



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda PUBLIC WORKS COMMITTEE

ALD. ROBERT BAUMAN, CHAIR
Ald. Joseph Dudzik, Vice-Chair
Ald. Willie Wade, Ald. Robert Donovan, and Ald. Robert Puente

Staff Assistant, Terry MacDonald, 286-2233
Fax: 286-3456, tmacdo@milwaukee.gov
Legislative Liaison, Jeff Osterman, 286-2262,
joster@milwaukee.gov

Wednesday, May 12, 2010

9:00 AM

Room 301-B, City Hall

AMENDED 5/11/10

1. [100012](#) Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.
Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Official Notice Number 1](#)
[Hearing Notice List](#)
[Letters from 6th aldermanic Dist constituents in opposition](#)

2. [100011](#) Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$237,000 for a total estimated cost of these projects being \$4,676,000.
Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Fiscal note](#)
[Hearing Notice List](#)

3. [100013](#) Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$613,000 for a total estimated cost of these projects being \$12,080,000.
Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Fiscal note](#)
[Hearing Notice List](#)

4. [100014](#) Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction

cost estimated to be \$2,450,000 for a total estimated cost of these projects being \$2,761,000.

Sponsors: THE CHAIR

Attachments: [Cover Letter](#)

[Fiscal note](#)

[Hearing Notice List](#)

5. [100075](#) Communication from the Department of Public Works regarding the "Support for Business Program" with the purpose of mitigating the impact of a construction project on abutting businesses.

Sponsors: Ald. Bauman

Attachments: [Cover Letter.rtf](#)

[Hearing Notice List](#)

6. [100114](#) Substitute resolution authorizing and directing the Department of Public Works and the Department of City Development to commence negotiations of a lease of City-owned property known as the Erie Street Plaza.

Sponsors: Ald. Bauman

Attachments: [Fiscal note](#)

[Hearing Notice List](#)

7. [090799](#) A substitute ordinance to grant an airspace lease to RADR Corporation for an existing railroad bridge crossing E. Becher Street between 123 E. Becher Street and 128 E. Becher Street.

Sponsors: THE CHAIR

Attachments: [Air Space Lease Application](#)

[Letter regarding Air & Subterranean Space Leases](#)

[City Plan Commission Letter.doc](#)

[Fiscal note](#)

[Lease](#)

[Hearing Notice List](#)

8. [091615](#) An ordinance relating to encroachments, projections and special privileges.

Sponsors: THE CHAIR

Attachments: [Fiscal note](#)

[Hearing Notice List](#)

9. [100023](#) Resolution relating to application, acceptance and funding of a State of Wisconsin Department of Natural Resources Wisconsin Clean Diesel Grant Program grant.

Sponsors: THE CHAIR

Attachments: [Cover Letter](#)
[Fiscal Note](#)
[Grant Analysis Form](#)
[Grant Budget Form](#)
[Fiscal Analysis](#)
[Hearing Notice List](#)

This item will include discussion of measures that will be taken to ensure transparency and accountability relating to the expenditure of American Recovery and Reinvestment Act funds received as a result of adoption of this file.

10. [100022](#) Communication from the Department of Public Works transmitting its 2009 residential recycling annual report.
Sponsors: THE CHAIR
Attachments: [Hearing Notice List](#)
11. [091553](#) Resolution authorizing preliminary engineering for scattered site sidewalk replacement projects in various aldermanic districts.
Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Fiscal Note](#)
[Hearing Notice List](#)
12. [091554](#) Resolution authorizing preliminary engineering for area wide sidewalk replacement projects in various aldermanic districts.
Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Fiscal note](#)
[Hearing Notice List](#)
13. [091555](#) Resolution authorizing a sidewalk replacement project at scattered sites in the City of Milwaukee.
Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Fiscal Note](#)
[Hearing Notice List](#)
14. [100009](#) Resolution requiring signage at American Recovery and Reinvestment Act funded infrastructure projects.
Sponsors: Ald. Bauman
Attachments: [Hearing Notice List](#)
15. [100008](#) Resolution authorizing the City Engineer to apply for a Highway Safety Improvement Program grant to install traffic control signals at the intersections of West Kilbourn Avenue at North 16th Street and North 17th Street.

Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Fiscal Note](#)
[Application](#)
[Hearing Notice List](#)

16. [100021](#) Resolution directing the Commissioner of Public Works to execute project agreements titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming, design and construction of various paving projects with 80 percent Federal and State aid under the Surface Transportation Program, and to set up funds for design engineering at total estimated cost of \$1,717,000 and an estimated City of Milwaukee share of \$343,000 and a grantor share of \$1,373,600.

Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Fiscal Note](#)
[Agreement for 35th Street](#)
[Agreement for Hampton Avenue](#)
[Agreement for Port Washington Avenue](#)
[Agreement for Lloyd Street](#)
[Comptroller's Certificate](#)
[Hearing Notice List](#)

17. [100024](#) Resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement" for a highway improvement project with Wisconsin Department of Transportation for the reconstruction of West Capitol Drive from North 60th Street to Mayfair Road (STH 100) with State/Federal Aid.

Sponsors: THE CHAIR
Attachments: [Cover Letter](#)
[Fiscal Note](#)
[Agreement](#)
[Hearing Notice List](#)

18. [090896](#) Substitute resolution amending a special privilege for change of ownership to Complete Lawn Services Inc for a fence in the public right-of-way for the premises at 9306 West Flagg Avenue, in the 2nd Aldermanic District.

Sponsors: THE CHAIR
Attachments: [Special Privilege Petition](#)
[Letter from Dept of Public Works](#)
[Fiscal note](#)
[Picture](#)
[Map](#)
[Hearing Notice List](#)

19. [091328](#) Substitute resolution amending a special privilege for change of ownership to City on a

Hill Inc for a private utility package and for removal of a second utility package in the public right-of-way for the premises at 2224 West Kilbourn Avenue, in the 4th Aldermanic District.

Sponsors: THE CHAIR

Attachments: [Special Privilege Petition](#)
[Letter from Dept. of Public Works](#)
[Fiscal note](#)
[Map](#)
[Map of utility package crossing](#)
[Hearing Notice List](#)

20. [100050](#) Resolution accepting the donation of a fire-damaged, foreclosed house at 2742 West State Street in the Historic Concordia neighborhood from Deutsche Bank National Trust for restoration using the Housing Infrastructure Preservation Fund, in the 4th Aldermanic District.

Sponsors: Ald. Bauman

Attachments: [Fiscal Note.doc](#)
[Hearing Notice List](#)

21. [100054](#) Resolution directing the Department of City Development to prepare a resolution to vacate a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way, in the 8th Aldermanic District.

Sponsors: THE CHAIR

Attachments: [Fiscal Note.doc](#)
[Hearing Notice List](#)

22. [100055](#) Resolution approving a License Agreement with Friends of the Hank Aaron State Trail, Inc. to permit installation and maintenance of a shelter and trail signage at 138 North Broadway, in the 4th Aldermanic District.

Sponsors: Ald. Bauman

Attachments: [Fiscal note](#)
[Catalano Square Site and Shelter Information](#)
[License Agreement](#)
[Hearing Notice List](#)

23. [081664](#) A substitute ordinance relating to storm water management regulations applicable to properties within the Milwaukee River greenway overlay zone.

Sponsors: Ald. Kovac, Ald. Coggs and Ald. Hamilton

Attachments: [Fiscal note](#)
[Proposed Substitute A](#)
[Hearing Notice List](#)

24. [100081](#) Resolution accepting one Water Easement.

Sponsors: THE CHAIR

Attachments: [Fiscal Note.doc](#)
[Easement.pdf](#)
[Plat Map.pdf](#)
[Hearing Notice List](#)

25. [100006](#) Resolution establishing a Police Administration Building Study Task Force.

Sponsors: Ald. Bauman
Attachments: [Proposed Sub. A](#)
[Fiscal note](#)
[Letter from Municipal Court](#)
[Ald. Bauman news release](#)
[Hearing Notice List](#)

26. [100125](#) Communication from the Milwaukee Water Works relating to the status of the water rate increase.

Sponsors: THE CHAIR

The following files may be placed on file as no longer needed:

27. [080512](#) Resolution to grant a special privilege to 3500 N. Holton St., LLC to construct and maintain a door swing for the premises at 3500 N. Holton Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR
Attachments: [Special Privilege Petition](#)

28. [080908](#) Resolution to grant a special privilege to Milwaukee Aloft, LLC to construct and maintain a ramp for the premises at 202 W. Juneau Avenue, in the 4th Aldermanic District.

Sponsors: THE CHAIR
Attachments: [Special Privilege Petition](#)

This meeting will be webcast live at www.milwaukee.gov/channel25.

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 100012 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS

Attachments: Cover Letter, Official Notice Number 1, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100012

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relative to approving the levying of assessments and construction of assessable public improvement projects at various locations and appropriating funds for these purposes.

Requestor

INFRASTRUCTURE SERVICES DEPARTMENT

Drafter

MLD:dr

Report 12

04/23/10

**OFFICIAL NOTICE NUMBER 1
PUBLIC HEARING ON PROPOSED IMPROVEMENTS
AND SPECIAL ASSESSMENTS**

There will be a public hearing held by the Public Works Committee of the Common Council of the City of Milwaukee concerning the following improvements and special assessments. The Commissioner of Public Works has determined these improvements are necessary and in the public interest.

The hearing will be held at the date and time shown below:

<p>WEDNESDAY</p> <p>MAY 12, 2010</p> <p>ROOM 301-B – CITY HALL</p> <p>9:00 A.M.</p>

1st Aldermanic District

N. 35th St. – W. Villard Ave. to W. Silver Spring Dr. (ST21100111):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (6.5 – 8.0-foot width of tree border area), and grading.

2nd Aldermanic District

N. 66th St. – W. Capitol Dr. to W. Congress St. (ST211090119):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7.0 – 9.0-foot width of tree border area), and grading.

N. 74th St. – W. Silver Spring Dr. to W. Thurston Ave. and W. Thurston Cr. – W. Thurston Ave. to N. 76th St. (ST211100125):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (7.0-foot width of tree border area), and grading.

3rd Aldermanic District

Alley between N. Cramer St., E. Edgewood Ave., N. Murray Ave., and E. Newport Ave. (ST212040113):

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

6th Aldermanic District

E./W. Wright St. – N. Palmer St. to N. 2nd St. (ST211100146):

Install traffic calming speed hump(s).

5th Aldermanic District

N. 89th St. – W. Burleigh St. to W. Lisbon Ave. (ST211020108):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (9.0-foot width of tree border area), and grading.

8th Aldermanic District

W. Hayes Ave. – S. 27th St. to S. 29th St. (ST211100106):

Asphalt pavement reconstruction, replace all curb and gutter, replace all sidewalk and driveway approaches, sodding (6.0-foot width of tree border area), grading, and tree removal where necessary.

S. 28th St. – W. National Ave. to W. Pierce St. (ST211100149):

Install traffic calming speed hump(s).

S. 45th St. – W. Oklahoma Ave. to W. Cleveland Ave. (ST211060104):

Asphalt pavement resurfacing, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (6.0 – 8.0-foot width of tree border area), and grading.

Alley between W. Becher St., W. Grant St., S. 32nd St., and S. 33rd St. (ST212100103):

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

9th Aldermanic District

N. 81st St. – W. Clovernook St. to W. Acacia St. (ST21190232):

Concrete pavement reconstruction, replace all curb and gutter, replace sidewalk and driveway approaches where necessary, sodding (8.0-foot width of tree border area), and grading.

N. 82nd Ct. – A Point south of W. Clovernook St. to W. Clovernook St. (ST211020107):

Concrete pavement reconstruction, replace all curb and gutter, sidewalk and driveway approaches, install new concrete sidewalk, sodding (9.0-foot width of tree border area), and grading.

10th Aldermanic District

W. Main St. – S. 70th St. to S. 76th St. (ST211080108):

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway

approaches where necessary, sodding (2.0 - 3.0-foot width of tree border area), and grading.

11th Aldermanic District

Alley between W. Leroy Ave., W. Plainfield Ave., S. 51st St., and S. 52nd St. (ST212030103):

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

Alley between W. Morgan Ave., W. Verona Ct., S. 73rd St., and S. 75th St. (ST212070104):

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

14th Aldermanic District

S. Herman St. – E. Euclid Ave. to E. Oklahoma Ave. (ST211100117):

Asphalt pavement resurfacing, replace all curb and gutter, sidewalk and driveway approaches, sodding (10.0-foot width of tree border area), grading, and tree removal where necessary.

Alley between S. Clement Ave., S. Herman St., E. Saveland Ave., and E. Wilbur Ave. (ST212040124):

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

Alley between S. Howell Ave., S. Kinnickinnic Ave., E. Lincoln Ave., and E. Smith St. (westerly north-south leg) (ST212040107):

Concrete alley pavement reconstruction, replace some abutting walk or driveway approaches, grading, and storm drainage facilities where necessary.

You may examine a copy of the report recommending these projects in Room 908, 841 North Broadway, Milwaukee, Wisconsin during the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday.

This notice is published by authority of the Common Council of the City of Milwaukee in accordance with Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances.

Office of the City Clerk, Milwaukee

Ronald D. Leonhardt, City Clerk

April 27, 2010

To: Mary Dziewiontkoski, Special Assessments Engineer
Department of Public Works
Fax #: 286-5994
From: Ken & Elaine Herro, Tax Key # 322-0792-110-5
Date: 5/10/10
Re: Speed Bump

We received the notice regarding the speed bump in the 6th Aldermanic District E./W. Wright St. – Palmer St. to N. 2nd St. (ST211100146). Please present this correspondence to the committee members at the Wednesday, May 12, 2010 meeting.

We own the property at 2479 N. 1st St. the corner of 1st and Wright. We “do not support” the construction of a speed bump.

We believe that a stop sign would accomplish the calming of traffic in this street, rather than a speed bump which has numerous inconveniences of its own. Although we are not able to attend the meeting on the 12th, we would like you to take into consideration our preference not to construct the speed bump, but instead to install a stop sign on the corner.

Thank you.

To: The Milwaukee Department of Public Works
From: Concerned homeowners in the 6th Aldermanic District E./W. Wright St.- N.
Palmer St. to N.2nd St. area.
Re. Installation of traffic calming speed humps

I do not support the installation of speed humps in my neighborhood as a means of calming traffic. There are less drastic traffic calming solutions that have not been utilized in my neighborhood as to date. The installation of lower speed limit signs in the area of 2nd and Wright St. for traffic traveling East on Wright St., and posted low speed signs for traffic traveling West at the corner of Wright St. and Palmer when approaching the hill will help in traffic calming efforts. This approach, along with periodic monitoring by the Milwaukee Traffic Enforcement unit would be far more cost efficient not only for the homeowners but also for the City of Milwaukee. This method would also cut out the inconveniences of speed humps such as noise nuisance, slower emergency services, snow removal concerns and non-user friendly nuisance for large vehicles including school buses which use Wright St. almost on a weekday daily basis during the school year

1/10/2010

MR. David M. Balazs

117 W Wright St MILW, WI.

53212

April 23, 2010

File Number

To the Honorable, the Common Council

Dear Council Members:

The Common Council has adopted preliminary resolutions which determined it necessary and in the public interest to make various public improvements and to make special assessments therefore.

The Commissioner of Public Works is filing this report consisting of a list of projects. This report is subject to amendment at the next Public Works Committee Hearing. The plans and specifications of said improvements are on file in the City Engineer's Office.

I am herewith submitting a report regarding the above matter and recommend adoption of the amended resolution approving same.

Respectfully submitted,

Special Deputy Commissioner
of Public Works

MLD:dr
Afr 12
Report Appended

PW FILE NUMBER: 100012

NAME	ADDRESS	DATE SENT		
Mary Dziewiontkoski	Dept. Public Works – Infra.	5/7/10		
Clark Wantoch	DPW-Infra.	5/7/10		
Ald. Hamilton		5/7/10		
Ald. Davis		5/7/10		
Ald. Kovac		5/7/10		
Ald. Coggs		5/7/10		
Ald. Bohl		5/7/10		
Ald. Donovan		5/7/10		
Ald. Puente		5/7/10		
Ald. Murphy		5/7/10		
Ald. Dudzik		5/7/10		
Ald. Zielinski		5/7/10		



Legislation Details (With Text)

File #: 100011 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$237,000 for a total estimated cost of these projects being \$4,676,000.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS

Attachments: Cover Letter, Fiscal note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number

100011

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$237,000 for a total estimated cost of these projects being \$4,676,000.

Analysis

This resolution authorizes engineering studies and directs the Commissioner of Public Works to determine any benefits or damages which would result if the projects were to be constructed. After the Commissioner files his report, a Public Hearing will be held on those projects determined assessable. A resolution will be submitted after the Public Hearing authorizing construction. The City cost for engineering these projects is estimated to be \$237,000 with the total cost estimated to be \$4,676,000.

Body

Resolved, By the Common Council of the City of Milwaukee that it is necessary and in the public interest to do the following described work according to City specifications, and that such public improvements and resulting special assessments be made pursuant to Section 66.0703 and any other pertinent sections of the Wisconsin Statutes and in the manner directed by Section 115-42 of the Milwaukee Code of Ordinances:

2nd Aldermanic District

W. Perkins Pl. - W. Beckett Ave. to W. Appleton Ave. (ST211100119): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$75,000. This project is anticipated to be completed during the 2010 construction season.

4th Aldermanic District

E. Erie St. - A point 600 feet west of N. Jackson St. to N. Jackson St. (ST211080128): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Assessable Reconstruction Paving Fund -- \$55,000, Additional Funds). The total estimated cost for this project including the requested amount is \$537,000. This project is anticipated to be completed during the 2010 construction season.

5th Aldermanic District

W. Bobolink Ave. - W. Appleton Ave. to N. Lovers Lane Rd. (ST211060140): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$208,000. This project is anticipated to be completed during the 2011 construction season.

W. Townsend St. - N. 84th St. to N. 86th St. (ST211060149): Paving the roadway with asphalt.

Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$143,000. This project is anticipated to be completed during the 2011 construction season.

N. 119th St. - W. Hampton Ave. to a point 1,700 feet m/l north of W. Hampton Ave. (ST211080113): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$405,000. This project is anticipated to be completed during the 2010 construction season.

6th Aldermanic District

E./W. Wright St. - N. Palmer St. to N. 2nd St. (ST211100146): Install traffic calming speed hump(s). (Nonassessable Reconstruction Paving Fund -- \$2,000). The total estimated cost for this project including the requested amount is \$5,000. This project is anticipated to be completed during the 2010 construction season.

8th Aldermanic District

S. 31st St. - W. Cleveland Ave. to a point 40 feet m/l south of W. Forest Home Ave. (ST21100109): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$188,000. This project is anticipated to be completed during the 2011 construction season.

S. 37th St. - W. Mitchell St. to W. Lapham St. (ST211070144): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$85,000. This project is anticipated to be completed during the 2011 construction season.

11th Aldermanic District

S. 63rd St. - W. Eden Pl. to W. Morgan Ave. (ST211100102): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$50,000. This project is anticipated to be completed during the 2011 construction season.

S. 82nd St. - W. Wilbur Ave. to W. Morgan Ave. (ST211060101): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$199,000. This project is anticipated to be completed during the 2011 construction season.

12th Aldermanic District

S. 10th St. - W. Greenfield Ave. to W. Washington St. (ST211060117): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$5,000, Additional Funds). The total estimated cost for this project including the requested amount is \$239,000. This project is anticipated to be completed during the 2010 construction season.

14th Aldermanic District

S. Carferry Dr. - E. Lincoln Ave. to a point 500 feet north of E. Lincoln Ave. (ST211120144): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$40,000). The total estimated cost for this project including the requested amount is \$1,085,000. This project is anticipated to be completed during the 2012 construction season.

S. Lincoln Memorial Dr. - E. Lincoln Ave. to a point 4,300 feet m/l north of E. Lincoln Ave. (ST211110147): Paving the roadway with concrete. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$40,000). The total estimated cost for this project including the requested amount is \$968,000. This project is anticipated to be completed during the 2011 construction season.

E. Warnimont Ave. - S. Brust Ave. to S. Clement Ave. (ST211100113): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$215,000. This project is anticipated to be completed during the 2010 construction season.

15th Aldermanic District

N. 37th St. - W. Meinecke Ave. to W. Clarke St. (ST211050113): Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (Nonassessable Reconstruction Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$195,000. This project is anticipated to be completed during the 2011 construction season.

Alley between W. Garfield Ave., W. Lloyd St., N. 37th St., and N. 38th St. (ST21210113): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$10,000, Additional Funds). The total estimated cost for this project including the requested amount is \$79,000. This project is anticipated to be completed during the 2011 construction season.

; and, be it

Further Resolved, That the abutting and adjacent properties be assessed a portion of the cost, said assessment to be recommended by the Commissioner of Public Works in his report; and, be it

Further Resolved, That all assessments and payments be made in accordance with Section 115-42 of the Milwaukee Code of Ordinances; and, be it

Further Resolved, That all City departments are authorized to do engineering, surveying, preparing of plans, and estimates of cost thereof, to be utilized in the preparation of said report of the Commissioner of Public Works; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor

Infrastructure Services Division

Drafter

MLD:dr

Apr 12

05/07/10

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: May 7, 2010

FILE NUMBER: 100011

Original Fiscal Note Substitute

SUBJECT: Substitute resolution determining it necessary to make various assessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$237,000 for a total estimated cost of these projects being \$4,676,000.

B) SUBMITTED BY (name/title/dept./ext.): Mary Dzewiontkoski/Assessment Engineer/Public Works/X2460

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER Paving	ST211		\$227,000		
Paving	ST212		\$10,000		
TOTALS:			\$237,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION: *The total expenditure includes the cost of engineering, inspection, construction, and city forces. The total cost of this project is \$237,000.*

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

April 23, 2010

File Number

To the Honorable, the Common Council

Dear Council Members:

Please find attached a "Title Only" resolution for determining it necessary to make various assessable public improvements to be introduced at the next Common Council Meeting. It is our intent to insert the body of the resolution in this jacket prior to the meeting of the Public Works Committee of May 12, 2010.

