September 24, 1998; and

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

Whereas, The City Treasurer's records show outstanding 1993 through 1997 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; 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 1998; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 2837 North Palmer Street, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to 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. 98-CV-003303 known as the 1998-1, In Rem Parcel 216, 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: Ald. Frank and JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- c) [981117](#) Substitute resolution authorizing the return of real estate at 4916 West Fairmount Avenue, in the 1st 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 at 4916 West Fairmount Avenue, previously owned by Carl Redd, Jr., has delinquent taxes for 1995 through 1997 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 September 24, 1998; and
- Whereas, Carl Redd, Jr. 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 September 24, 1998; and
- Whereas, The Department of Building Inspection indicates currently no unabated orders exist on this property; and
- Whereas, The City Treasurer's records show outstanding 1995 through 1997 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; 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 1998; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that in order to return the property at 4916 W. Fairmount, a cashier's check must be submitted in the amount indicated in the coordinated report summary attached to this file to 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. 98-CV-003303 known as the 1998-1, In Rem Parcel 25, 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: Ald. Frank and JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 3) [981313](#) Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key Number 353-0383-000-4 on the 1997 tax roll, plus interest applicable to date of repayment, if appropriate. (Kevin M. Oglesby) (Assessor's Office)

Whereas, An assessment in the amount of \$65,400 (Land: \$2,200 - Improvements: \$63,200) was made against the property known as Tax Key Number 353-0383-000-4 for the year 1997; and

Whereas, The Board of Review has decreased this assessment to \$51,000 (Land: \$2,200 - Improvements: \$48,800), for a reduction of \$14,400; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue a city check in the amount of \$410.91 payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate of 9.6% applicable from date of payment to date of repayment, said amount to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300 and said check to be delivered to the Tax Billing and Collection Division of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as follows:

Section 79.10 (2) \$33.84 (City: \$25.14 County: \$ 8.70) 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 this account are hereby canceled.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 4) [981331](#) Substitute resolution authorizing the cancellation of the Milwaukee Fire Department Invoice No. 45239 in the amount of \$202,000.00 billed to Performance Transport, Inc. and Charles Summers for the cost to replace a 1985 Pirsch fire engine totally damaged as a result of being struck by a 1997 Volvo semi-tractor, owned by Performance Transport, Inc. and driven by Charles Summers on June 20, 1997. Whereas, On June 20, 1997 a 1997 Volvo semi-tractor driven by Charles Summers and owned by Performance Transport, Inc. was proceeding northbound on 6th Street, disregarded the red light and collided with a 1985 Pirsch fire engine which was proceeding westbound on West Brown Street, thereby causing total damage to the fire engine; and

Whereas, The Milwaukee Fire Department billed Invoice No. 45239 in the amount of \$262,000.00, representing the purchase price of a 1997 Emergency One Pumper, to replace the 1985 Pirsch fire engine totally damaged in the accident; and

Whereas, The value of the 1985 Pirsch fire engine at the time of loss on June 20, 1997 was \$68,000.00, less \$7,450.00 salvage value, for a value of \$60,550.00; and

Whereas, Great West Casualty Company, insurer for Performance Transport, Inc. has offered to settle Invoice No. 45239 in the amount of \$60,000.00; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Fire Department Invoice No. 45239 billed to Performance Transport, Inc., and Charles Summers in the amount of \$262,000.00 be and hereby is cancelled as to the amount of \$202,000.00 and that this resolution is a cancellation of property damage only as to Invoice No. 45239 for a 1985 Pirsch fire engine, code 330, and in no way affects the rights of the City of Milwaukee to pursue any non property damage claims, including but not limited to, workman's compensation claims and personal injury claims.

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 5) [981333](#) Substitute resolution authorizing settlement of the claim under the Open Records Act of Cleveland v. City of Milwaukee, et al., Case No. 97-CV-009363.
- Whereas, The plaintiff, James C. Cleveland, has filed a mandamus action under Public Records Act against the City of Milwaukee Fire & Police Commission; and

Whereas, The plaintiff has agreed to settle the mandamus complaint in the amount of \$8,983.10, which represents attorney fees; 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 \$8,983.10 payable to Michael A.I. Whitcomb, Esq., in the full and final settlement of this action, a release of claim and dismissal having been executed, and that said funds shall be appropriated from the Damages and Claims Fund 1998, Account No. 01-013-8001.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

PLACING ON FILE THE FOLLOWING:

- 6) Substitute resolutions authorizing return of real estate:

- a) [981071](#) Substitute resolution authorizing the return of real estate located at 8911-C North 95th Street, in the 15th 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.

Sponsors: Ald. Frank and JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- b) [981110](#) Substitute resolution authorizing the return of real estate located at 5261 North 48th Street, in the 1st 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.

Sponsors: Ald. Frank and JUDICIARY & LEGISLATION COMMITTEE

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 7) [981278](#) Appeal of Timothy Long relative to the decision to deny his Public passenger Vehicle License.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 8) [981381](#) Communication from Office of the Comptroller transmitting the 1998 Special Taxes and Assessments Report.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

DISALLOW AND INDEFINITE POSTPONEMENT OF THE FOLLOWING:

- 9) Various claims against the City:
- a) [981106](#) Appeal of Cheryl Manns relative to claim for property damage. (10th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Frank that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**
- Aye:** 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Pratt Johnson-Odom
- b) [981212](#) Appeal of Mikhail Kleyman, on behalf of J & J Food Mart, Inc. relative to claim for property damage.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Frank that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**
- Aye:** 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Pratt Johnson-Odom
- c) [981213](#) Communication from the City Attorney's Office transmitting a communication from Roland Johnson relative to claim for property damage.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Frank that this matter be DISALLOWED AND INDEFINITELY POSTPONED. The motion carried by the following vote:**
- Aye:** 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Pratt Johnson-Odom
- d) [981214](#) Communication from the City Attorney's Office transmitting a communication from Hubert Canfield relative to claim for property damage.
- Sponsors:** THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- e) [981216](#) Communication from the City Attorney's Office transmitting a communication from Michael Silbersack relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- f) [981217](#) Appeal of Randall Magdic relative to claim for property damage. (15th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- g) [981264](#) Communication from the City Attorney's Office transmitting a communication from Wisconsin Gas Company relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- h) [981265](#) Communication from the City Attorney's Office transmitting a communication from Keith Anderson relative to claim for personal injuries.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- i) [981302](#) Communication from the City Attorney's Office transmitting a communication from Milwaukee County Historical Society relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- j) [981322](#) Appeal of Shirley Baker relative to claim for property damage.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- k) [981325](#) Appeal of Vera Bryant relative to claim for personal injuries. (1st Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- l) [981344](#) Appeal of Xionghui He relative to claim for property damage. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- m) [981364](#) Appeal of Aqeel Saahir relative to claim for property loss. (10th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

THE PUBLIC SAFETY COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [981219](#) 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. Sherman Boulevard from W. Wright Street to W. Clarke Street from 7:30 AM to 4:30 PM on regular school days"

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

"On W. Scott Street between S. 23rd and S. 24th Streets"

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

On the east side of N. Sherman Boulevard from W. Wright Street to W. Clarke Street from 7:30 AM to 4:30 PM on regular school days

Part 4. Section 101-23-10-a of the Code relating to Winter Parking is amended by striking the following:

"On the south side of E. Fernwood Avenue from S. Ellen Street to S. Kinnickinnic Avenue"

"On the east side of S. Mound Street from E. Lincoln Avenue to E. Bay Street"

Part 5. Section 101-24-1 of the Code relating to Tow-Away Zones is amended by striking the following:

"On the east side of N. 35th Street from W. Clybourn Street to W. Wisconsin Avenue from 3:30 PM to 5:30 PM except Saturday and Sunday"

"On the east side of N. 35th Street from W. Park Hill Avenue to W. Clybourn Street from 3:30 PM to 5:30 PM Except Saturday and Sunday"

"On the east side of N. 35th Street from W. St. Paul Avenue to W. Wisconsin Avenue from 7:00 AM to 9:00 AM Except Saturday and Sunday"

"On the west side of N. 35th Street from W. Wisconsin Avenue to W. St. Paul Avenue from 3:30 PM to 5:30 PM Except Saturday and Sunday"

"On the west side of N. 35th Street from W. St. Paul Avenue to W. Park Hill Avenue from 3:30 PM to 5:30 PM except Saturday and Sunday"

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

2) [981220](#) 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 Limit 20 MPH is amended by adding the following:

On W. Center Street from N. 37th Street to N. 39th Street

On N. 51st Boulevard from W. Stark Street to W. Villard Avenue

Part 2. Section 101-15 of the Code relating to Yield signs is amended by striking the following:

"On N. 49th Street at W. Clarke Street"

Part 3. Section 101-16-1 of the Code relating to Stop signs is amended by striking the following:

"On N. 36th Street at W. Keefe Avenue"

Part 4. Section 101-16-1 of the Code relating to Stop signs is amended by adding the following:

At N. 36th Street at W. Keefe Avenue in all directions

On N. 49th Street at W. Clarke Street

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

3) [981371](#) An ordinance relating to prohibited dangerous animals.

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

Part 1. Section 78-25-2-b of the code is amended to read:

78-25. Prohibited Dangerous Animals.

2. DETERMINATION OF A PROHIBITED DANGEROUS ANIMAL.

b. Upon investigation, a health department or humane officer may issue an order declaring an animal to be a prohibited dangerous animal. Whenever an owner or caretaker wishes to contest an order, he or she shall, within 72 hours after receipt of the order, deliver to the health department a written objection to the order. >>The written objection shall include the specific reasons for objecting to or contesting the order.<<If an owner or caretaker makes such an objection to the order, the health department shall convene a hearing. The hearing shall be conducted before a 3-person dangerous animal panel composed of a representative of the city clerk's office who works in community services, to be designated by the city clerk, a humane officer or his or her designee and a veterinarian selected by the Milwaukee County veterinary society. Each panel member serves as an officer of the city exercising a quasi-judicial function within the scope of s. 893.80, Wis. Stats. At the hearing, the owner or caretaker shall have the opportunity to present evidence as to why the animal should not be declared a prohibited dangerous animal. The hearing shall be held promptly and within no less than 5 days nor more than 10 days after service of a notice of hearing upon the owner or caretaker of the animal.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

4) [981372](#) An ordinance repealing the annual fee for a massage therapist permit.

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

Part 1. Section 60-58.5 of the code is repealed.

Part 2. This ordinance takes effect February 1, 1999.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

ADOPTION OF THE FOLLOWING:

- 5) [981388](#) Substitute resolution authorizing expenditures of \$309,200 for 1999 and 2000 relative to the Milwaukee AIDS Initiative.

Whereas, The 1999 City of Milwaukee budget includes an AIDS initiative special purpose account of \$309,200 and assumes the same level of funding in the year 2000; and

Whereas, The City of Milwaukee budget included a footnote expressing the intent of the Common Council that no expenditures be made from the AIDS initiative special purpose account (Account Number 01-076-8001) until the following has been done:

1. An expenditure plan is submitted to the Common Council for the following agencies and amounts: AIDS Resource Center of Wisconsin-Youth (\$36,200); AIDS Resource Center of Wisconsin -IDU (\$54,365); STD Specialities-Homeless/Youth IDU (\$47,341); STD Specialities - Lab (\$10,000); United Migrant Opportunities Services (\$41,110); Rainbow Community Health Center (\$39,788); ASHA Family Service (\$58,365); and United Community Center (\$32,031) ; and the same levels of funding for each agency are assumed for the year 2000.

2. The expenditure plan details services to be provided and program evaluation criteria and the Health Department comments to the appropriate standing committee regarding the services and program evaluation plans.

3. The expenditure plan is approved by the Common Council;

and

Whereas, The Health Department has furnished the Common Council with the required expenditure plan for the year 1999 and 2000, including all specified information, for the following agencies: AIDS Resource Center of Wisconsin-Youth (\$36,200); AIDS Resource Center of Wisconsin -IDU (\$54,365); STD Specialities-Homeless/Youth IDU (\$47,341); STD Specialities - Lab (\$10,000); United Migrant Opportunities Services (\$41,110); Rainbow Community Health Center (\$39,788); ASHA Family Service (\$58,365); and United Community Center (\$32,031); and are attached to this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Common Council accepts and approves the expenditure plans, attached to this file for AIDS Resource Center of Wisconsin-Youth; AIDS Resource Center of Wisconsin -IDU); STD Specialities-Homeless/Youth IDU; STD Specialities - Lab; United Migrant Opportunities Services; Rainbow Community Health Center; ASHA Family Service; and United Community Center; which detail services to be provided and program evaluation criteria; and, be it

Further Resolved, That the Common Council directs the release of the \$309,200 in the 1999 City budget special purpose account for AIDS initiative (Account Number 01-076-8001) for the year 1999; and \$309,200 in the year 2000 City budget assuming an equal amount of funds are appropriated; and, be it

Further Resolved, That the \$309,200 in the 1999 City budget special purpose account for AIDS initiative (Account Number 01-076-8001) shall be deemed appropriated to the Health Department for the specific municipal public purpose intended in the budget, and for no other departmental purpose.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

THE ECONOMIC DEVELOPMENT COMMITTEE RECOMMENDS:

CONFIRMATION OF THE FOLLOWING:

- 1) [981270](#) Reappointment of Patrick Donelly to the Business Improvement District #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 2) [981271](#) Reappointment of James Baillon to the Business Improvement District #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**
- Aye:** 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Pratt Johnson-Odom
- 3) [981272](#) Reappointment of Joseph "Omar" Andrietsch to the Business Improvement District #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**
- Aye:** 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Pratt Johnson-Odom
- 4) [981273](#) Reappointment of Tom Bernacchi to the Business Improvement District #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**
- Aye:** 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.
- No:** 0
- Excused:** 2 - Pratt Johnson-Odom
- 5) [981274](#) Reappointment of Debra Strassburger to the Business Improvement District #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Nardelli that this matter be CONFIRMED. The motion carried by the following vote:**

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 6) [981275](#) Appointment of Debra Usinger to the Business Improvement District #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

PLACING ON FILE THE FOLLOWING:

- 7) [981276](#) Appointment of Michael Huber to the Business Improvement District #21 (Downtown Management District) by the Mayor. (4th Aldermanic District)

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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

THE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE RECOMMENDS:

[980581](#) A substitute ordinance relating to interior alterations to nonconforming special uses.

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

Part 1. Section 295-31-1-c of the code is renumbered 295-31-1-d.

Part 2. Section 295-31-1-c of the code is created to read:

295-31. Nonconforming Special Uses.

1. ENLARGEMENT, ALTERATION OR INTENSIFICATION.

c. Interior Alterations. Interior alterations which conform to all other provisions of the code may be performed without board approval.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 3) [980779](#) Ordinance relating to the approval of an amendment to the detailed plan of a planned development known as The Highlands on land located on the South side of West Donna Drive and West of North 107th Street, in the 15th Aldermanic District. (DCD) The Mayor and Common Council of the City of Milwaukee ("Common Council") do ordain as follows:

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

Section 295-810(2)(b).0111.

(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 amends the detailed plan of a planned development known as The Highlands, to approve plans for adding 2,876 square feet to the Northerly portion of its site, 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 boundaries of the original Detailed Planned Development (DPD) to include a 2,876 square foot parcel bounded and described as follows:

Part of Lot 3, Block 2, in the Highlands, being a subdivision of a part of the Northeast 1/4 and the Southeast 1/4 of Section 7, Township 08 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of said Southeast 1/4 Section; thence South 86 deg. 39 min. 53 sec. West along the north line of said 1/4 Section 60.07 feet to a point on the west line of North 107th Street; thence South 00 deg. 32 min. 47 sec. East parallel with the east line of said 1/4 Section 172.08 feet to a point; thence South 89 deg. 19 min. 48 sec. West 75 feet to a point; thence North 00 deg. 32 min. 42 sec. West 131.34 feet to a point; thence South 89 deg. 19 min. 48 sec. West 79.19 feet to a point; thence South 37 deg. 09 min. 58 sec. West 66.85 feet to the point of beginning of the lands to be described; thence South 20 deg. 27 min. 23 sec. East 38.22 feet to a point; thence South 89 deg. 27 min. 18 sec. West 138.99 feet to a point; thence North 56 deg. 42 min. 10 sec. East 19.95 feet to a point; thence North 76 deg. 29 min. 16 sec. East 112.05 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 southerly portion of the planned development district herein 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 Building Inspection, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. In accord with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 4) [981161](#) Ordinance relating to the change in zoning from Multi-Family Residence (R/C/40 and R/C/60) to Neighborhood Shopping (S/C/40), on land located West of North Holton Street and North of East Brown Street, in the 6th Aldermanic District. (DCD)
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 295-310(4).0001. The zoning map is amended to change the zoning for the area bounded by the centerline of North Holton Street, the centerline of East Brown Street, a line 200 feet West and parallel to the west line of North Holton Street, a line 200 feet North and parallel to the north line of East Brown Street, a line 120 feet West and parallel to the west line of North Holton Street, and a line 150 feet South and parallel to the south line of East Lloyd Street from Multi-Family Residence (R/C/40 and R/C/60) to Neighborhood Shopping (S/C/40).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 5) [981162](#) Ordinance relating to the change in zoning from Industrial (I/B/85) to Local Business (L/C/60), on land located at 5151 North 35th Street, in the 1st Aldermanic District. (DCD)

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 295-320(6).0006. The zoning map is amended to change the zoning for the area bounded by the centerline of North 35th Street, a line 60 feet South and parallel to the south line of West Eggert Place, a line 120 feet West and parallel to the west

line of North 35th Street, and the centerline of West Eggert Place, from Industrial (I/B/85) to Local Business (L/C/60).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 6) [981290](#) Substitute ordinance relating to the change in zoning from Commercial Service (CS/D/40) and Manufacturing (M/D/40) to Detailed Planned Development (DPD) for a planned development, on land located between South Howell Avenue and South 3rd Street and North of West Grange Avenue, in the 13th 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).0113.

(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 Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the Office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for the area bounded by the centerline of South 3rd Street; a line 810.82 feet East and parallel to the east line of South 3rd Street, a line 1105.69 feet South and parallel to the south line of West Edgerton Avenue, and a line 873.64 feet South and parallel to the south line of West Edgerton Avenue.

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

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

Part 3. In accord with the provisions of Section 295-815 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 7) [981293](#) Ordinance relating to the change in zoning from Multi-Family Residence (R/C/40) to Commercial Service (CS/C/40), on land located on the South side of West Lloyd Street and Northeast of West Fond du Lac Avenue, in the 17th Aldermanic District. (DCD)

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 295-330(2).0002. The zoning map is amended to change the zoning for the area bounded by the centerline of West Lloyd Street to the centerline of North 15th Street to a line 329 feet South and parallel to the south line of West Lloyd Street to a line 135 feet West and parallel to the west line of North 15th Street to a line 339 feet

South and parallel to the south line of West Lloyd Street to the centerline of North 16th Street, from Multi-Family Residence (R/C/40) to Commercial Service (CS/C/40).

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 8) [981380](#) A substitute ordinance revising various code provisions relating to implementation of the department of neighborhood services.

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 \$50 may be charged for any reinspection to determine compliance with an order to correct conditions of [[the building code or to comply with s.308-81-9 or the conditions prescribed in a certificate of appropriateness issued pursuant thereto]] >>provisions of the Milwaukee code under the jurisdiction of the department of neighborhood services or assigned to the department<<, except no fee shall be charged for the reinspection when compliance is recorded. Reinspection fees shall be charged 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 tax.