Respectfully submitted,

Special Deputy Commissioner
of Public Works

MLD:dr
Title only
Apr 12



Legislation Details (With Text)

File #: 100013 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$613,000 for a total estimated cost of these projects being \$12,080,000.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS

Attachments: Cover Letter, Fiscal note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number

100013

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$613,000 for a total estimated cost of these projects being \$12,080,000.

Analysis

This resolution authorizes engineering studies on projects which by City Charter are nonassessable. After design plans and estimates of costs have been prepared, a resolution authorizing construction will be submitted to the Common Council. The City cost for engineering these projects is estimated to be \$613,000 with the total cost estimated to be \$12,080,000.

Body

Resolved, By the Common Council of the City of Milwaukee, that it is necessary and in the public interest to do the following described improvements according to City specifications:

1st Aldermanic District

W. Villard Ave. - N. 27th St. to N. Teutonia Ave. (SM495100092): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$346,000. This project is anticipated to be completed during the 2011 construction season.

N. 24th St. - W. Purdue St. to 108 feet m/l north of W. Purdue St. (SM495100085): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$102,000. This project is anticipated to be completed during the 2011 construction season.

N. 32nd St. - 300 feet m/l south of W. Villard Ave. to 200 feet m/l south of W. Villard Ave. (SM495100081): Relaying sanitary and storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$74,000. This project is anticipated to be completed during the 2011 construction season.

N. 34th St. - W. Hopkins St. to W. Capitol Dr. (SM495100069): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$170,000. This project is anticipated to be completed during the 2011 construction season.

N. 70th St. - W. Villard Ave. to W. Leon Terr. (SM495100062): Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$64,000. This project is anticipated to be completed during the 2010 construction season.

3rd Aldermanic District

E. Concordia Ave. - N. Bremen St. to N. Humboldt Ave. (SM495100108): Relaying combined sewer.

(Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$420,000. This project is anticipated to be completed during the 2011 construction season.

N. Farwell Ave. - E. Bradford Ave. to E. Belleview Pl. (SM495100118): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$219,000. This project is anticipated to be completed during the 2011 construction season.

4th Aldermanic District

W. Clybourn St. - N. 6th St. to N. 7th St. (SM495100115): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$95,000. This project is anticipated to be completed during the 2011 construction season.

E. Wisconsin Ave. - N. Water St. to N. Broadway (SM495100125): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2011 construction season.

N. 15th St. - W. Wisconsin Ave. to W. State St. (SM495100066): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$497,000. This project is anticipated to be completed during the 2011 construction season.

N. 34th St. - W. Vliet St. to W. Cherry St. (SM495100135): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$142,000. This project is anticipated to be completed during the 2011 construction season.

4th and 15th Aldermanic Districts

W. Galena St. - N. 34th St. to N. 35th St. (SM495100121): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$76,000. This project is anticipated to be completed during the 2011 construction season.

5th Aldermanic District

W. Villard Ave. - N. 105th St. to N. 107th St. (SM495100109): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$144,000. This project is anticipated to be completed during the 2011 construction season.

Intersection of N. 87th St. and W. Chambers St. (SM495100127): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$20,000. This project is anticipated to be completed during the 2011 construction season.

N. 90th St. - W. Center St. to 187 feet m/l north of W. Center St. (SM495100067): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$59,000. This project is anticipated to be completed during the 2010 construction season.

5th and 10th Aldermanic Districts

N. 75th St. - W. Hadley St. to W. Locust St. (SM495100128): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$200,000. This project is anticipated to be completed during the 2011 construction season.

6th and 7th Aldermanic Districts

N. 23rd St. - W. Chambers St. to W. Burleigh St. (SM495100086): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$250,000. This project is anticipated to be completed during the 2011 construction season.

7th Aldermanic District

W. Bernhard Pl. - N. 42nd St. to N. Sherman Blvd. (SM495100114): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$80,000. This project is anticipated to be completed during the 2011 construction season.

W. Chambers St. - N. 22nd St. to N. 23rd St. (SM495100123): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$261,000. This project is anticipated to be completed during the 2011 construction season.

N. 22nd St. - W. Locust St. to W. Chambers St. (SM495100087): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$195,000. This project is anticipated to be completed during the 2011 construction season.

N. 33rd St. - W. Burleigh St. to W. Auer Ave. (SM495100080): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$236,000. This project is anticipated to be completed during the 2011 construction season.

N. 37th St. - W. Congress St. to W. Ruby Ave. (SM495100070): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$134,000. This project is anticipated to be completed during the 2011 construction season.

N. 38th St. - 100 feet m/l south of W. Concordia Ave. to W. Townsend St. (SM495100063): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated

cost for this project including the requested amount is \$181,000. This project is anticipated to be completed during the 2011 construction season.

N. 38th St. - W. Vienna Ave. to W. Roosevelt Dr. (SM495100071): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$160,000. This project is anticipated to be completed during the 2011 construction season.

N. 41st St. - W. Fond du Lac Ave. to W. Keefe Ave. (SM495100072): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$128,000. This project is anticipated to be completed during the 2011 construction season.

7th, 10th and 15th Aldermanic Districts

W. Center St. - N. 44th St. to N. 50th St. (SM495100112): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$726,000. This project is anticipated to be completed during the 2011 construction season.

7th and 15th Aldermanic Districts

W. Monroe St. - W. Tamarack St. to W. Center St. (SM495100105): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$505,000. This project is anticipated to be completed during the 2011 construction season.

N. 25th St. - W. Hadley St. to W. Locust St. (SM495100084): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$214,000. This project is anticipated to be completed during the 2011 construction season.

N. 33rd St. - W. Hadley St. to W. Locust St. (SM495100079): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$220,000. This project is anticipated to be completed during the 2011 construction season.

N. 34th St. - W. Hadley St. to W. Locust St. (SM495100136): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$180,000. This project is anticipated to be completed during the 2011 construction season.

9th Aldermanic District

W. Calumet Rd. - N. 51st St. to 105 feet m/l west of N. 52nd St. (SM495100116): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$146,000. This project is anticipated to be completed during the 2011 construction season.

N. 91st St. (N. Swan Rd.) - W. Brown Deer Rd. to W. County Line Rd. (SM495100126): Relaying sanitary and new storm sewers. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$2,692,000. This project is anticipated to be completed during the 2011 construction season.

10th Aldermanic District

W. Burleigh St. (north side) - N. 51st St. to N. 54th St. (SM495100075): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$200,000. This project is anticipated to be completed during the 2011 construction season.

W. Kearney St. - S. 68th St. to S. 71st St. (SM495100076): Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$65,000. This project is anticipated to be completed during the 2010 construction season.

N. 56th St. - W. Clarke St. to 200 feet m/l north of W. Clarke St. (SM495100131): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$60,000. This project is anticipated to be completed during the 2011 construction season.

S. 60th St. - W. Main St. to W. Dickinson St. (SM495100073): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$103,000. This project is anticipated to be completed during the 2010 construction season.

N. 73rd St. - W. Hadley St. to W. Chambers St. (SM495100130): Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$324,000. This project is anticipated to be completed during the 2011 construction season.

10th and 15th Aldermanic Districts

N. 41st St. - W. Clarke St. to W. Hadley St. (SM495100132): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$416,000. This project is anticipated to be completed during the 2011 construction season.

12th Aldermanic District

W. Arrow St. - S. Union St. to S. Comstock Ave. (SM495100074): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$75,000. This project is anticipated to be completed during the 2011 construction season.

W. Mitchell St. - S. 1st St. to S. 2nd St. (SM495100065): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$34,000. This project is anticipated to be completed during the 2011

construction season.

S. 9th St. - W. Maple St. to W. Burnham St. (SM495100068): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$82,000. This project is anticipated to be completed during the 2011 construction season.

13th Aldermanic District

W. Crawford Ave. - 150 feet m/l west of S. 19th St. to S. 20th St. (SM495100064): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$41,000. This project is anticipated to be completed during the 2011 construction season.

14th Aldermanic District

E. Potter Ave. - S. Kinnickinnic Ave. to S. Logan Ave. (SM495100077): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$92,000. This project is anticipated to be completed during the 2010 construction season.

15th Aldermanic District

W. Center St. - N. 13th St. to N. Teutonia Ave. (SM495100110): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$140,000. This project is anticipated to be completed during the 2011 construction season.

W. Fond du Lac Ave. - N. 17th St. to N. 19th St. (SM495100120): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$220,000. This project is anticipated to be completed during the 2011 construction season.

W. State St. - N. 37th St. to N. 40th St. (SM495100082): Relaying storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$255,000. This project is anticipated to be completed during the 2011 construction season.

N. 15th St. - W. Galena St. to W. Walnut St. (SM495100088): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$175,000. This project is anticipated to be completed during the 2011 construction season.

N. 32nd St. - W. Center St. to W. Hadley St. (SM495100083): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$226,000. This project is anticipated to be completed during the 2011 construction season.

N. 32nd St. - W. Garfield Ave. to W. North Ave. (SM495100111): Relaying combined sewer.

(Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$161,000. This project is anticipated to be completed during the 2011 construction season.

N. 33rd St. - W. Vine St. to W. Brown St. (SM495100090): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$147,000. This project is anticipated to be completed during the 2011 construction season.

N. 34th St. - W. Garfield Ave. to W. North Ave. (SM495100134): Relaying combined sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$12,000). The total estimated cost for this project including the requested amount is \$162,000. This project is anticipated to be completed during the 2011 construction season.

City Wide

Reporting the City's stormwater management permit information. (SM493100102): (Nonassessable TSS Removal Fund -- \$1,000). The total estimated cost for this project including the requested amount is \$16,000. This project is anticipated to be completed during the 2010-2011 construction season.

;and, be it

Further Resolved, That all City Departments are authorized to perform engineering, surveys, plan preparation, and determine an estimated cost thereof; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor

Infrastructure Services Division

Drafter

MLD:dr

Npr 12

05/07/10

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** May 7, 2010

FILE NUMBER: 100013

Original Fiscal Note Substitute

SUBJECT: Substitute resolution determining it necessary to make various nonassessable public improvements at various locations and appropriating funds for these purposes with the City engineering cost estimated to be \$613,000 for a total estimated cost of these projects being \$12,080,000.

B) **SUBMITTED BY (Name/title/dept./ext.):** Mary Dziewiontkoski/Assessment Engineer/Public Works/X2460

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
	Sewer SM493		\$1,000		
	Sewer SM495		\$612,000		
OTHER:					
TOTALS			\$613,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:** The total expenditure includes the cost of engineering, inspection, construction, and city forces. The total cost of these projects is estimated to be \$613,000.

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

April 23, 2010

File Number

To the Honorable, the Common Council

Dear Council Members:

Please find attached a "Title Only" resolution for determining it necessary to make various nonassessable public improvements to be introduced at the next Common Council Meeting. It is our intent to insert the body of the resolution in this jacket prior to the meeting of the Public Works Committee of May 12, 2010.

Respectfully submitted,

Special Deputy Commissioner
of Public Works

MLD:dr
Title only
Npr 12



Legislation Details (With Text)

File #: 100014 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$2,450,000 for a total estimated cost of these projects being \$2,761,000.

Sponsors: THE CHAIR

Indexes: PUBLIC IMPROVEMENTS

Attachments: Cover Letter, Fiscal note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number

100014

Version

SUBSTITUTE 1

Reference

091432

Sponsor

THE CHAIR

Title

Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$2,450,000 for a total estimated cost of these projects being \$2,761,000.

Analysis

This resolution directs the installation and construction of certain public improvements which have been determined to be nonassessable by the Commissioner of Public Works. The City cost of the projects approved by this resolution is estimated to be \$2,450,000. The total estimated cost of these projects is \$2,761,000.

Body

Whereas, The Common Council of the City of Milwaukee adopted preliminary resolutions determining it necessary and in the public interest to construct nonassessable improvements; and

Whereas, Plans, specifications and cost estimates have been prepared for the following described improvements:

1st Aldermanic District

W. Lawn Ave. - 500 feet west of N. 13th St. to 800 feet west of N. 13th St. (WT410100024) File Number 091432: Relaying water main. (Nonassessable Water Fund Budget Line 6410 -- \$75,000). The total estimated cost for this project including the requested amount is \$90,000. This project is anticipated to be completed during the 2010 construction season.

6th Aldermanic District

W. North Ave. - N. Dr. Martin Luther King Jr. Dr. to N. 7th St. (TD05988006) File Number 070284: Paving the roadway with asphalt. Laying a concrete curb and gutter. Laying concrete sidewalk. Doing all the necessary grading pertaining to said work. (TID Nonassessable Paving Fund -- \$500,000). The total estimated cost for this project is \$500,000. This project is anticipated to be completed during the 2010 construction season.

9th Aldermanic District

County Line Bridge over the Little Menomonee River (BR320080101) File Number 080846: Bridge replacement and concrete pavement bridge approaches.

Grantor Reimbursable Structure Fund--\$300,000
City Share Non-Assessable Structure Fund--\$300,000

These funds are to be transferred to the construction account (BR320080110)

Previously authorized for bridge construction: \$0.00
Current estimated cost of the total project including this resolution: \$725,000
Original estimated cost of the total project (File Number 080846): \$725,000
This project is anticipated to be completed during the 2010 construction season.

10th Aldermanic District

W. Stevenson St. - N. 74th St. to N. 76th St. (SM495100048) File Number 091432: Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$175,000). The total estimated cost for this project including the requested amount is \$190,000. This project is anticipated to be completed during the 2010 construction season.

N. 80th St. - W. Stevenson St. to W. Mt. Vernon Ave. (SM495100023) File Number 091131: Relaying sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$262,000). The total estimated cost for this project including the requested amount is \$274,000. This project is anticipated to be completed during the 2010 construction season.

11th Aldermanic District

S. 85th St. - W. Ohio Ave. to W. Holt Ave. (WT410101043) File Number 090512: Relay water main. (Nonassessable Water Fund -- \$155,000). The total estimated cost for this project including the requested amount is \$170,000. This project is anticipated to be completed during the 2010 construction season.

S. 86th St. - W. Ohio Ave. to W. Morgan Ave. (WT410101044) File Number 090512: Relay water main. (Nonassessable Water Fund -- \$300,000). The total estimated cost for this project including the requested amount is \$320,000. This project is anticipated to be completed during the 2011 construction season.

12th Aldermanic District

W. National Ave. at S. 14th St. (ST211100151): Traffic Island. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$35,000. This project is anticipated to be completed during the 2010 construction season.

13th Aldermanic District

S. 6th St. - 1,700 feet north of W. College Ave. to 300 feet north of W. College Ave. (WT410100016) File Number 090194: Relaying water main. (Nonassessable Water Fund Budget Line 5010 -- \$15,000; Nonassessable Water Fund Budget Line 6410 -- \$315,000). The total estimated cost for this project including the requested amount is \$355,000. This project is anticipated to be completed during the 2010 construction season.

S. 20th St. - W. Goldcrest Ave. to W. Ramsey Ave. (SM495090052) File Number 091548: Relay storm sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$18,000). The total estimated cost for this project including the requested amount is \$86,000. This project is anticipated to be completed during the 2010 construction season.

City Wide

Reporting of the City's stormwater management permit information. (SM4931000102) File Number 100013: (Nonassessable TSS Removal Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$16,000. This project is anticipated to be completed during the 2010-2011 construction season.

now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Commissioner of Public Works is authorized and directed to proceed with said work; and, be it

Further Resolved, That the Department of Public Works is authorized to use the funding as specified in the above description of work; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts.

Requestor

Infrastructure Services Division

Drafter

MLD:dr

Nfr 12

05/07/10

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: May 7, 2010

FILE NUMBER: 100014

Original Fiscal Note Substitute

SUBJECT: Substitute resolution approving construction of nonassessable public improvements at various locations and appropriating funds for these purposes with the City construction cost estimated to be \$2,450,000 for a total estimated cost of these projects being \$2,761,000.

B) SUBMITTED BY (name/title/dept./ext.): Mary Dzewiontkoski/Assessment Engineer/Public Works/X2460

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:	Grantor Reimbursable Structure Fund (Fund 0306)	SP032100100	\$300,000	\$300,000	
	City Share Non-Assessable Structure Fund (Fund 0303)	BR300100000	\$300,000		
EQUIPMENT REPAIR:					
OTHER Paving	ST211		\$20,000		
Paving	TD059		\$500,000		
Water	WT410		\$860,000		
Sewer	SM493		\$15,000		
Sewer	SM495		\$455,000		
TOTALS:			\$2,450,000	\$300,000	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Expenditure = \$2,450,000
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Revenue = \$300,000
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION: *The total expenditure includes the cost of engineering, inspection, construction, and city forces.*

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

April 23, 2010

File Number

To the Honorable, the Common Council

Dear Council Members:

Please find attached a "Title Only" resolution for approving construction of nonassessable public improvements to be introduced at the next Common Council Meeting. It is our intent to insert the body of the resolution in this jacket prior to the meeting of the Public Works Committee of May 12, 2010.

Respectfully submitted,

Special Deputy Commissioner
of Public Works

MLD:dr
Title only
Nfr 12



Legislation Details (With Text)

File #: 100075 **Version:** 0

Type: Communication **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication from the Department of Public Works regarding the "Support for Business Program" with the purpose of mitigating the impact of a construction project on abutting businesses.

Sponsors: ALD. BAUMAN

Indexes: BUSINESS DEVELOPMENT, DEPARTMENT OF PUBLIC WORKS

Attachments: Cover Letter.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

NUMBER

100075

VERSION

Original

REFERENCE

SPONSOR

Alderman Bauman

TITLE

Communication from the Department of Public Works regarding the "Support for Business Program" with the purpose of mitigating the impact of a construction project on abutting businesses.

Drafter

DPW-ADM

GK:mra

May 3, 2010

Support for Business Program Res

May 3, 2010

To the Honorable, the Common Council

Dear Honorable Members:

We are submitting for your consideration the attached title only resolution regarding the introduction of a new Support for Business Program.

Please have this file introduced at the May 4th Common Council meeting. If you have any questions or would like additional information, please contact Ghassan Korban at extension 3304.

Very truly yours,

Jeffrey J. Mantes
Commissioner of Public Works

JJM:GK:mra
Attachments
c: Ald. Bauman
G. Korban
File



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Master With Text

File Number: 100114

File ID: 100114

Type: Resolution

Status: In Committee

Version: 1

Reference:

Controlling Body: PUBLIC WORKS
COMMITTEE

Requester: COMMON COUNCIL

Cost:

File Created: 05/04/2010

File Name:

Final Action:

Title: Substitute resolution authorizing and directing the Department of Public Works and the Department of City Development to commence negotiations of a lease of City-owned property known as the Erie Street Plaza.

Notes:

Code Sections:

Indexes: DEPARTMENT OF CITY DEVELOPMENT,
DEPARTMENT OF PUBLIC WORKS, LEASES

Sponsors: Ald. Bauman

Attachments: Fiscal note, Hearing Notice List

Drafter: anc

Contact:

Agenda Date:

Agenda Number:

Enactment Date:

Enactment Number:

Effective Date:

Extra Date 2:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
0	COMMON COUNCIL	05/04/2010	ASSIGNED TO	PUBLIC WORKS COMMITTEE			
	Action Text:		This Resolution was ASSIGNED TO to the PUBLIC WORKS COMMITTEE				
0	PUBLIC WORKS COMMITTEE	05/07/2010	HEARING NOTICES SENT		05/12/2010		
1	CITY CLERK	05/07/2010	DRAFT SUBMITTED				
	Action Text:	This Resolution was DRAFT SUBMITTED					
0	PUBLIC WORKS COMMITTEE	05/12/2010					

Text of Legislative File 100114

..Number
100114

..Version
Substitute 1

..Reference

..Sponsor
ALD. BAUMAN

..Title
Substitute resolution authorizing and directing the Department of Public Works and the Department of City Development to commence negotiations of a lease of City-owned property known as the Erie Street Plaza.

..Analysis
This resolution authorizes and directs the Department of Public Works and the Department of City Development to commence negotiations of a lease of City-owned property known as the Erie Street Plaza with the Business Improvement District #2 or with the Historic Third Ward Association, whichever entity is more appropriate. It further directs the Department of Public Works to present the terms and conditions of the lease negotiated for Common Council approval.

..Body
Whereas, Either the Business Improvement District #2 or the Historic Third Ward Association desires to lease the sustainable bamboo garden under construction in the Historic Third Ward on City-owned property near 695 E. Erie Street known as the Erie Street Plaza where the Milwaukee and Kinnickinnic Rivers flow into the channel to Lake Michigan; and

Whereas, Both the Business Improvement District #2 and the Historic Third Ward Association have been partners with the City since 1976 striving to foster, promote and encourage business retention and expansion, and to nurture and sustain civic vitality in the Third Ward; and

Whereas, The City is confident either the Business Improvement District #2 or the Historic Third Ward Association will maintain and operate the Erie Street Plaza in a professional, civically responsible manner that stewardship of this neighborhood resource demands; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works and the Department of City Development are authorized and directed to commence negotiations of a lease of City-owned property known as the Erie Street Plaza with either the Business Improvement District #2 or the Historic Third Ward Association, whichever entity is more appropriate; and, be it

Further Resolved, The Department of Public Works and the Department of City Development shall present the terms and conditions of the lease negotiated for Common Council approval.

..Requestor

..Drafter
LRB #10195-1
ANC
05/07/10

CITY OF MILWAUKEE FISCAL NOTE

A) DATE May 6, 2010

FILE NUMBER: 100114

Original Fiscal Note Substitute

SUBJECT: Resolution authorizing and directing the Department of Public Works and the Department of City Development to commence negotiations of a lease of City-owned property known as Erie Street Plaza

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Master With Text

File Number: 090799

File ID: 090799

Type: Ordinance

Status: In Committee

Version: 1

Reference:

Controlling Body: PUBLIC WORKS
COMMITTEE

Requester: DEPARTMENT OF
CITY DEVELOPMENT

Cost:

File Created: 10/13/2009

File Name:

Final Action:

Title: A substitute ordinance to grant an airspace lease to RADR Corporation for an existing railroad bridge crossing E. Becher Street between 123 E. Becher Street and 128 E. Becher Street.

Notes: cpc

Code Sections:

Agenda Date:

Indexes: AIR SPACE LEASES

Agenda Number:

Sponsors: THE CHAIR

Enactment Date:

Attachments: Air Space Lease Application, Letter regarding Air & Subterranean Space Leases, City Plan Commission Letter.doc, Fiscal note, Lease, Hearing Notice List

Enactment Number:

Drafter: dkf

Effective Date:

Contact:

Extra Date 2:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
0	COMMON COUNCIL	10/13/2009	ASSIGNED TO	PUBLIC WORKS COMMITTEE			
	Action Text:	This Ordinance was ASSIGNED TO to the PUBLIC WORKS COMMITTEE					
0	PUBLIC WORKS COMMITTEE	10/15/2009	REFERRED TO	CITY PLAN COMMISSION	11/13/2009		
	Action Text:	This Ordinance was REFERRED TO to the CITY PLAN COMMISSION due back on 11/13/2009					
	Notes:	To Whom It May Concern:					
		<i>The attached file is being referred to you for: Report and reply, preparation of ordinance and fiscal note</i>					
		<i>Further information relating to this file may be found via the Legistar system at http://milwaukee.legistar.com/Legislation.aspx.</i>					
		<i>If you have any questions please feel free to contact Terry MacDonald at 286-2233.</i>					
0	PUBLIC WORKS COMMITTEE	10/15/2009	REFERRED TO	CITY ATTORNEY	11/13/2009		
	Action Text:	This Ordinance was REFERRED TO to the CITY ATTORNEY due back on 11/13/2009					
1	CITY CLERK	05/05/2010	DRAFT SUBMITTED				

Action Text: This Ordinance was DRAFT SUBMITTED

1	PUBLIC WORKS COMMITTEE	05/07/2010	HEARING NOTICES SENT	05/12/2010
1	PUBLIC WORKS COMMITTEE	05/12/2010		

Text of Legislative File 090799

..Number

090799

..Version

SUBSTITUTE 1

..Reference

..Sponsor

THE CHAIR

..Title

A substitute ordinance to grant an airspace lease to RADR Corporation for an existing railroad bridge crossing E. Becher Street between 123 E. Becher Street and 128 E. Becher Street.

..Analysis

In accordance with state law, this ordinance will grant an airspace lease to RADR Corporation for an existing railroad bridge crossing E. Becher Street between 123 E. Becher Street and 128 E. Becher Street.

..Body

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

Part 1. FINDINGS. In accordance with the provisions of sec. 66.0915(3), Wis. Stats., (2007-2008), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee, through the proper city officers, enter into an airspace lease with RADR Corporation for a term of 99 years for the maintenance of an existing railroad bridge crossing E. Becher Street between 123 E. Becher and 128 E. Becher Street, and the Common Council of the City of Milwaukee hereby finds that the area described in the lease is not needed for street, alley or other public purposes and that the public interest will be served by such leasing as the structure will continue to aid in promoting commerce in the City of Milwaukee.

Part 2. Attached and made part of the Common Council File No. 090799 is a copy of such lease in substantially the same form as the lease that will be signed.

Part 3. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 4. The Department of City Development, through its real estate section, shall process, with City department funds, the recording of this ordinance with the Milwaukee County Register of Deeds and shall forward the recording information complete with a final copy of the ordinance and lease to the City Engineer and the City Comptroller.

Part 5. This ordinance shall take effect and be in force from and after its passage and publication.

..LRB

APPROVED AS TO FORM



October 7, 2009

City Clerk Ronald D. Leonardt
Attn: James Owczarski
Office of the City Clerk

Commissioner Art Dahlberg
Dept. of Neighborhood Services

Commissioner Richard Marcoux
Attn: Elaine Miller
Department of City Development

City Attorney Grant F. Langley
Attn: Tom Miller
Office of the City Attorney

Commissioner Jeffrey J Mantes
Attn: Ghassan Korban
Department of Public Works

City Engineer Jeffrey S. Polenske
Attn: Michael Loughran

Re: Air space lease petition from RDAR Corporation

Dear Committee Members:

In accordance with Section 245-14 of the Milwaukee Code of Ordinances, I am forwarding to you materials relating to an application for an air space lease filed by RDAR Corporation. The lease is being requested for existing railroad bridge crossing E Becher St and connecting properties located at 123 E Becher St and 128 E Becher St.

I am asking that the City Clerk prepare the appropriate file for introduction at the next Council meeting.

I am asking that all of you review the enclosed materials in preparation for a meeting in October to discuss these submittals and the committee's recommendation regarding this lease.

Should you require additional information from the applicant, please give me a call at ext. 8480.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Linda Eichhorst".

Linda Eichhorst
Development Center

Attachments

Cc: Ald. Tony Zielinski

City of
Milwaukee
Development Center

Air or Subterranean Space Lease Petition

809 N. Broadway, 1st Floor / Milwaukee, WI 53202-3617 / 414-286-8208

Submit this application with \$150 application fee to:
Milwaukee Development Center
Make check payable to City of Milwaukee.
Application fee is non-refundable.

Date 9/28/09

TO THE HONORABLE, THE COMMON COUNCIL OF THE CITY OF MILWAUKEE:

The undersigned RDAR Corp., a Wisconsin corporation

(state whether petitioner is an individual, co-partnership, Wisconsin or foreign corporation)

respectfully petitions the Common Council of the City of Milwaukee, according to the provisions of Section 66.048(3) and (4) of the Wisconsin Statutes, that the following space lease be granted:

an air space lease covering the space occupied by an existing railroad bridge crossing East Becher Street, located at 123 E. Becher Street, Milwaukee, WI 53207

of which building plans, plot plans and descriptive data showing the elevations, locations, height and size of the proposed structure and its relationship to adjoining buildings are herewith submitted. *(This is not a proposed structure, as this bridge has existed for over 20 yrs.)*
The petitioners are the owners in fee of the following described real property:

Tax Key #467-0104-110 and #467-0202-000, which the bridge connects

also known by street and number as 123 E. Becher and 128 E. Becher
which property is located on both sides of that portion of the (street, alley or _____) to be so leased.

This petition is subject to such terms and conditions as may be agreed up on between the City of Milwaukee and the petitioner, which terms and conditions shall be set forth in a written lease pursuant to Section 66.048(3) and (4), Wisconsin Statutes. The leasing of such space shall be subject to a determination by the Common Council of the City of Milwaukee that such space is not needed for street, alley or other public purpose and that the public interest will be served by such leasing, and upon such determination as shall be authorized by ordinance duly passed by the City of Milwaukee.

Signature
Address 147 E. Becher
Phone 414-769-0000

Corporation, firm or society RDAR Corp.
Address 147 E. Becher
Title or office held in same President

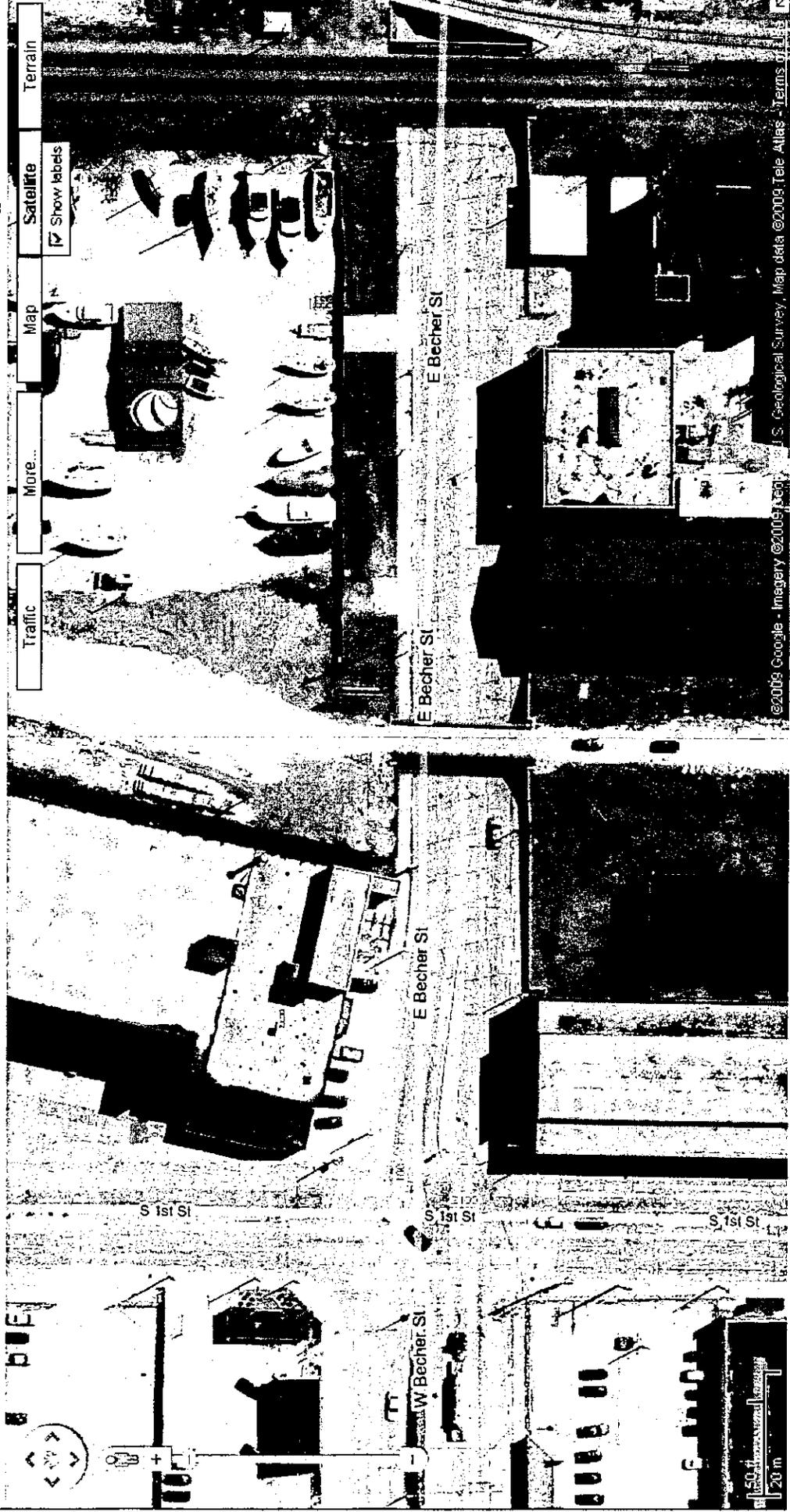
Google maps

Search Maps Show search options

Find businesses, addresses and places of interest. Learn more.

Print Send Link

Traffic More... Map Satellite Show labels Terrain



©2009 Google - Imagery ©2009 GeoEye, Inc. U.S. Geological Survey, Map data ©2009 Tele Atlas - Terms of Use

Done



April 1, 2010

To the Public Works Committee

Subject: Air & Subterranean Space Leases
for RDAR Corporation

Dear Committee Members:

Common Council File Number 090799 grants an air space lease to RDAR Corporation for an existing bridge over East Becher Street that connects the premises at 123 East Becher Street and 128 East Becher Street.

On March 25, 2010, the Special Committee on Air and Subterranean Lease Structures met and recommended approval of this air space lease.

If you have any questions regarding this matter, please contact Ms. Dawn Schmidt, of my staff, at 414-286-2454.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

MDL: ns

c: Alderman Tony Zielinski
City Plan Commission

April 12, 2010

To the Honorable Common Council
Public Works Committee
City of Milwaukee

Dear Committee Members:

File No. 090799 grants an airspace lease to RDAR Corporation for an existing railroad bridge crossing East Becher Street between 123 East Becher Street and 128 East Becher Street, in the 14th Aldermanic District.

The City Plan Commission at its regular meeting on April 12, 2010, recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Zielinski

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

Ref: GEN\FISCALNT.MST

A) DATE: May 7, 2010

FILE NUMBER 090799

Original Fiscal Note Substitute

SUBJECT: A substitute ordinance to grant an airspace lease to RADR Corporation for an existing railroad bridge crossing East Becher Street between 123 East Becher Street and 128 East Becher Street.

B) SUBMITTED BY Jeffrey S. Polenske, P.E./City Engineer/Infrastructure Services Division/2400

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Annual billing/initial inspection		\$2.77/4.04		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:			\$2.77/4.04	\$135.00	
TOTALS:				\$135.00	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Fee (Income) \$135.00
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Cost Billing - \$2.77/4.04
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

Annual billing/initial inspection

H COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

AIRSPACE LEASE
BETWEEN THE CITY OF MILWAUKEE
AND RDAR CORPORATION
FOR AN EXISTING RAILROAD BRIDGE
CROSSING EAST BECHER STREET

Document Number

Document Title

Recording Area

Name and Return Address

Ms. Elaine Miller
Real Estate and Development Services
Redevelopment Authority of the City of
Milwaukee
809 N. Broadway, 2nd Floor
Milwaukee, WI 53202

467-0104-110 and 467-0202-000

Parcel Identification Number (PIN)

**AIRSPACE LEASE
BETWEEN THE CITY OF MILWAUKEE
AND RDAR CORPORATION
FOR AN EXISTING RAILROAD BRIDGE CROSSING EAST BECHER STREET**

The City of Milwaukee, a Wisconsin municipal corporation (“Lessor” or “City”), and RDAR Corporation, a Wisconsin corporation (“Lessee”), pursuant to the provisions of sec. 66.0915(3), Wisconsin Statutes (2007-2008), do hereby make and enter into this Lease Agreement as of the ___ day of _____, 2010.

1. Description. The Lessor hereby leases an airspace covering the space occupied by an existing railroad bridge crossing East Becher Street, located at 123 East Becher Street, Milwaukee, WI 53207, the airspace being more particularly described as follows:

An air space easement across East Becher Street, being a part of the East ½ of the Southeast ¼ of Section 5, Town 6 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin bounded and described as follows:

Commencing at the intersection of the present east line of South 1st Street and the present south line of East Becher Street; thence Easterly, along said south line, 207 feet, more or less, to the point of beginning of lands to be described; thence continuing Easterly, along said south line, 26 feet to a point; thence Northerly 70 feet to a point on the north line of East Becher Street; thence Westerly, along said north line of East Becher Street, 26 feet to a point; thence Southerly 70 feet to the point of beginning, all points ground elevation 6.21, bottom of air space elevation 19.79, top of air space elevation 28.79 more or less.

2. Term. The Lease shall run for a period of 99 years from the date of the execution of the Lease; provided, however, that Lessee may terminate the Lease at any time during the 99-year period by giving the Lessor due notice of Lessee's intention to terminate the Lease in writing by registered or certified mail at least six months prior to the termination date specified in the notice; the termination, however, shall not become effective until the structure authorized by the Lease is completely removed and the public right of way restored to the satisfaction of the City's Commissioner of Public Works.
3. Rental. The rental payable to the Lessor by the Lessee under the Lease shall be the sum of \$135.00 per year. This rental shall be paid by the Lessee in annual payments to the Office of the City Comptroller, the first payment being due upon execution of this Lease, and future annual payments to be due 30 days prior to the annual anniversary date of the Lease. At the option of the Lessor, the rental amount may be reviewed and increased every ten years. Rent increases shall be proportionate to any increase in the average land values of the neighboring properties. If appropriate, the Lessee may pre-pay the rental fee in a lump sum at a discounted rate to be determined by the City's Department of City Development.
4. Use and Occupancy. The Lessee covenants and agrees that those portions of the railroad bridge currently located within the public airspace subject to this Lease will be operated, used, and maintained in accordance with operating standards, methods, and procedures that may be established from time to time by the Plan Commission of the City of Milwaukee.
5. Maintenance. The Lessee shall safely maintain the railroad bridge and regulate its use and occupancy so that the leasehold area or its use will not be a hazard or danger to the persons or property of the public using the public right of way. No material changes to the railroad bridge that deviate from the original plans and specifications filed with the City of Milwaukee may be made during the course of this Lease without the prior written approval of the Commissioner of Public Works.
6. Insurance and Indemnity. The Lessee shall maintain and keep in force during the term of the Lease public-liability insurance in no event less than the amount of \$500,000.00 for an individual claim and \$1,000,000.00 for multiple claims arising out of an accident involving the railroad bridge or the use or occupancy of the area hereby leased, and the Lessor shall be named as an additional insured and shall be held harmless from all claims, liabilities, or causes of action arising out of any injury to person, or persons, or damage to real or personal property arising out of the construction, maintenance, destruction, or dismantling of the railroad bridge, or from collapse of the railroad bridge; or which arise by reason of any material or thing whatsoever falling or being thrown from the railroad bridge. A certificate of insurance in those sums, including the Lessor as a party insured, shall be deposited with the City Clerk of the City of Milwaukee immediately following execution of the Lease. At the option of the Lessor, these minimum amounts may be reviewed and increased or decreased every ten years, with any adjustment being proportionate to the land value of the property.
7. Termination of Lease in the Event of Condemnation. In the event that any governmental authority or agency shall require the use of or take all of, or a major portion of the property adjacent to the leased area, to the extent that the railroad bridge would no longer be usable or useful to the Lessee, this Lease shall be terminated as of the time the use and occupancy of the adjacent property is surrendered. It is further understood that in the event of condemnation or acquisition by any governmental authority or agency of the adjacent property, the value of the leasehold interest created hereunder shall not be an element of damages, nor in any way be considered as a factor of valuation of the property acquired.
8. Act of God, Rioting, and Public Enemies. In the event of the destruction of all or a portion of the railroad bridge by an act of God, casualty, public enemies, or by reason of riot or insurrection, the Lease shall terminate and the Lessee shall not be required to pay any further rent to the Lessor. Notwithstanding the foregoing, the Lessee shall have the right to reconstruct the railroad bridge located in the public airspace and this Lease shall not terminate, provided such reconstruction is commenced within six months of the damage or destruction, and in such event, Lessee shall pay rental for any period during which the railroad bridge was damaged, destroyed or inoperative.

9. Entry by Lessor. The Lessor, by its officers, agents, or employees, may at all reasonable times during Lessee's business hours and upon reasonable prior notice, with the exception of emergencies in which case notice shall be given as soon thereafter as possible, have access to and enter the leasehold area to view the condition of the area and require any and all necessary repairs and alterations thereto for the public safety and well-being. This right shall in no way eliminate the Lessee's obligation of determining and maintaining the structural adequacy of the railroad bridge.

10. Default and Penalty. In the event default shall be made at any time by the Lessee in payment of rent, and such default shall continue for a period of 30 days after written notice thereof by registered mail or certified mail to the Lessee by the Lessor, or if default shall be made in any of the other terms and conditions to be kept, observed, and performed by the Lessee, and such default shall continue for 30 days after written notice thereof by registered or certified mail to the Lessee from the Lessor, or if default is of such a nature as to require more than 30 days to effect a cure, and Lessee shall not commence to cure such default within the 30-day period after notice as provided above, and thereafter diligently proceed to cure such default, then the Lessor may at any time thereafter prior to the curing of such default within reasonable time, declare the term of the Lease ended and terminated by giving the Lessee written notice of its intention. If possession of the demised area is not immediately surrendered, the Lessor may re-enter therein and declare the Lease to be terminated; and in such event the Lessor may require that the Lessee remove and demolish the railroad bridge at its own expense or the Lessor may remove or demolish the railroad bridge and require the payment of the expense thereof from the Lessee to the Lessor within 30 days thereafter.

11. Surrender of Premises. Upon the termination of the Lease, the Lessee agrees to surrender or relinquish any claims or right to further utilize the airspace. The Lessee shall, prior to surrender of the airspace, cause the railroad bridge to be demolished and removed and the airspace returned to the same condition as it was when first acquired by the Lessee in compliance with the applicable building codes, unless otherwise directed by the Lessor. In the event of the failure of the Lessee to remove the railroad bridge within six months after the termination of the Lease, it shall pay liquidated damages to the Lessor in the sum of \$100.00 for each and every day it remains in possession of the airspace after the expiration of six months from the termination of the Lease.

12. Parties to Lease. The term "parties to the Lease" shall include the successors and assigns of the Lessor and Lessee, respectively.

13. Effect of Lease. This Lease and the ordinance under which it is executed shall not operate to repeal, rescind, modify, or amend any ordinances or resolutions of the City of Milwaukee relating to the use or obstruction of streets, the granting of permits, and any regulations relating to the preservation of order and movement of traffic, or any other similar ordinances, resolutions, or regulations not specifically set forth in the ordinance of which this Lease is a part, or as authorized by sec. 66.0915(3), Wisconsin Statutes (2007-2008).

14. Assignment. The Lessee, and its successors and assigns, may assign their interest in this Lease to any party who holds fee title or a leasehold estate in the land abutting the airspace described in paragraph 1 of this Lease. With respect to each assignment, if the assignee executes a written instrument whereby it agrees to assume and be bound by all of the responsibilities and obligations of the Lessee under the Lease, the assignor shall be released from all obligations and liabilities under this Lease, and a notarized copy shall be submitted to the City Engineer for record-keeping purposes and the City Comptroller for billing purposes.

15. Notices. Notices required hereunder shall be sent to:

For the City (Lessor):
City Engineer
Infrastructure Services Division
841 North Broadway, Room 701
Milwaukee, WI 53202

For the Lessee:
Brian Read
RDAR Corporation
147 E. Becher
Milwaukee, WI 53207

16. Signs. The Lessee shall not place or maintain any signs or cause them to be placed in or on the leased premises so as to be readable from the street without permission of the Commissioner of Public Works.

IN WITNESS WHEREOF, the City of Milwaukee has caused these presents to be signed by Tom Barrett, Mayor, and Ronald D. Leonhardt, City Clerk, and countersigned by W. Martin Morics, City Comptroller, at Milwaukee, Wisconsin, and its corporate seal to be hereunto affixed this ____ day of _____, 2010.