Part 2. Whenever the term "commissioner of city development" appears in the following sections of the code, the term commissioner is substituted:

218-2-1-a 218-2-1-b 218-3-1-a 218-5-2

Part 3. The reference to "commissioner of city development" in s. 218-4-a, as cited in s. 108, common council file number 980963, passed December 18, 1998, effective January 1, 1999, is repealed.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

ADOPTION OF THE FOLLOWING:

- 9) [981197](#) Resolution approving Amendment No. 4 to the Redevelopment Plan for the Downtown Retail Center Redevelopment Project. (DCD)
- Whereas, On May 30, 1978 the Redevelopment Authority of the City of Milwaukee ("Authority") and on May 22, 1978 the Common Council of the City of Milwaukee ("Common Council") adopted a Redevelopment Plan ("Plan") for the Downtown Retail Center Redevelopment Project and said Plan was modified by Amendment No. 1 on February 23, 1987 by the Authority and on February 24, 1987 by the Common Council, by Amendment No. 2 on November 4, 1993 by the Authority and on November 24, 1993 by the Common Council, and by Amendment No. 3 on April 30, 1998 by the Authority and on May 27, 1998 by the Common Council; and

Whereas, On November 19, 1998 after a public hearing, the Authority per Subsection 66.431(11)(b), Wisconsin Statutes, requiring notice to the owners and lessees of the real properties in the Project area, the Authority adopted a resolution approving Amendment No. 4 modifying the Plan; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee regarding modification of the Redevelopment Plan for the Downtown Retail Center Redevelopment Project, as submitted by the Authority with a recommendation for approval, that:

1. Modification of the Project area Plan (Amendment No. 4), as described below, is in all respects approved per the provisions and procedures of Subsection 66.431(11)(b), Wisconsin Statutes:

AMENDMENT NO. 4

A. Under Section 5, titled "Land Use Provisions and Building Requirements," under the Subsection titled "Retail/Office District" (Page 15, Image 646, Document No. 5327570), insert the following language after Item 3 (as added by Amendment No. 2) in the Subparagraph which reads, "the following uses shall be permitted in the basements and on the first and second floors of structures located in this district.":

4. Parking Garages: Automobile parking in the basement of the structure located at 101 West Wisconsin Avenue, being the block bounded by West Wisconsin Avenue,

West Michigan Street, North Plankinton Avenue and the Milwaukee River.

5. Newsroom Studio/Offices: Newsroom offices and broadcasting studios in the northeasterly quarter of the first floor of the 101 West Wisconsin Avenue Building.

6. Offices: Lobby, reception areas and offices in the south one-third of the first floor and that portion of the second floor south of the skywalk over the river of the 101 West Wisconsin Avenue Building.

7. Hotel/Residential: Lobby and reception areas on the first floor of the 101 West Wisconsin Avenue Building, servicing and relating to the operation of a hotel and/or residential apartments or condominium units located above the second floor of the 101 West Wisconsin Avenue Building.

8. Common Areas: Common areas, including, but not limited to, hallways, entranceways, lobbies and elevators, providing access to and servicing the retail, office and hotel/residential areas of the 101 West Wisconsin Avenue Building.

And, insert the following language after Item 3 (as added by Amendment No. 3) in the Subparagraph which reads "the following use shall be permitted on floors other than the basement, first, and second floors of structures located in this district."

4. Hotels: Hotels, including, but not limited hereof because of enumeration, extended stay hotels and other related facilities principal and accessory to the operation and maintenance of a hotel within the 101 West Wisconsin Avenue Building.

B. In all other respects, except as herein modified by Amendment No. 4, the Redevelopment Plan for the Downtown Retail Center Redevelopment Project of file and as recorded on July 11, 1979 in the Office of the Register of Deeds of Milwaukee County, Wisconsin, as Document No. 5327570, on Reel 1220, Images 624 to 686, inclusive, and as amended by Document No. 6030873, on Reel 2054, Images 648 to 662, inclusive, recorded on March 11, 1987, and as further amended by Document No. 6874161, on Reel 3185, Images 863 to 871, inclusive, recorded on December 17, 1993, and as further amended by Document No. 7549061, Reel 4330, Images 981 to 989, inclusive, recorded on June 16, 1998, remains in full force and effect and in operation.

2. The proposed modification is feasible, will not affect the original objectives of such Plan, will not produce conditions leading to reoccurrence of slums or blight within the Project area, and is in conformity with the general plan of the City.

3. The Authority is requested to record a copy of said resolution describing the modification (Amendment No. 4) in the Office of the Register of Deeds of Milwaukee County.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

10) Various resolutions approving Land Disposition Report in the 12th and 6th Districts:

a) [981295](#) Resolution approving the Land Disposition Report for the properties at 1017 and 1025-25A West Walker Street for sale to Walker's Point Development Corporation in the 12th Aldermanic District (Redevelopment Authority).

Whereas, On December 17, 1998, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated December 17, 1998, with respect to the proposed sale of the following described parcel is approved.

PROJECT

Blight Elimination Effort/South 10th Street - West Washington TIN

PROPERTY ADDRESSES

1017 West Walker Street

1025-25A West Walker Street

REDEVELOPER

Walker's Point Development Corporation

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

b) [981298](#) Resolution approving the Land Disposition Report for the properties at 1846 and 1848 North Dr. Martin Luther King, Jr. Drive for sale to Coleman and Williams, Ltd. in the 6th Aldermanic District (Redevelopment Authority).

Whereas, On December 17, 1998, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated December 17, 1998, with respect to the proposed sale of the following described parcels is approved.

PROJECT

North Dr. Martin Luther King, Jr. Drive - West Reservoir Avenue

PARCEL NUMBERS

Disposition Parcel Nos. 4-6 and 4-1

PROPERTY ADDRESSES

1846 North Dr. Martin Luther King, Jr. Drive

1848 North Dr. Martin Luther King, Jr. Drive

REDEVELOPER

Coleman and Williams, Ltd.

Sponsors: Ald. Johnson-Odom

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- c) [981301](#) Resolution approving the Land Disposition Report for the property at 300 East National Avenue for sale to Hansen Storage Company in the 12th Aldermanic District (Redevelopment Authority).

Whereas, On December 17, 1998, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated December 17, 1998, with respect to the proposed sale of the following described parcel is approved.

PROJECT

South Water Street - East National Avenue

PARCEL NUMBER

Disposition Parcel No. 430-02-1

PROPERTY ADDRESS

300 East National Avenue

REDEVELOPER

Hansen Storage Company

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- d) [981316](#) Resolution approving the Land Disposition Report for the properties at 1841 and 1849 North Dr. Martin Luther King, Jr. Drive for sale to The Odellian Group LLC in the 6th Aldermanic District (Redevelopment Authority).

Whereas, On December 17, 1998, the Redevelopment Authority of the City of Milwaukee ("Authority") held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Land Disposition Report dated December 17, 1998, with respect to the proposed sale of the following described parcel is approved.

PROJECT

North Dr. Martin Luther King, Jr. Drive - West Reservoir Avenue

PARCEL NUMBER

Disposition Parcel No. 3-1

PROPERTY ADDRESSES

1841 North Dr. Martin Luther King, Jr. Drive

1849 North Dr. Martin Luther King, Jr. Drive

REDEVELOPER

The Odellian Group LLC

Sponsors: Ald. Johnson-Odom

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 11) [981300](#) Resolution declaring as surplus and authorizing the sale of improved, City-owned/tax deed properties located in various aldermanic districts. (DCD-Real Estate)
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

3356 North 11th Street, TK #283-0281-3 \$8,800 10th

2900 North 12th Street, TK #312-9958-0 \$16,000 10th

3023 North 12th Street, TK #312-3316-0 \$6,800 10th

3062 North 23rd Street, TK #310-0859-4 \$12,000 10th

2732-34 North 25th Street, TK #310-1878-6 \$14,000 7th

3212 North 29th Street, TK #286-1070-6 \$14,000 10th

1523-25 North 34th Street, TK #365-1058-6 \$16,000 4th

1712 West Bow Street, TK #460-1337-1 \$4,000 12th

3028 West Burnham Street, TK #458-0450-X \$76,000 16th

1350-52 West Hadley Street, TK #311-1115-4 \$20,000 10th

2328 West Keefe Avenue, TK #285-1671-6 \$14,800 10th

7100 West Lima Street, TK #141-0219-X \$62,000 9th

317 West Mitchell Street, TK #462-0601-2 \$12,000 12th

2837 North Palmer Street, TK #313-1321-9 \$16,800 6th

150 West Tripoli Avenue, TK #549-0146-3 \$96,000 13th

; 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 (12) months preceding the date of the Offer, of failure to comply with an order from the Commissioner of Building Inspection 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 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 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 Building Inspection Department 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. 02-211-2700.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

12) [981303](#) Resolution designating the Whitnall House, 1200-1204 and 1208 East Locust Street, as an Historic Structure. (Historic Preservation Commission)

Whereas, The Milwaukee Historic Preservation Ordinance, Section 308-81 of the Milwaukee Code of Ordinances, as amended, provides that Historic Sites, Structures and Districts may be designated by the Common Council of the City of Milwaukee upon the recommendation of the Historic Preservation Commission; and

Whereas, The Historic Preservation Commission recommends that the Whitnall House, 1200-1204 and 1208 East Locust Street, be designated as an Historical Structure; and

Whereas, This structure possesses integrity of location, design, setting, materials, workmanship and association and fulfills the following criterion set forth in Section 308-81(2)(e):

e-3. Its identification with a person or persons who significantly contributed to the culture and development of the City of Milwaukee.

e-5. Its embodiment of the distinguishing characteristics of an architectural type or specimen.

e-9. Its unique location as a singular physical characteristic which represents an established and familiar visual feature of a neighborhood, community or of the City of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Whitnall House, 1200-1204 and 1208 East Locust Street, and further described as follows:

Tax Key Number: 315-0910-000; RE-SUBD OF BLK 2 WHITNALL KNOLL IN

NE 1/4 SEC 16-7-22,BLOCK 2 (LOT 10 & W 10' LOT 11) EXC ST

and

Tax Key Number: 315-0911-000; RE-SUBD OF BLK 2 WHITNALL KNOLL IN
NE 1/4 SEC 16-7-22, BLOCK 2 E 35' LOT 11 EXC ST & W 20' LOT 12

be designated as a Milwaukee Historic Structure. The Preservation Guidelines pursuant to the Historic Designation Study Report, a copy of which is attached to this Common Council File, shall apply to this structure and are adopted by the Common Council as part of this resolution.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

13) Various resolutions approving blight designation in the 6th and 3rd districts:

- a) [981314](#) Resolution approving the blight designation of the privately owned property at 708 West Garfield Avenue and authorizing its acquisition by the Redevelopment Authority of the City of Milwaukee in the 6th Aldermanic District. (Redevelopment Authority)
- Whereas, Under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, (herein called the "Act") the Secretary of the Department of Housing and Urban Development is authorized to make financial grants to a unit of general local government (herein identified as the "Common Council of the City of Milwaukee" or "Council") for undertaking and carrying out redevelopment projects under an approved Community Development Program; and
- Whereas, In Common Council File No. 49-2311-8d, adopted on September 16, 1968, the Redevelopment Authority of the City of Milwaukee ("Authority") was designated the Agent of the City of Milwaukee ("City") for the purpose of administering, undertaking, and carrying out all blight elimination, slum clearance, and urban renewal programs and projects both present and future; and
- Whereas, Applicable Wisconsin law, particularly Section 66.431(5)(c), Wisconsin Statutes, as amended, enables the Authority of a first class city, with the approval of the local legislative body of that city, to acquire blighted property without designating a boundary or adopting a redevelopment plan; and

Whereas, In Common Council File No. 931438 adopted January 25, 1994, the Council deemed it desirable and in the public interest that the Authority undertake and carry out an urban renewal program under the Act and so authorized and directed the Authority to prepare Spot Acquisition Projects; and

Whereas, The Authority submitted an application to the City for the necessary financial assistance under such Act and for such other assistance as may be necessary for undertaking and carrying out such Project; and

Whereas, The owner of the subject property waived its right to the statutory notice and a public hearing was conducted on December 17, 1998 by the Authority pursuant to Wisconsin Statutes; and

Whereas, The Authority determined the subject property to be blighted within the meaning of Section 66.431(4)(bm), Wisconsin Statutes, as amended, and requested approval of this Spot Acquisition Project ("Project") by the Council; and

Whereas, In relation to the location and extent of public works and utilities, public buildings, and public uses proposed, the Authority has conferred with the City Plan Commission and with such other public officials, boards, authorities, and agencies of the City under whose administrative jurisdictions such uses respectively fall pursuant to Subsection 66.431(6)(c), Wisconsin Statutes; and

Whereas, The City Plan Commission, which is the duly designated and acting official planning body for the City authorized to prepare a comprehensive plan, has reviewed and determined that this Spot Acquisition Project conforms to the general plan for the City as a whole, and the Council has duly considered the recommendations of the planning body; and

Whereas, It is necessary that the Council take appropriate official action respecting this Spot Acquisition Project, in conformity with the necessary funding agreements for financial assistance between the Authority and the Council and between the Council and the United States of America under the Act; and

Whereas, The Council is cognizant of the conditions that are imposed in the undertaking and carrying out of redevelopment activities under Wisconsin law and the Act, including those pertaining to relocation payments and assistance, and to the prohibition of discrimination because of race, color, creed, or national origin; and

Whereas, Where clearance and redevelopment is proposed, Wisconsin law requires Council approval of a Relocation Plan assuring that decent, safe, and sanitary dwellings substantially equal in number to the number of substandard dwellings to be

removed in carrying out the Spot Acquisition Project are available or will be provided at rents or prices within the financial reach of the income groups displaced; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Spot Acquisition Project known as 708 West Garfield Avenue (Tax Key No. 352-0619-100-5) is approved; and, be it

Further Resolved, That it is found, determined, and reaffirmed that:

1. This Spot Acquisition Project is a blighted property in need of blight elimination, slum clearance, and urban renewal, and qualifies as an eligible project within the meaning of Section 66.431(4)(bm), Wisconsin Statutes, as amended.
2. The objectives of the Authority cannot be achieved solely through rehabilitation of the Project.
3. This Spot Acquisition Project is feasible and conforms to the general plan of the City.
4. Financial assistance to the Authority under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, is necessary to enable the Project to be acquired and renewed, and accordingly, the Authority's application for financial assistance from the Council under the Act is confirmed and approved; and, be it

Further Resolved, That to implement and facilitate the prosecution of this Spot Acquisition Project, certain official action to support the new land uses after redevelopment may be taken with general references, among other things, to changes in zoning; the vacation and removal of streets, alleys, and other public ways; the location and relocation of sewer and water mains and other public facilities; and other public actions deemed necessary to effectuate the purpose of this Project including the prohibition of any new construction in the Project area, and accordingly, this Body:

1. Pledges its cooperation in helping to carry out this Spot Acquisition Project.
2. Directs that no new construction shall be permitted or authorized in this Spot Acquisition Project by any agencies, boards, or commissions of the City under local codes or ordinances unless as authorized by the Council under Section 66.431(6)(e), Wisconsin Statutes.
3. Directs the various public officials, departments, boards, and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end

and to exercise their respective functions and powers in a manner consistent with this Project's objectives.

4. Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate this Project; and, be it

Further Resolved, That the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Commissioner of the Department of Public Works, the Commissioner of Building Inspection, the City Engineer, the Assessment Commissioner, the Director of the Community Block Grant Administration, the Redevelopment Authority of the City of Milwaukee, and to such other agencies, boards, and commissions of the City having administrative jurisdiction in the premises described above; and, be it

Further Resolved, That upon Council and State of Wisconsin approval of a Relocation Plan prepared for this Project by the Authority pursuant to applicable provisions of Wisconsin law, and upon execution of the necessary funding agreement undertaking and carrying out this Project including all provisions relating thereto, the Authority is requested to proceed with the prosecution of this Project as provided in Section 66.431, Wisconsin Statutes, as amended.

Sponsors: Ald. Johnson-Odom

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- b) [981315](#) Resolution approving the blight designation of two City-owned properties at 1152-54 and 1158 East Kane Place, declaring the properties surplus to municipal needs, and authorizing their conveyance to the Redevelopment Authority of the City of Milwaukee for disposition, in the 3rd Aldermanic District (Redevelopment Authority).
Whereas, In Common Council File No. 49-2311-8d, adopted on September 16, 1968, the Redevelopment Authority of the City of Milwaukee ("Authority") was designated the Agent of the City of Milwaukee ("City") for the purpose of administering, undertaking, and carrying out all blight elimination, slum clearance, and urban renewal programs and projects both present and future; and

Whereas, Applicable Wisconsin law, particularly Section 66.431(5)(c), Wisconsin Statutes, as amended, enables the Authority of a first class city, with the approval of the local legislative body of that city, to acquire blighted properties without designating

a boundary or adopting a redevelopment plan; and

Whereas, The Authority desires to acquire the City-owned properties located in the general area of East Kane Place and North Humboldt Avenue, more particularly described as:

1152-54 East Kane Place (Tax Key No. 355-0622-000-7)

1158 East Kane Place (Tax Key No. 355-0621-100-8)

; and

Whereas, The City waived its right to receive the statutory notices and the Authority conducted a Public Hearing on December 17, 1998 pursuant to Wisconsin Statutes; and

Whereas, The Authority determined the subject properties to be blighted within the meaning of Section 66.431(4)(bm), Wisconsin Statutes, as amended, and requested Common Council of the City of Milwaukee ("Council") approval of these Spot Acquisition Projects ("Projects"); and

Whereas, In relation to the location and extent of public works and utilities, public buildings, and public uses proposed, the Authority has conferred with the City Plan Commission and with such other public officials, boards, authorities, and agencies of the City under whose administrative jurisdictions such uses fall pursuant to Subsection 66.431(6)(c), Wisconsin Statutes; and

Whereas, The City Plan Commission, which is the duly designated and acting official planning body for the City authorized to prepare a comprehensive plan, has reviewed and determined that these Projects conform to the general plan for the City as a whole, and the Council has duly considered the recommendations of the planning body; and

Whereas, The City Plan Commission has also determined that the subject properties located in the general vicinity of East Kane Place and North Humboldt Avenue have no possible municipal use and are surplus to the City's needs; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the subject Spot Acquisition Projects are approved; and, be it

Further Resolved, That it is found, determined, and reaffirmed that:

1. These Projects are blighted properties in need of blight elimination, slum clearance,

and urban renewal, and qualify as eligible projects within the meaning of Section 66.431(4)(bm), Wisconsin Statutes, as amended.

2. The objectives of the Authority cannot be achieved solely through rehabilitation of these Projects.

3. These Projects are feasible and conform to the general plan of the City; and, be it

Further Resolved, That the subject properties are declared surplus to municipal needs and that the proper City officials are authorized and directed to execute quit claim deeds and any other related document(s) deemed necessary to effectuate the transfer of title to the subject properties from the City to the Authority without monetary consideration; and, be it

Further Resolved, That to implement and facilitate the prosecution of these Projects, certain official action to support the new land uses after redevelopment may be taken with general references, among other things, to changes in zoning; the vacation and removal of streets, alleys, and other public ways; the location and relocation of sewer and water mains and other public facilities; and other public actions deemed necessary to effectuate the purpose of these Projects including the prohibition of any new construction in these Project areas, and accordingly, the Council:

1. Pledges its cooperation in helping to carry out these Projects.

2. Directs that no new construction shall be permitted or authorized in these Project areas by any agencies, boards, or commissions of the City under local codes or ordinances unless as authorized by the Council under Section 66.431(6)(e), Wisconsin Statutes.

3. Directs the various public officials, departments, boards, and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with these Projects' objectives.

4. Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate these Projects; and, be it

Further Resolved, That the City Clerk is authorized and directed to transmit a certified copy of this resolution to the Commissioner of the Department of Public Works, the Commissioner of Building Inspection, the City Engineer, the Assessment Commissioner, the Redevelopment Authority of the City of Milwaukee, and to such other agencies, boards, and commissions of the City having administrative jurisdiction in the premises described above.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 14) [981339](#) Resolution approving the sale of 2,818 square feet of City-owned land under the jurisdiction of the Milwaukee Board of School Directors to Milwaukee County for County Highway "G" (North 43rd Street) reconstruction and authorizing and directing the proper City officials to execute appropriate conveyance documents. (DCD-Real Estate)
- Whereas, Milwaukee County needs to acquire a portion of the City-owned land under the jurisdiction of the Milwaukee Board of School Directors for the reconstruction of North 43rd Street directly adjoining Hawthorne Elementary School; and
- Whereas, Milwaukee County has offered to purchase said property, which is shown on the plan attached to and made a part of this Common Council File, in accordance with the provisions of Section 32.09, Wisconsin Statutes; and
- Whereas, Negotiations between the City of Milwaukee and the Board of School Directors' representatives and the Milwaukee County consultant for this conveyance and the Temporary Limited Easements, have been satisfactorily completed; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the following property shall be conveyed to Milwaukee County by Warranty Deed for the amount stated and other valuable consideration:
- Part of 6945 North 41st Street
- Parcel No. 58
- Fee Land Acquisition - 2,818 square feet plus Temporary Limited Easement - 1,429 square feet
- Consideration - \$7,300 (\$5,900 for land, \$1,100 for lawn grass, \$300 for Temporary Limited Easement)

Part of 6932 adjacent North 43rd Street

Parcel No. 59

Temporary Limited Easement - 63 square feet

Consideration - Mutual Benefit

; and, be it

Further Resolved, That Milwaukee County shall also be granted Temporary Limited Easements on a combined total of 1,492 square feet of City of Milwaukee property in the same project area; and, be it

Further Resolved, That the Commissioner of the Department of City Development, or the Commissioner's designee, is authorized and directed to sign appropriate Milwaukee County officials acquisition and easement documents; 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 conveyance of the subject property; and, be it

Further Resolved, That the proceeds of this sale be credited to Milwaukee Board of School Directors Construction Fund Account No. 2-10-3-000-000-299-255-000.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 15) [981363](#) Substitute resolution approving the Third Amendment to the 1998 Operating Plan for BID No. 2 (Historic Third Ward) in the 4th Aldermanic District.
- Whereas, The City of Milwaukee, Wisconsin (the "City"), is a municipal corporation organized and existing under and pursuant to the laws of the State of Wisconsin and is authorized by Section 66.608 of the Wisconsin Statutes (collectively, the "Act"):
- A. To create a business improvement district.
 - B. To adopt and amend the operating plan of the business improvement district.

C. To levy special assessments for the purpose of implementing the operating plan of the business improvement district; and

Whereas, By Common Council File No. 870501, adopted October 6, 1987, the City created Business Improvement District No. 2 ("BID No. 2") for an area in the Historic Third Ward and approved its initial Operating Plan; and

Whereas, By Common Council File No. 971003, adopted November 4, 1997, the City approved the Operating Plan of BID No. 2 for the year 1998; and

Whereas, By Common Council File No. 971819, adopted April 7, 1998, the City approved an Amended and Restated Operating Plan for BID No. 2 for the year 1998 (herein referred to as the "First Operating Plan Amendment"); and

Whereas, By Common Council File No. 972014, adopted July 24, 1998, the City approved a Second Amendment to the 1998 Operating Plan for BID No. 2 for the year 1998 (herein referred to as the "Second Operating Plan Amendment"); and

Whereas, The Board of Directors of BID No. 2 has proposed that the maximum levy of special assessments in BID No. 2 be increased from \$400,000 to \$550,000 to satisfy the Northern Trust Company in issuing its letter-of-credit to secure payments on bonds to be issued on behalf of the BID to finance the construction of a parking ramp at North Water and East Chicago Streets, all as contemplated in the Second Operating Plan Amendment; and

Whereas, The proposal is embodied in a Business Improvement District No. 2 Third Amendment to 1998 Operating Plan (herein referred to as the "Third Operating Plan Amendment"), a copy of which is attached to this Common Council File; and

Whereas, The findings and determinations recited in the Preface of the Third Operating Plan Amendment are adopted as the findings and determinations of the City; and

Whereas, The Operating Plan of BID No. 2, as amended by the First Operating Plan Amendment, the Second Operating Plan Amendment and the Third Operating Plan Amendment complies with Section 1(f) of the Act; and

Whereas, The City acknowledges that third parties rely upon the special assessments provided for in the Third Operating Plan Amendment; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Third Operating Plan Amendment is approved.

Sponsors: Ald. Henningsen

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 16) [981374](#) Resolution authorizing the Department of City Development and the Redevelopment Authority of the City of Milwaukee to expend 1999 Community Development Block Grant funds and approving and authorizing the execution of contracts between the City of Milwaukee and the Redevelopment Authority of the City of Milwaukee. (DCD)
- Whereas, The Mayor and Common Council of the City of Milwaukee ("Common Council") by adoption of File No. 981080, on November 24, 1998, authorized submission and acceptance of a twenty-fifth program year application for Community Development Block Grant funds available under Title I of the Housing and Community Development Act of 1974; and
- Whereas, The final statement of community development objectives and projected use of funds for the 1999 Community Development Program has been submitted to the Department of Housing and Urban Development; and
- Whereas, The Redevelopment Authority of the City of Milwaukee ("Redevelopment Authority") and the Common Council have, by appropriate actions, approved the Community Development Projects hereinafter identified; and
- Whereas, The Common Council adopted File No. 74-92-2p on May 27, 1975, and File No. 74-92-5v on April 10, 1979, to assure proper processing of agreements to be entered into with public and private agencies in an orderly, prudent, and consistent manner; and
- Whereas, The Redevelopment Authority in accordance with Common Council File No. 74-92-2p and File No. 74-92-5v will prepare the necessary Prime Contracts with required attachments for identified Community Development Projects; and
- Whereas, This statement includes the following Projects relative to the Department of City Development ("DCD"):

PROJECT NAME/BUDGET

DCD Administration/\$446,200

Historic Preservation/\$90,400

Land Management/\$775,000

Spot Acquisition/\$625,000

RACM Administration/\$568,350

Neighborhood Commercial Revitalization/\$132,300

; and

Whereas, Federal Community Development Block Grant funds in the amount of \$2,637,250 will be supplied to the City of Milwaukee to support the costs of these Projects; and

Whereas, The Mayor and Common Council have set forth procedural guidelines to be followed by the appropriate City officials in the handling of the Community Development Program in Common Council File No. 74-92-5v; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Department of City Development is authorized to expend from the Project budgets itemized below, an amount not to exceed \$10,300 for training and out-of-town travel by DCD staff:

PROJECT NAME/TRAVEL AMOUNT

Land Management/\$7,500

Historic Preservation/\$2,800

; and, be it

Further Resolved, That contracts for the above identified Projects are approved and that the proper City officials are authorized and directed to properly execute said contracts for and on behalf of the City of Milwaukee; and, be it

Further Resolved, That the Redevelopment Authority is authorized to enter into contracts and amendatory agreements relative to the aforementioned Projects, within the limits of the budgets approved for the Projects, as are necessary to enable the Redevelopment Authority to fulfill its obligations, administer and effectuate the purposes of the Community Development Projects; and to direct and authorize its

proper officers, in accordance with its bylaws, to execute such contracts and amendatory agreements for and on behalf of the Redevelopment Authority without further Common Council approval; and, be it

Further Resolved, That the DCD will work in cooperation with the new Neighborhood Department to continue to carryout the neighborhood development objectives and to effectuate the purposes of the Community Development Projects; and, be it

Further Resolved, That any Section 108 loan repayment deficits will be funded from the City of Milwaukee's Community Development Block Grant entitlement; and, be it

Further Resolved, That the City Comptroller is authorized and directed to establish the necessary specific capital project accounts, capital purpose subaccounts, and other accounts as the Comptroller deems necessary, and to disburse funds in accordance with the terms of the contracts and amendatory agreements; and, be it

Further Resolved, That all of the above is contingent upon approval by the United States Department of Housing and Urban Development of the aforementioned application for a Community Development Block Grant and upon approval by the Common Council of the Projects herein identified.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

17) [981377](#) Resolution approving and authorizing the Second Amendment to the Development Agreement for the Riverwalk Plaza Condominium Project in the 4th Aldermanic District. (DCD)

Whereas, Under File No. 971014, adopted on November 4, 1997, the Common Council of the City of Milwaukee ("Common Council") approved a Development Agreement for the Riverwalk Plaza Condominium Project; and

Whereas, Under File No. 971313, adopted on December 16, 1997, the Common Council approved the First Amendment to the Development Agreement; and

Whereas, The Common Council desires to further amend the Agreement to adjust the terms of the \$101,000 Project loan provided for in the Agreement to recognize the

increased costs and investment associated with the development; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Second Amendment to the Development Agreement for the Riverwalk Plaza Condominium Project is approved consistent with the terms and conditions as outlined in Exhibit "A", a copy of which is attached to this Common Council File; and, be it

Further Resolved, That the proper City officials are authorized and directed to execute any and all documentation in accord with the intent and purpose of this resolution.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 18) [981378](#) Resolution approving a Riverwalk Development Agreement with the Milwaukee Institute of Art and Design in connection with the Historic Third Ward TID No. 34 Riverwalk Project in the 4th Aldermanic District.

Whereas, The Common Council of the City of Milwaukee under File No. 970388 created Tax Incremental District No. 34 and adopted a Project Plan for said District for the purpose of developing a riverwalk along the east bank of the Milwaukee River between East Clybourn Street and the Broadway Bridge; and

Whereas, Under File No. 971722 adopted on March 20, 1998, the City of Milwaukee ("City") approved a Riverwalk Development Agreement with the Board of Business Improvement District No. 2, and under File No. 980085 adopted on June 16, 1998, the City approved a First Amendment to Riverwalk Development Agreement with said BID, and under File No. 981200 adopted on December 18, 1998, the City approved a Second Amendment to Riverwalk Development Agreement with said BID all of which contemplated the development of and funding for a riverwalk segment adjacent to the Milwaukee Institute of Art and Design ("MIAD"); and

Whereas, The Common Council desires to enter into an agreement with MIAD to perfect a funding and construction arrangement for a riverwalk adjacent to its premises at 273 East Erie Street in the Historic Third Ward; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Riverwalk Development Agreement for the Milwaukee Institute of Art and Design, substantially

in the form attached to this Common Council File, is approved; and, be it

Further Resolved, That the proper City officials are authorized and directed to execute said Agreement on behalf of the City; and, be it

Further Resolved, That the City Attorney, in conjunction with the Commissioner of City Development, is authorized to make any nonsubstantive technical changes to said Agreement in advance of the execution of same; 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 assist in the development of a riverwalk at MIAD in accord with the intent and purpose of this resolution.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

CONFIRMATION OF THE FOLLOWING:

- 19) [981277](#) Reappointment of James Shields to the Historic Preservation Commission 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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

- 20) [981329](#) Appointment of Martha Garza to the City Plan Commission by the Mayor. (12th 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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

PLACING ON FILE THE FOLLOWING:

- 21) [981365](#) An ordinance relating to historic preservation guidelines for the Pabst Theater.

Sponsors: Ald. D'Amato

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

THE PUBLIC IMPROVEMENTS COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

- 1) [981317](#) An ordinance establishing or altering and establishing the widths of sidewalk areas on various streets in the City of Milwaukee. (Infrastructure Services Div.)

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

The widths of the sidewalk areas, roadways and center plots of the following streets in the City of Milwaukee are established or altered and established as follows:

- 1. On the north side of West Bolivar Avenue from the west line of South 1st Place to a point 120 feet west, the width is 17 feet.
- 2. On West Bradley Road from North 87th Street to North 91st Street.

North Sidewalk Area:

From the west line of North 87th Street to an angle point in the curb, 1,144.5 feet west, the width is 31 feet. Then tapering uniformly to another angle point in the curb, a distance of 223 feet west, to a width of 12 feet. From the last named point to the east line of North 91st Street, the width is 12 feet.

South Sidewalk Area:

From the east line of North 87th Street extended to an angle point in the curb, 1,187.5 feet west, the width is 31 feet. Then tapering uniformly to another angle point in the curb, a distance of 260 feet west, to a width of 12 feet. From the last named point to the east line of North 91st Street, the width is 12 feet.

Roadway Width:

From the west line of North 87th Street to a point 1,107.5 feet m/l west, the width is 48 feet. Then varying uniformly to a point 36 feet m/l west, being the center of a 1-1/2 foot radius on a median. At this point, the north and south roadways are 24 feet wide each and the median width is 3 feet. From this point, the roadways and median widen to a point 224 feet m/l west, being the center of an 11 foot radius on the west end of said median. At this point, the roadways are 32 feet wide each and the median is 22 feet wide. From a point 57 feet m/l west, being the center of a 6 foot radius on another median, to a point 120 feet m/l west, being the center of a 2.5 foot radius on the west end of said median (also said point being near the east line of North 91st Street), the north roadway is 42 feet, the south roadway is 32 feet and the median width is 12 feet, except where modified for left turn reservoirs.

3. On East Howard Avenue from South Clement Avenue to South Howell Avenue.

North Sidewalk Area:

From the west line of South Clement Avenue to the east line of South Lenox Street, the width is 15 feet. From the west line of South Lenox Street to the east line of South Pine Avenue, the width is 20 feet. From the west line of South Pine Avenue to a point 1,037.28 feet west, the width is 15 feet. The right of way widens at this point and the sidewalk area becomes 20 feet. From the last named point to the east line of South Griffin Avenue, the width is 20 feet. From the west line of South Griffin Avenue to a point 218.05 feet west, the width is 20 feet. The right of way narrows at this point and the sidewalk area becomes 15 feet. From the last named point to the east line of South Whitnall Avenue, the width is 15 feet. From the west line of South Whitnall Avenue to the east line of South Austin Street, the width is 15 feet. From the west line of South Austin Street to a point 195 feet east of the east line of South Howell Avenue, the width is 15 feet.

South Sidewalk Area:

From the west line of South Clement Avenue to the east line of South Pine Avenue, the width is 15 feet. From the west line of South Pine Avenue to a point 429 feet west, the width is 20 feet. The right of way narrows at this point and the width

becomes 15 feet. From the last named point to an angle point in the curb, 44 feet east of the east line of South Whitnall Avenue, the width is 15 feet. Then tapering uniformly to the east line of South Whitnall Avenue to a width of 12 feet. From the west line of South Whitnall Avenue to an angle point in the curb, a distance of 160 feet west, the width is 12 feet. Then varying uniformly to another angle point in the curb, a distance of 30 feet west, to a width of 15 feet. From the last named point to the east line of South Howell Avenue, the width is 15 feet.

Roadways and Median:

Two 28 foot wide roadways are separated by a 14 foot wide median except where modified for left turn and right turn reservoirs.

4. On West Locust Street from North 20th Street to North 27th Street.

North Sidewalk Area:

From the west line of North 20th Street to an angle point in the curb, a distance of 68 feet m/l west, the width varies uniformly from 11 feet to 14 feet. The width is constant at 14 feet from the last named point to an angle point in the curb, 124.50 feet west of the west line of North 26th Street. From the last named point to another angle point in the curb, a distance of 50 feet west, the width varies uniformly from 14 feet to 10 feet. From the last named point to the east line of North 27th Street, the width is 10 feet.

South Sidewalk Area:

From the west line of North 20th Street to an angle point in the curb, a distance of 51 feet m/l west, the width is 10 feet. Then varying uniformly to another angle point in the curb, a distance of 50 feet west, from a width of 10 feet to 14 feet. Then constant to the east line of North 27th Street at a width of 14 feet.

5. On North Maryland Avenue from East Kenwood Boulevard to East Hartford Avenue, the width is 20 feet.

6. On the south side of West Oklahoma Avenue from South 68th Street to South 70th Street, the width is 13 feet.

7. On West Vienna Avenue from North Port Washington Avenue to North Dr. Martin Luther King, Jr. Drive, the width is 15 feet.

8. On South Water Street and East Seeboth Street from East Pittsburgh Avenue to South 1st Street and South Ferry Street.

North Sidewalk Area:

From the north line of East Pittsburgh Avenue to an angle point in the curb, a distance of 50 feet m/l west, the width is 10 feet m/l. From the last named point to another angle point in the curb, a distance of 345 feet west, the width is 9.5 feet. Then varying uniformly in a distance of 56.5 feet west to a width of 10.3 feet. Then constant at 10.3 feet in a distance of 43.5 feet west to a point of curve in the curb. Then varying nonuniformly through a curve having an 80 foot radius, a distance of 34 feet m/l (as measured along said curve), to a width of 15 feet. From the last named point to a point 50 feet m/l west, the width is 15 feet (said point being the end of a 30 foot radius on the curb at the intersection of East Seeboth Street and South 1st Street, said end of radius being 18 feet east of the east line of South 1st Street on East Seeboth Street).

South Sidewalk Area:

From the north line of East Pittsburgh Avenue to the east line of South Barclay Street, the width is 9.5 feet. At the west line of South Barclay Street, the width is 10 feet. Then varying uniformly to an angle point in the curb, a distance of 50 feet west, to a width of 15 feet. From the last named point to the east line of South Ferry Street, the width is 15 feet.

9. On South 20th Street from West Windlake Avenue to West Lincoln Avenue.

East Sidewalk Area:

At the north line of West Windlake Avenue at 12 feet. Then varying uniformly in a distance of 60 feet north to an angle point in the curb to a width of 15 feet. From the last named point to another angle point in the curb, 187 feet m/l south of the south line of West Lincoln Avenue, the width is constant at 15 feet. Then varying uniformly in a distance of 53 feet m/l north, being the south line of an alley, to a width of 12 feet. From the last named point to the south line of West Lincoln Avenue at 12 feet.

West Sidewalk Area:

From the north line of West Windlake Avenue extended to an angle point in the curb, a distance of 10.5 feet m/l north, the width is 11 feet. Then varying uniformly in a distance of 50 feet m/l north to another angle point in the curb to a width of 10 feet. From the last named point to an angle point in the curb, 187 feet m/l south of the south line of West Lincoln Avenue, the width is constant at 10 feet. Then varying uniformly in a distance of 67 feet m/l north to another angle point in the curb, being the north line of an alley, to a width of 15 feet. From the last named point to the south line of West Lincoln Avenue at 15 feet.

10. On North 25th Street from West Brown Street to West Lloyd Street.

The east sidewalk area at 15 feet and the west sidewalk area at 11 feet.

11. On the west side of South 26th Street from a point 120 feet south of the south line of West Morgan Avenue to the south line of West Morgan Avenue, the width is 14 feet.

12. On North 46th Street from West Marion Street to the south roadway of West Congress Street.

The roadway width is 30 feet.

13. On the west side of North 68th Street from West Lisbon Avenue to West Burleigh Street, the width is 15 feet.

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 2 - Pratt Johnson-Odom

2) [981318](#) An ordinance pertaining to the grade on various streets in the City of Milwaukee. (Infrastructure Services Div.)

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

To establish and/or alter and establish the grade or elevation of the following streets assuming as a base the level of the Milwaukee River as it was in the month of March, 1836 A.D. Said grade between the points mentioned is to be on a straight line drawn from point to point.

1. On the curbs on West Arrow Street from South Pearl Street to South Muskego Avenue.

At the west line of South Pearl Street - 57.50

At the east line of South Muskego Avenue - 52.50

2. On the curbs on North Bremen Street from East North Avenue to East Center Street.

East Curb:

At the north line of East North Avenue - 101.40
At a point 100 feet north of the last named point - 104.40
At the south line of East Meinecke Avenue - 97.60
At the north line of East Meinecke Avenue - 96.80
At the south line of East Wright Street - 94.00
At the north line of East Wright Street - 94.25
At a point 300 feet north of the last named point - 95.80
At the south line of East Clarke Street - 98.70
At the north line of East Clarke Street - 99.50
At the south line of East Center Street - 102.50

West Curb:

At a point 600 feet south of the south line of East Meinecke Avenue - 103.00
At a point 90 feet north of the last named point - 104.70
At the south line of East Meinecke Avenue - 98.20
At the north line of East Meinecke Avenue - 97.90
At the south line of East Wright Street - 94.00
At the north line of East Wright Street - 94.30
At a point 300 feet north of the last named point - 95.80
At the south line of East Clarke Street - 99.25
At the north line of East Clarke Street - 99.70
At the south line of East Center Street - 103.00

3. On the curbs on North Bremen Street from East Chambers Street to East Burleigh Street.

At the north line of East Chambers Street - 92.90
At the south line of East Burleigh Street, as extended from the west - 94.80

4. On the curbs on North Buffum Street from East Townsend Street to a point north of East Townsend Street.

East Curb:

At the north line of East Townsend Street - 102.50
At a point 270 feet north of the last named point - 101.30
At a point 25 feet north of the last named point - 101.50

West Curb:

At the north line of East Townsend Street - 102.70

At a point 305 feet north of the last named point - 101.30

At a point 25 feet north of the last named point - 101.50

5. On the curbs on the east side of North Buffum Street from a point 165 feet south of East Keefe Avenue to East Keefe Avenue.