CITY OF MILWAUKEE

COUNTERSIGNED:

TOM BARRETT, Mayor

W. MARTIN, MORICS, Comptroller

RONALD D. LEONHARDT, City Clerk

STATE OF WISCONSIN)
)ss.
MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 2010, Tom Barrett, Mayor of the City of Milwaukee, above-named municipal corporation, to me known to be the person who executed the foregoing instrument and to me known to be such Mayor of such municipal corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said municipal corporation by its authority and pursuant to Ordinance No. 090799 adopted by the Common Council of the City of Milwaukee on _____.

Notary Public, State of Wisconsin
My commission expires: _____

STATE OF WISCONSIN)
)ss.
MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 2010, Ronald D. Leonhardt, City Clerk of the City of Milwaukee, above named municipal corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such City Clerk of said municipal corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said municipal corporation, by its authority and pursuant to Ordinance No. 090799 adopted by its Common Council on _____.

Notary Public, State of Wisconsin
My commission expires: _____



Legislation Details (With Text)

File #: 091615 **Version:** 0
Type: Ordinance **Status:** In Committee
File created: 4/13/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: An ordinance relating to encroachments, projections and special privileges.
Sponsors: THE CHAIR
Indexes: FENCES, SIDEWALKS, SPECIAL PRIVILEGE PERMITS
Attachments: Fiscal note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
091615
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title

An ordinance relating to encroachments, projections and special privileges.

Sections

245-1-5	cr
245-1-6	cr
245-4	rc
245-4.5	rc
245-4.6	rp
245-6	rc
245-6.5	rp
245-7	rc
245-8	rp
245-9	rp
245-10-1	am
245-10-7	am
245-10-8	cr
245-11	am

Analysis

This ordinance revises and clarifies ch. 245 relating to the permissibility of various encroachments, projections and special privileges into the public right-of-way. These changes include:

1. Codifying that, regardless of the special privilege granted, a minimum clear sidewalk path must be maintained at all times.
2. Updating those projections and encroachments allowable without a special privilege.
3. Merging provisions on residential fences and retaining walls into a broader category encompassing all encroachments allowable for both one and 2-family residential properties.
4. Revising regulations pertaining to movable awnings.
5. Combining and condensing rules on stationary fabric awnings, other fixed awnings and canopies.
6. Amending marquee regulations to include hoods.

Body

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

Part 1. Section 245-1-5 and 6 of the code is created to read:

245-1. General Regulations.

5. There shall be no permitted projections which limit the clear paved sidewalk width to less than 5

feet.

6. No permission shall be given for projections into the public right-of-way where there is no paved public sidewalk, unless the encroachments are otherwise allowed by code.

Part 2. Section 245-4 of the code is repealed and recreated to read:

245-4. Permissible Projections and Encroachments. Projections and encroachments beyond the street line other than those listed in this section may be permitted by special privilege granted by the common council under s. 245-12. Under the conditions prescribed in this chapter and within the limitations regulated herein, the following projections and encroachments beyond a street line are permitted:

1. Main cornices or roof eaves projecting not more than 3 feet, provided they are a minimum of 14 feet above the adjacent established grade.
2. Cornices of porches and false mansard-type structures projecting not more than 15 inches, provided they are a minimum of 10 feet above the adjacent established grade.
3. Pediments, nonstructural columns or pilasters, and similar architectural projections, including bases and capitals, projecting not more than 8 inches.
4. Masonry projections, including but not limited to quoins, belt courses, lintels, sills, base courses and rustications, projecting not more than 4 inches.
5. Footings or walls and their supports at street lines projecting not more than one foot, provided the tops of the footings are a minimum of 4 feet below the adjacent established grade. Projections beyond the one-foot line shall be subject to the approval of the commissioner of public works.
6. Emergency exit doors, when open, projecting not more than 48 inches into an alley. All other doors when open may project not more than 36 inches.
7. Fire escapes and balconies to smoke-proof stair towers or horizontal exits projecting not more than 7 feet. All other balconies may project not more than 6 feet. Fire escapes and balconies shall be a minimum of 10 feet above the adjacent established street walk grade and 14 feet above alley grade.
8. Oriel or bay windows projecting not more than 24 inches, provided that the lowest portion of the window is a minimum of 10 feet above the adjacent established grade. No oriel or bay window that projects into a public right-of-way shall exceed 10 feet in width. Oriel and bay windows shall not be permitted to project into a public right-of-way which is less than 30 feet in width.
9. Exterior hose connections for fire protection equipment, in approved locations, projecting not more than 8 inches, provided that such connections are a minimum of 1 ½ feet but not more than 3 feet above the adjacent established grade.
10. Street walk basements or sidewalk vaults when constructed and located as regulated in s. 245-5.
11. Movable awnings when constructed and located as regulated in s. 245-6.
12. Awnings, canopies and sunshades when constructed and located as regulated in s. 245-7.
13. Fixed awnings in the Historic Third Ward projecting beyond the street line under s. 245-7-9.
14. Marquees when constructed and located as regulated in s. 245-10.
15. Remodeled building facades encroaching a maximum of 6 inches.
16. Temporary encroachments and use of public thoroughfares during erection, construction, enlargement, alteration, repair, renovation, moving, removing or demolition of buildings and structures when in compliance with the regulations of ch. 228 and s. 245-11.
17. Signs or advertising devices when constructed as regulated in ch. 244.
18. Roof gutters and conductors projecting not more than 8 inches into a public alley. Roof gutters and conductors may not project into a public street.
19. The cutting of street curbs, the installation of driveways and any construction therewith, when in conformity with rules and regulations of the commissioner of public works and permitted by the

commissioner of public works.

20. Electrical or gas lighting fixtures attached to the exterior walls of buildings or structures, in approved locations, projecting not more than one foot, provided that the lowest portion of the fixture is a minimum of 7 feet but not more than 10 feet above the adjacent established grade. The fixtures, when more than 10 feet above grade, may extend 5 feet into the public right-of-way and shall be a minimum of 14 feet above grade when projecting into an alley.

21. Security cameras attached to the exterior walls of buildings or structures projecting not more than 5 feet into the public right-of-way, provided they are greater than 10 feet above the adjacent established grade. The fixtures shall be a minimum of 14 feet above grade when projecting into an alley.

22. Sewer sampling manholes, catch basins, water meter pits, sprinkler pits and similar underground structures when in compliance with s. 245-5.

23. Monitoring wells when associated with a remediation project recognized by the state of Wisconsin.

24. Flagpoles for the flying of federal, state, county or municipal flags only, attached to the exterior walls of buildings or structures, projecting a distance not closer than 3 feet from the curb line, provided the flag and pole have at least 8 feet clearance above the street walk.

25. Permissible projections, obstructions and encroachments as provided by s. 115-32.

26. Items installed in the public right-of-way as part of a streetscape for which a maintenance agreement, approved by the common council, has been fully executed.

27. Projections and encroachments for one and 2-family residential properties as provided in s. 245-4.5.

28. Decorative landscaping edging in the public right-of-way as regulated in s. 116-54.

29. Approved appliances and devices used in connection with equipment not otherwise regulated herein, in approved locations, projecting not more than one foot, provided the lowest portion thereof is a minimum of 10 feet above the adjacent established grade.

Part 3. Section 245-4.5 of the code is repealed and recreated to read:

245-4.5. Encroachments for One- and 2-Family Residential Properties. 1. DEFINITION.

“Encroachments for one- and 2-family residential properties” means objects or structures placed in the public right-of-way that are approved by the commissioner of public works or are in existence as of the passage of this ordinance [city clerk to insert date], and that are not otherwise permitted by s. 245-4.

2. GENERAL REGULATIONS. All encroachments for one- and 2-family residential properties shall comply with the following guidelines:

a. Plans shall be submitted to the commissioner of public works for approval and issuance of a permit prior to applying for any other necessary permits.

b. All necessary permits shall be obtained prior to construction of a proposed encroachment.

c. Any proposed encroachments shall conform to this section, as well as any other requirements of the code. If a conflict exists, the more specific requirement shall govern.

3. PROJECTION.

a. If a paved public sidewalk is present, encroachments may be located between the sidewalk and the street line and may project to the edge of the sidewalk.

b. If no paved public sidewalk is present, encroachments may not project into the public right-of-way unless specifically allowed by s. 245-4.

c. Encroachments may not project into an alley, pedestrian way or bicycle way unless otherwise allowed by the code.

4. APPLICATION. The owner of a property under consideration for construction and installation of a public way encroachment shall submit plans to the city engineer for review and approval. The

grantee shall subsequently submit plans and obtain permits from the commissioner of public works and commissioner of city development, as necessary, for any installation.

5. PROVISIONS. The owner of a public way encroachment for one- or 2-family residential property shall:

- a. Become liable for damages to persons or property by reason of the granting of a permit for the encroachment.
- b. Remove the encroachment whenever public necessity so requires. The owner shall not be entitled to damages relating to the removal.

Part 4. Section 245-4.6 of the code is repealed.

Part 5. Section 245-6 of the code is repealed and recreated to read:

245-6. Movable Awnings. 1. DEFINITION. "Movable awning" means a tractable rooflike shelter attached to the exterior wall of a building or structure in an approved manner, and so constructed and erected to permit being rolled, collapsed or folded back to a position against the building or structure.

2. GENERAL REGULATIONS. All movable awnings erected on any building or structure and projecting beyond a street line shall comply with the regulations of this section.

3. LENGTH. There shall be no limitation on the length of a movable awning.

4. PROJECTION. The projection of a movable awning from the street line shall not exceed $\frac{1}{2}$ the distance from street line to the curb line, but not more than 6 feet in any case. If a sidewalk is less than 12 feet in width, the awning may project 6 feet, but not closer than 2 feet to the curb line. Awnings shall not project into a public right-of-way which is less than 30 feet in width.

5. CLEARANCE. There shall be not less than $7\frac{1}{2}$ feet in the clear between any point of the frame of a movable awning and the sidewalk grade directly below.

6. CONSTRUCTION AND DESIGN.

a. Movable awnings shall be supported entirely by the building or structure to which they are attached.

b. The covering shall be of canvas, cloth or other approved material, which shall be sufficiently flame proofed.

c. Movable awnings shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot and wind pressure of 20 pounds per square foot applied in any direction when the awning is not retracted.

d. Approved supporting structure shall be provided for the support and fastening of awnings.

7. SIGNS ADVERTISING DEVICES. No sign or advertising device shall be hung from, attached to, printed or painted on a movable awning unless the sign complies with the awning sign regulations of ch. 295.

Part 6. Section 245-6.5 of the code is repealed.

Part 7. Section 245-7 of the code is repealed and recreated to read:

245-7. Awnings, Canopies and Sun Shades. 1. DEFINITION. In this section "awning, canopy or sun shade" means a roof-like structure attached to the exterior of a building or structure in an approved manner.

2. GENERAL REGULATIONS. Awnings, canopies and sun shades, when projecting beyond the street line shall comply with the regulations of this section. No awning, canopy or sun shade shall project into a public right-of-way which is less than 30 feet in width.

3. LENGTH. There shall be no limitation on the length of an awning, canopy or sun shade.

4. PROJECTION. The projection of an awning, canopy or sun shade from the street line shall not

exceed ½ the distance from such street line to the curb line, but not more than 6 feet in any case. If a sidewalk is less than 12 feet in width, the awnings may project 6 feet, but not closer than 2 feet to the curb line.

5. CLEARANCE. There shall be not less than 7 ½ feet in the clear between any point of an awning, canopy or sun shade and the sidewalk grade directly below.

6. CONSTRUCTION AND DESIGN. Awnings, canopies and sun shades shall be:

- a. Constructed of noncombustible, rust-resistive materials. Awnings covered in cloth, canvas or other approved pliable material shall be sufficiently flame-proofed.
- b. Supported entirely by the building or structure to which they are attached.
- c. Designed and supported to withstand snow and other loads of not less than 25 pounds per square foot and wind pressure of 20 pounds per square foot applied in any direction.

7. SIGNS AND ADVERTISING. No sign or advertising device shall be hung from, attached to, printed or painted on an awning, canopy or sun shade unless the sign complies with the sign regulations of ch. 295.

8. EXISTING FIXED AWNINGS. All fixed awnings heretofore erected and projecting beyond the street line except fixed awnings covered under sub. 9, shall be made to conform to the regulations of this section, or they shall be removed within 30 days following the effective date of this ordinance [city clerk to insert date].

9. AWNINGS IN THE HISTORIC THIRD WARD. An awning which is located in the Historic Third Ward District, as defined in s. 200-61-2-e, projects beyond the street line and was in existence on December 16, 2003, may be maintained without a special privilege. The awning may also be repaired, altered or replaced without a special privilege, provided the projection from the street line is equal to that of the existing awning or the distance to the curb face, whichever is greater. The awnings shall be constructed in accordance with sub. 6. A permit shall be required for repair, alteration or replacement of an awning, but not for maintenance of an awning. Whenever a permit is required, the owner of the building to which the awning is attached shall:

- a. Become liable for damages to persons or property by reason of the granting of a permit for the awning.
- b. Remove the awning whenever public necessity so requires. The owner shall not be entitled to damages relating to the removal.

Part 8. Sections 245-8 and 9 of the code are repealed.

Part 9. Section 245-10-1 and 7 of the code is amended to read:

245-10. Marquees. 1. DEFINITION. A marquee as herein regulated shall mean a rigid, flat, roof-like structure, ~~[[other than a hood,]]~~ affording shelter, attached to the exterior walls of a building or structure in an approved manner and erected only over an entrance to a building or structure.

7. SIGNS AND ADVERTISING DEVICES. No signs or advertising devices shall be hung from or attached to the bottom of a marquee, except that other signs or advertising devices may be attached to or made a part of the sides or front face of a marquee, as regulated in ch. 244 and in accordance with the regulations for hood signs in ch. 295. Illumination by means of recessed lighting fixtures or by other approved means shall be provided in soffits or marquees. ~~[[In no case shall individual glass panels of recessed light fixtures exceed 576 square inches in area.]]~~

Part 10. Section 245-10-8 of the code is created to read:

8. EXISTING MARQUEES. All marquees projecting 4 feet or less and being 32 square feet in size or smaller and heretofore erected prior to the effective date of this ordinance [city clerk to insert date]

shall be made to conform to the regulations of this section when altered or replaced.

Part 11. Section 245-11 of the code is amended to read:

245-11. Permits and Fees. 1. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, raze or demolish any permissible projection regulated in ~~[[s. 245-4-1 to 19, 21 to 23 and 25 to 27]]~~>>s. 245-4-1 to 15, 17, 18, 20 to 24, 27 and 29<<, or any existing projections without first obtaining a permit therefore from the commissioner of city development and paying the fee as prescribed in s. 200-33.

2. Permits for the temporary occupancy and use of public thoroughfares, the cutting of street curbs, installation of driveways, the establishment of sidewalk area dining facilities and any construction therewith regulated in ~~[[s. 245-4-20, 24 and 28]]~~>>s. 245-16, 19 and 25<<, shall be obtained pursuant to ch. 115 and by rules, fees and regulations established by the commissioner of public works.

LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Requestor

DPW - Infrastructure Services Division

Drafter

LRB09259-3

TWM:lp/MST

3/24/10

..Number
091615
..Version
PROPOSED SUBSTITUTE A
..Reference

..Sponsor
THE CHAIR

..Title
A substitute ordinance relating to encroachments, projections and special privileges.

..Sections

115-32-2	rc
115-40	rp
245-1-5	cr
245-1-6	cr
245-4	rc
245-4.5	rc
245-4.6	rp
245-6	rc
245-6.5	rp
245-7	rc
245-8	rp
245-9	rp
245-10-1	am
245-10-7	am
245-10-8	cr
245-10-9	cr
245-11	am

..Analysis
This ordinance revises and clarifies ch. 245 relating to the permissibility of various encroachments, projections and special privileges into the public right-of-way. These changes include:

1. Codifying that, regardless of the special privilege granted, a minimum clear sidewalk path of 5 feet must be maintained at all times.
2. Updating those projections and encroachments allowable without a special privilege.
3. Merging provisions on residential fences and retaining walls into a broader category encompassing all encroachments allowable for both one and 2-family residential properties.
4. Revising regulations pertaining to movable awnings.

5. Combining and condensing rules on stationary fabric awnings, other fixed awnings and canopies.
6. Amending marquee regulations to include hoods.
7. Clarifying provisions relating to the removal of obstructions from the public way upon written notice of the commissioner of public works.

..Body

Whereas, One- and 2-family buildings are treated separately from other types of buildings by chs. 20 to 25, Wis. Adm. Code, and by ch. 240 of the Code of Ordinances; and

Whereas, Hundreds, if not thousands, of existing one- and 2-family residences have existing encroachments in the public right-of-way, such as steps, fences and retaining walls that have been present without enforcement and, in particular, without requirement of special privileges; and

Whereas, The administrative burden of enforcing the special privilege requirements for one- and 2-family residences would be excessive; and

Whereas, Residential buildings with 3 or more units are typically investment properties operated for profit which are better able to absorb the cost and satisfy the procedural requirements involved in obtaining and maintaining a special privilege; and

Whereas, It is therefore necessary to amend the Code of Ordinances to allow encroachments for one- and 2-family residences without requiring special privileges but with approval by the Commissioner of Public Works; now, therefore

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

Part 1. Section 115-32-2 of the code is repealed and recreated to read:

115-32. Obstruction on Public Ways.

2. a. The location of any permitted obstruction shall not be construed or deemed to be a vested interest. A permittee shall remove or modify an

obstruction at his or her own expense and restore the public way to the satisfaction of the commissioner whenever the city determines that the public convenience would be enhanced by such removal or modification. Except as otherwise provided, the owner shall remove the obstruction from the public way within 30 days, or any special privilege within 10 days, of the receipt of written notice from the commissioner. If the owner fails to carry out the required work, the commissioner may cause such removal, certify the costs thereof in the proper manner to have them levied as special charges against the property and the proper city officials shall enter such charges on the tax rolls.

b. The owner of any non-permitted obstruction shall remove, at his or her own expense, the obstruction within 5 days of receipt of written notice from the commissioner. The owner shall restore the public way to the satisfaction of the commissioner. If the owner fails to carry out the required work, the commissioner may cause such removal, certify the costs thereof in the proper manner to have them levied as special charges on the tax rolls.

Part 2. Section 115-40 of the code is repealed.

Part 3. Section 245-1-5 and 6 of the code is created to read:

245-1. General Regulations.

5. There shall be no permitted projections which limit the clear paved sidewalk width to less than 5 feet.

6. No permission shall be given for projections into the public right-of-way where there is no paved public sidewalk, unless the encroachments are otherwise allowed by code.

Part 4. Section 245-4 of the code is repealed and recreated to read:

245-4. Permissible Projections and Encroachments. Projections and encroachments beyond the street line other than those listed in this section may be permitted by special privilege granted by the common council under s. 245-12. Under the conditions prescribed in this chapter and within the limitations regulated herein, the following projections and encroachments beyond a street line are permitted:

1. Main cornices or roof eaves projecting not more than 3 feet, provided they are a minimum of 14 feet above the adjacent established grade.

2. Cornices of porches and false mansard-type structures projecting not more than 15 inches, provided they are a minimum of 10 feet above the adjacent established grade.

3. Pediments, nonstructural columns or pilasters, and similar architectural projections, including bases and capitals, projecting not more than 8 inches.

4. Masonry projections, including but not limited to quoins, belt courses, lintels, sills, base courses and rustications, projecting not more than 4 inches.

- 5.** Footings or walls and their supports at street lines projecting not more than one foot, provided the tops of the footings are a minimum of 4 feet below the adjacent established grade. Projections beyond the one-foot line shall be subject to the approval of the commissioner of public works.
- 6.** Emergency exit doors, when open, projecting not more than 48 inches into an alley. All other doors when open may project not more than 36 inches.
- 7.** Fire escapes and balconies to smoke-proof stair towers or horizontal exits projecting not more than 7 feet. All other balconies may project not more than 6 feet. Fire escapes and balconies shall be a minimum of 10 feet above the adjacent established street walk grade and 14 feet above alley grade.
- 8.** Oriel or bay windows projecting not more than 24 inches, provided that the lowest portion of the window is a minimum of 10 feet above the adjacent established grade. No oriel or bay window that projects into a public right-of-way shall exceed 10 feet in width. Oriel and bay windows shall not be permitted to project into a public right-of-way which is less than 30 feet in width.
- 9.** Exterior hose connections for fire protection equipment, in approved locations, projecting not more than 8 inches, provided that such connections are a minimum of 1 ½ feet but not more than 3 feet above the adjacent established grade.
- 10.** Street walk basements or sidewalk vaults when constructed and located as regulated in s. 245-5.
- 11.** Movable awnings when constructed and located as regulated in s. 245-6.
- 12.** Awnings, canopies and sunshades when constructed and located as regulated in s. 245-7.
- 13.** Fixed awnings in the Historic Third Ward projecting beyond the street line under s. 245-7-9.
- 14.** Marquees when constructed and located as regulated in s. 245-10.
- 15.** Remodeled building facades encroaching a maximum of 6 inches.
- 16.** Temporary encroachments and use of public thoroughfares during erection, construction, enlargement, alteration, repair, renovation, moving, removing or demolition of buildings and structures when in compliance with the regulations of ch. 228 and s. 245-11.
- 17.** Signs or advertising devices when constructed as regulated in ch. 244.
- 18.** Roof gutters and conductors projecting not more than 8 inches into a public alley. Roof gutters and conductors may not project into a public street.
- 19.** The cutting of street curbs, the installation of driveways and any construction therewith, when in conformity with rules and regulations of the commissioner of public works and permitted by the commissioner of public works.
- 20.** Electrical or gas lighting fixtures attached to the exterior walls of buildings or structures, in approved locations, projecting not more than one foot, provided that the lowest portion of the fixture is a minimum of 7 feet but not more than 10 feet above the adjacent established grade. The fixtures, when more than 10 feet above grade, may extend 5 feet into the public right-of-way and shall be a minimum of 14 feet above grade when projecting into an alley.
- 21.** Security cameras attached to the exterior walls of buildings or structures projecting not more than 5 feet into the public right-of-way, provided they are

greater than 10 feet above the adjacent established grade. The fixtures shall be a minimum of 14 feet above grade when projecting into an alley.