At a point 165 feet south of the south line of East Keefe Avenue - 100.00

At the south line of East Keefe Avenue - 96.80

6. On the curbs on South California Street from East Oklahoma Avenue to East Manitoba Street.

At the north line of East Oklahoma Avenue - 45.80

At the south line of East Manitoba Street - 39.40

7. On the curbs on West Concordia Avenue from North Dr. Martin Luther King, Jr. Drive to North 7th Street.

North Curb:

At the west line of North Dr. Martin Luther King, Jr. Drive - 147.40

At a point 125 feet west of the last named point - 148.80

At a point 50 feet west of the last named point - 149.80

At a point 190 feet west of the last named point - 152.40

At the east line of North 6th Street - 150.60

At the west line of North 6th Street - 150.00

At the east line of North 7th Street - 130.60

South Curb:

At the west line of North Dr. Martin Luther King, Jr. Drive - 148.00

At the east line of North 5th Street - 149.25

At the west line of North 5th Street - 149.75

At a point 190 feet west of the last named point - 152.40

At the east line of North 6th Street - 150.60

At the west line of North 6th Street - 149.50

At the east line of North 7th Street - 130.20

8. On the curbs on West Finn Place from a point 145 feet east of North 11th Street to North 11th Street.

North Curb:

At a point 145 feet east of the east line of North 11th Street - 150.40

At the east line of North 11th Street - 150.60

South Curb:

At a point 145 feet east of the east line of North 11th Street - 150.40

At a point 23 feet west of the last named point - 150.00

At the east line of North 11th Street - 151.50

9. On the curbs on West Finn Place from North 12th Street to North 13th Street.

At the west line of North 12th Street - 150.80

At the east line of North 13th Street - 144.50

10. On the curbs on South Greeley Street from East Montana Street to East Rosedale Avenue.

East Curb:

At the north line of East Montana Street - 26.20

At the south line of East Rosedale Avenue - 29.00

West Curb:

At the north line of East Montana Street - 26.50

At the south line of East Rosedale Avenue - 29.20

11. On the curbs on South Greeley Street from East Rosedale Avenue to East Deer Place.

East Curb:

At the north line of East Rosedale Avenue - 28.80

At the south line of East Dover Street - 27.60

At the north line of East Dover Street - 27.40

At the south line of East Deer Place - 28.50

West Curb:

At the north line of East Rosedale Avenue - 29.30

At the north line of East Dover Street extended - 27.20

At a point 227 feet north of the last named point - 28.50

12. On the curbs on South Greeley Street from East Deer Place to East Clifford Street.

At the north line of East Deer Place - 29.00

At a point 120 feet north of the last named point - 30.00

At the south line of East Clifford Street - 41.70

13. On the curbs on South Greeley Street from East Clifford Street to East Clarence Street.

At the north line of East Clifford Street - 43.50

At a point 210 feet north of the last named point - 53.00

At the south line of East Clarence Street - 54.25

14. On the curbs on West Hazelton Court from a point 200 feet east of North 27th Street to North 27th Street.

At a point 200 feet east of the east line of North 27th Street - 119.00

At the east line of North 27th Street - 111.10

15. On the curbs on South Herman Street from East Manitoba Street to East Montana Street.

At the north line of East Manitoba Street - 44.20

At the south line of East Idaho Street - 62.75

At the north line of East Idaho Street - 63.50

At a point 129 feet north of the last named point - 66.10

At a point 50 feet north of the last named point - 66.40

At a point 50 feet north of the last named point - 65.50

At the south line of East Dakota Street - 58.20

At the north line of East Dakota Street - 57.00

At the south line of East Montana Street - 40.50

16. On the curbs on South Herman Street from East Montana Street to South Kinnickinnic Avenue.

East Curb:

At the north line of East Montana Street - 39.80

At the west line of South Kinnickinnic Avenue - 36.70

West Curb:

At the north line of East Montana Street - 39.90
At the west line of South Kinnickinnic Avenue - 36.50

17. On the curbs on West Holt Avenue from South 16th Street to South 20th Street.

At the west line of South 16th Street - 112.50
At the east line of South 17th Street - 110.30
At the west line of South 17th Street - 110.50
At the east line of South 18th Street - 113.50
At the west line of South 18th Street - 114.20
At the east line of South 19th Street - 116.10
At the west line of South 19th Street - 116.40
At the east line of South 20th Street - 115.00

18. On the curbs on East Homer Street from South Kinnickinnic Avenue to South Graham Street.

North Curb:

At the west line of South Kinnickinnic Avenue - 46.10
At a point 44 feet west of the last named point - 48.75
At a point 150 feet west of the last named point - 58.90
At a point 25 feet west of the last named point - 59.20
At the east line of South Graham Street - 53.50

South Curb:

At the west line of South Kinnickinnic Avenue - 46.90
At a point 55 feet west of the last named point - 49.95
At a point 125 feet west of the last named point - 57.90
At a point 25 feet west of the last named point - 58.90
At a point 30 feet west of the last named point - 59.20
At the east line of South Graham Street - 53.50

19. On the curbs on East Howard Avenue from South Clement Avenue to South Whitnall Avenue.

North Curb:

At the west line of South Clement Avenue - 92.80
At the east line of South Herman Street - 100.40

At the west line of South Herman Street - 101.10
At a point 160 feet west of the last named point - 102.75
At the east line of South Logan Avenue - 101.40
At the west line of South Logan Avenue - 100.60
At the east line of South Lenox Street - 97.30
At the west line of South Lenox Street - 96.85
At the east line of South Pine Avenue - 95.80
At the west line of South Pine Avenue - 96.20
At a point 219.28 feet west of the last named point, modified by a vertical curve with 30 foot tangents - 97.80
At a point 371.72 feet west of the last named point, modified by a vertical curve with 50 foot tangents - 103.50
At a point 325 feet west of the last named point - 100.60
At a point 75 feet west of the last named point - 100.70
At the east line of South Griffin Avenue - 102.70
At the west line of South Griffin Avenue - 104.10
At the east line of South Whitnall Avenue - 108.50

South Curb:

At the west line of South Clement Avenue - 93.60
At a point 57 feet west of the last named point - 94.10
At a point 100 feet west of the last named point - 96.60
At the east line of South Herman Street - 100.80
At the west line of South Herman Street - 101.50
At a point 160 feet west of the last named point - 103.10
At the east line of South Logan Avenue - 101.70
At the west line of South Logan Avenue - 100.90
At the east line of South Lenox Street - 97.50
At the west line of South Lenox Street - 96.85
At the east line of South Pine Avenue - 96.20
At the west line of South Pine Avenue - 96.30
At the east line of South Taylor Avenue - 97.75
At the west line of South Taylor Avenue - 98.55
At a point 317 feet west of the last named point, modified by a vertical curve with 50 foot tangents - 103.50
At a point 340 feet west of the last named point - 100.50
At a point 60 feet west of the last named point - 100.50
At a point 120 feet west of the last named point - 102.70
At a point 75 feet west of the last named point - 104.10
At the east line of South Whitnall Avenue - 108.60

20. On the curbs on East Kane Place from North Humboldt Avenue to North

Water Street.

North Curb:

At the west line of North Humboldt Avenue - 31.60

At a point 178 feet west of the last named point - 34.50

At a point 104 feet west of the last named point, being the centerline of platted North Astor Street - 35.30

At a point 46 feet west of the last named point - 34.60

At the intersection of North Water Street and East Kane Place, extended to the curb - 28.60

South Curb:

At the west line of North Humboldt Avenue - 32.00

At a point 300 feet west of the last named point, being the east line of platted North Astor Street - 35.90

At a point 66 feet west of the last named point, being the west line of platted North Astor Street - 34.90

At the intersection of North Water Street and East Kane Place, extended to the curb - 27.90

21. On the curbs on West Lapham Street from South 16th Street to South Pearl Street.

At the west line of South 16th Street - 55.70

At the east line of South 17th Street - 57.00

At the west line of South 17th Street - 57.30

At the east line of South Pearl Street - 57.70

22. On the curbs on South Lenox Street from East Potter Avenue to East Otjen Street.

At the north line of East Potter Avenue - 25.00

At the south line of East Otjen Street - 23.00

23. On the curbs on West Lloyd Street from North 25th Street to North 27th Street.

At the west line of North 25th Street - 90.30

At the east line of North 26th Street - 88.40

At the west line of North 26th Street - 88.60

At the east line of North 27th Street - 92.20

24. On the curbs on West Locust Street from North 20th Street to North 29th Street.

At the west line of North 20th Street - 105.20
At the east line of North 21st Street - 104.75
At the west line of North 21st Street - 104.80
At the east line of North 22nd Street - 106.10
At the west line of North 22nd Street - 106.00
At the east line of North 23rd Street - 103.00
At the west line of North 23rd Street - 102.40
At the east line of North 24th Street - 100.30
At the west line of North 24th Street - 100.25
At the east line of North 24th Place - 101.45
At the west line of North 24th Place - 101.45
At the east line of North 25th Street - 100.10
At the west line of North 25th Street - 99.85
At the east line of North 26th Street - 99.15
At the west line of North 26th Street - 98.90
At the east line of North 27th Street - 98.90
At the west line of North 27th Street - 98.90
At the east line of North 28th Street - 99.80
At the west line of North 28th Street - 99.50
At the east line of North 29th Street - 96.90

25. On the curbs on South Mabbett Avenue from East Rusk Avenue to East Trowbridge Street.

East Curb:

At the north line of East Rusk Avenue - 22.20
At a point 198 feet north of the last named point - 21.00
At a point 230 feet north of the last named point - 24.00
At the south line of East Trowbridge Street - 24.00

West Curb:

At the north line of East Rusk Avenue - 23.00
At a point 198 feet north of the last named point - 21.00
At a point 230 feet north of the last named point - 24.00
At the south line of East Trowbridge Street - 25.00

26. On the curbs on West Maple Street from South 2nd Street to a point 175.82

feet m/l west of South 3rd Street.

North Curb:

At the west line of South 2nd Street - 27.00
At a point 150 feet west of the last named point - 29.95
At the east line of South 3rd Street - 34.10
At the west line of South 3rd Street - 35.50
At a point 175.82 feet m/l west of the last named point - 40.00

South Curb:

At the west line of South 2nd Street - 26.90
At a point 150 feet west of the last named point - 29.40
At the east line of South 3rd Street - 33.40
At the west line of South 3rd Street - 34.80
At a point 175.82 feet m/l west of the last named point - 39.50

27. On the curbs on North Maryland Avenue from East Kenwood Boulevard to East Hartford Avenue.

At the north line of East Kenwood Boulevard - 90.60
At a point 300 feet north of the last named point - 99.50
At the south line of East Hartford Avenue - 104.00

28. On the curbs on West Norwich Street from a point 35 feet m/l east of South 5th Street to South 6th Street.

North Curb:

At the east line of South 5th Street, extended to the south curb line of a concrete island - 137.50
At the west line of South 5th Street - 137.40
At the east line of South 5th Place - 134.48
At the west line of South 5th Place - 133.91
At the east line of South 6th Street - 136.48

South Curb:

At a point 35 feet m/l east of the east line of South 5th Street - 137.34
At the east line of South 5th Street - 137.50
At the west line of South 5th Street - 137.31
At the east line of South 5th Place - 134.62

At the west line of South 5th Place - 134.16

At the east line of South 6th Street - 136.70

29. On the curbs on West Ohio Avenue from South 16th Street to South 20th Street.

North Curb:

At the west line of South 16th Street - 105.30

At a point 362 feet west of the last named point - 102.78

At a point 75 feet west of the last named point - 102.78

At a point 125 feet west of the last named point - 102.35

At a point 53 feet west of the last named point - 102.35

At a point 440 feet west of the last named point, modified by a vertical curve having 32 foot tangents - 107.35

At the east line of South 20th Street - 100.60

South Curb:

At the west line of South 16th Street - 105.85

At the east line of South 17th Street - 103.82

At the west line of South 17th Street - 103.50

At the east line of South 18th Street - 102.31

At the west line of South 18th Street - 102.74

At the east line of South 19th Street - 106.20

At the west line of South 19th Street - 106.56

At a point 125 feet west of the last named point, modified by a vertical curve having 32 foot tangents - 107.30

At the east line of South 20th Street - 101.10

30. On the curbs on South Pine Avenue from East Layton Avenue to East Bolivar Avenue.

At the north line of East Layton Avenue - 95.00

At the south line of East Price Avenue - 96.00

At the north line of East Price Avenue - 96.00

At the south line of East Cudahy Avenue - 97.80

At the north line of East Cudahy Avenue - 99.15

At a point 50 feet north of the last named point - 101.00

At a point 50 feet north of the last named point - 102.70

At a point 160 feet north of the last named point - 110.40

At a point 200 feet north of the last named point - 120.40

At a point 175 feet north of the last named point - 129.70

At a point 150 feet north of the last named point - 136.70
At a point 425 feet north of the last named point - 152.50
At the south line of East Bottsford Avenue - 154.50
At the north line of East Bottsford Avenue - 155.20
At a point 150 feet north of the last named point - 157.10
At a point 175 feet north of the last named point - 155.50
At the south line of East Bolivar Avenue - 149.50

31. On the curbs on South Pine Avenue from East Bolivar Avenue to South Whitnall Avenue.

East Curb:

At a point 24 feet m/l south of the north line of East Bolivar Avenue, being the end of the radius on the curb on South Pine Avenue - 148.60
At the north line of East Bolivar Avenue - 147.90
At a point 135 feet north of the last named point - 144.50
At a point 200 feet north of the last named point - 140.30
At the west line of South Whitnall Avenue - 132.60

West Curb:

At the north line of East Bolivar Avenue - 148.60
At the west line of South Whitnall Avenue - 132.20

32. On the curbs on West Reservoir Avenue from North Dr. Martin Luther King, Jr. Drive to North 6th Street.

North Curb:

At the west line of North Dr. Martin Luther King, Jr. Drive - 93.00
At the east line of North 4th Street - 96.50
At the west line of North 4th Street - 97.10
At a point 275 feet west of the last named point - 94.00
At the east line of North 5th Street - 93.00
At the west line of North 5th Street - 92.20
At the east line of North 6th Street - 93.50

South Curb:

At the west line of North Dr. Martin Luther King, Jr. Drive - 92.00
At the east line of North 4th Street - 95.50
At the west line of North 4th Street - 95.50

At the east line of North 5th Street - 92.50
At the west line of North 5th Street - 92.20
At the east line of North 6th Street - 93.50

33. On the curbs on East and West Ring Street from North Richards Street to North 2nd Street.

At the west line of North Richards Street - 99.30
At a point 125 feet west of the last named point - 99.90
At the east line of North Palmer Street - 100.60
At the west line of North Palmer Street - 101.20
At a point 100 feet west of the last named point - 104.00
At the east line of North Achilles Street - 108.30
At the west line of North Achilles Street - 108.90
At the east line of North 1st Street - 115.50
At the west line of North 1st Street - 116.70
At the east line of North 2nd Street - 130.45

34. On the curbs on West Ring Street from North 2nd Street to North 3rd Street.

At the west line of North 2nd Street - 132.00
At the east line of North 3rd Street - 145.70

35. On the curbs on West Ring Street from North Dr. Martin Luther King, Jr. Drive to North 7th Street.

North Curb:

At the west line of North Dr. Martin Luther King, Jr. Drive - 154.00
At a point 164 feet west of the last named point - 155.90
At the east line of North 5th Street - 156.90
At the west line of North 5th Street - 155.40
At the east line of North 6th Street - 126.70
At the west line of North 6th Street - 125.30
At the east line of North 7th Street - 108.50

South Curb:

At the west line of North Dr. Martin Luther King, Jr. Drive - 153.00
At a point 186 feet west of the last named point - 156.00
At the east line of North Julia Street - 156.70
At the west line of North 5th Street - 155.20

At the east line of North 6th Street - 126.00

At the west line of North 6th Street - 124.60

At the east line of North 7th Street - 107.70

36. On the curbs on West Rogers Street from South Congo Avenue and South 18th Street to South 20th Street.

North Curb:

At the west line of South Congo Avenue - 55.15

At the east line of South 19th Street - 51.80

At the west line of South 19th Street - 51.80

At the east line of South 20th Street - 52.40

South Curb:

At the west line of South 18th Street - 55.45

At the east line of South 19th Street - 52.05

At the west line of South 19th Street - 51.75

At the east line of South 20th Street - 52.55

37. On the curbs on East Rosedale Avenue from South Howell Avenue to South Burrell Street.

North Curb:

At the west line of South Howell Avenue - 41.90

At a point 310 feet north of the last named point - 39.40

At the east line of South Austin Street - 34.00

At the west line of South Austin Street - 31.70

At the east line of South Burrell Street - 23.50

South Curb:

At the west line of South Howell Avenue - 41.70

At a point 333 feet west of the last named point - 39.00

At the east line of South Austin Street - 34.20

At the west line of South Austin Street - 32.40

At the east line of South Burrell Street - 23.50

38. On the curbs on West Saint Paul Avenue from North 29th Street to North 35th Street.

At the west line of North 29th Street - 89.50
At the east line of North 30th Street - 88.30
At the west line of North 30th Street - 88.00
At the east line of North 31st Street - 86.20
At the west line of North 31st Street - 85.60
At the east line of North 32nd Street - 80.30
At the west line of North 32nd Street - 80.00
At the east line of North 33rd Street - 81.50
At the west line of North 33rd Street - 81.50
At the east line of North 34th Street - 83.70
At the west line of North 34th Street - 84.00
At the east line of North 35th Street - 86.80

39. On the curbs on East Smith Street from South Kinnickinnic Avenue to South Howell Avenue.

At the west line of South Kinnickinnic Avenue - 39.90
At the east line of South Graham Street - 40.70
At the west line of South Graham Street - 41.40
At the east line of South Howell Avenue - 48.00

40. On the curbs on West Stevenson Street from North 67th Street to North 68th Street.

North Curb:

At the west line of North 67th Street - 123.45
At a point 115 feet west of the last named point - 121.00
At the east line of North 68th Street - 118.55

South Curb:

At the west line of North 67th Street - 123.70
At a point 140 feet west of the last named point - 120.80
At the east line of North 68th Street - 119.00

41. On the curbs on South Superior Street from East Russell Avenue to East Conway Street.

At the north line of East Russell Avenue - 24.30
At a point 175 feet north of the last named point - 25.70
At the south line of East Potter Avenue - 30.50
At the north line of East Potter Avenue - 31.50

At a point 270 feet m/l north of the last named point (as measured along the centerline of the roadway), being the intersection of the centerlines of South Superior Street and East Conway Street - 35.50

42. On the curbs on West Tower Avenue from North 76th Street to North 84th Street.

North Curb:

At the west line of North 76th Street - 182.80
At a point 50 feet west of the last named point - 182.50
At a point 330 feet west of the last named point - 184.00
At the east line of North 80th Street - 176.00
At the west line of North 80th Street - 175.40
At a point 320 feet west of the last named point - 172.10
At the east line of North 84th Street - 167.40

South Curb:

At the west line of North 76th Street, extended from the south - 183.45
At a point 75 feet west of the last named point - 182.65
At a point 277 feet west of the last named point - 184.20
At a point 160 feet west of the last named point - 182.20
At a point 200 feet west of the last named point - 180.90
At a point 886 feet west of the last named point - 172.25
At a point 923 feet m/l west of the last named point, being the east line of North 84th Street extended - 167.30

43. On the curbs on West Villard Avenue from North Sherman Boulevard to North 45th Street.

North Curb:

At the west line of North Sherman Boulevard - 86.80
At the east line of North 44th Street - 78.70
At the west line of North 44th Street - 77.90
At the east line of North 45th Street - 74.20

South Curb:

At the west line of North Sherman Boulevard - 86.76
At a point 260 feet west of the last named point - 79.30
At a point 103 feet west of the last named point - 76.70

At the east line of North 45th Street - 74.00

44. On the curbs on the south side of West Villard Avenue from North 47th Street to North 51st Street.

At the west line of North 47th Street - 74.80

At a point 272.26 feet west of the last named point - 78.20

At a point 60 feet west of the last named point - 79.30

At the east line of North 49th Street - 85.20

At the west line of North 49th Street - 85.60

At a point 305.02 feet west of the last named point - 89.08

At a point 6 feet east of the east line of North 51st Street - 90.73

45. On the curbs on South Water Street and East Seeboth Street from East Pittsburgh Avenue to South 1st Street and South Ferry Street.