22. Sewer sampling manholes, catch basins, water meter pits, sprinkler pits and similar underground structures when in compliance with s. 245-5.

23. Monitoring wells when associated with a remediation project recognized by the state of Wisconsin.

24. Flagpoles for the flying of federal, state, county or municipal flags only, attached to the exterior walls of buildings or structures, projecting a distance not closer than 3 feet from the curb line, provided the flag and pole have at least 8 feet clearance above the street walk.

25. Permissible projections, obstructions and encroachments as provided by s. 115-32.

26. Items installed in the public right-of-way as part of a streetscape for which a maintenance agreement, approved by the common council, has been fully executed.

27. Projections and encroachments for one and 2-family residential properties as provided in s. 245-4.5.

28. Decorative landscaping edging in the public right-of-way as regulated in s. 116-54.

29. Approved appliances and devices used in connection with equipment not otherwise regulated herein, in approved locations, projecting not more than one foot, provided the lowest portion thereof is a minimum of 10 feet above the adjacent established grade.

Part 5. Section 245-4.5 of the code is repealed and recreated to read:

245-4.5. Encroachments for One- and 2-Family Residential Properties. 1.

DEFINITION. “Encroachments for one- and 2-family residential properties” means objects or structures placed in the public right-of-way that are approved by the commissioner of public works and that are not otherwise permitted by s. 245-4.

2. GENERAL REGULATIONS. All encroachments for one- and 2-family residential properties shall comply with the following guidelines:

a. Plans shall be submitted to the commissioner of public works for approval and issuance of a permit prior to applying for any other necessary permits.

b. All necessary permits shall be obtained prior to construction of a proposed encroachment.

c. Any proposed encroachments shall conform to this section, as well as any other requirements of the code. If a conflict exists, the more restrictive requirement shall govern.

3. PROJECTION.

a. If a paved public sidewalk is present, encroachments may be located between the sidewalk and the street line and may project to the edge of the sidewalk.

b. If no paved public sidewalk is present, encroachments may not project into the public right-of-way unless specifically allowed by s. 245-4.

c. Encroachments may not project into an alley, pedestrian way or bicycle way unless otherwise allowed by the code.

4. APPLICATION. The owner of a property under consideration for construction and installation of a public way encroachment shall submit plans to the city engineer for review and approval. The grantee shall subsequently submit plans and obtain permits from the commissioner of public works and commissioner of city development, as necessary, for any installation.

5. CONDITIONS OF PERMIT. The owner of a public way encroachment for one- or 2-family residential property shall:

a. Become primarily liable for damages to persons or property by reason of the granting of a permit for the encroachment.

b. Remove or modify the encroachment whenever the city determines that the public convenience would be enhanced by such removal or modification as provided in s. 115-32-2. The owner shall not be entitled to damages relating to the removal or modification.

6. SPECIAL PROVISIONS. Any encroachment for one- or 2-family residential property as herein regulated, in existence as of the passage of this ordinance [city clerk to insert date], which meets the requirements of sub. 3, shall be allowed to remain in its existing location until such time that removal of the encroachment is ordered pursuant to sub. 5. The owner of the existing encroachment shall be deemed primarily liable for damages to persons or property by reason of the maintenance of the existing encroachment.

Part 6. Section 245-4.6 of the code is repealed.

Part 7. Section 245-6 of the code is repealed and recreated to read:

245-6. Movable Awnings. 1. DEFINITION. “Movable awning” means a tractable rooflike shelter attached to the exterior wall of a building or structure in an approved manner, and so constructed and erected to permit being rolled, collapsed or folded back to a position against the building or structure.

2. GENERAL REGULATIONS. All movable awnings erected on any building or structure and projecting beyond a street line shall comply with the regulations of this section.

3. LENGTH. There shall be no limitation on the length of a movable awning.

4. PROJECTION. The projection of a movable awning from the street line shall not exceed $\frac{1}{2}$ the distance from street line to the curb line, but not more than 6 feet in any case. If a sidewalk is less than 12 feet in width, the awning may project 6 feet, but not closer than 2 feet to the curb line. Awnings shall not project into a public right-of-way which is less than 30 feet in width.

5. CLEARANCE. There shall be not less than 7 $\frac{1}{2}$ feet in the clear between any point of the frame of a movable awning and the sidewalk grade directly below.

6. CONSTRUCTION AND DESIGN.

a. Movable awnings shall be supported entirely by the building or structure to which they are attached.

- b. The covering shall be of canvas, cloth or other approved material, which shall be sufficiently flame proofed.
 - c. Movable awnings shall be designed and supported to withstand snow and other loads of not less than 25 pounds per square foot and wind pressure of 20 pounds per square foot applied in any direction when the awning is not retracted.
 - d. Approved supporting structure shall be provided for the support and fastening of awnings.
- 7. SIGNS ADVERTISING DEVICES.** No sign or advertising device shall be hung from, attached to, printed or painted on a movable awning unless the sign complies with the awning sign regulations of ch. 295.
- 8. REMOVAL.** The owner shall remove or modify a movable awning whenever the city determines that the public convenience would be enhanced by such removal or modification as provided in s. 115-32-2. The owner shall not be entitled to damages relating to the removal or modification.

Part 8. Section 245-6.5 of the code is repealed.

Part 9. Section 245-7 of the code is repealed and recreated to read:

- 245-7. Awnings, Canopies and Sun Shades. 1. DEFINITION.** In this section “awning, canopy or sun shade” means a roof-like structure attached to the exterior of a building or structure in an approved manner.
- 2. GENERAL REGULATIONS.** Awnings, canopies and sun shades, when projecting beyond the street line shall comply with the regulations of this section. No awning, canopy or sun shade shall project into a public right-of-way which is less than 30 feet in width.
- 3. LENGTH.** There shall be no limitation on the length of an awning, canopy or sun shade.
- 4. PROJECTION.** The projection of an awning, canopy or sun shade from the street line shall not exceed $\frac{1}{2}$ the distance from such street line to the curb line, but not more than 6 feet in any case. If a sidewalk is less than 12 feet in width, the awnings may project 6 feet, but not closer than 2 feet to the curb line.
- 5. CLEARANCE.** There shall be not less than 7 $\frac{1}{2}$ feet in the clear between any point of an awning, canopy or sun shade and the sidewalk grade directly below.
- 6. CONSTRUCTION AND DESIGN.** Awnings, canopies and sun shades shall be:
- a. Constructed of noncombustible, rust-resistive materials. Awnings covered in cloth, canvas or other approved pliable material shall be sufficiently flame-proofed.
 - b. Supported entirely by the building or structure to which they are attached.
 - c. Designed and supported to withstand snow and other loads of not less than 25 pounds per square foot and wind pressure of 20 pounds per square foot applied in any direction.
- 7. SIGNS AND ADVERTISING.** No sign or advertising device shall be hung from, attached to, printed or painted on an awning, canopy or sun shade unless the sign complies with the sign regulations of ch. 295.

8. EXISTING FIXED AWNINGS. All fixed awnings heretofore erected and projecting beyond the street line except fixed awnings covered under sub. 9, shall be made to conform to the regulations of this section, or they shall be removed within 30 days following the effective date of this ordinance [city clerk to insert date].

9. AWNINGS IN THE HISTORIC THIRD WARD. An awning which is located in the Historic Third Ward District, as defined in s. 200-61-2-e, projects beyond the street line and was in existence on December 16, 2003, may be maintained without a special privilege. The awning may also be repaired, altered or replaced without a special privilege, provided the projection from the street line is equal to that of the existing awning or the distance to the curb face, whichever is greater. The awnings shall be constructed in accordance with sub. 6. A permit shall be required for repair, alteration or replacement of an awning, but not for maintenance of an awning. Whenever a permit is required, the owner of the building to which the awning is attached shall:

- a. Become primarily liable for damages to persons or property by reason of the granting of a permit for the awning.
- b. Remove or modify the awning whenever the city determines that the public convenience would be enhanced by such removal or modification as provided in s. 115-32-2. The owner shall not be entitled to damages relating to the removal or modification.

Part 10. Sections 245-8 and 9 of the code are repealed.

Part 11. Section 245-10-1 and 7 of the code is amended to read:

245-10. Marquees. 1. DEFINITION. A marquee as herein regulated shall mean a rigid, flat, roof-like structure, ~~[[other than a hood,]]~~ affording shelter, attached to the exterior walls of a building or structure in an approved manner and erected only over an entrance to a building or structure.

7. SIGNS AND ADVERTISING DEVICES. No signs or advertising devices shall be hung from or attached to the bottom of a marquee, except that other signs or advertising devices may be attached to or made a part of the sides or front face of a marquee, as regulated in ch. 244 and in accordance with the regulations for hood signs in ch. 295. Illumination by means of recessed lighting fixtures or by other approved means shall be provided in soffits or marquees. ~~[[In no case shall individual glass panels of recessed light fixtures exceed 576 square inches in area.]]~~

Part 12. Section 245-10-8 and 9 of the code is created to read:

8. EXISTING MARQUEES. All marquees projecting 4 feet or less and being 32 square feet in size or smaller and heretofore erected prior to the effective date of this ordinance [city clerk to insert date] shall be made to conform to the regulations of this section when altered or replaced.

9. REMOVAL. The owner of a marquee shall remove or modify the marquee whenever the city determines that the public convenience would be enhanced by such removal or modification as provided in s. 115-32-2. The owner shall not be entitled to damages relating to the removal or modification.

Part 13. Section 245-11 of the code is amended to read:

245-11. Permits and Fees. 1. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, raze or demolish any permissible projection regulated in ~~[[s. 245-4-1 to 19, 21 to 23 and 25 to 27]]~~>>s. 245-4-1 to 15, 17, 18, 20 to 24, 27 and 29<<, or any existing projections without first obtaining a permit therefore from the commissioner of city development and paying the fee as prescribed in s. 200-33.

2. Permits for the temporary occupancy and use of public thoroughfares, the cutting of street curbs, installation of driveways, the establishment of sidewalk area dining facilities and any construction therewith regulated in ~~[[s. 245-4-20, 24 and 28]]~~>>s. 245-16, 19 and 25<<, shall be obtained pursuant to ch. 115 and by rules, fees and regulations established by the commissioner of public works.

..LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

..Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

..Requestor

DPW – Infrastructure Services Division

..Drafter

LRB09259-5

TWM:lp/MST

5/6/2010



Legislation Details (With Text)

File #: 100023 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to application, acceptance and funding of a State of Wisconsin Department of Natural Resources Wisconsin Clean Diesel Grant Program grant.

Sponsors: THE CHAIR

Indexes: AIR QUALITY, AMERICAN RECOVERY AND REINVESTMENT ACT, AUTOMOBILES, TRUCKS, WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Attachments: Cover Letter, Fiscal Note, Grant Analysis Form, Grant Budget Form, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
100023
Version
ORIGINAL
Reference

Sponsor
CHAIR
Title

Resolution relating to application, acceptance and funding of a State of Wisconsin Department of Natural Resources Wisconsin Clean Diesel Grant Program grant.

Analysis

This resolution authorizes the Department of Public Works - Operations (Fleet Services Section) to apply for, accept and fund a Wisconsin Clean Diesel Grant Program grant from the U.S. Environmental Protection Agency through the American Recovery and Reinvestment Act pass through the State of Wisconsin Department of Natural Resources in the amount of is \$423,186.00, of which \$100,000 (23.6%) will be provided by the grantor and \$323,186.00 (76.4%) will be provided by the City. The purpose of this grant is to reduce diesel emissions by purchasing two diesel vehicles.

Body

Whereas, The City of Milwaukee appears to be eligible for a Wisconsin Clean Diesel Grant Program grant from the U.S. EPA thru ARRA pass through the State of Wisconsin Department of Natural Resources; and

Whereas, The Department of Public Works-Operations Division (Fleet Services) would use this grant to purchase two vehicles; and

Whereas, The operation of this grant from 01/01/10 to 12/31/10 would cost \$423,186, of which \$100,000 (23.6%) will be provided by the grantor and \$323,186 (76.4%) will be provided by the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is authorized to apply, accept and fund a Wisconsin Clean Diesel Grant Program grant in the amount of \$100,000 from the U.S. EPA thru the ARRA pass-through the State of Wisconsin Department of Natural Resource without further approval, unless the terms of the grant change as indicated in section 304-81, Milwaukee Code of Ordinances; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent of the 2010 Special Revenue-Grant and Aid Projects, the following amount for the project titled Wisconsin Clean Diesel Grant Program:

Project/Grant	GR0001000000
Fund	0150
Org	9990
Program	0001
Budget Year	0000
Sub Class	R999

Account	000600
Project	Grantor Share
Amount	\$100,000

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

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

Further Resolved, that these funds are budgeted for the Department of Public Works-Operations Division (Fleet Services Section), which is authorized to:

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

2. Transfer funds within the project budget as long as the amount expended for each specific purpose does not exceed the amount authorized by the budget by 10%.

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

Requestor
Department of Public Works-Operations Division
04/19/2010

LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS

PUBLIC WORKS COMMITTEE

ITEM 10, FILE #100023

MAY 12, 2010

AMY E. HEFTER

File Number 100023 is a resolution relating to the application, acceptance and funding of a Wisconsin Department of Natural Resources Wisconsin Clean Diesel Grant Program grant.

Background

1. The Wisconsin Department of Natural Resources (WDNR) received grant funds from the U. S. Environmental Protection Agency (EPA) through the American Recovery and Investment Act (ARRA) to help fund projects that reduce diesel emissions in Wisconsin.
2. Approximately \$380,000 is available in this Wisconsin Clean Diesel Grant Program. Grants awarded in this program are used to fund projects for the reduction of diesel emissions from on-road, off-road and stationary sources.
3. Grant awards are capped at a maximum amount of \$100,000 per applicant and can include a combination of any of the following technologies: exhaust control retrofits, on-board idling reduction devices, engine emission upgrades, engine repower or vehicle/equipment replacement.

Discussion

1. This resolution authorizes the Department of Public Works-Operations Division (Fleet Services Section) to apply for, accept, and fund, a Wisconsin Clean Diesel Grant Program grant from the U.S. EPA through an ARRA pass through to the WDNR.
2. Grant funds will be used to purchase 2 diesel vehicles - one aerial lift truck and one class 8A truck - to reduce diesel emissions.

Fiscal Impact

1. \$100,000 (23.6%) will be provided by the grantor, WDNR, and \$323,186 (76.4%) will be provided by the City. The total amount of this project is \$423,186.
2. The City share of this grant (\$323,186) will be appropriated from the 2010 Capital Improvements budget for the DPW-Operations Major Capital Equipment Program account. \$5,500,000 was appropriated to this account in the 2010 Budget.
3. The grant period is from January 1, 2010 through December 31, 2010.

cc: Jeffrey J. Mantes
Preston Cole
Venu J. Gupta
Jeffrey A. Tews

Paul Klajbor
Barry Zalben
Thomas Bell

Prepared by: Amy E. Hefter, X2290
LRB-Research & Analysis Section
May 10, 2010



Department of Public Works

Jeffrey J. Mantes
Commissioner of Public Works

Preston D. Cole
Director of Operations

April 19, 2010

Members of the Common Council
City of Milwaukee
City Hall
200 E. Wells Street, Room 205
Milwaukee, WI 53202

Dear Honorable Members of the Common Council:

Attached please find for introduction a resolution to apply, accept and fund a Wisconsin Department of Natural Resources 2010 Wisconsin Clean Diesel Grant Program. This program is funded through the EPA with funds from the American Reinvestment and Recovery Act (ARRA). The grant provides 25% matching funds for the purchase of two diesel vehicles.

Please direct questions to Jeff Tews, Fleet Operations Manager at x2459. Thank you for your consideration.

Sincerely,

Preston Cole
Director of Operations
Department of Public Works

CITY OF MILWAUKEE FISCAL NOTE

A) DATE April 19, 2010

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution relative to application, acceptance and funding of a Wisconsin Clean Diesel Grant Program

B) SUBMITTED BY (Name/title/dept./ext.): Paul Klajbor, Admin. Services Manager, DPW-Operations, x3271

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
NEW EQUIPMENT:	1 New Aerial lift truck, 1new Class 8A truck		\$423,186.00	\$100,000	
EQUIPMENT REPAIR:					
OTHER:					
TOTALS			\$423,186.00	\$100,000	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

In addition to the above, the City will provide \$323,186.00 as an in-kind contribution.

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

Department would have purchases the two vehicles regardless, grant funds reduced ultimate expenditure.

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

GRANT ANALYSIS FORM OPERATING & CAPITAL GRANT PROJECTS/PROGRAMS

Department/Division: Department of Public Works – Operations Division, Fleet

Contact Person & Phone No: Paul Klajbor x 3271

Category of Request

New Grant

Grant Continuation

Change in Previously Approved Grant

Previous Council File No. _____

Previous Council File No. _____

Project/Program Title: Wisconsin Clean Diesel Grant Program

Grantor Agency: Wisconsin Department of Natural Resource (WDNR) with Federal EPA ARRA funding.

Grant Application Date: May 2009

Anticipated Award Date: May 2010

1. Description of Grant Project/Program (Include Target Locations and Populations):
This grant allows for up to \$100,000 in matching funds up to 25% of vehicle purchase to purchase vehicles with clean diesel technology. The new vehicles must replace an older diesel model. The goal is reduce diesel emissions emitted by the vehicles.

2. Relationship to City-Wide Strategic Goals and Departmental Objectives:
It is the goal of DPW Operations – Fleet to reduce fleet costs incurred by the City and to “green” the fleet whenever possible. This grant accomplishes both goals. The new vehicles will have greatly reduced emissions, which reduce the environmental impact. Additionally, the City would have purchases these vehicles regardless of the grant award. Ultimately, the grant reduces the cost of replacing these vehicles.

3. Need for Grant Funds and Impact on Other Departmental Operations (Applies only to Programs):
NA

4. Results Measurement/Progress Report (Applies only to Programs):
NA

5. Grant Period, Timetable and Program Phase-Out Plan:
January 1, 2010 – December 31, 2010.

6. Provide a list of Subgrantees:
NA

7. If Possible, complete Grant Budget Form and attach to back.
Attached.

CITY OF MILWAUKEE OPERATING GRANT BUDGET

NOTE: The highlighted cells include formulas to automatically total dollar amounts. If you insert additional rows, you may need to copy the formulas into the inserted rows.
 Make sure to check the formulas to ensure they are calculating the numbers correctly.

PROJECT/PROGRAM

TITLE: WI DNR 2010 Wisconsin Clean Diesel Grant Program

PROJECT/PROGRAM YEAR: 2010

CONTACT PERSON: Paul Klajbor x 3271

NUMBER OF POSITIONS		LINE DESCRIPTION	PAY RANGE/ UNITS	GRANTOR SHARE	Acct# 58180600			
NEW	EXISTING				IN-KIND	CASH MATCH		
					SHARE	A/C #	TOTAL	
		PERSONNEL COSTS						
		TOTAL PERSONNEL COSTS						
		FRINGE BENEFITS						
		TOTAL FRINGE BENEFITS						
		OPERATING EXPENDITURES						
		TOTAL OPERATING EXPENDITURES						
		EQUIPMENT						
		1 Aerial Lift Truck, 1 Class 8A truck		\$100,000		\$323,186	\$423,186	
		TOTAL EQUIPMENT		\$100,000		\$323,186	\$423,186	
		INDIRECT COSTS						
		TOTAL INDIRECT COSTS						
		TOTAL COSTS		\$100,000		\$323,186	\$423,186	



Legislation Details (With Text)

File #: 100022 **Version:** 0
Type: Communication-Report **Status:** In Committee
File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Communication from the Department of Public Works transmitting its 2009 residential recycling annual report.
Sponsors: THE CHAIR
Indexes: DEPARTMENT OF PUBLIC WORKS, RECYCLING, REPORTS AND STUDIES
Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

File #: 100022 **Version:** 0

Number
100022

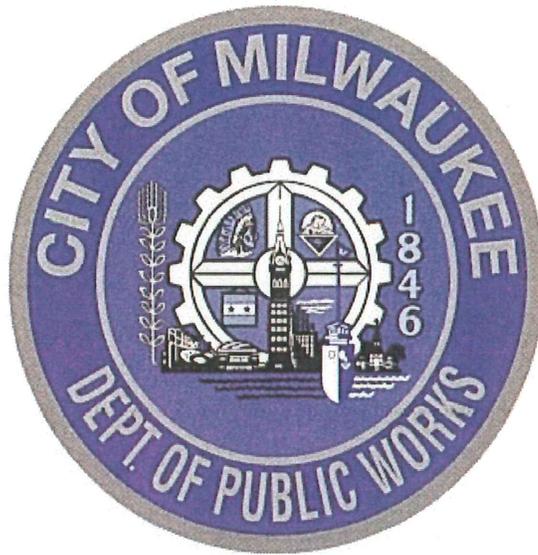
Version
ORIGINAL

Reference
081212

Sponsor
THE CHAIR

Title
Communication from the Department of Public Works transmitting its 2009 residential recycling annual report.

Drafter
Recycling Specialist, Rick Meyers
RJM
04/28/10



2009 DPW Annual Residential Recycling Report

Submitted 5/12/10

Introduction

The year 2009 confirmed that recycling is a mature industry whose fortunes are tied to the global economy. The Great Recession brought drastic commodity price reductions for nearly all recyclables, with many losing 50-75% of their value over the high prices of 2008. While depressed demand caused some communities to struggle to move their materials to market, the City of Milwaukee's recyclables continued to flow to consuming mills and secondary processors, albeit at reduced prices. Two main factors contributed to Milwaukee's relative success; 1) DPW is contracted with a large multi-national firm for the processing and marketing of its recyclables, and major suppliers received orders over smaller players; 2) the relative quality of Milwaukee's recyclables collected and processed through its dual stream program received more interest versus the poorer quality materials coming from some single stream programs. Newer single stream technology generally produces materials of comparable quality to dual stream facilities, and the national trend continues towards converting to single stream to achieve collection efficiencies. The City of Milwaukee's Materials Recovery Facility has antiquated equipment, and DPW will take the opportunity to move to a single stream program within the coming years.

Another trend, the significant decline in print circulation, continues to drive tonnage downward in mature recycling programs throughout the country. Newsprint production in the U.S. has dropped 24% over the last decade, according to industry expert, Jerry Powell. The displacement of print subscriptions with online versions is the biggest factor, but the reduction in newsprint was exacerbated with the recession as fewer advertising dollars meant smaller publications. Milwaukee's residential recycling program collected 13% less newsprint in 2009 than the year before. All the other materials increased in 2009, revealing strong and growing participation in the curbside program overall. Many performance and financial figures are included in tables and graphs later in the report, but first DPW presents a brief overview of various aspects of the residential recycling program in 2009.

-Rick Meyers, Recycling Specialist, DPW



LET'S MAKE MILWAUKEE CLEAN & GREEN.

MilwaukeeRecycles.com

2009 Recycling Program Overview

Recycling Facility and Collection Alternatives Study

- Comprehensive study of recycling collection and processing options
- Dual versus single stream
- Collection frequency evaluation: bi-weekly, tri-weekly, vs. monthly recycling
 - Collecting every three weeks determined to be most cost effective at this time
 - Bi-weekly collection recognized as optimal schedule, matching standard service level among large cart programs nationally
- Informed the recommendations recently passed by the Recycling Task Force
 - Switch to single stream recycling within the next 1-4 years
 - Explore regional processing at City MRF versus transfer hauling to 3rd party

Outreach and Education

- *Recycle For Good* campaign (see page 5)
- 2009 fall mailer – new format, more content, lower cost
- 2,315 students and 346 adults took an educational tour of Milwaukee’s Materials Recovery Facility
- Media appearances, TV and radio
- Booths at festivals and green events



Milwaukee teens featured on website

Awards

- 1st place for 6th straight year: 2009 U.S. Conference of Mayors’ *Cans for Cash – City Recycling Challenge* – only city to win 6 years in a row in any division
- 2009 recycling activities earned runner-up top-three finish for American Forest & Paper Association Community Recycling Award
- Recycling Bin Grant recipient from Associated Recyclers of Wisconsin

Events

- Electronics recycling collection event, Wisconsin State Fairgrounds (March)
 - over 248,000 pounds collected
- Aldermanic Recycling Relay (May)
- Phone book recycling collection event with partners AT&T & UWM (October)



Electronics Recycling Event



Recycling relay during DPW Week



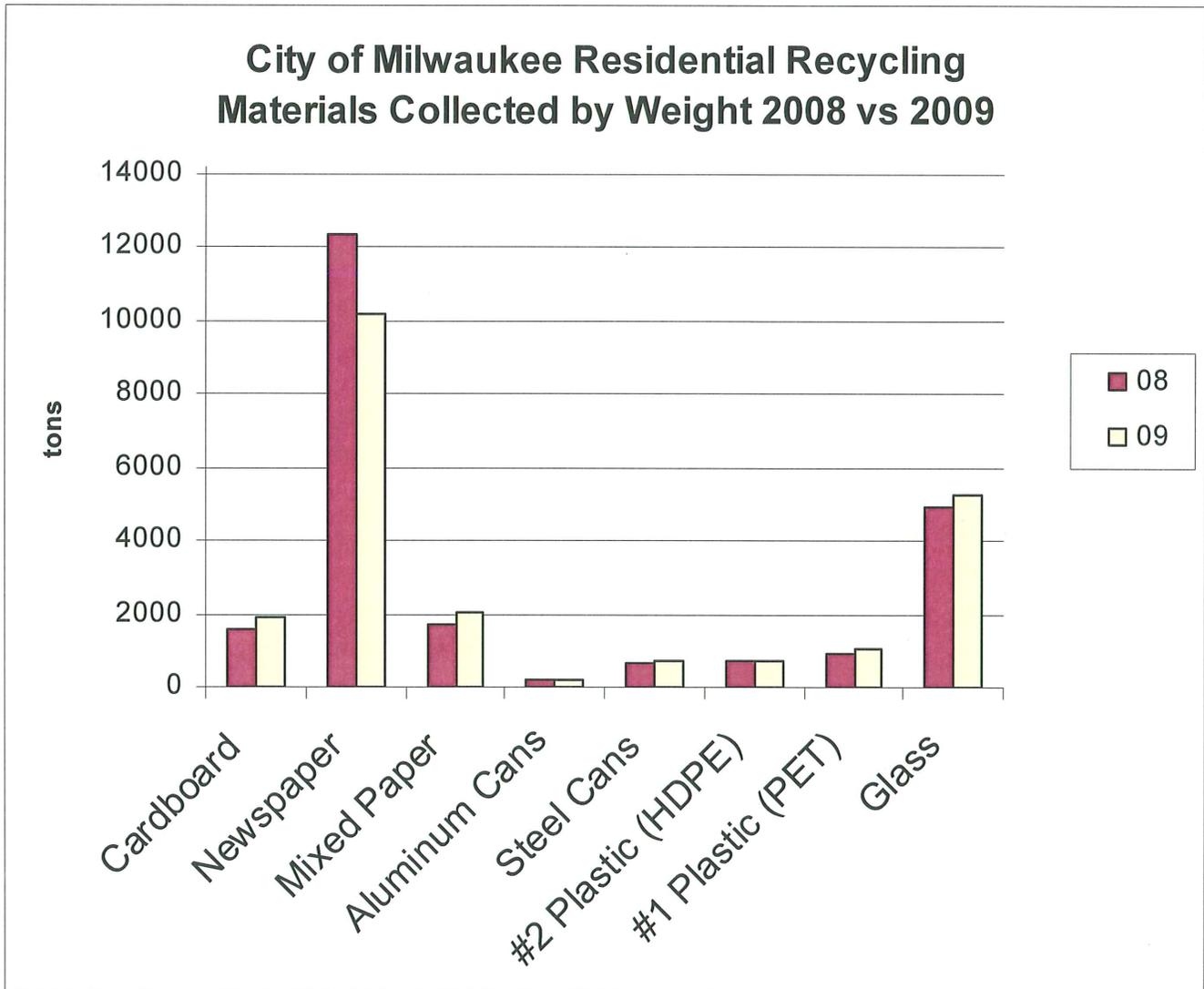
Phone book recycling event

Compliance Enforcement

Property Type	Written warnings	Citations	Amount
1-4 units residential	637	361	\$9,660.00
5+ units residential	26	10	\$1,298.02
Non-residential (business)	61	5	\$635.74

Future Initiatives

- Continuous improvement of curbside collection program
 - Planning for single-stream and exploring facility options
 - Increased collection efficiencies
 - Move towards bi-weekly schedule
- Expanded electronics recycling to include TVs and other items to be banned from landfills September 1st
- Facilitate greater recovery of resources through Self-Help Centers



Recycle For Good - 2009 Campaign Update



Background

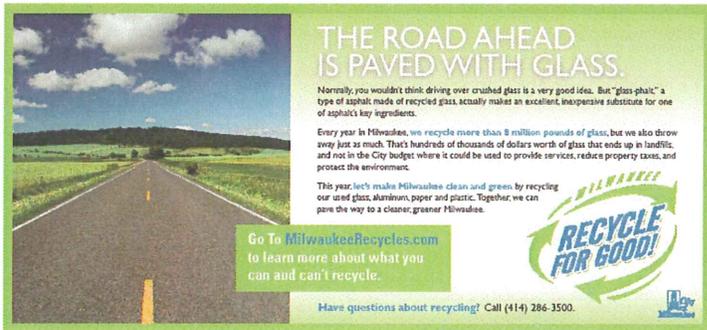
- City wide promotional campaign to increase recycling participation and raise awareness
- Special emphasis on lower participation areas
- Focus groups and phone surveys preceded campaign development
- Public launch September 2008
- Traditional media and community-based outreach

Campaign Advertising

- Outdoor advertising: 12 recycling packers featuring RFG logo and photography
- Radio, print, online, and TV advertisements



Recycling packer featuring one of four different image boards



Print ads such as this appeared in community publications



TV advertisement shown on WISN and on Fox Sports Wisconsin

Neighborhood Campaigns

- Partnerships: Sherman Park Community Association (SPCA), Southside Organizing Committee (SOC)
 - Door-to-door outreach, Community events, meetings, socials, cleanups, Phone calls, Email blasts, Pledges from residents



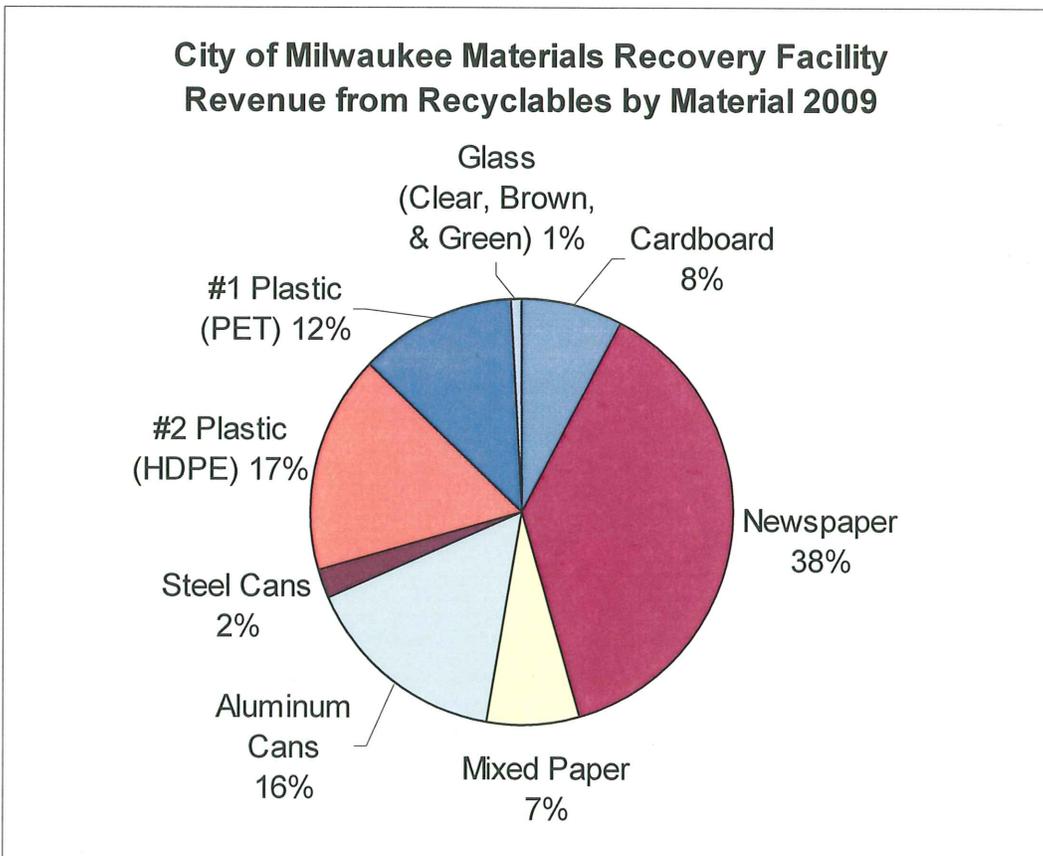
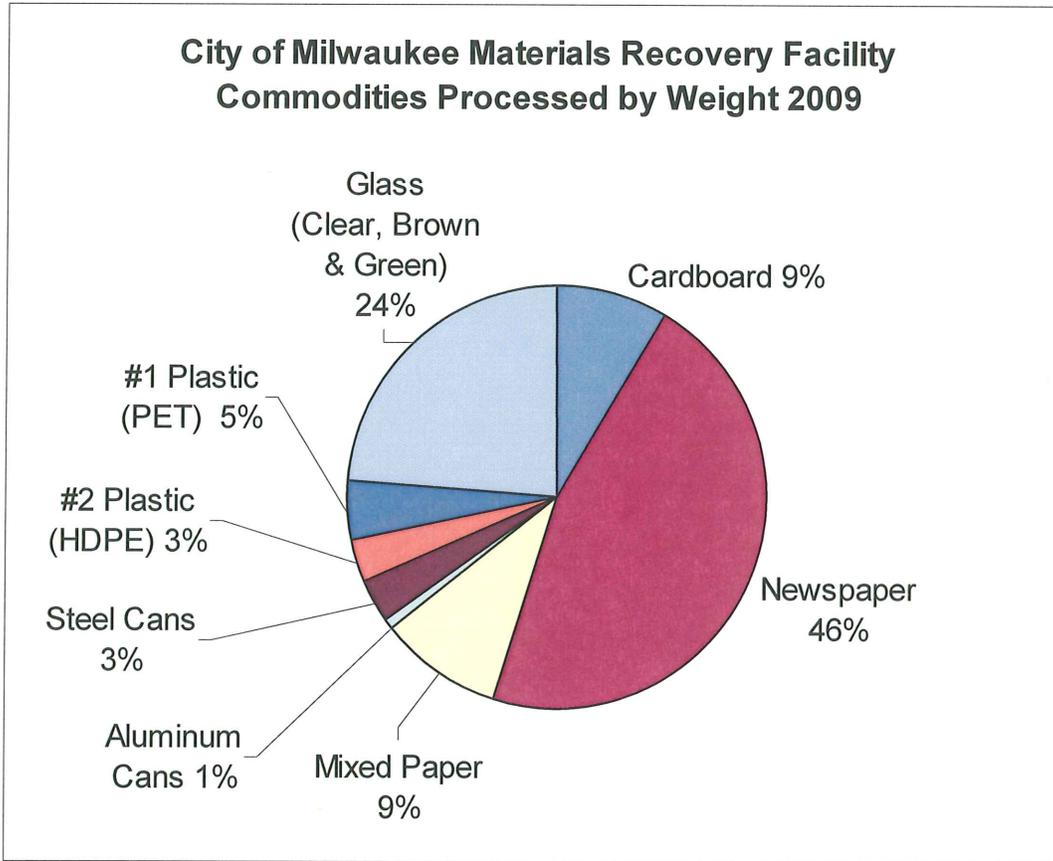
Presenting \$2,500 award check to the Southside Organizing Committee



SPCA Community Event featuring Recycle For Good

2009 Campaign Results

- Recycling of all materials except for newspaper increased in 2009
- Targeted lower participation areas experienced highest improvement



2009 Recycling Weights Monthly Average Lbs per Household

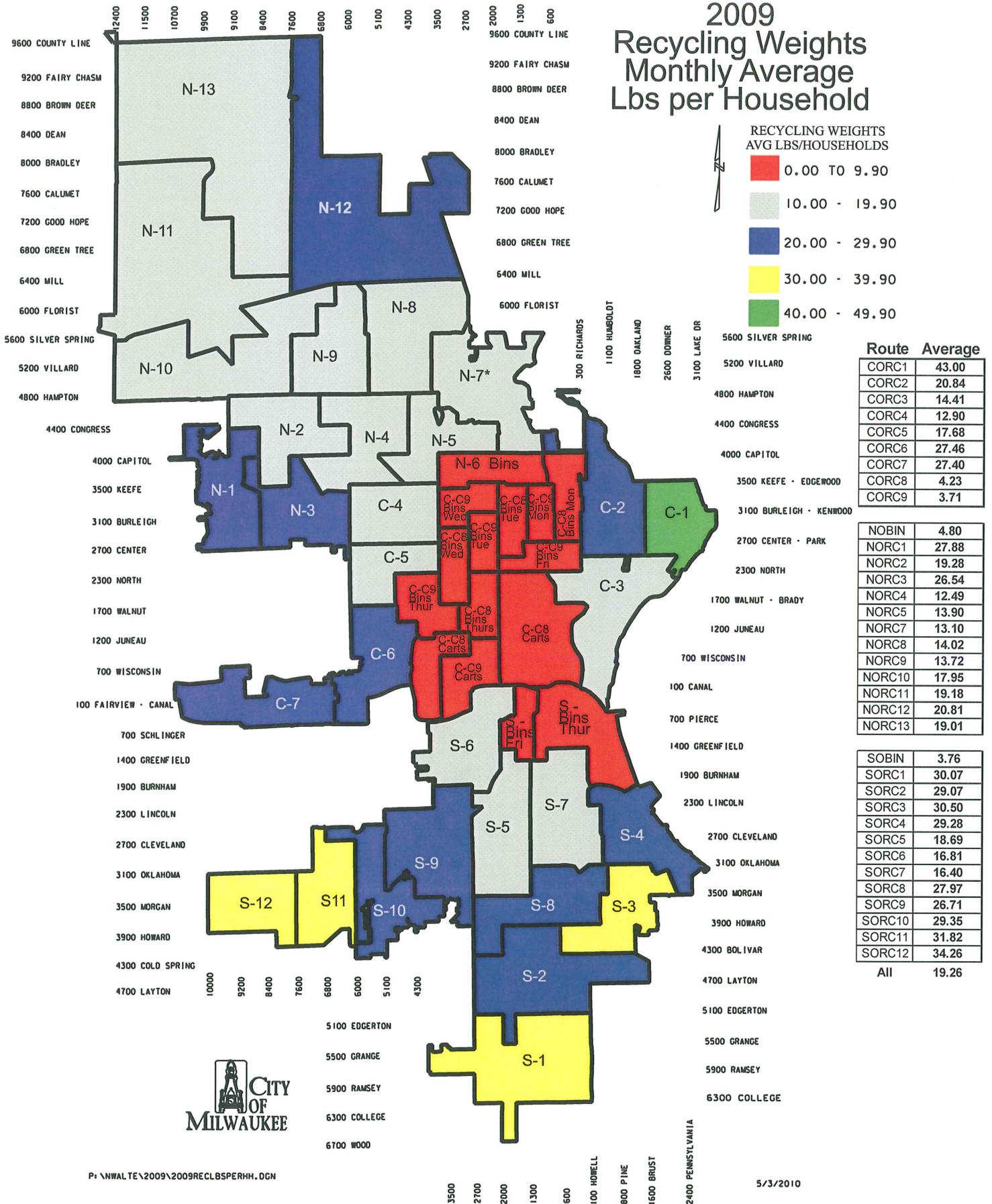


Table 1
Residential Tons Collected
2008 - 2009

	<u>2008</u>	<u>2009</u>	<u>Change</u>	
			<u>Tons</u>	<u>Percent</u>
Recycling Materials - household				
Combined Paper	14,110	12,280	-1,831	-13.0%
Corrugated Cardboard	1,568	1,925	358	22.8%
Aluminum Cans	172	222	50	29.0%
Steel Cans	655	710	56	8.6%
Glass Containers	4,900	5,267	368	7.5%
Plastic Containers	1,665	1,769	104	6.3%
Subtotal	23,069	22,174	-895	-3.9%
Recycling Materials - other				
Appliances with Refrigerants	197	245	48	24.5%
Lead Acid Batteries	22	36	14	62.4%
Waste Tires	733	700	-33	-4.5%
Waste Oil	250	195	-55	-22.0%
Electronics	230	353	123	53.4%
Scrap Metal	1,189	1,461	272	22.9%
Miscellaneous	74	58	-16	-22.0%
Subtotal	2,694	3,046	352	13.1%
Yard Waste				
Subtotal	37,611	36,113	-1,498	-4.0%
<hr/>				
Total Diverted	63,374	61,333	-2,042	-3.2%
<hr/>				
Household Solid Waste				
Cart collection (1-4 unit HHs)	184,601	178,171	-6,430	-3.5%
Dumpster service (>4 unit HH)	20,148	19,220	-928	-4.6%
Skid loader	5,513	4,203	-1,310	-23.8%
Clean & Green program	1,382	1,763	381	27.6%
Miscellaneous	1,932	1,718	-214	-11.1%
Subtotal	213,575	205,075	-8,500	-4.0%
Total Residential Solid Waste	276,950	266,408	-10,542	-3.8%

Table 2
Residential Program Metrics
2008 - 2009

	<u>2008</u>	<u>2009</u>	<u>Change</u>
Effectiveness Measures			
Household Material Recycling Rate*	8.3%	8.3%	0.0%
Yard Waste Recycling Rate	13.6%	13.6%	0.0%
Other Materials Recycling Rate	1.0%	1.1%	0.2%
Total Recycling Rate	22.9%	23.0%	0.1%
Household Materials Recycling lbs. Per Household	242.06	232.79	-9.27
	<i>Percent Change '08 to '09:</i>		-3.8%
Efficiency Measures - Household Recycling Only			
Residential Recycling Program Costs (reported to State)	\$ 8,819,334	\$ 9,025,788	\$ 206,454
State Cost Sharing/Grant Revenue	\$ 3,535,679	\$ 3,182,595	\$ (353,084)
Recyclable Commodity Sales Revenue	\$ 1,415,512	\$ 588,684	\$ (826,828)
Avoided Landfill Disposal Costs	\$ 725,896	\$ 715,129	\$ (10,767)
Subtotal of offsets	\$ 5,677,087	\$ 4,486,408	\$ (1,190,679)
Net Costs - Residential Recycling Program	\$ 3,142,247	\$ 4,539,380	\$ 1,397,133
Net Cost Per Ton - Res. Recycling Program	\$ 136.21	\$ 204.72	\$ 68.51

*The Comptroller's Office method of computing Household Solid Waste Tons includes garbage tons from the City's >4 unit multi-family dwelling customers, a sector not serviced by the City with recycling collection. Since the City does not have recycling tonnage figures for these customers serviced with recycling by the private sector, the resulting recycling rate is artificially low.