At the north line of East Pittsburgh Avenue - 10.40

At the east line of South Barclay Street - 10.90

At the west line of South Barclay Street - 11.30

At the east lines of South 1st Street and South Ferry Street - 11.85

46. On the curbs on East Wilson Street from South Howell Avenue to South Austin Street.

At the west line of South Howell Avenue - 52.50

At a point 110 feet west of the last named point - 58.00

At a point 125 feet west of the last named point - 60.50

At a point 150 feet west of the last named point - 57.80

At the east line of South Austin Street - 52.00

47. On the curbs on West Wright Street from North Dr. Martin Luther King, Jr. Drive to North 7th Street.

At the west line of North Dr. Martin Luther King, Jr. Drive - 93.50

At the east line of North 4th Street - 96.80

At the west line of North 4th Street - 97.30

At the east line of North 5th Street - 100.80

At the west line of North 5th Street - 101.30

At the east line of North 6th Street - 103.00

At the west line of North 6th Street - 103.00

At the east line of North 7th Street - 104.80

48. On the curbs on West Wright Street from North Teutonia Avenue to North

16th Street.

At the west line of North Teutonia Avenue - 99.20

At the east line of North 14th Street - 97.80

At the west line of North 14th Street - 97.70

At the east line of North 15th Street - 96.20

At the west line of North 15th Street - 96.00

At the east line of North 16th Street - 94.50

49. On the curbs on North 5th Street from West North Avenue to West Wright Street.

At the north line of West North Avenue - 109.00

At a point 300 feet north of the last named point - 107.50

At the south line of West Meinecke Avenue - 105.25

At the north line of West Meinecke Avenue - 105.00

At a point 385 feet north of the last named point - 102.50

At the south line of West Wright Street - 101.10

50. On the curbs on North 10th Street from West Wright Street to West Clarke Street.

At the north line of West Wright Street - 103.50

At the south line of West Clarke Street - 103.75

51. On the curbs on North 10th Street from West Nash Street to West Abert Place.

At the north line of West Nash Street - 144.30

At a point 436.38 feet north of the last named point - 136.00

At the south line of West Abert Place - 132.80

52. On the curbs on North 10th Street from West Abert Place to West Capitol Drive.

East Curb:

At the north line of West Abert Place - 132.00

At a point 220 feet north of the last named point - 128.50

At a point 200 feet north of the last named point - 122.85

At a point 425 feet north of the last named point - 114.00

At a point 40 feet m/l north of the last named point (being a point 132.95 feet south of the quarter section line in West Capitol Drive) - 112.50

West Curb:

At the north line of West Abert Place - 132.00
At a point 220 feet north of the last named point - 128.50
At a point 200 feet north of the last named point - 122.85
At a point 425 feet north of the last named point - 114.00
At a point 68 feet m/l north of the last named point (being a point 24.08 feet southeasterly of the south line of West Capitol Drive) - 112.00

53. On the curbs on North 12th Street from West Center Street to West Locust Street.

At the north line of West Center Street - 108.80
At a point 300 feet north of the last named point - 108.30
At a point 100 feet north of the last named point - 108.70
At the south line of West Hadley Street - 107.80
At the north line of West Hadley Street - 107.70
At the south line of West Locust Street - 103.60

54. On the curbs on South 14th Street from West Cleveland Avenue to West Harrison Avenue.

At the north line of West Cleveland Avenue - 30.00
At a point 486.5 feet north of the last named point - 28.15
At a point 5 feet north of the last named point - 28.77
At a point 82 feet north of the last named point - 29.00
At a point 5 feet north of the last named point - 28.25
At the south line of West Harrison Avenue - 29.30

55. On the curbs on South 15th Street from West Arthur Avenue to West Lincoln Avenue.

East Curb:

At the north line of West Arthur Avenue - 59.16
At the south line of West Hayes Avenue - 68.25
At the north line of West Hayes Avenue - 68.10
At the south line of West Windlake Avenue - 62.54
At the north line of West Windlake Avenue - 59.75
At the south line of West Lincoln Avenue - 52.00

West Curb:

At the north line of West Arthur Avenue - 59.21
At the south line of West Hayes Avenue - 68.52
At the north line of West Hayes Avenue - 68.35
At the south line of West Windlake Avenue - 64.40
At the north line of West Windlake Avenue - 62.25
At the south line of West Lincoln Avenue - 52.00

56. On the curbs on South 15th Street from West Crawford Avenue to West Wilbur Avenue.

At the north line of West Crawford Avenue - 90.00
At a point 400 feet north of the last named point - 94.00
At a point 60 feet north of the last named point - 96.20
At the south line of West Wilbur Avenue - 103.00

57. On the curbs on North 18th Street from West Wisconsin Avenue to West Wells Street.

At the north line of West Wisconsin Avenue - 90.00
At the south line of West Wells Street - 94.50

58. On the curbs on North 18th Street from West Keefe Avenue to West Vienna Avenue.

At the north line of West Keefe Avenue - 113.20
At the south line of West Finn Place - 108.30
At the north line of West Finn Place - 107.60
At the south line of West Nash Street - 104.00
At the north line of West Nash Street - 103.80
At the south line of West Vienna Avenue - 105.80

59. On the curbs on South 20th Street from West Windlake Avenue to West Lincoln Avenue.

East Curb:

At the north line of West Windlake Avenue - 65.50
At a point 192 feet north of the last named point - 68.05
At the south line of West Harrison Avenue - 68.80
At the north line of West Harrison Avenue - 69.60
At a point 247 feet north of the last named point - 73.05
At a point 75 feet north of the last named point - 73.75

At a point 25 feet north of the last named point - 73.85
At a point 200 feet north of the last named point - 72.55
At the south line of West Arthur Avenue - 72.10
At the north line of West Arthur Avenue - 71.80
At a point 209 feet north of the last named point - 69.40
At the south line of West Hayes Avenue - 65.30
At the north line of West Hayes Avenue - 64.70
At a point 136 feet north of the last named point - 62.85
At a point 327 feet north of the last named point - 58.20
At the south line of West Lincoln Avenue - 56.30

West Curb:

At the north line of West Windlake Avenue extended - 65.80
At a point 192 feet north of the last named point - 68.20
At a point 150 feet north of the last named point - 70.15
At a point 225 feet north of the last named point - 73.30
At a point 50 feet north of the last named point - 73.75
At a point 50 feet north of the last named point - 74.05
At a point 25 feet north of the last named point - 74.05
At a point 225 feet north of the last named point - 72.42
At a point 75 feet north of the last named point - 71.60
At a point 639 feet north of the last named point - 64.90
At a point 136 feet north of the last named point - 63.05
At a point 327 feet north of the last named point - 58.20
At the south line of West Lincoln Avenue - 56.50

60. On the curbs on South 20th Street from West Lincoln Avenue to West Forest Home Avenue.

At the north line of West Lincoln Avenue - 56.20
At the south line of West Grant Street - 53.50
At the north line of West Grant Street - 53.70
At a point 225 feet north of the last named point - 53.80
At the south line of West Forest Home Avenue - 55.00

61. On the flow line on South 21st Place from West Lincoln Avenue to a point 285 feet north of West Lincoln Avenue.

At the north line of West Lincoln Avenue - 66.85
At a point 125 feet north of the last named point - 68.70
At a point 100 feet north of the last named point - 67.30
At a point 60 feet north of the last named point - 65.30

62. On the curbs on North 25th Street from West Brown Street to West Lloyd Street.

At the north line of West Brown Street - 89.00

At the south line of West Lloyd Street - 90.60

63. On the curbs on North 26th Street from West Roosevelt Drive to West Atkinson Ave.

At the north line of West Roosevelt Drive - 86.30

At a point 22.42 feet north of the last named point - 87.00

At the south line of West Atkinson Avenue - 85.20

64. On the curbs on South 33rd Street from West Oklahoma Avenue to West Manitoba Street.

At the north line of West Oklahoma Avenue - 67.70

At a point 100 feet north of the last named point - 62.80

At a point 75 feet north of the last named point - 60.40

At the south line of West Manitoba Street - 58.60

65. On the curbs on North 41st Street from West Hope Avenue to West Congress Street (South Roadway).

At the north line of West Hope Avenue - 74.30

At the south line of West Marion Street - 71.00

At the north line of West Marion Street - 70.55

At the south line of West Congress Street (south roadway) - 68.00

66. On the curbs on North 47th Street from West Wright Street to West Center Street.

At the north line of West Wright Street - 143.00

At the south line of West Clarke Street - 139.10

At the north line of West Clarke Street - 138.90

At the south line of West Center Street - 134.80

67. On the curbs on North 99th Street from West Appleton Avenue to West Carmen Avenue.

East Curb:

At the north line of West Appleton Avenue, extended to the curb line on North 99th Street - 163.00

At a point 163.29 feet north of the last named point - 160.30

At the south line of West Thurston Avenue - 161.85

At the north line of West Thurston Avenue - 163.00

At a point 128.74 feet north of the last named point - 165.40

At a point 372.35 feet north of the last named point - 176.40

At a point 86.55 feet north of the last named point, being a point on the curb radius at the south line of West Carmen Avenue - 177.80

West Curb:

At the end of radius on the curb on North 99th Street, north of the north line of West Appleton Avenue - 161.70

At a point 100 feet m/l north of the last named point - 160.40

At a point 160 feet m/l north of the last named point (being the south line of West Thurston Avenue extended) - 162.20

At a point 60 feet north of the last named point (being the north line of West Thurston Avenue extended) - 163.40

At a point 128.74 feet north of the last named point - 165.60

At a point 372.35 feet north of the last named point (being at the south line of West Carmen Avenue) - 176.70

At a point 25 feet north of the last named point - 177.50

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 3) [981319](#) An ordinance pertaining to the grade on various alleys in the City of Milwaukee. (Infrastructure Services Div.)

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

To establish and/or alter and establish the grade or elevation of the following alleys assuming as a base the level of the Milwaukee River as it was in the month of March, 1836 A.D. Said grade between the points mentioned is to be on a straight line drawn from point to point.

1. On the flow line of the alley between West Arthur Avenue, West Hayes Avenue,

South 7th Street and South 8th Street.

At the north line of West Arthur Avenue - 58.00 At a point 5 feet north of the last named point - 57.80 At a point 170 feet north of the last named point - 71.10 At a point 75 feet north of the last named point - 73.00 At a point 275 feet north of the last named point - 74.90 At a point 25 feet north of the last named point - 74.50 At a point 130 feet north of the last named point - 69.15 At the south line of West Hayes Avenue - 69.55

2. On the flow line of the alley between West Atkinson Avenue, West Capitol Drive, North Teutonia Avenue, North 20th Street and North 21st Street.

East-West Leg:

At the west line of North 20th Street - 90.60 At a point 125 feet west of the last named point - 88.90 At a point 118.59 feet west of the last named point (being the intersection of the centerlines of the east-west leg and the northwest-southeast leg) - 89.50

Northwest-Southeast Leg:

At the intersection of the centerlines of the northwest-southeast leg and the east-west leg - 89.50 At a point 477.80 feet m/l northwest of the last named point (being the east line of North 21st Street as extended from the south) - 92.10

3. On the flow line of the alley between West Becher Street, West Rogers Street, South 7th Street and South 8th Street.

At the north line of West Becher Street - 60.50 At a point 590 feet north of the last named point - 54.20 At the south line of West Rogers Street - 54.60

4. On the flow line of the alley between East Bennett Avenue, South Mabbett Avenue, East Oklahoma Avenue and South Pennsylvania Avenue.

At the west line of South Pennsylvania Avenue - 31.80 At a point 380 feet west of the last named point - 47.00 At a point 75 feet west of the last named point - 48.80 At the east line of South Mabbett Avenue - 49.50

5. On the flow line of the alley between North Booth Street, East Chambers Street, North Holton Street and East Locust Street.

South East-West Leg:

At the west line of North Booth Street - 103.50 At a point 5 feet west of the last named point - 103.60 At a point 55 feet west of the last named point - 105.90 At the intersection of the centerlines of the south east-west leg and the north-south leg - 106.75 At a point 45 feet west of the last named point - 107.25 At the east line of North Holton Street - 105.15

North-South Leg:

At the intersection of the centerlines of the north-south leg and the south east-west leg - 106.75 At a point 257 feet north of the last named point - 105.25 At the intersection of the centerlines of the north-south leg and the north east-west leg - 102.25

North East-West Leg:

At the west line of North Booth Street - 100.00 At the intersection of the centerlines of the north east-west leg and the north-south leg - 102.25 At a point 80 feet west of the last named point - 103.60 At a point 43.5 feet west of the last named point - 102.75 At the east line of North Holton Street - 102.95

6. On the flow line of the alley between North Broadway, East Clybourn Street, East Michigan Street and North Milwaukee Street.

At the north line of East Clybourn Street - 10.50 At a point 30 feet north of the last named point - 9.70 At a point 220 feet north of the last named point - 13.00 At the south line of East Michigan Street - 16.00

7. On the flow line of the alley between East Buffalo Street, North Jefferson Street, North Milwaukee Street and East St. Paul Avenue.

At the north line of East Buffalo Street - 8.50 At a point 20 feet north of the last named point - 7.50 At a point 155 feet north of the last named point - 8.30 At a point 150 feet north of the last named point - 7.50 At the south line of East St. Paul Avenue - 9.20

8. On the flow line of the alley between West Burnham Street, West Maple Street, South 6th Street and South 7th Street.

North-South Leg:

At the north line of West Burnham Street - 52.70 At a point 10 feet north of the last named point - 52.60 At the intersection of the centerlines of the north-south and east-west legs - 58.00 At the south line of West Maple Street - 59.20

East-West Leg:

At the west line of South 6th Street - 63.00 At the intersection of the centerlines of the east-west and north-south legs - 58.00 At a point 5 feet east of the east line of South 7th Street - 50.90 At the east line of South 7th Street - 51.00

9. On the flow line of the alley between West Capitol Drive, West Hope Avenue, North 26th Street and North 27th Street (North-South Leg).

At the intersection of the centerlines of the north-south and east-west legs - 71.90 At a point 142 feet north of the last named point - 72.60 At a point 193 feet north of the last named point - 73.65 At a point 60 feet north of the last named point - 73.30 At a point 327 feet north of the last named point - 75.65 At a point 143 feet north of the last named point - 74.00 At the south line of West Hope Avenue - 74.40

10. On the flow line of the alley between West Capitol Drive, West Melvina Street, North 27th Street and North 28th Street.

South East-West Leg:

At the west line of North 27th Street, extended from the south - 76.90 At a point 17 feet west of the last named point - 77.10 At the intersection of the centerlines of the south east-west leg and the north-south leg - 76.30 At a point 91.5 feet west of the last named point - 75.70 At the east line of North 28th Street - 76.60

North-South Leg:

At the intersection of the centerlines of the north-south leg and the south east-west leg - 76.30 At the intersection of the centerlines of the north-south leg and the north east-west leg - 73.60

North East-West Leg:

At a point 17 feet east of the west line of North 27th Street - 73.40 At the west line of North 27th Street - 73.00 At the intersection of the centerlines of the north east-west leg and the north-south leg - 73.60 At the east line of North 28th Street - 74.50

11. On the flow line of the alley between West Capitol Drive, West Melvina Street, North 44th Street and North 46th Street.

At the west line of North 44th Street - 87.25 At a point 10 feet west of the last named point - 86.95 At a point 420 feet west of the last named point - 89.65 At the east line of North 46th Street - 91.50

12. On the flow line of the alley between West Capitol Drive, West Melvina Street, North 93rd Street and North 96th Street.

At the west line of North 93rd Street - 155.80 At a point 50.35 feet west of the last named point - 154.80 At a point 895 feet west of the last named point - 147.75 At the east line of North 96th Street - 148.00

13. On the flow line of the alley between West Capitol Drive, North 29th Street, North 31st Street and Lands North.

At the west line of North 29th Street - 71.10 At a point 45 feet west of the last named point - 69.70 At a point 600 feet west of the last named point - 66.50 At the east line of North 31st Street, extended from the south - 68.00 At the east line of North 31st Street, extended from the north - 67.50

14. On the flow line of the alley between West Center Street, West Hadley Street, North 49th Street and North 50th Street.

At the north line of West Center Street - 140.20 At a point 80 feet north of the last named point - 143.00 At a point 510 feet north of the last named point - 138.50 At the south line of West Hadley Street - 139.00

15. On the flow line of the alley between West Chambers Street, West Locust Street, North 28th Street and North 29th Street.

At the north line of West Locust Street - 98.60 At a point 10 feet north of the last named point - 98.30 At a point 65 feet north of the last named point - 100.00 At a point 275 feet north of the last named point - 102.25 At a point 175 feet north of the last named point - 101.20 At a point 65 feet north of the last named point - 99.00 At the south line of West Chambers Street - 99.30

16. On the flow line of the alley between West Cherry Street, North Hawley Road, West Vliet Street and North 54th Street.

At the west line of North 54th Street - 115.40 At the east line of North Hawley Road - 111.90

17. On the flow line of the alley between West Cleveland Avenue, South 15th Place, South 16th Street and the Kinnickinnic River (East-West Leg).

At the intersection of the centerlines of the east-west and north-south legs - 34.80 At a point 35 feet west of the west line of the north-south leg - 37.00

18. On the flow line of the alley between West Clybourn Street, West St. Paul Avenue, North 4th Street and North 5th Street.

North-South Leg:

At the north line of West St. Paul Avenue - 8.50 At a point 15 feet north of the last named point - 7.90 At a point 110 feet north of the last named point - 9.10 At the intersection of the centerlines of the north-south and east-west legs - 10.50

East-West Leg:

At the west line of North 4th Street - 8.80 At a point 5 feet west of the last named point - 8.60 At the intersection of the centerlines of the east-west and north-south legs - 10.50 At the east line of North 5th Street - 12.50

19. On the flow line of the alley between West Concordia Avenue, West Hale Place, North 46th Street and North 47th Street.

North-South Leg:

At the north line of West Hale Place - 114.80 At the intersection of the centerlines of the north-south leg and the east-west leg - 111.90 At a point 119.2 feet north of the last named point - 111.30 At the south line of West Concordia Avenue - 112.50

East-West Leg:

At the intersection of the centerlines of the east-west leg and the north-south leg - 111.90 At a point 107.5 feet west of the last named point - 115.00 At a point 15 feet west of the last named point - 115.70

20. On the flow line of the alley between West Courtland Avenue, West Glendale Avenue, North 27th Street and North 28th Street.

East-West Leg:

At the west line of North 27th Street - 78.60 At a point 80 feet west of the last named point - 79.40 At the intersection of the centerlines of the east-west and north-south legs - 79.65 At the east line of North 28th Street - 80.50

North-South Leg:

At the intersection of the centerlines of the north-south and east-west legs - 79.65 At

a point 107.5 feet north of the last named point - 78.70 At the south line of West Courtland Avenue - 76.60

21. On the flow line of the alley between West Custer Avenue, West Rohr Avenue, North 35th Street and North 36th Street.

At the north line of West Rohr Avenue - 85.60 At a point 150 feet north of the last named point - 86.45 At a point 445 feet north of the last named point - 83.60 At the south line of West Custer Avenue - 84.00

22. On the flow line of the alley between South Delaware Avenue, South Mabbett Avenue, East Meredith Street and East Rusk Avenue.

At the north line of East Meredith Street - 30.30 At a point 10 feet north of the last named point - 30.00 At a point 190 feet north of the last named point - 31.90 At a point 137 feet north of the last named point - 33.90 At a point 88 feet north of the last named point - 32.00 At a point 275 feet north of the last named point - 23.40 At the south line of East Rusk Avenue - 19.00

23. On the flow line of the alley between West Derby Avenue, West Hampton Avenue, North 107th Street and North 110th Street (West 160 Feet).

At a point 160 feet east of the east line of North 110th Street - 144.40 At a point 155 feet west of the last named point - 141.10 At the east line of North 110th Street - 141.35

24. On the flow line of the alley between South Elmwood Avenue, West Forest Home Avenue, West Midland Drive and South 44th Street.

At a point 123 feet northeast of the east line of South Elmwood Avenue (said point being the City of Milwaukee limits) - 145.04 At a point 175 feet northeast of the last named point - 139.41 At a point 50 feet northeast of the last named point (modified by a vertical curve having 25 foot tangents) - 136.20 At a point 125 feet northeast of the last named point - 134.31 At a point 50 feet northeast of the last named point - 132.90 At a point 75 feet northeast of the last named point - 131.90 At a point 12 feet westerly of the west line of South 44th Street - 122.25 At the west line of South 44th Street - 122.34

25. On the flow line of the alley between West Fiebrantz Avenue, North 6th Street, North 7th Street and Lands North.

At the north line of West Fiebrantz Avenue - 95.60 At a point 104.40 feet north of the last named point - 96.50 At a point 80 feet north of the last named point - 94.90

At a point 10 feet north of the last named point - 95.30

26. On the flow line of the alley between West Galena Street, West Walnut Street, North 28th Street and North 29th Street.

At the north line of West Galena Street - 90.40 At a point 100 feet north of the last named point - 96.00 At a point 90 feet north of the last named point - 98.00 At a point 185 feet north of the last named point - 99.00 At a point 60 feet north of the last named point - 98.45 At the south line of West Walnut Street - 99.00

27. On the flow line of the alley between West Garfield Avenue, West North Avenue, North 37th Street and North 38th Street.

North-South Leg:

At the north line of West Garfield Avenue - 137.20 At a point 30 feet north of the last named point - 137.85 At a point 145 feet north of the last named point - 135.35 At the intersection of the centerlines of the north-south leg and the east-west leg - 129.00

East-West Leg:

At the west line of North 37th Street - 128.20 At a point 90 feet west of the last named point - 129.40 At the intersection of the centerlines of the east-west leg and the north-south leg - 129.00 At the east line of North 38th Street - 128.00

28. On the flow line of the alley between West Hadley Street, West Locust Street, North 9th Street and North 10th Street.

East-West Leg:

At the west line of North 9th Street - 102.00 At a point 9 feet west of the last named point - 101.60 At the intersection of the centerlines of the east-west and north-south legs - 103.00

North-South Leg:

At the intersection of the centerlines of the north-south and east-west legs - 103.00 At a point 127 feet north of the last named point - 104.00 At a point 290 feet north of the last named point - 101.00 At the south line of West Locust Street - 101.50

29. On the flow line of the alley between West Hadley Street, West Locust Street, North 78th Street and North 79th Street.

At the north line of West Hadley Street - 164.10 At a point 250 feet north of the last named point - 158.90 At a point 270 feet north of the last named point - 157.30 At a point 46 feet north of the last named point - 157.60 At the south line of West Locust Street - 158.25

30. On the flow line of the alley between West Hayes Avenue, West Lincoln Avenue, South 11th Street and South 12th Street (North-South Leg).

At the north line of West Hayes Avenue - 50.65 At a point 5 feet north of the last named point - 50.45 At a point 70 feet north of the last named point - 53.10 At a point 125 feet north of the last named point - 54.60 At the intersection of the centerlines of the north-south and east-west legs - 53.40

31. On the flow line of the alley between West Hayes Avenue, West Windlake Avenue, South 17th Street and South 18th Street (East-West Leg).

At the west line of South 17th Street - 64.60 At a point 78 feet west of the last named point - 70.00 At the intersection of the centerlines of the east-west and north-south legs - 71.00 At a point 37 feet west of the last named point - 71.20 At a point 88 feet west of the last named point - 70.00 At the east line of South 18th Street - 67.40

32. On the flow line of the alley between West Keefe Avenue, West Nash Street, North 21st Street and North 22nd Street.

East-West Leg:

At the west line of North 21st Street - 116.40 At a point 5 feet west of the last named point - 116.25 At a point 35 feet west of the last named point - 118.50 At the intersection of the centerlines of the east-west leg and the north-south leg - 122.00 At a point 68 feet west of the last named point - 124.50 At the east line of North 22nd Street - 123.40

North-South Leg:

At the intersection of the centerlines of the north-south leg and the east-west leg - 122.00 At the north line of the east-west leg - 122.35 At a point 162 feet north of the last named point - 118.50 At a point 81 feet north of the last named point - 115.30 At a point 202.8 feet north of the last named point - 111.70 At the south line of West Nash Street - 108.30

33. On the flow line of the alley between West Keefe Avenue, West Nash Street, North 24th Place and North 25th Street (East-West Leg).

At the west line of North 24th Place - 97.90 At a point 45 feet west of the last named point - 95.60 At the intersection of the centerlines of the east-west leg and the north-south leg - 92.25 At a point 122.50 feet west of the last named point - 90.80 At the east line of North 25th Street - 91.00

34. On the flow line of the alley between West Lapham Boulevard, West Orchard Street, South 15th Place and South 15th Street.

North-South Leg:

At the north line of West Lapham Boulevard - 49.80 At a point 20 feet north of the last named point - 48.20 At a point 120 feet north of the last named point - 50.00 At the intersection of the centerlines of the north-south and east-west legs - 53.70

East-West Leg:

At the west line of South 15th Street - 49.00 At a point 7 feet west of the last named point - 48.50 At the intersection of the centerlines of the east-west and north-south legs - 53.70 At a point 75 feet west of the last named point - 55.00 At the east line of South 15th Place - 54.50

35. On the flow line of the alley between West Locust Street, West Richmond Avenue, North 61st Street and North 64th Street.

At the west line of North 61st Street - 193.80 At a point 47 feet m/l west of the last named point - 192.80 At a point 330 feet west of the last named point - 195.40 At a point 180 feet west of the last named point - 202.30 At the east line of North 64th Street - 204.95

36. On the flow line of the alley between West Manitoba Street, West Oklahoma Avenue, South 12th Street and South 13th Street.

At the north line of West Oklahoma Avenue - 64.90 At a point 10 feet north of the last named point - 64.00 At a point 350 feet north of the last named point - 65.90 At a point 228 feet north of the last named point - 63.90 At the south line of West Manitoba Street - 64.00

37. On the flow line of the alley between West Manitoba Street, West Oklahoma Avenue, South 40th Street and South 41st Street.

East-West Leg:

At the west line of North 40th Street - 109.00 At the intersection of the centerlines of

the east-west and north-south legs - 111.50 At a point 96 feet west of the last named point - 113.00 At the east line of North 41st Street - 112.40

North-South Leg:

At the intersection of the centerlines of the north-south and east-west legs - 111.50 At a point 360 feet north of the last named point - 97.00 At a point 98 feet north of the last named point - 93.30 At the south line of West Manitoba Street - 93.50

38. On the flow line of the alley between West Maple Street, West Mitchell Street, South 9th Street and South 10th Street.

North-South Leg:

At the north line of West Maple Street - 56.90 At the intersection of the centerlines of the north-south and east-west legs - 57.35 At a point 110 feet north of the last named point - 59.45

East-West Leg:

At the intersection of the centerlines of the east-west and north-south legs - 57.35 At the east line of South 10th Street - 59.00

39. On the flow line of the alley between West Meinecke Avenue, West North Avenue, North 55th Street and North 56th Street.

At the west line of North 55th Street - 184.40 At a point 10 feet west of the last named point - 183.70 At the east line of North 56th Street - 188.20

40. On the flow line of the alley between West Meinecke Avenue, West Wright Street, North 49th Street and North 50th Street.

At the north line of West Meinecke Avenue - 154.30 At a point 85 feet north of the last named point - 150.50 At a point 140 feet north of the last named point - 149.10 At a point 225 feet north of the last named point - 147.95 At a point 112.5 feet north of the last named point - 147.65 At the south line of West Wright Street - 148.25

41. On the flow line of the alley between West Nash Street, North 9th Street and the North-South Freeway.

At a point 100 feet m/l east of the east line of North 9th Street (being the west line of the North-South Freeway) - 131.50 At the east line of North 9th Street - 135.80

42. On the flow line of the alley between West National Avenue, West Walker Street, South 3rd Street and South 4th Street.

At the north line of West Walker Street - 21.70 At a point 6 feet north of the last named point - 21.40 At a point 144 feet north of the last named point - 23.10 At a point 145 feet north of the last named point - 21.60 At the south line of West National Avenue - 21.90

43. On the flow line of the alley between West Sheridan Avenue, West Silver Spring Drive, North 33rd Street and North 34th Street.

At the north line of West Sheridan Avenue - 87.60 At a point 10 feet north of the last named point - 87.30 At a point 20 feet north of the last named point - 87.70 At a point 300 feet north of the last named point - 89.90 At a point 120 feet north of the last named point - 91.10 At a point 75 feet north of the last named point - 89.90 At a point 10 feet north of the last named point - 89.40 At the south line of West Silver Spring Drive - 89.50

44. On the flow line of the alley between West Sheridan Avenue, West Silver Spring Drive, North 36th Street and North 37th Street.

At the north line of West Sheridan Avenue - 85.60 At a point 25 feet north of the last named point - 85.20 At a point 225 feet north of the last named point - 86.40 At a point 50 feet north of the last named point - 86.00 At a point 200 feet north of the last named point - 87.20 At a point 10 feet north of the last named point - 87.50 At the south line of West Silver Spring Drive - 89.30

45. On the flow line of the alley between West Sheridan Avenue, West Silver Spring Drive, North 39th Street and North 40th Street.

At a point 420 feet south of the south line of West Silver Spring Drive - 100.50 At the south line of West Silver Spring Drive - 104.00

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

4) [981320](#) An ordinance establishing or altering and establishing the widths of sidewalk areas (by

drawings) on various streets in the City of Milwaukee. (Infrastructure Services Div.)

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

The widths of the sidewalk areas, roadways and center plots of the following streets in the City of Milwaukee are established or altered and established in accordance with drawings attached to this file and on file in the City Clerk's office.

1. East Howard Avenue from a point 195 feet east of the east line of South Howell Avenue to the east line of South Howell Avenue.
2. West Lapham Street from South 17th Street to South Pearl Street.
3. West Tower Avenue from North 76th Street to a point 650 feet m/l west of North 76th Street.
4. South 8th Street from a point 360 feet m/l south of West Harrison Avenue to a point 200 feet m/l south of West Harrison Avenue (Structure Removal Including Approach Work over the Kinnickinnic River).
5. South 9th Street from a point 240 feet m/l south of West Harrison Avenue to a point 90 feet south of West Harrison Avenue (Structure Removal Including Approach Work over the Kinnickinnic River).
6. South 10th Street over the Kinnickinnic River (Structure Removal Including Approach Work).
7. South 12th Street over the Kinnickinnic River (Structure Removal Including Approach Work).
8. South 14th Street over the Kinnickinnic River (Structure Removal Including Approach Work).
9. South 21st Place from West Lincoln Avenue to a point north of West Lincoln Avenue.
10. North 61st Street from West Appleton Avenue to West Chambers Street.
11. North 99th Street from West Appleton Avenue to West Carmen Avenue.

Sponsors: THE CHAIR

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

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

No: 1 - Henningsen

Excused: 2 - Pratt Johnson-Odom

ADOPTION OF THE FOLLOWING:

5) Substitute resolutions granting/amending various special privileges:

a) [980410](#) Substitute resolution amending a special privilege granted to Albert I. Becker and Mrs. Sylvia Blankstein to construct and maintain an enclosed basement entrance stairwell located in the public right-of-way adjacent to the building located at 4131 West Capitol Drive, to now change the name of the grantees of the special privilege to Nasser and Zuheir Abdallah, in the 10th Aldermanic District in the City of Milwaukee. Whereas, Albert I. Becker and Mrs. Sylvia Blankstein were granted a special privilege under Common Council Resolution File Number 69-3004, on April 28, 1970, to construct and maintain an enclosed basement entrance stairwell to the building at 4131 West Capitol Drive; and

Whereas, The current owners of the property are Nasser and Zuheir Abdallah and should now be named as the grantees of the special privilege; and

Whereas, The structure may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 69-3004 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Nasser and Zuheir Abdallah, 4131 West Capitol Drive, Milwaukee, WI 53216, are hereby granted the following special privilege:

To keep and maintain an enclosed basement entrance stairwell to the store at 4131 West Capitol Drive located in the sidewalk area between the property line and the curb, on the east side of North 42nd Street. The enclosure encroaches approximately 4 feet into the public right-of-way, beginning at a point approximately 4 feet south of the southline of West Capitol Drive and extends south for a distance of approximately 21 feet.

Said building enclosure shall be maintained to the satisfaction of the Commissioners of Public Works and Building Inspection.

Said item shall be removed from the public right-of-way, at such future time that it is no longer needed, to the satisfaction of the Commissioners of Public Works and Building Inspection.

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Nasser and Zuheir Abdallah, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas

included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$220.25. 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 Building Inspection 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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

- b) [980952](#) Substitute resolution amending a special privilege granted to Artistic Plating Company, Inc. to install and maintain a drawbridge-type loading platform and a door swing projection which, encroach into the public rights-of-way adjacent to their property located at 428 West Vliet Street, to now grant permission for two raised planter areas and an additional door swing projection to encroach into the public right-of-way at the same location, in the 6th Aldermanic District in the City of Milwaukee.

Whereas, Artistic Plating Company, Inc., was granted a special privilege under Common Council Resolution File Number 80-468, on July 29, 1980, to install and maintain a drawbridge-type loading platform and a door swing projection which encroach into the public rights-of-way at 428 West Vliet Street; and

Whereas, Artistic Plating, Inc. now desires to keep two existing raised planter areas, which encroach into the public right-of-way, and an exterior swinging door, which, when fully opened, encroaches into the public way by more than the 12-inches allowable by Section 245-4-8 of the Code of Ordinances; and

Whereas, The loading platform, landscape areas and door swing projections may only occupy the public rights-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 80-468 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Artistic Plating Company, Inc., 405 West Cherry Street, Milwaukee, WI 53212, is hereby granted the following special privileges:

1. To keep and maintain two raised planter areas surrounded by railroad ties in the public way on the north side of West Vliet Street adjacent to 428 West Vliet Street. Planters of 30 feet and 10 feet in length are centered at distances of approximately 121 and 145 feet east of the eastline of North 5th Street, respectively. The two planters are elevated to a maximum of 14 inches above the sidewalk grade and encroach approximately 6 feet into the public right-of-way. Said planters contain a

variety of plant and landscape material.

2. To keep, use and maintain a 7-foot by 11-foot wide drawbridge-type loading platform on the east side of the building at 428 West Vliet Street, located adjacent to the north-south alley in the block bounded by West Cherry Street, West Vliet Street, North 4th Street and North 5th Street. Said platform is entirely on private property when closed, but shall extend no further than 11 feet into the 20-foot wide public alley, when in use, for the purpose of loading and unloading trucks. The platform is centered approximately 55 feet north of the northline of West Vliet Street.

3. To keep and maintain two 40-inch wide doors on the south side of the building at 428 West Vliet Street, which when fully open, project approximately 34 inches into the 15-foot wide public sidewalk area on the north side of West Vliet Street. Said doors are centered approximately 104 and 138 feet east of the eastline of North 5th Street.

Said items shall be constructed, used and maintained to the satisfaction of the Commissioners of Public Works and Building Inspection. All required permits shall be procured. Said items shall be removed from the public rights-of-way at such future time that they are no longer needed, to the satisfaction of the Commissioners of Public Works and Building Inspection.

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Artistic Plating Company, Inc., shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$3,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$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 Building Inspection 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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

- c) [980977](#) Substitute resolution amending a special privilege granted to John Greidanus d/b/a Trendex Enterprises LLC, to use and maintain a concrete ramped entrance for wheelchair access in the public right-of-way adjacent to the property located at 632-34 West Historic Mitchell Street, to now change the name of the grantee of the special privilege to Eric W. Zuehlke, in the 12th Aldermanic District in the City of Milwaukee.

Whereas, Trendex Enterprises, LLC, was granted a special privilege under Common Council Resolution File Number 971489, on February 10, 1998, to use and maintain a concrete platform and ramped entrance for barrier-free access encroaching into the public right-of-way on the east side of South 7th Street adjacent to the building at 632-34 West Historic Mitchell Street; and

Whereas, The current owner of the building is Eric W. Zuehlke and should now be named as the grantee of the special privilege; and

Whereas, The concrete ramped entrance with platform and steps may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 971489 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Eric W. Zuehlke, P. O. Box 511526, Milwaukee, WI 53203-0261, is hereby granted the following special privilege:

To keep, use and maintain an approximate 31-foot long and 5-foot wide concrete ramp, platform and steps with metal handrail on the east side of South 7th Street adjacent to the property known as 632-34 West Historic Mitchell Street. Said concrete ramp, platform and steps begin at a point approximately 41 feet north of the northline of West Mitchell Street and extend north for a distance of approximately 31 feet to a point approximately 72 feet north of the northline of West Historic Mitchell Street. Said encroachment is approximately 5 feet into the 15-foot wide fully concrete paved public sidewalk area, leaving approximately 10 feet for pedestrian usage. Said ramp, platform and steps abut the building in such a manner that their use does not infringe upon the paved concrete public sidewalk nor interfere with through pedestrian movement at any time.

Said concrete ramp, platform and steps with metal handrail shall be constructed, used and maintained to the satisfaction of the Commissioners of Public Works and Building Inspection.

Said items shall be removed from the public right-of-way, at such future time that they are no longer needed, to the satisfaction of the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Eric W. Zuehlke, 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 \$75.33. 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 Building Inspection 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: 16 - Pratt, Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 1 - Johnson-Odom

- d) [980979](#) Substitute resolution granting a special privilege to Jon Isakson d/b/a T&S Automotive to keep and maintain five groundwater monitoring wells in West Forest Home Avenue, West Oklahoma Avenue and South 45th Street in the vicinity of 4440 West Forest Home Avenue, in the 11th Aldermanic District in the City of Milwaukee. Whereas, It has been deemed necessary to conduct an environmental assessment for a site located at 4440 West Forest Home 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, five locations need to be located within the public rights-of-way for extended periods of time; and

Whereas, These five monitoring wells may only legally remain in the public rights-of-way by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the City of Milwaukee, that Jon Isakson d/b/a T&S Automotive, 4440 West Forest Home Avenue, Milwaukee, WI 53219, is hereby granted the following special privilege:

To keep and maintain five flush-mounted monitoring wells in the vicinity of 4440 West Forest Home Avenue located as follows: two monitoring wells are located on West Forest Home Avenue approximately 44 and 45 feet south of the northline of West Forest Home Avenue and 31 and 188 feet east of the eastline of South 45th Street, respectively; two monitoring wells are located on West Oklahoma Avenue approximately 7 and 6 feet south of the northline of West Oklahoma Avenue and 5 and 74 feet east of the eastline of South 45th Street, respectively; one monitoring well is located on South 45th Street approximately 15 feet south of the southline of West Oklahoma Avenue and 20 feet east of the westline of South 45th Street.