Table 3
Recycling Financials Comparison
2008 - 2009

Does not include collection costs or recycling grant revenues

	<u>2008 Total</u>	<u>2009 Total</u>	<u>Change</u>	<u>% Change</u>
Commodity Sales Revenue				
Revenue/Ton without Negative Commodities	119.78	62.73	(57.05)	-47.6%
50% of Rev/Ton (City's share)	59.89	31.36	(28.53)	-47.6%
Total revenue to City	\$ 1,415,512	\$ 588,684	\$ (826,828)	-58.4%
Processing Costs				
Processing per ton rate	41.86	42.48	0.62	1.5%
Processing tons	24,823.84	22,284.53	-2539.31	-10.2%
Processing costs	\$ 1,039,117	\$ 956,168	\$ (82,950)	-8.0%
Net Revenue				
Net revenue (received)	\$ 376,395	\$ (367,484)	\$ (743,879)	-197.6%
Net revenue per ton	15.16	(16.49)	(31.65)	-208.8%
Avoided Disposal Costs				
Landfill costs per ton	29.24	32.09	2.85	9.7%
Landfill costs avoided	\$ 725,896	\$ 715,129	\$ (10,767)	-1.5%
Total Benefit				
Total Net benefit	\$ 1,102,291	\$ 347,646	\$ (754,645)	-68.5%
Total Net benefit per ton	\$ 44.40	\$ 15.60	\$ (28.80)	-64.9%

Despite the worldwide economic slump that significantly depressed recyclable commodity prices in 2009, the City of Milwaukee still achieved a **net benefit of over \$347,000** when recyclables processing costs are compared to recyclables revenue and avoided landfill disposal costs.



Legislation Details (With Text)

File #: 091553 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 3/24/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution authorizing preliminary engineering for scattered site sidewalk replacement projects in various aldermanic districts.
Sponsors: THE CHAIR
Indexes: SIDEWALK IMPROVEMENTS, SIDEWALKS
Attachments: Cover Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/24/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091553

Version

ORIGINAL

REFERENCE

SPONSOR

THE CHAIR

Title

Resolution authorizing preliminary engineering for scattered site sidewalk replacement projects in various aldermanic districts.

Analysis

To provide the necessary authority for preliminary engineering of scattered site sidewalk repairs in various aldermanic districts.

Body

Whereas, It is necessary and in the public interest to replace those sidewalk stones which are cracked, broken, out of grade or otherwise a hazard to pedestrians; and

Whereas, It is proposed that sidewalk replacement work be done during the 2011 construction season in various Aldermanic Districts, ST230110139; and

Whereas, Funds have been encumbered and thus set aside for the proposed public improvement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be, and is hereby authorized and directed to proceed to do preliminary engineering for sidewalk replacement work and the City Comptroller is hereby authorized and directed to transfer \$30,000.00 from Account No. 0333 - ST230100000, which is available for sub-accounts; and, be it

Requestor

DEPARTMENT OF PUBLIC WORKS
INFRASTRUCTURE

Drafter

DEM:smb
February 4, 2010
ANLRES5



Department of Public Works
Infrastructure Services Division
Field Operations - Construction Section

Jeffrey J. Mantes
Commissioner of Public Works

Preston D. Cole
Director of Operations

Jeffrey S. Polenske
City Engineer

February 4, 2010

To the Honorable, the Common Council

Subject: Sidewalk Repairs in Scattered Sites bounded by:
Various Aldermanic Districts

Dear Council Members:

In accordance with the Capital Improvement Guidelines, we are submitting a resolution, which authorizes the City Comptroller to set up the funding for preliminary engineering for **scattered site sidewalk repairs in various aldermanic districts** for 2011, and we recommend its adoption.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

DEM:smb

Attachment

ANLRES5

A) DATE: February 4, 2010

FILE NUMBER:

Original Fiscal Note Substitute

SUBJECT: Resolution authorizing scattered sites sidewalk replacement project in various aldermanic districts

B) SUBMITTED BY (NAME/TITLE/DEPT/EXT.): Jeffrey S. Polenske, City Engineer/Infrastructure Services Division/2400

- C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO	<input type="checkbox"/> DEPARTMENTAL ACCOUNT (DA)	<input type="checkbox"/> CONTINGENT FUND (CF)
	<input type="checkbox"/> CAPITAL PROJECTS FUND (CPF)	<input type="checkbox"/> SPECIAL PURPOSE ACCOUNTS (SPA)
	<input checked="" type="checkbox"/> PERM. IMPROVEMENT FUNDS (PIF)	<input type="checkbox"/> GRANT & AID ACCOUNTS (G & AA)
	<input type="checkbox"/> OTHER (SPECIFY)	

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Non-Assessable (Streets)		\$30,000		
	Assessable (Streets)		Ø		
TOTALS:			\$30,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX

- | | | |
|------------------------------------|------------------------------------|--|
| <input type="checkbox"/> 1-3 YEARS | <input type="checkbox"/> 3-5 YEARS | |
| <input type="checkbox"/> 1-3 YEARS | <input type="checkbox"/> 3-5 YEARS | |
| <input type="checkbox"/> 1-3 YEARS | <input type="checkbox"/> 3-5 YEARS | |

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 091554 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/24/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing preliminary engineering for area wide sidewalk replacement projects in various aldermanic districts.

Sponsors: THE CHAIR

Indexes: SIDEWALK IMPROVEMENTS, SIDEWALKS

Attachments: Cover Letter, Fiscal note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/24/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091554

Version

ORIGINAL

REFERENCE

SPONSOR

THE CHAIR

Title

Resolution authorizing preliminary engineering for area wide sidewalk replacement projects in various aldermanic districts.

Analysis

To provide the necessary authority for preliminary engineering of area wide sidewalk repairs in various aldermanic districts.

Body

Whereas, It is necessary and in the public interest to replace those sidewalk stones which are cracked, broken, out of grade or otherwise a hazard to pedestrians; and

Whereas, It is proposed that sidewalk replacement work be done during the 2011 construction season in various Aldermanic Districts, ST230110138.

Whereas, Funds have been encumbered and thus set aside for the proposed public improvement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be, and is hereby authorized and directed to proceed to do preliminary engineering for area wide sidewalk replacement work and the City Comptroller is hereby authorized and directed to transfer \$30,000.00 from Account No.0333 - ST230100000, which is available for sub-accounts.

Requestor

DEPARTMENT OF PUBLIC WORKS
INFRASTRUCTURE

Drafter

DEM:smb
February 4, 2010
ANLRES5



Milwaukee's Future: IT'S IN OUR HANDS

www.milwaukee.gov/2010census

Department of Public Works
Infrastructure Services Division
Field Operations - Construction Section

Jeffrey J. Mantes
Commissioner of Public Works

Preston D. Cole
Director of Operations

Jeffrey S. Polenske
City Engineer

February 3, 2010

To the Honorable, the Common Council

Subject: Sidewalk Repairs in areas bounded by:
Various Aldermanic Districts

Dear Council Members:

In accordance with the Capital Improvement Guidelines, we are submitting a resolution, which authorizes the City Comptroller to set up the funding for preliminary engineering for sidewalk repairs in **various aldermanic districts** for 2011, and we recommend its adoption.

Very truly yours,



Jeffrey S. Polenske, P.E.
City Engineer



Jeffrey J. Mantes
Commissioner of Public Works

DEM:smb *RS*

Attachment

ANLRES5

RS

A) DATE: February 4, 2010

FILE NUMBER:

Original Fiscal Note Substitute

SUBJECT: Resolution authorizing area wide sidewalk replacement project in various aldermanic districts

B) SUBMITTED BY (NAME/TITLE/DEPT/EXT.): Jeffrey S. Polenske, City Engineer/Infrastructure Services Division/2400

- C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO	<input type="checkbox"/> DEPARTMENTAL ACCOUNT (DA)	<input type="checkbox"/> CONTINGENT FUND (CF)
	<input type="checkbox"/> CAPITAL PROJECTS FUND (CPF)	<input type="checkbox"/> SPECIAL PURPOSE ACCOUNTS (SPA)
	<input checked="" type="checkbox"/> PERM. IMPROVEMENT FUNDS (PIF)	<input type="checkbox"/> GRANT & AID ACCOUNTS (G & AA)
	<input type="checkbox"/> OTHER (SPECIFY)	

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Non-Assessable (Streets)		\$30,000		
	Assessable (Streets)		Ø		
TOTALS:			\$30,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX

- | | | |
|------------------------------------|------------------------------------|--|
| <input type="checkbox"/> 1-3 YEARS | <input type="checkbox"/> 3-5 YEARS | |
| <input type="checkbox"/> 1-3 YEARS | <input type="checkbox"/> 3-5 YEARS | |
| <input type="checkbox"/> 1-3 YEARS | <input type="checkbox"/> 3-5 YEARS | |

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 091555 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 3/24/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution authorizing a sidewalk replacement project at scattered sites in the City of Milwaukee.
Sponsors: THE CHAIR
Indexes: SIDEWALK IMPROVEMENTS, SIDEWALKS
Attachments: Cover Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/24/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091555

Version

ORIGINAL

REFERENCE

SPONSOR

THE CHAIR

Title

Resolution authorizing a sidewalk replacement project at scattered sites in the City of Milwaukee.

Analysis

To provide the necessary authority for sidewalk repairs at scattered sites in the City of Milwaukee (ST230100137).

Body

Whereas, It is necessary and in the public interest to replace those sidewalk stones which are cracked, broken, out of grade or otherwise a hazard to pedestrians; and

Whereas, Funds have been encumbered and thus set aside for the proposed public improvement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works be, and is hereby authorized and directed to proceed to do the above described sidewalk replacement work and the City Comptroller is hereby authorized and directed to transfer \$200,000.00 from Account No. 0333-ST230100000 and \$75,000.00 from Account No. 0330-ST230100000, which is available for sub-accounts; 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 Section 115-42 of the Milwaukee Code of Ordinances.

Requestor

DEPARTMENT OF PUBLIC WORKS
INFRASTRUCTURES

Drafter

DEM:smb
February 4, 2010
ANLRES5



Department of Public Works
Infrastructure Services Division
Field Operations - Construction Section

Jeffrey J. Mantes
Commissioner of Public Works

Preston D. Cole
Director of Operations

Jeffrey S. Polenske
City Engineer

February 4, 2010

To the Honorable, the Common Council

Subject: Sidewalk Repairs in -
Scattered Sites
In the City of Milwaukee

Dear Council Members:

In accordance with the Capital Improvement Guidelines, we are submitting a resolution, which authorizes the City Comptroller to set up the funding for sidewalk repairs at **scattered sites** in the City of Milwaukee; and we recommend its adoption.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

DEM:smb

Attachment

ANLRES5

A) DATE: February 4, 2010

FILE NUMBER:

Original Fiscal Note Substitute

SUBJECT: Resolution authorizing a sidewalk replacement project at scattered sites in the City of Milwaukee.

B) SUBMITTED BY (NAME/TITLE/DEPT/EXT.): Jeffrey S. Polenske, City Engineer/Infrastructure Services Division/2400

- C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO	<input type="checkbox"/> DEPARTMENTAL ACCOUNT (DA)	<input type="checkbox"/> CONTINGENT FUND (CF)
	<input type="checkbox"/> CAPITAL PROJECTS FUND (CPF)	<input type="checkbox"/> SPECIAL PURPOSE ACCOUNTS (SPA)
	<input checked="" type="checkbox"/> PERM. IMPROVEMENT FUNDS (PIF)	<input type="checkbox"/> GRANT & AID ACCOUNTS (G & AA)
	<input type="checkbox"/> OTHER (SPECIFY)	

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Non-Assessable (Streets)		\$200,000.00		
	Assessable (Streets)		\$75,000.00		
TOTALS:			\$275,000.00		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 100009 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution requiring signage at American Recovery and Reinvestment Act funded infrastructure projects.
Sponsors: ALD. BAUMAN
Indexes: AMERICAN RECOVERY AND REINVESTMENT ACT, PUBLIC IMPROVEMENTS, SIGNS
Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100009

Version

ORIGINAL

Reference

Sponsor

ALD. BAUMAN

Title

Resolution requiring signage at American Recovery and Reinvestment Act funded infrastructure projects.

Analysis

This resolution requires that where there is an infrastructure project funded partially or totally by the federal American Recovery and Reinvestment Act, the Department of Public Works shall erect signs alerting the public of the nature of the funding within 100 feet of the project limits of the project.

Body

Whereas, The City of Milwaukee has obtained funds for various infrastructure projects from the federal American Recovery and Reinvestment Act stimulus dollars and is presently working on several construction projects using these stimulus dollars, and the Common Council wishes for the source of the funding for these projects to be known to the general public; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that where there is an infrastructure project partially or totally funded by the American Recovery and Reinvestment Act, the Department of Public Works shall erect signs alerting the public of the nature of the funding within 100 feet of the project limits of the project.

Requestor

Drafter

LRB10166-1

MET

4/22/10



PUTTING AMERICA
TO WORK

PROJECT FUNDED BY THE
AMERICAN RECOVERY
AND
REINVESTMENT ACT



City of
Milwaukee

Building Inspection

City of Milwaukee

City of
Milwaukee

Department of
School Safety
Milwaukee Public Schools

Department of
Community Recreation
Milwaukee Public Schools

Building Inspection
City of Milwaukee



**PUTTING AMERICA
TO WORK**

**PROJECT FUNDED BY THE
AMERICAN RECOVERY**

AND

REINVESTMENT ACT



**City of
Milwaukee**

**City of
Milwaukee**

Department of
School Safety
Milwaukee Public Schools

Department of
Community Recreation
Milwaukee Public Schools

Engineering Inspection
City of Milwaukee

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 5/11/10

FILE NUMBER: 100009

Original Fiscal Note Substitute

SUBJECT: Resolution requiring signage at American Recovery and Reinvestment Act funded infrastructure projects.

B) SUBMITTED BY (Name/title/dept./ext.): Jeffrey S Polenske, PE /City Engineer DPW-ISD x2400

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:
 Costs to produce signage will be included in Department operating expenditures.

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 100008 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing the City Engineer to apply for a Highway Safety Improvement Program grant to install traffic control signals at the intersections of West Kilbourn Avenue at North 16th Street and North 17th Street.

Sponsors: THE CHAIR

Indexes: STATE GRANTS, TRAFFIC CONTROL SIGNALS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Cover Letter, Fiscal Note, Application, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100008

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution authorizing the City Engineer to apply for a Highway Safety Improvement Program grant to install traffic control signals at the intersections of West Kilbourn Avenue at North 16th Street and North 17th Street.

Analysis

The Wisconsin Department of Transportation is soliciting applications for funds under the Federal Highway Safety Improvement Program (HSIP). The program is intended to reduce the number and severity of vehicle and pedestrian crashes. Successful grant applications will be funded 90 percent by the grant program. The Department of Public Works intends to submit an application to install traffic control signals at the intersections of West Kilbourn Avenue at North 16th Street and North 17th Street.

Body

Whereas, The Wisconsin Department of Transportation is soliciting applications for funds under the Federal Highway Safety Improvement Program (HSIP); and

Whereas, The program is intended to reduce the number and severity of vehicle and pedestrian crashes; and

Whereas, The total estimated cost of this project is \$109,877.18 for the installation of street lighting and traffic signal improvements; and

Whereas, The Department of Public Works (DPW) has identified the intersections of West Kilbourn Avenue at North 16th Street and North 17th Street for installation of traffic control signals; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the City Engineer is authorized to submit an application for the Highway Safety Improvement Program to install traffic control signals at the intersections of West Kilbourn Avenue at North 16th Street and North 17th Street at a total estimated cost of \$225,000.00; and be it

Further Resolved, That any successful grant projects will be brought to the Common Council for approval to enter into Project Agreements.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

RWB: ns

April 13, 2010

Kilbourn Avenue at North 16th and North 17th Streets HSIP Applications

April 6, 2010

To the Honorable, the Common Council

Subject: Resolution Regarding Funding for
Highway Safety Improvement Program Project
West Kilbourn Avenue at
North 16th Street and North 17th Street

Dear Council Members:

The Wisconsin Department of Transportation is soliciting applicants for funds under the Federal Highway Safety Improvement Program. The program is intended to reduce the number and severity of vehicle and pedestrian crashes.

The Department of Public Works intends to submit an application for the installation of traffic control signals at the intersections of West Kilbourn Avenue at North 16th Street and North 17th Street.

The successful grant applications are expected to be announced this year. All projects will be funded 90 percent by the grant with a 10 percent local match. We have, therefore, prepared the attached resolution authorizing the department to apply for these grants.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

RWB: ns

Attachment

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)
Ref: GEN\FISCALNT.MST

A) DATE: April 13, 2010

FILE NUMBER:
Original Fiscal Note Substitute

SUBJECT: Resolution authorizing the City Engineer to apply for a Highway Safety grant to install traffic control signals at the intersections of West Kilbourn Avenue at North 16th Street and North 17th Street.

B) SUBMITTED BY (NAME/TITLE/DEPT./EXT.): Jeffrey S. Polenske, City Engineer, DPW, ext. 2400

C) CHECK ONE:	<input type="checkbox"/> ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
	<input checked="" type="checkbox"/> ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
	<input type="checkbox"/> LIST ANTICIPATED COSTS IN SECTION G BELOW.
	<input type="checkbox"/> NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:	<input type="checkbox"/> DEPARTMENTAL ACCOUNT (DA)	<input type="checkbox"/> CONTINGENT FUND (CF)
	<input type="checkbox"/> CAPITAL PROJECTS FUND (CPF)	<input type="checkbox"/> SPECIAL PURPOSE ACCOUNTS (SPA)
	<input type="checkbox"/> PERM. IMPROVEMENT FUNDS (PIF)	<input type="checkbox"/> GRANT & AID ACCOUNTS (G & AA)
	<input type="checkbox"/> OTHER (SPECIFY)	

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS:					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.					
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Expenditures \$109,877.18	Revenue \$80,000.00		
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS				
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS				

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:
Ten percent local match required for any projects approved.

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:
Engineering Estimate

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

Project Application for 2008-2011 HIGHWAY SAFETY IMPROVEMENT PROGRAM

DESIGN ID:	TIED PROJECT IDs:
RELATED ID(s): (R/W) (CONST)	

Project Description

1. NAME OF ROAD/INTERSECTION <i>W. Kilbourn Av. – Intersections with N. 16th St. and N. 17th St.</i>		HWY NO.
COUNTY <i>Milwaukee</i>	CITY OF <i>Milwaukee</i>	TOWN OF
NAME OF THE MPO THE PROJECT IS REPRESENTED BY <i>SEWRPC</i>		

Is the estimated cost of the project less than \$25,000? Yes No
 If YES, be sure to complete Box 6 in addition to the rest of this form.

2A. SEGMENT Current Average Daily Traffic	Project Length	Miles
Roadway Width	Crash Rate	Shoulder Width

2B. INTERSECTION <i>W. Kilbourn Av. and N. 16th St.</i>	Crash Rate <i>2.61</i>	Entering Vehicle Volume <i>8,380</i>
<i>W. Kilbourn Av. and N. 17th St.</i>	<i>3.21</i>	<i>8,980</i>

Identification of Hazard

2C. Explain identified hazards such as: Visibility Restrictions, Curves, Hills, Intersection Problems, Bike/Ped Conflicts, Narrow Shoulders, Rutting, Etc.

The existing geometric configuration and building locations at both intersections provides very poor visibility of northbound/southbound traffic on both North 16th Street (one way northbound) and North 17th Street (one way southbound) for eastbound/westbound traffic on West Kilbourn Avenue. This has led to a high number of right angle crashes at the intersections. Additional signing, pavement marking, and other improvements have failed to reduce the number of crashes at the intersections.

Proposed Improvement

3. In some detail, describe the proposed project and how it will address the identified hazard.

To create a safer exchange of right-of-way and provide gaps in traffic on North 16th Street and North 17th Street for traffic on West Kilbourn Street, traffic signals which will be installed at both intersections under Warrant 8 (Roadway Network) to reduce crashes.

Project Cost

4. Estimate project costs in today's dollars)	FY 2009	FY 2010	FY 2011	FY 2012	HSIP Funds Requested
Preliminary Engineering-Design*: Include state review (-00)			\$25,000		\$25,000
Construction Inspection (-71)				\$20,000	\$20,000
Traffic Signals (-90)				\$180,000	\$180,000
** TOTAL			\$25,000	\$200,000	\$225,000

* Ineligible cost for Small Local HSIP Project (less than \$25,000).
 ** The project sponsors will be responsible for any project costs in excess of the approved project cost.

Project Checklist

Complete this box only for projects less than \$25,000:

5. Will project affect or use land from a property on the National Register of Historic Places? Yes No

Will project require the use of any publicly-owned land from a public park, recreation area, or wildlife and waterfowl refuge? Yes No

Is your municipality adequately staffed and equipped to do the work?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your municipality have prior commitments that would impair your performance of this work?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Contact Information and Signature

6. PRIMARY CONTACT PERSON or AGENCY		
NAME <i>Jeffrey S. Polenske, P.E.</i>	TITLE <i>City Engineer</i>	
ADDRESS <i>841 North Broadway, Room 701</i>	TELEPHONE <i>(414) 286-2400</i>	
MUNICIPALITY <i>City of Milwaukee</i>	STATE <i>WI</i>	ZIP <i>53202</i>
7. SIGNATURE OF LOCAL APPROVING AUTHORITY		DATE

WisDOT Information – Shaded areas to be completed by WisDOT staff only.