These monitoring wells shall be maintained and used/removed to the satisfaction of the Commissioners of Public Works and Building Inspection in accordance with the City of Milwaukee Building Codes and Zoning Ordinances. All necessary permits shall be obtained from the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Jon Isakson d/b/a T&S Automotive, 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 Building Inspection shall have the authority to seek, by resolution, revocation of said special privilege.

7. Place on file with the Department of Public Works (DPW) a signed "CONSENT TO ENTER ONTO PUBLIC RIGHT OF WAY FOR ENVIRONMENTAL ASSESSMENT" form along with the required documentation at the time of application for a DPW permit.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- e) [980980](#) Substitute resolution amending a special privilege granted to Emro Marketing Company to keep and maintain three groundwater monitoring wells in North 76th

Street near 7535 West Burleigh Street, to now change the name of the grantee of the special privilege to Speedway Super America, LLC, in the 2nd Aldermanic District in the City of Milwaukee.

Whereas, Emro Marketing Company was granted a special privilege under Common Council Resolution File Number 902023, adopted on May 14, 1991, to keep and maintain three groundwater monitoring wells in the public right-of-way of North 76th Street; and

Whereas, The current owner of the property is Speedway Super America, LLC, and should now be named as the grantee of the special privilege; and

Whereas, These three monitoring wells 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 Common Council Resolution File Number 902023 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Speedway Super America, LLC, 1900 West 174th Street, East Hazelcrest, IL 60429, is hereby granted the following special privilege:

To keep and maintain three flush-mounted monitoring wells in the vicinity of 7535 West Burleigh Street located approximately as follows: 65 feet west of the eastline of North 76th Street and 85 feet south of the southline of West Burleigh Street; 13 feet west of the eastline of North 76th Street and 215 feet south of the southline of West Burleigh Street; 13 feet west of the eastline of North 76th Street and 350 feet south of the southline of West Burleigh Street. Said wells shall extend to a point approximately 20 feet below grade.

These monitoring wells shall be maintained and used/removed to the satisfaction of the Commissioners of Public Works and Building Inspection in accordance with the City of Milwaukee building Codes and Zoning ordinances. All necessary permits shall be obtained from the City of Milwaukee Commissioners of Public Works and Building Inspection;

;and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Speedway Super America, 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 Building Inspection 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 North 76th Street, and shall be undertaken at no cost to 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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

- f) [981033](#) Substitute resolution granting a special privilege to Jansen Group, Inc. for a protective concrete enclosure around an existing telephone pedestal to encroach into the public right-of-way of West Bradley Road adjacent to the premises at 8355 West Bradley Road, in the 9th Aldermanic District in the City of Milwaukee.

Whereas, Jansen Group, Inc. proposes to place a protective concrete enclosure around an existing telephone pedestal partially encroaching into the public right-of-way on the south side of West Bradley Road, near a driveway entrance to the premises at 8355 West Bradley Road; and

Whereas, Encroachment of the protective enclosure in the public right-of-way can only be allowed through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Jansen Group, Inc., 8355 West Bradley Road, Milwaukee, Wisconsin 53233, is hereby granted the following special privilege:

To place, use and maintain a protective concrete enclosure around an existing telephone pedestal in the public right-of-way on the south side of West Bradley Road. Said enclosure is to be centered approximately 651 feet east of the eastline of North 86th Street and will encroach approximately 5 feet into the 16-foot wide sidewalk area. The 4-foot high, 7-foot 8-inch wide enclosure will be constructed of concrete with a spread footing located below grade, and will be used to hide/disguise and protect an existing telephone pedestal located on the adjacent property.

Said protective enclosure shall be placed, used and maintained to the approval of the Commissioners of Public Works and Building Inspection; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Jansen Group, Inc., shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000.00 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000

covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$49.52. 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 Building Inspection 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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

- g) [981123](#) Substitute resolution granting a special privilege to Bulk Petroleum Corporation to keep and maintain four groundwater monitoring wells in North 23rd Street and West Fond du Lac Avenue in the vicinity of 2306 West Fond du Lac Avenue, in the 7th Aldermanic District in the City of Milwaukee.

Whereas, It has been deemed necessary to conduct an environmental assessment for a site located at 2306 West Fond du Lac 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, four wells need to be located within the public rights-of-way for extended periods of time; and

Whereas, These four monitoring wells may only legally remain in the public rights-of-way by the granting of a special privilege by the Common Council; now, therefore, be it

Resolved, By the City of Milwaukee, that Bulk Petroleum Corp., Attn: Judy 9653 North Granville Road, Mequon, WI 53097-0710 is hereby granted the following special privilege:

To keep and maintain four flush-mounted monitoring wells in the vicinity of 2306 West Fond du Lac Avenue located as follows: three monitoring wells are located on North 23rd Street approximately 24, 50 and 109 feet north of the northline of West Fond du Lac Avenue and 4, 50 and 4 feet west of the westline of North 23rd Street, respectively; and one monitoring well is located on West Fond du Lac Avenue approximately 40 feet northwest of the westline of North 23rd Street and 62 feet southwest of the northline of West Fond du Lac Avenue.

These monitoring wells shall be maintained and used/removed to the satisfaction of the Commissioners of Public Works and Building Inspection in accordance with the City of Milwaukee Building codes and Zoning Ordinances. All necessary permits shall be obtained from the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Bulk Petroleum Corporation, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$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 Building Inspection 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 rights-of-way of North 23rd Street and West Fond du Lac Avenue and shall be undertaken at no cost to 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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

- h) [981125](#) Substitute resolution to grant a special privilege to Martin Luther King Commerce Center, LLC to construct and maintain a concrete ramped entrance for barrier-free access located in the public right-of-way adjacent to their property located at 2745 North Dr. Martin Luther King Jr. Drive, in the 6th Aldermanic District in the City of Milwaukee.

Whereas, Martin Luther King Commerce Center, LLC is desirous to construct a concrete ramped entrance to provide for barrier-free access to the building that is being renovated and in order to do this, the ramp is proposed to encroach into the

public right-of-way on the west side of North Dr. Martin Luther King Jr. Drive; and

Whereas, The concrete ramped entrance may only occupy the public right-of-way through the adoption of a special privilege resolution by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Martin Luther King Commerce Center, LLC, 2209 North Martin Luther King, Jr. Drive, Milwaukee, WI 53212, is hereby granted the following special privilege:

To construct and maintain an approximate 24-foot long and 4-foot 4-inch wide concrete ramp and platform with metal handrail on the west side of North Dr. Martin Luther King Jr. Drive adjacent to the property known as 2745 North Dr. Martin Luther King Jr. Drive. Said concrete ramp shall begin at a point approximately 19 feet north of the northline of West Christine Lane and encroach approximately 4-feet 4-inches into the public sidewalk area.

Said concrete ramp and platform with metal handrail shall be constructed, used and maintained to the satisfaction of the Commissioners of Public Works and Building Inspection. All required permits shall be procured from the Department of Public Works and the Department of Building Inspection prior to beginning construction. Said ramp with handrail shall be removed from the public right-of-way at such future time that it is no longer needed, to the satisfaction of the Commissioners of Public Works and Building Inspection.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Martin Luther King Commerce Center, 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 \$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 provided 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 Building Inspection 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: 15 - Kalwitz, D'Amato, Henningsen, Schramm, Gordon, Frank, Richards, Butler, Scherbert, Witkowiak, Pawlinski, Breier, Nardelli, Murphy Hines Jr.

No: 0

Excused: 2 - Pratt Johnson-Odom

- 6) [980960](#) Resolution requesting the Special Privilege Board to review and modify its special privilege annual fee schedule with respect to special privileges for historic properties. Whereas, Section 245-12 of the Milwaukee Code of Ordinances regulates the granting of special privileges by the Common Council; and
- Whereas, Section 245-12-3-c requires that the grantee of a special privilege pay an annual fee fixed by the Special Privilege Board, which consists of the mayor, the commissioner of public works and the city attorney; and
- Whereas, The Special Privilege Board adopted an updated special privilege annual fee schedule on January 27, 1993; and

Whereas, The Common Council endorsed this fee schedule when it adopted File Number 922103 on May 4, 1993; and

Whereas, On July 12, 1996, the Common Council adopted File Number 960259, a resolution granting a special privilege to Milwaukee Turners, Inc., to renovate and maintain a building entrance in the public right-of-way adjacent to the Turners' property at 1034 North 4th Street; and

Whereas, Milwaukee Turners, Inc., is required by File 960259 to pay an annual special privilege fee of \$611.69 for the encroachment of its entrance onto North 4th Street, even though the entrance has long been part of the Turners' building, which is listed on the National Register of Historic Places, and even though Milwaukee Turners, Inc., a non-profit organization, expended considerable financial resources on renovating its building in an historically sensitive manner; and

Whereas, The Common Council finds that it is inappropriate to apply the current special privilege annual fee schedule to properties listed on the National Register of Historic Places or to City-designated historic sites or structures, particularly when the encroachment for which the special privilege is required is an historic component of the property or structure; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Special Privilege Board is requested to review and amend its special privilege annual fee schedule to establish a new encroachment class and corresponding lower fees for properties listed on the National Register of Historic Places or designated as historic structures or sites by the City.

Sponsors: Ald. Henningsen

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

7) Resolutions to vacate:

a) [981001](#) Resolution to vacate approximately 13 feet from the 90 feet of right-of-way on the West side of South Pine Avenue from the North side of East Layton Avenue to a point 120 feet to the North, in the 13th Aldermanic District. (DCD)

Whereas, It is proposed that the approximately 13 feet from the 90 feet of

right-of-way on the West side of South Pine Avenue from the North side of East Layton Avenue to a point 120 feet North be vacated pursuant to the provisions of Section 66.297 of the Wisconsin Statutes; and

Whereas, This proposed right-of-way vacation has been reviewed in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the vacation of a portion of South Pine Avenue, as indicated by Exhibit "A", is vacated; and, be it

Further Resolved, That as provided by Section 80.32(4) of the Wisconsin Statutes, such vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said street and in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair of entrance, maintenance, construction, and repair with reference thereto shall continue as if such street had not been vacated.

Sponsors: Ald. Pawlinski

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- b) [981218](#) Resolution to vacate 3 feet of the East side of South Barclay Street, extending North of East Washington Street 129.5 feet, in the 12th Aldermanic District. (DCD)
- Whereas, It is proposed that 3 feet of the East side of South Barclay Street, extending North of East Washington Street 129.5 feet, be vacated pursuant to the provisions of Section 66.297 of the Wisconsin Statutes; and
- Whereas, This proposed street vacation has been reviewed in accordance with Section 81-308-28 of the Milwaukee Code of Ordinances; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the vacation of a portion of South Barclay Street, as indicated by Exhibit "A", is vacated; and, be it
- Further Resolved, That as provided by Section 80.32(4) of the Wisconsin Statutes, such vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any

underground structures, improvements or services, as enumerated or otherwise existing in said street and in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair of entrance, maintenance, construction, and repair with reference thereto shall continue as if such street had not been vacated.

Sponsors: Ald. Witkowiak

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 8) [981228](#) Resolution dedicating certain City-owned land, under the jurisdiction of the Board of School Directors, for public street purposes to widen North 44th Street (east-side) from West Center Street to a point 555.00 feet south, in the 7th Aldermanic District of the City of Milwaukee. (DPW-Infrastructure Services)

Whereas, The City of Milwaukee, under the jurisdiction of the Board of School Directors, is the owner of certain lands known as Washington High School; and

Whereas, To help alleviate a parking shortage around the school, the widening of a portion of North 44th Street between West Center Street and West Clarke Street has been added to the 1999 paving program to accommodate angle parking; now, therefore, be it

Resolved By the Common Council of the City of Milwaukee, that the following described City-owned land hereby is set aside and dedicated for public street purposes:

That part of Lots 14 through 27 inclusive in Block 9 of Second Continuation of Jackson Park, a recorded subdivision, in the Southeast 1/4 of Section 14, Township 7 North, Range 21 East, described as follows: Commencing at the northwest corner of Lot 27, thence Southerly, along the west line of Lots 27 through 14 inclusive, 555.00 feet to a point; thence Easterly to a point 10.00 feet easterly of, as measured normal to, said west line; thence

Northerly, parallel to said west line, to a point in the north line of Lot 27; thence Westerly, along said north line, to the point of commencement; and, be it

Further Resolved, That the City Comptroller is hereby directed to have a certified copy of this resolution recorded in the office of the Register of Deeds of Milwaukee County.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 9) [981266](#) 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:
- 3rd Aldermanic District
- E. North Ave. - N. Prospect Ave. to the Milwaukee River (842-0077-4): SPECIAL TREATMENT: Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work.
- 7th Aldermanic District
- N. 44th St. - W. Clarke St. to W. Center St. (Widening on E/S) (879-0896-7): Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work.
- 9th Aldermanic District
- N. Range Line Rd./N. 27th St. - W. Good Hope Rd. to N. Green Bay Ave. (892-0169-6): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work.
- 13th Aldermanic District
- E. Armour Ave. (S/S) - S. Austin St. to point East of S. Howell Ave. (839-0897-7): Laying concrete sidewalk. Doing all the necessary grading pertaining to said work.
- ;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.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 10) [981267](#) Resolution approving the report for public improvements on which Public Hearing requirements have been waived in S. 6th St. (E/S) in the 13th Aldermanic District. (Infrastructure Services Division)

Whereas, The Common Council of the City of Milwaukee adopted a preliminary resolution determining it necessary and in the public interest to construct and levy special assessments for the following improvements:

S. 6th St. (E/S) - W. Carpenter Ave. to W. Layton Ave. (878-0768-3) File Number 971960: Sodding and grading. Assessable Reconstruction Paving Fund 71-523-- -211-0001 -- \$2,000)

in the 13th Aldermanic District of the City of Milwaukee; and

Whereas, The report of the Commissioner of Public Works has been filed with the City Clerk; and

Whereas, Waivers of notice and hearing from the abutting property owners at 555 W. Layton Ave, 4876 S. 6th St. and 4930 S. 6th St. have been filed; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the report of the Commissioner of Public Works be approved; and, be it

Further Resolved, That said Commissioner of Public Works is authorized and directed to proceed with said work in accordance with said report pursuant to Section 66.60 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That the proper City departments take such action as is required of them to assess the abutting properties and collect such assessment in the manner directed by said Section 115-42; 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 purpose subaccount.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 11) [981268](#) Resolution to increase funding on previously approved nonassessable public improvement sewer project. (Infrastructure Services Division)
- Whereas, The Common Council of the City of Milwaukee on December 20, 1994, adopted File Number 941199 approving the authorized funding for a nonassessable sewer project, and
- Whereas, This funding resolution is still valid and provide necessary partial funding authorization for this sewer project, and
- Whereas, Obstructions have been encountered during the placement of the sewers; and
- Whereas, Additional funds must be authorized to undertake the following improvement:
- 12th Aldermanic District
- E./W. Mineral St. - S. 1st St. to S. Water St. (854-0003-1) File Number 941199: Relay combined sewer. (Nonassessable Relief and Relay Sewer Fund 31-523-- -171-0001 -- \$500,000)

;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 purpose subaccounts.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 12) [981299](#) Resolution declaring as surplus and authorizing the disposition of the improved, tax deed property located at 2605 West Juneau Avenue, in the 4th Aldermanic District. (DCD-Real Estate)

Whereas, The Neighborhood Improvement Development Corporation, a nonprofit organization, has offered to purchase said property for \$1.00 for affordable housing purposes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that 2605 West Juneau Avenue, Tax Roll Key No. 389-0932-0, is declared surplus and that the Department of City Development is authorized and directed to sell said property to the Neighborhood Improvement Development Corporation at a fixed price of \$1.00; 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. 02-211-2700; 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 Building Inspection Department or said property may revert back to the ownership of the City of Milwaukee upon action by the Common Council.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 13) [981330](#) Resolution approving a stipulation between the City of Milwaukee, the Wisconsin Department of Transportation and the C.P. Rail System (previously Soo Line Railroad) for the reconstruction and maintenance of the West Galena Street Structure over the C.P. Railway System tracks in the City of Milwaukee. (Infrastructure Services Div.)

Whereas, The Common Council of the City of Milwaukee adopted Resolution File Number 950846 on October 4, 1995 authorizing and directing the Commissioner of Public Works to execute a program agreement with the Wisconsin Department of Transportation (WISDOT) for programming the reconstruction of the West Galena Street Overpass structure of the C.P. Railway System with Federal and/or State Aid funds under the Local Bridge Replacement Program; and

Whereas, Negotiations have taken place between the C.P. Railway System and the WISDOT, acting on behalf of the City of Milwaukee, to negotiate a stipulation regarding the reconstruction and maintenance of the overpass structure; and

Whereas, The WISDOT has forwarded the stipulation document to the City of Milwaukee for approval and execution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the stipulation between the City of Milwaukee, the WISDOT and the C.P. Railway System, for the reconstruction and maintenance of the West Galena Street Overpass structure of the C.P. Railway System tracks located west of North 30th Street is hereby approved, a copy of which is attached to Common Council Resolution File Number 981330 and incorporated in this resolution by reference as though set forth there in full; and, be it

Further Resolved, That minor revisions to the stipulation that do not change the intent of the stipulation are hereby authorized and approved; and, be it

Further Resolved, That the proper City officials are hereby authorized and directed to execute said stipulation.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 14) [981332](#) Resolution relative to the 1999 Capital Improvement Program to provide funds for traffic signal and sign work at various locations.
- Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is hereby authorized and directed to modify and/or install traffic control signals and traffic control signs in conjunction with changing traffic needs and paving projects at various locations; and, be it
- Further Resolved, That the Comptroller's Office is authorized and directed to transfer the following amounts from the Traffic Control Facilities' budget, Account Number ST22090000, to the general purpose sub-accounts indicated, said amounts being a portion of the funds authorized (as shown) for the purpose indicated:
- Preliminary Engineering and Drafting
Account Number ST22090100
Funds Transferred \$4,000
1999 Funds Authorized \$10,000
- Miscellaneous Traffic Signal Modifications,
Non-Paving
Account Number ST22090200
Funds Transferred \$45,000
1999 Funds Authorized \$145,000
- Traffic Signal Reconstruction with Paving
Account Number ST22090300
Funds Transferred \$10,000 1999
Funds Authorized \$95,000
- Traffic Signal Interconnect
Account Number ST22090400
Funds Transferred \$1,000
1999 Funds Authorized \$5,000
- Miscellaneous Traffic Signs with Paving
Account Number ST22090500
Funds Transferred \$10,000

1999 Funds Authorized \$60,000

Traffic Control Signs

Account Number ST22090600

Funds Transferred \$50,000

1999 Funds Authorized \$85,000

Total Funds Transferred \$120,000

Total 1999 Funds Authorized \$400,000

;and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer additional funds as required without further Common Council authorization, the total amount of such additional transfer shall not exceed the amount authorized in the 1999 Traffic Control Facilities budget.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 15) [981335](#) Resolution to remove obstructions from streets and alleys on the 1999 Paving Program. (Infrastructure Services Div.)

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be and hereby is authorized and directed to notify the owners of the premises abutting where obstructions exist on streets and alleys which the Common Council approves for improvement during 1999, and for said owners to remove said obstructions within thirty (30) days; and, be it

Further Resolved, That upon failure of the owners to remove said obstructions within said thirty (30) day period, the Commissioner of Public Works is hereby authorized and directed to remove the same and assess the cost thereof against the owners of the abutting property.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 16) [981336](#) Resolution regarding the removal or reconstruction of encroachments, projections, and special privileges on streets and alleys on the 1999 paving program. (Infrastructure Services Div.)
- Resolved, By the Common Council of the City of Milwaukee, that under Section 66.045 of the Wisconsin Statutes, Section 7.05 of the Milwaukee City Charter and Section 245-3 of the Milwaukee Building Code and amendments thereto, all special privileges and permits for projections and encroachments on streets and alleys on which the Common Council approves for improvement during 1999 whether granted as provided by law or otherwise exercised, are hereby cancelled to the extent necessary to accomplish the construction or reconstruction, of said streets and alleys, and the Commissioner of Public Works is hereby authorized and directed to notify the owners of the premises abutting such special privileges, encroachments, and projections, to alter, as may be necessary, or to remove the same within thirty (30) days; and, be it

Further Resolved, That upon failure of the owner or owners to alter or remove said special privileges, encroachments, and projections on the streets and alleys above-mentioned within said thirty (30) day period, the Commissioner of Public Works is hereby authorized and directed to remove and fill in the same, either by contract or by City forces, and assess the cost thereof against the owner or owners of the abutting property.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 17) [981337](#) Resolution relative to the 1999 Capital Improvement Program to provide funds for street lighting work at various locations. (Infrastructure Services Div.)
- Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is hereby authorized and directed to modify and/or install street lighting at various locations; and, be it

Further Resolved, That the Comptroller's Office is authorized and directed to transfer the following amounts from the Street Lighting budget, Account Number ST24090000, to the general purpose sub-accounts indicated, said amounts being a portion of the funds authorized (as shown) for the purpose indicated:

General Engineering
Account Number ST24090100
Funds Trans. \$140,000
1999 Funds Authorized \$140,000

Substation Repair
Account Number ST24090200
Funds Trans. \$140,000 1999
Funds Authorized \$140,000

Substation Enclosure Maintenance
Account Number ST24090300
Funds Trans. \$10,000
1999 Funds Authorized \$10,000

Street Lighting Related to Paving
Account Number ST24090400
Funds Trans. \$2,850,000
1999 Funds Authorized \$3,225,000

Convert Street and Alley Lighting
Account Number ST24090500
Funds Trans. \$375,000
1999 Funds Authorized \$375,000

Remove Overhead Street Lighting
Account Number ST24090600
Funds Trans. \$170,000
1999 Funds Authorized \$170,000

Remove Series Circuitry
Account Number ST24090700
Funds Trans. \$260,000
1999 Funds Authorized \$260,000

Pole, Cable & Misc. Replacement
Account Number ST24090800

Funds Trans. \$190,000
1999 Funds Authorized \$190,000

Total Funds Trans. \$4,135,000
Total 1999 Funds Authorized \$4,510,000

;and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer additional funds as required without further Common Council authorization, the total amount of such additional transfer shall not exceed the amount authorized in the 1999 Street Lighting budget.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Johnson-Odom

- 18) [981338](#) Resolution authorizing and directing the Commissioner of Public Works to execute an agreement with the Wisconsin Department of Transportation for funding for local street improvements under the Local Roads Improvement Program and authorizing the transfer of funds from the Street Improvement - State and/or Federal Aid Program to the Street Reconstruct or Resurface Program - Regular City Program. (Infrastructure Services Div.)

Whereas, State Statute 86.31 establishes a Local Roads Improvement Program (LRIP) to provide up to 50% reimbursement by the State of eligible costs for local street improvements; and

Whereas, Section 86.31 provides entitlement for county trunk highway, town road and city and village street improvements; and

Whereas, In 1999, under the LRIP Program the City of Milwaukee is entitled to receive reimbursement up to a maximum amount of \$309,296 for local street improvements; and

Whereas, In accordance with TRANS 206, the administrative rule relating to the LRIP Program, project applications to the Wisconsin Department of Transportation (WISDOT) have been submitted to apply for the City's entitlement; and

Whereas, WISDOT has provided us a State/Municipal Agreement for our execution for reimbursement funding under the LRIP Program; and

Whereas, The local street improvement projects shown are potential projects which are anticipated for funding under the LRIP Program, however, the actual projects will be approved through future Common Council actions; and

Whereas, Funds for projects to be undertaken under the LRIP program were originally budgeted in the Street Improvement - State and/or Federal Aid Program Fund in the 1999 Capital Improvement Program (Fund 32 and Fund 71); and

Whereas, It is advantageous and necessary that these funds be transferred to the Street Reconstruct or Resurface Program - Regular City Program (Fund 31 and Fund 71); 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 execute an agreement with the WISDOT for funding for local street improvements under the LRIP Program, a copy of which is attached to Common Council Resolution File Number 981338, and is incorporated into this resolution by reference as though set forth in full; and, be it

Further Resolved, That upon execution of the Agreement, the Commissioner of Public Works shall proceed to undertake local street improvements for funding under the LRIP Program; and, be it

Further Resolved, That upon completion of the LRIP Program projects, the Commissioner of Public Works shall submit the Request for Reimbursement to the WISDOT for these projects; and, be it

Further Resolved, That the City Comptroller is hereby authorized to transfer appropriations to Infrastructure Services Division Account Number 31-211-0001, Street Reconstruct or Resurface Program - Regular City Program and 31-211-0000, Street Reconstruction-Budget Authorized Borrowing from the accounts as follows for the LRIP Program;

Infrastructure Services Division Account

Grantor's Share	Cost
Account Number	
32-010-0000	\$309,296

Major Streets	Cost
Improvement -	

Authorized Borrowing
Account Number
32-550-0001 \$206,000

;and, be it

Further Resolved, That the Comptroller is authorized to transfer the associated estimated revenues as required to Fund 31 as follows:

Grantor's Share Cost
Account Number
32-010-0090 \$309,296

Bonds or Notes Cost
Authorized
Released
Account Number
32-550-0096 \$206,000

;and, be it

Further Resolved, that the City Comptroller is hereby authorized to transfer \$103,296 to Infrastructure Services Division Account Number 71-211-0001, Street Reconstruct or Resurface program - Regular City Program (Assessable) from the Major Streets Improvement, State-Federal Urban Aid Parent Account Number 71-550-0001; and, be it

Further Resolved, That only project contractual expenditures are to be billed toward the LRIP program grant amount; and, be it

Further Resolved, That the City Comptroller will make a memorandum entry at the completion of the LRIP program projects to record the transaction back to the Street Improvement - State and/or Federal Aid Program for grant audit purposes.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

19) [981370](#) Resolution relative to allocating funds for the 1999 Recreation Facilities Construction Program in various Aldermanic Districts (Buildings and Fleet Division).

Whereas, An appropriation of \$550,000 for neighborhood recreation facilities is included in the 1999 Permanent Improvement Budget of the City of Milwaukee, based on a detailed recommendation of the Recreational Facilities Unit of the Buildings and Fleet Division; and

Whereas, This recommended report was prepared with the cooperation and advice of the Department of Schools and Community Services of the Board of School Directors; and

Whereas, It is in the best interests of the City to prepare the plans, purchase materials, and do other work necessary for the improvement of these recreation facilities as quickly as possible to ensure early construction during 1999; 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 proceed with the construction of the recreation facilities under the 1999 Capital Improvements Program, using City forces wherever the best interests of the City will be served, or letting contracts for the work if in the best interests of the City, with the cost of such work to be charged to the respective recreation facility fund provided for that purpose; and be it

Further Resolved, That the City Comptroller be and hereby is authorized and directed to make allocations for 1999 from Account #31-051-0001 to the recreation facility accounts of the Capital Improvements Fund in the amounts as hereinafter stated:

1999 Recreational Facilities Capital Improvement Budget

Fund	Description	Estimated Cost
31-055-1001	Miscellaneous Engineering	\$ 25,000
	Engineering costs for miscellaneous studies and reports	
31-055-1084	Various Recreation Facility Improvements	\$ 58,000
	Minor but necessary improvements to non- programmed recreation facilities	

31-055-1155 Brinton Playfield \$ 15,000
Reconstruct children's play area

31-055-1156 1999 DPW Play Area Reconstruction \$177,000
1st and Wright - 2470 North 1st Street
66th and Port - 6440 West Port Avenue
Dyer Playfield - 201 North 80th Street

31-055-1157 1999 School Play Area Reconstruction \$275,000
27th Street School - 312 North 27th Street
Curtin School - 3450 South 32nd Street
Lee School - 921 West Meinecke Avenue
River Trail School - 2021 West Florist Avenue
Thoreau School - 7878 North 60th Street

TOTAL \$550,000

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

20) [981373](#) Resolution approving a lease agreement with Sprint Spectrum, L. P., for the placement of personal communications services antennas at the Hawley Road Water Tower.

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, Said resolution also designated the Department of Administration Information Resource Manager as its sole negotiating agent for marketing City-owned sites to communication services vendors; and

Whereas, The Information Resource Manager has been working with the Water Works Division, the Police Department and the City Attorney's Office to negotiate a lease agreement with Sprint Spectrum, L. P., for the Hawley Road Water Tower for the placement of personal communications services (PCS) antennas; 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 Sprint Spectrum, L. P., 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: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 21) [981376](#) Resolution authorizing and directing the Commissioner of Public Works to execute a document titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the City's preliminary engineering time to provide local coordination and to review State plans for the construction of USH 41/45 and STH 100/145 (North Interchange). (Infrastructure Services Div.)

Whereas, The Wisconsin Department of Transportation (WISDOT) is undertaking the reconstruction and reconfiguration of USH 41/45 and STH 100/145 (North Interchange) with 100% State funds; and

Whereas, Preliminary approval for City preliminary engineering time to provide local coordination and to review State plans has been requested and received from the WISDOT along with an agreement to be executed by the City of Milwaukee at no cost to the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized and directed to execute the agreement for preliminary engineering time to provide local coordination and review State plans for the construction of USH 41/45 and STH 100/145 (North Interchange) at no cost to the City, a copy of which is attached to Common Council Resolution File Number 981376, and is incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the City Comptroller is hereby authorized to create within the

Capital Improvement Fund, Grant and Aid projects, the necessary accounts for preliminary engineering for this project (Expenditure and Revenue) 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 amount reserved for the Grantor's share and local share or \$5,000, whichever is greater, and to transfer the corresponding offsetting estimated revenue as follows:

Infrastructure Services Division Account

City's Share

Account No.

ST32090000 -0-

Grantor's Share

Account No.

SP03290100 \$50,000

Estimated Total \$50,000

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

- 22) [981392](#) Resolution authorizing the transfer of \$8,104,980 from the Milwaukee Water Works Capital Improvement Fund to the Milwaukee Water Works Operations and Maintenance Fund. (Milwaukee Water Works)
- Whereas, It is anticipated that, by the end of 1998, the amount of cash available in the Milwaukee Water Works Operations and Maintenance Fund will be insufficient to cover debt service costs; and
- Whereas, The amount of cash available in the Milwaukee Water Works Capital Improvement Fund is adequate to meet the projected cash shortfall in the Operations and Maintenance Fund; and
- Whereas, The City Attorney has determined that the Water Works Capital Improvement Fund is a legal cash revenue source for the Water Works Operations and Maintenance Fund, provided the City Comptroller is authorized by Common Council resolution to make the appropriate fund transfer; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Comptroller is authorized and directed to transfer \$8,104,980 in cash from the Milwaukee Water Works Capital Improvement Fund (account number 42-999-2780) to the Milwaukee Water Works Operations and Maintenance Fund (account number 41-999-2780), said funds to be used to make up an anticipated shortfall of cash in the Operations and Maintenance Fund needed to cover debt service costs.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom

[981340](#)

Resolution authorizing the Commissioner of Public Works to issue an excavation permit on pavement less than three years old in North Franklin Place at a point approximately 50 feet north of East Ogden Avenue for the purpose of installing a sanitary sewer lateral. (DPW)

Whereas, The Mandel Group, Inc., developer of an apartment project in the block of East Ogden, proposes to install a sewer lateral in North Franklin Place at a point approximately 50 feet north of East Ogden Avenue; and

Whereas, An open cut method of installation is required; and

Whereas, This open cut will affect pavement less than three years old and subject to a pavement guarantee; and

Whereas, The Mandel Group, Inc., desires to install the sewer lateral prior to the expiration of the pavement guarantee to provide sewer service to a new building now under construction; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is hereby authorized and directed to issue an excavation permit to allow the installation of a sewer lateral in guaranteed pavement on North Franklin Place; and, be it

Further Resolved, That the pavement restoration of the affected street shall be accomplished in accordance with the specifications and restrictions established by the Department of Public Works of the City of Milwaukee.

Sponsors: THE CHAIR

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

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

No: 0

Excused: 1 - Johnson-Odom

THE STEERING & RULES COMMITTEE RECOMMENDS:

APPROVAL OF THE FOLLOWING:

- 1) [981283](#) Motion authorizing Central City Cyberschool of Milwaukee to operate a Milwaukee Common Council charter school and approving the proposed charter school contract. Whereas, The state charter school statute, s. 118.40, Wis. Stats., and the charter school ordinance, chapter 330, Milw. Code, authorize the Common Council to grant authority to operate a Milwaukee Common Council charter school to applicants who meet the requirements of the statute and ordinance; and

Whereas, Central City Cyberschool of Milwaukee has applied to operate a Milwaukee Common Council charter school as authorized under the Milwaukee charter school ordinance, chapter 330, Milw. Code, and the Wisconsin charter school statute, s. 118.40, Wis. Stats.; and

Whereas, The charter school review committee has made a written, positive finding for the applicant for all factors described under s. 330-15, Milw. Code, and has recommended that the Common Council grant the application to operate a Milwaukee Common Council charter school; and

Whereas, The City Attorney has negotiated a proposed 5-year charter school contract with the applicant and that proposed contract is attached to this file; now, therefore

It is moved, By the Common Council of the City of Milwaukee, that the Common Council approves the charter school review committee's recommendation and authorizes Central City Cyberschool of Milwaukee to operate a Milwaukee Common Council charter school beginning with the 1999-2000 school year; and

It is further moved, That the Common Council approves the proposed charter school 5-year contract submitted by the City Attorney and authorizes and directs the appropriate city officials to execute the contract substantially in the form attached to this file, with such revisions as may be required by the City Attorney.

Sponsors: Ald. Gordon

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

Aye: 9 - Pratt, Kalwitz, Henningsen, Gordon, Frank, Witkowiak, Pawlinski, Murphy Hines Jr.

No: 7 - D'Amato, Schramm, Richards, Butler, Scherbert, Breier Nardelli

Excused: 1 - Johnson-Odom

- 2) [981284](#) Motion authorizing the Young Women's Christian Association (YWCA) of Greater Milwaukee to operate a Milwaukee Common Council charter school and approving the proposed charter school contract.
- Whereas, The state charter school statute, s. 118.40, Wis. Stats., and the charter school ordinance, chapter 330, Milw. Code, authorize the Common Council to grant authority to operate a Milwaukee Common Council charter school to applicants who meet the requirements of the statute and ordinance; and
- Whereas, The Young Women's Christian Association (YWCA) of Greater Milwaukee has applied to operate a Milwaukee Common Council charter school as authorized under the Milwaukee charter school ordinance, chapter 330, Milw. Code, and the Wisconsin charter school statute, s. 118.40, Wis. Stats.; and
- Whereas, The charter school review committee has made a written, positive finding for the applicant for all factors described under s. 330-15, Milw. Code, and has recommended that the Common Council grant the application to operate a Milwaukee Common Council charter school; and
- Whereas, The City Attorney has negotiated a proposed 5-year charter school contract with the applicant and that proposed contract is attached to this file; now, therefore
- It is moved, By the Common Council of the City of Milwaukee, that the Common Council approves the charter school review committee's recommendation and authorizes the Young Women's Christian Association (YWCA) of Greater Milwaukee to operate a Milwaukee Common Council charter school beginning with the 1999-2000 school year; and
- It is further moved, That the Common Council approves the proposed charter school 5-year contract submitted by the City Attorney and authorizes and directs the appropriate city officials to execute the contract substantially in the form attached to this file, with such revisions as may be required by the City Attorney.

Sponsors: Ald. Gordon

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

Aye: 9 - Pratt, Kalwitz, Henningsen, Gordon, Frank, Witkowiak, Pawlinski, Murphy Hines Jr.

No: 7 - D'Amato, Schramm, Richards, Butler, Scherbert, Breier Nardelli

Excused: 1 - Johnson-Odom

3) [981357](#) Substitute motion to approve amending the charter school contract between the City and Downtown Montessori Academy, Inc.

Whereas, In Common Council File Number 980349, passed on July 24, 1998, the Common Council authorized Downtown Montessori Academy, Inc., to operate as a Common Council charter school and approved a 5-year contract between the City and Downtown Montessori Academy, Inc.; and

Whereas, The contract recognized that Downtown Montessori Academy, Inc., may seek to expand its charter school program, and required City approval of such expansion; and

Whereas, The Downtown Montessori Academy, Inc., now proposes to expand its program at both of its sites, that expansion has been approved by the charter school review committee and the City Attorney has approved amendments to the charter school contract, which are attached to this file; now, therefore

It is moved, By the Common Council of the City of Milwaukee, that the Common Council approves the proposed expansion of the charter school program of Downtown Montessori Academy, Inc.; and

It is further moved, That the Common Council approves the proposed amendments to the charter school contract submitted by the City Attorney and authorizes and directs the appropriate City officials to execute the amendments substantially in the form attached to this file, with such revisions as may be required by the City Attorney.

Sponsors: Ald. Gordon

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

Aye: 9 - Pratt, Kalwitz, Henningsen, Gordon, Frank, Witkowiak, Pawlinski, Murphy Hines Jr.

No: 7 - D'Amato, Schramm, Richards, Butler, Scherbert, Breier Nardelli

Excused: 1 - Johnson-Odom

PLACING ON FILE THE FOLLOWING:

- 4) [980345](#) Motion authorizing Hickman's Academy Preparatory School to operate a Milwaukee Common Council charter school and approving the proposed charter school contract.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**
- Aye:** 11 - Pratt, Kalwitz, Henningsen, Schramm, Gordon, Frank, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.
- No:** 5 - D'Amato, Richards, Butler, Scherbert Nardelli
- Excused:** 1 - Johnson-Odom
- 5) [980348](#) Motion authorizing Lakeshore Montessori School, Inc. to operate a Milwaukee Common Council charter school and approving the proposed charter school contract.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**
- Aye:** 11 - Pratt, Kalwitz, Henningsen, Schramm, Gordon, Frank, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.
- No:** 5 - D'Amato, Richards, Butler, Scherbert Nardelli
- Excused:** 1 - Johnson-Odom
- 6) [980350](#) Motion authorizing Choice Education Services, Inc. to operate a Milwaukee Common Council charter school and approving the proposed charter school contract.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**
- Aye:** 11 - Pratt, Kalwitz, Henningsen, Schramm, Gordon, Frank, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.
- No:** 5 - D'Amato, Richards, Butler, Scherbert Nardelli
- Excused:** 1 - Johnson-Odom
- 7) [981285](#) Motion authorizing Milwaukee Excel Academy, Inc., to operate a Milwaukee Common Council charter school and approving the proposed charter school contract.
- Sponsors:** Ald. Gordon
- A motion was made by Ald. Pratt that this matter be PLACED ON FILE. The motion carried by the following vote:**
- Aye:** 11 - Pratt, Kalwitz, Henningsen, Schramm, Gordon, Frank, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.

No: 5 - D'Amato, Richards, Butler, Scherbert Nardelli

Excused: 1 - Johnson-Odom

- 8) [981286](#) Motion authorizing Milwaukee Community Charter Schools, Inc., to operate a Milwaukee Common Council charter school and approving the proposed charter school contract.

Sponsors: Ald. Gordon

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

Aye: 11 - Pratt, Kalwitz, Henningsen, Schramm, Gordon, Frank, Witkowiak, Pawlinski, Breier, Murphy Hines Jr.

No: 5 - D'Amato, Richards, Butler, Scherbert Nardelli

Excused: 1 - Johnson-Odom

RESOLUTIONS FOR IMMEDIATE ADOPTION

[981413](#) Resolution approving a final certified survey map.

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

Name	Tax Key Number
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U.S. Oil Company	002-9999-110-5
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Sponsors: ZONING and NEIGHBORHOODS & DEVELOPMENT COMMITTEE

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

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

No: 0

Excused: 2 - Pratt Johnson-Odom