A. Environmental Documentation Type		B. Hazard Elimination Type	
C. PMSID	D. Functional Class		E. PEF

REGION APPROVAL Project Supervisor	Date
Planning Supervisor	Date

C.O. Concurrence	Approved _____ Disapproved _____
Approving Authority	Date

REVISED 12/12/06

**ATTACHMENT A
EXISTING SIGNAL SYSTEM MAP**

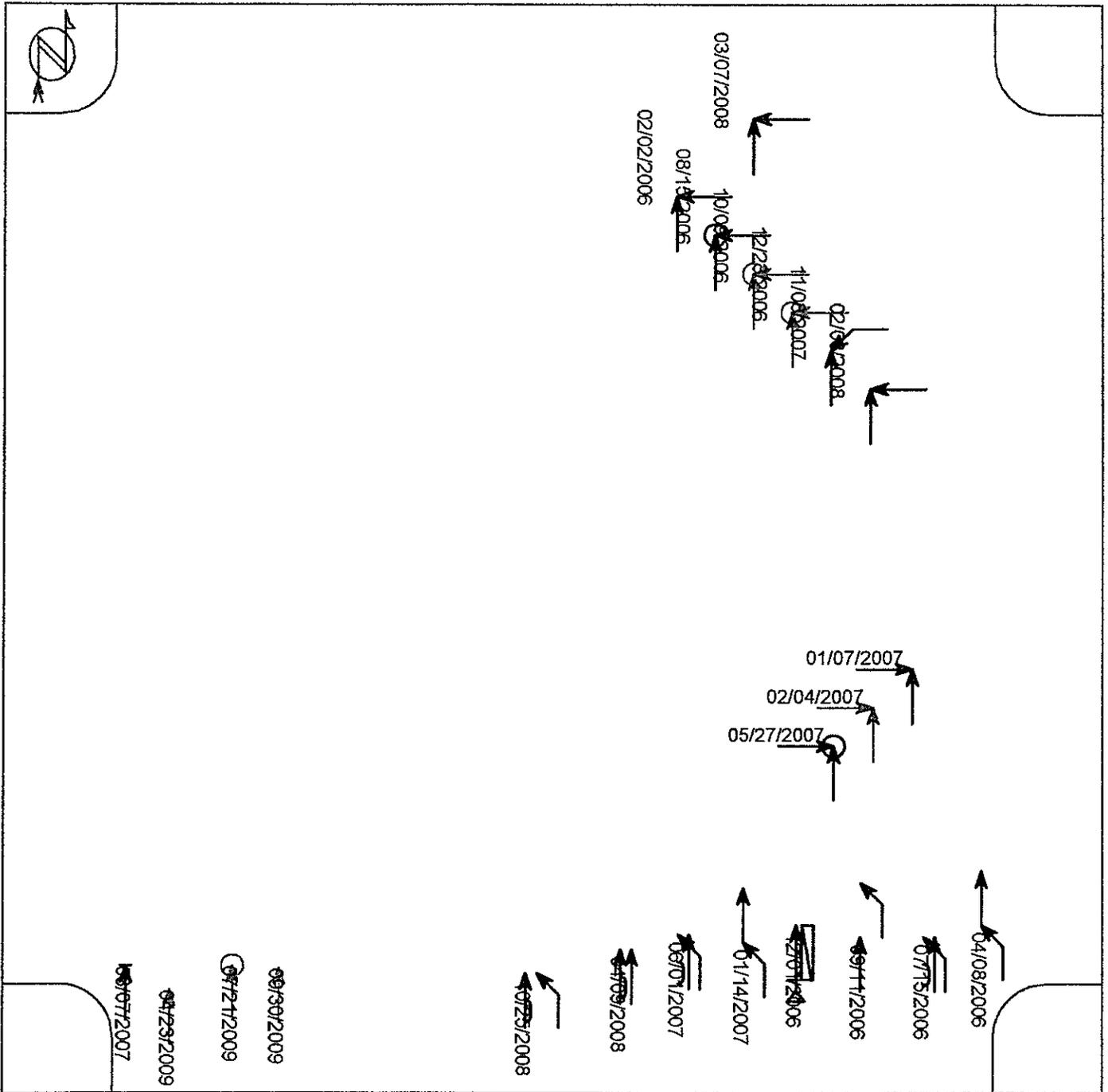
CITY OF MILWAUKEE DEPT. OF PUBLIC WORKS
WEST KILBOURN AVENUE
INTERSECTIONS WITH NORTH 16TH STREET AND NORTH 17TH STREET
2011-2012 HSIP APPLICATION

**ATTACHMENT B
CITY OF MILWAUKEE CRASH DIAGRAM**

CITY OF MILWAUKEE DEPT. OF PUBLIC WORKS
WEST KILBOURN AVENUE
INTERSECTIONS WITH NORTH 16TH STREET AND NORTH 17TH STREET
2011-2012 HSIP APPLICATION

W. Kilbourn Av., & N. 16th St. 01611 & K5742

22 Accidents 01/01/06 - 10/31/09



Accidents with missing data (4)

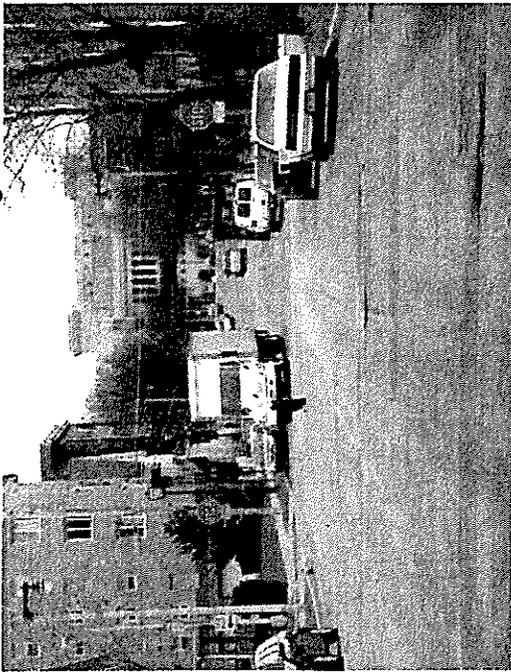
Yellow arrows: fail to yield, Red arrows: Disregards
 Single Circle: Injuries, Double circle: Fatality

(clear filter)

**ATTACHMENT C
INTERSECTION PHOTOGRAPHS**

CITY OF MILWAUKEE DEPT. OF PUBLIC WORKS
WEST KILBOURN AVENUE
INTERSECTIONS WITH NORTH 16TH STREET AND NORTH 17TH STREET
2011-2012 HSIP APPLICATION

Kilbourn and 16th – Facing East



Kilbourn and 16th – Facing West



Kilbourn and 16th – Facing North



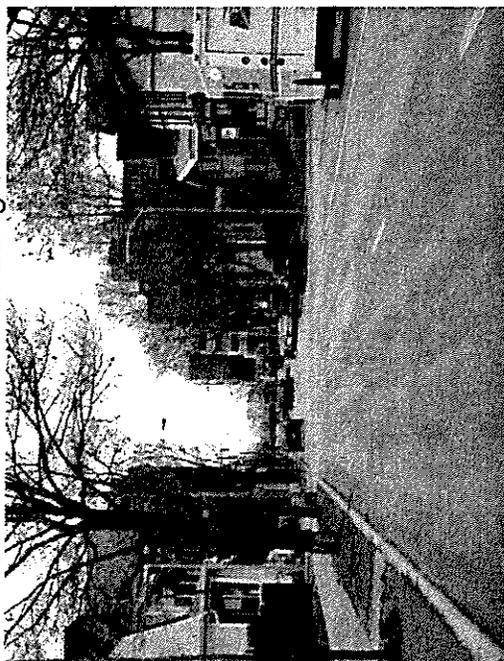
Kilbourn and 17th – Facing East



Kilbourn and 17th – Facing West



Kilbourn and 17th – Facing South



**ATTACHMENT D
WARRANT STUDIES**

CITY OF MILWAUKEE DEPT. OF PUBLIC WORKS
WEST KILBOURN AVENUE
INTERSECTIONS WITH NORTH 16TH STREET AND NORTH 17TH STREET
2011-2012 HSIP APPLICATION

WARRANT ANALYSIS

MAJOR ST: N. 16TH ST. NO. OF LANES: 2
 MINOR ST: W. KILBOURN AV. NO. OF LANES: 1

NO.	TITLE	MET?
1	EIGHT-HOUR VEHICULAR VOLUME	NO
	CONDITION A: MAJOR: <u>600</u> MINOR: <u>150</u>	
	or CONDITION B: MAJOR: <u>900</u> MINOR: <u>75</u>	
	or COMBINATION: MAJOR: <u>480</u> MINOR: <u>120</u>	
	and MAJOR: <u>720</u> MINOR: <u>60</u>	
2	FOUR HOUR VEHICULAR VOLUME	NO
	FIGURE 4C-1	
3	PEAK HOUR	NO
	FIGURE 4C-3	
7	CRASH EXPERIENCE 80 % of CONDITION A: <u>NO</u>	NO
	or 80 % of CONDITION B: <u>NO</u>	
	NO. OF CORRECTABLE REPORTABLE CRASHES <u>6</u>	

TIME	MAJOR ST		TOTAL	MINOR ST		Warrant 1				Warr 2	Warr 3
	NB	N. 16TH ST.		EB	WB	A	B	80% A	80% B		
MID	118		118	16	20						
1	95		95	16	20						
2	71		71	11	12						
3	31		31	4	8						
4	41		41	7	9						
5	81		81	12	21						
6	195		195	28	32						
7	414		414	54	61						
8	496		496	52	51						
9	301		301	44	47						
10	260		260	41	52						
11	303		303	36	64						
NOON	363		363	48	85						
1	348		348	49	93						
2	383		383	60	81						
3	374		374	57	119						
4	442		442	53	128			X			
5	403		403	56	106						
6	314		314	50	64						
7	246		246	34	72						
8	253		253	35	64						
9	239		239	28	73						
10	224		224	26	49						
11	166		166	27	43						
TOTAL	6161	0	6161	844	1374						
COUNT #	55705			56929	56928						
DATE	6/27/06			3/24/08	3/24/08						

BY: JCB
DATE: 3/31/2008

WARRANT ANALYSIS

MAJOR ST: N. 17TH ST. NO. OF LANES: 2
 MINOR ST: W. KILBOURN AV. NO. OF LANES: 1

NO.	TITLE	MET?
1	EIGHT-HOUR VEHICULAR VOLUME	NO
	CONDITION A: MAJOR: <u>600</u> MINOR: <u>150</u>	
	or CONDITION B: MAJOR: <u>900</u> MINOR: <u>75</u>	
	or COMBINATION: MAJOR: <u>480</u> MINOR: <u>120</u>	
	and MAJOR: <u>720</u> MINOR: <u>60</u>	
2	FOUR HOUR VEHICULAR VOLUME	NO
	FIGURE 4C-1	
3	PEAK HOUR	NO
	FIGURE 4C-3	
7	CRASH EXPERIENCE 80 % of CONDITION A: <u>NO</u>	NO
	or 80 % of CONDITION B: <u>NO</u>	
	NO. OF CORRECTABLE REPORTABLE CRASHES <u>13</u>	

TIME	MAJOR ST		MINOR ST		Warrant 1				Warr 2	Warr 3
	N. 17TH ST.		W. KILBOURN AV.		A	B	80% A	80% B		
	SB	TOTAL	EB	WB						
MID	72	72	15	24						
1	48	48	11	28						
2	36	36	11	19						
3	22	22	4	5						
4	38	38	4	5						
5	73	73	11	12						
6	178	178	36	25						
7	523	523	88	69						
8	436	436	96	60						
9	330	330	75	52						
10	312	312	63	54						
11	370	370	80	81						
NOON	377	377	102	73						
1	364	364	92	71						
2	433	433	86	68						
3	495	495	127	107			X			
4	508	508	105	99			X			
5	446	446	90	98						
6	306	306	78	93						
7	243	243	61	67						
8	208	208	52	75						
9	188	188	44	48						
10	141	141	44	54						
11	92	92	33	49						
TOTAL	0	6239	6239	1408	1336					
COUNT #		58350			58347					
DATE		3/23/10		3/23/10	3/23/10					

BY: JCB
DATE: 4/1/2010



Legislation Details (With Text)

File #: 100021 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Commissioner of Public Works to execute project agreements titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming, design and construction of various paving projects with 80 percent Federal and State aid under the Surface Transportation Program, and to set up funds for design engineering at total estimated cost of \$1,717,000 and an estimated City of Milwaukee share of \$343,000 and a grantor share of \$1,373,600.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, HIGHWAYS, STREET IMPROVEMENTS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Cover Letter, Fiscal Note, Agreement for 35th Street, Agreement for Hampton Avenue, Agreement for Port Washington Avenue, Agreement for Lloyd Street, Comptroller's Certificate, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100021

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution directing the Commissioner of Public Works to execute project agreements titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming, design and construction of various paving projects with 80 percent Federal and State aid under the Surface Transportation Program, and to set up funds for design engineering at total estimated cost of \$1,717,000 and an estimated City of Milwaukee share of \$343,000 and a grantor share of \$1,373,600.

Analysis

This resolution authorizes and directs the Commissioner of Public Works to execute project agreements with the Wisconsin Department of Transportation for the programming and design of four and construction of three local arterial Streets with 80 percent Federal and/or State aid under the Surface Transportation Program. This resolution also directs the City of Milwaukee Comptroller to transfer funds and establish project/grant chartfield values for the preliminary engineering for these projects. The estimated total cost of the projects is \$6,742,000, of which the City's share is \$1,348,400 and the grantor share is \$5,393,600. The estimated preliminary engineering cost for these projects is \$1,717,000, of which the City's share is \$343,400 and the grantor share is \$1,373,600. Construction funds for these projects will be included in future resolutions.

Body

Whereas, The project agreements have been requested and received from the Wisconsin Department of Transportation (WisDOT) to be executed by the City of Milwaukee for the programming, design and construction of the following paving projects with Federal and/or State aid under the Surface Transportation Program:

State I.D. 2100-02-01/71

South 35th Street - West Burnham Avenue to West Greenfield Avenue

State I.D. 2570-04-00-70

North Port Washington Avenue - North Martin L. King, Jr. Drive to West Fiebrantz Avenue

State I.D. 2984-16-01/71

West Lloyd Street - North 47th Street to North 60th Street

State I.D. 2545-03-01

West Hampton Avenue - North Green Bay Avenue to North Teutonia Avenue; and

Whereas, The Department of Public Works shall notify the Common Council of the City of Milwaukee at the next scheduled meeting of any such project cost overruns and/or changes in scope approved by the Department of Public Works: and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be 100 percent liable for any such project cost overruns and/or changes in scope as approved by the Department of Public Works; and

Whereas, The Common Council of the City of Milwaukee recognizes that the City may be liable for any costs incurred by the State should the City decide to withdraw from the project; and

Whereas, Construction on these projects is currently scheduled to start in 2012 and 2013; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works (CPW) is hereby directed to execute agreements for the programming, design and construction of the aforementioned projects with Federal and/or State aid under the Surface Transportation Program, copies of which are attached to Common Council Resolution File Number 100021, and are incorporated in this resolution by reference as though set forth in full; and, be it

Further Resolved, That the Commissioner of Public Works is hereby directed to undertake or engage a consultant to undertake design engineering for the improvement of the aforementioned projects and to reimburse the WisDOT for design engineering costs they incur for the improvement; and, be it

Further Resolved, That the Commissioner of Public Works is hereby directed to enter into an agreement with the WisDOT pertaining to the cost participation for the installation and/or modification of traffic control facilities and/or street lighting facilities in conjunction with the improvements of the aforementioned projects; and, be it

Further Resolved, That the Commissioner of Public Works is directed to install the traffic control and/or street lighting facilities necessary in conjunction with the aforementioned projects, following the execution of the traffic control and/or street lighting agreements, the cost of which will be included in future resolutions; and

Further Resolved, That the City Comptroller is hereby authorized to create within the Capital Improvement Fund, Grant and Aid Projects, the necessary Project/Grant Chartfield Values for design engineering for the projects (Expenditure) and transfer to any of these accounts the amount required under the grant agreement and City Accounting Policy but not to exceed a 10 percent increase of the total amounts reserved for the grantor's share and local share or \$5,000, whichever is greater, as follows:

State I.D. 2100-02-01
South 35th Street - West Burnham Avenue to West Greenfield Avenue

City Share Non-Assessable Fund Paving
ST320100000
Fund 0333
\$38,400

Grantor Reimbursable Fund Paving
SP032100100
Fund 0306
\$128,000

Grantor Non-Reimbursable Cash Fund Paving
\$25,600

Estimated total engineering \$192,000
Total engineering previously authorized -0-
Current estimated cost of total project including this resolution \$1,417,000
Original estimated cost of total project \$1,417,000

State I.D. 2570-04-00
North Port Washington Avenue - North Martin L. King, Jr. Drive to West Fiebrantz Avenue

City Share Non-Assessable Fund Paving
ST320100000
Fund 0333
\$82,000

Grantor Reimbursable Fund Paving

SP032100100
Fund 0306
\$272,000

Grantor Non-Reimbursable Cash Fund Paving
\$56,000

Estimated total engineering \$410,000
Total engineering previously authorized -0-
Current estimated cost of the total project including this resolution \$2,505,000
Original estimated cost of total project \$2,505,000

State I.D. 2984-16-01
West Lloyd Street
North 47th Street to North 60th Street

City Share Non-Assessable Fund Paving
ST320100000
Fund 0333
\$66,000

Grantor Reimbursable Fund Paving
SP032100100
Fund 0306
\$220,000

Grantor Non-Reimbursable Cash Fund Paving
\$44,000

Estimated total engineering \$330,000
Total engineering previously authorized -0-
Current estimated cost of total project including this resolution \$2,035,000
Original estimated cost of total project \$2,035,000

State I.D. 2545-03-01
West Hampton Avenue
North Green Bay Avenue to North Teutonia Avenue

City Share Non-Assessable Fund Paving
ST320100000
Fund 0333
\$157,000

Grantor Reimbursable Fund Paving
SP032100100
Fund 0306
\$544,000

Grantor Non-Reimbursable Cash Fund Paving
\$84,000

Estimated total engineering \$785,000
Total engineering previously authorized -0-
Current estimated cost of total project including this resolution \$785,000

Original estimated cost of total project \$785,000

Totals:

City Share Non-Assessable Fund Paving \$343,400

Grantor Reimbursable Fund Paving \$1,164,000

Grantor Non-Reimbursable Cash Fund Paving \$209,600

Estimated Total \$1,717,000

; and, be it

Further Resolved, That the City Engineer is hereby directed to approve and make periodic payments to the WisDOT upon receipt of invoices for the City's share of costs of the above projects.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

LCG:amh

April 23, 2010

Reso Xccut Agree STP Varis 041310.rtf

April 23, 2010

To the Honorable, the Common Council

Subject: Federal/State Paving Projects

Dear Honorable Members:

The following streets are included on the Department of Public Works Long-Range Major Street Program:

<u>Aldermanic Districts</u>	<u>Project Locations</u>
8	South 35 th Street – West Burnham Avenue to West Greenfield Avenue
6	North Port Washington Avenue – North Martin L. King, Jr. Drive to West Fiebrantz Avenue
10, 15	West Lloyd Street – North 47 th Street to North 60 th Street
1	West Hampton Avenue – North Green Bay Avenue to North Teutonia Avenue

These streets are eligible for 80 percent Federal/State cost participation for improvements under the Surface Transportation Program. We have requested and received project agreements from the Wisconsin Department of Transportation (WisDOT) to be executed by the City of Milwaukee for programming and construction.

We have, therefore, prepared the attached resolution, which authorizes and directs the Commissioner of Public Works to execute the project agreements with the WisDOT for the programming and construction of the improvements to the aforementioned streets with Federal/State Aid. This resolution also directs the City Comptroller to transfer funds

To the Honorable, the Common Council
April 23, 2010
Page 2

and establish the necessary project/grant chartfield value for the preliminary engineering work for each of these projects.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

LCG:amh

Attachment

c: Alderman Robert Donovan
Alderman Milele Coggs
Alderman Michael Murphy
Alderman Willie Hines
Alderman Ashanti Hamilton

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** April 23, 2010

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution authorizing and directing the Commissioner of Public Works to execute project agreements titled "State/Municipal Agreement for a Highway Improvement Project" with the Wisconsin Department of Transportation for the programming, design and construction of various paving projects with 80 percent Federal and/or State aid under the Surface Transportation Program, and to set up funds for design engineering at total estimated cost of \$1,717,000 and an estimated City of Milwaukee share of \$343,000 and a grantor share of \$1,373,600.

B) **SUBMITTED BY (Name/title/dept./ext.):** Jeffrey S. Polenske, PE / City Engineer / Infrastructure Services Division / extension 2400

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Capital Improvement Funds (paving)	ST320100000 Fund 0333	\$343,400	-0-	
	Grant & Aid Funds Reimbursable	SP032100100 Fund 0306	\$1,164,000	\$1,164,000	
	Grantor Non-Reimbursable (paving)		209,600	209,600	
TOTALS			\$1,717,000	\$1,373,600	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input checked="" type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Revenues: \$1,373,600	Expenditures: \$1,717,000
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS		
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS		

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**
 Further Common Council action will be required before construction can proceed.

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

**STATE/MUNICIPAL AGREEMENT
FOR A
HIGHWAY IMPROVEMENT PROJECT**

Date: April 5, 2010
 ID: 2100-02-01/71/91
 Highway: South 35th Street
 Limits: W Burnham Ave to W Greenfield Ave
 Route: Local Street
 County: Milwaukee

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2) and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request:

Roadway pavement is visibly distressed with transverse cracking, surface raveling, and multiple patching.

Proposed Improvement - Nature of work:

Roadway Reconstruction.

The apportionment of costs for work necessary to finish the project (including non-participating work and work which will be undertaken by the Municipality) is as follows:

Estimated Cost					
Phase	Total Estimated Cost	Federal/State Funds	%	Municipal Funds	%
Design (-01)	\$160,000	\$128,000	80%	\$32,000	20%
State Review (-01)	\$32,000	\$25,600	80%	\$6,400	20%
Construction (-71)	\$1,100,000	\$880,000	80%	\$220,000	20%
Signals/Signs (-91)	\$125,000	\$100,000	80%	\$25,000	20%
Total Cost Distribution *	\$1,417,000	\$1,133,600		\$283,400	

* Federal participation in this project is limited to \$1,133,600. If project costs exceed this estimate, this project agreement may be revised and additional City of Milwaukee STP-M entitlements may be used, provided a positive entitlement balance is maintained.

This request is subject to the terms and conditions that follow (pages 2 through 4) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and on behalf of the City of Milwaukee:	
Signature	Title
Name (Written Clearly)	Date
Signature (Comptroller)	Title
Name (Written Clearly)	Date

TERMS AND CONDITIONS

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.

2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceed Federal/State financing commitments or are ineligible for Federal/State financing. The Municipality's concurrence is required before award of the contracts for the improvement when the contracts exceed 5% of the estimate. The Municipality must also concur with contract modifications to contracts awarded by the State over \$25,000.00, unless the authorized representative of the State determines that a prompt change order is needed to preserve the work in progress, prevent extraordinary damage, avoid unreasonable and costly delay, or other extraordinary condition of necessity, safety or emergency exists. The authorized representative of the State shall provide notice of the prompt change order to the Municipality or its authorized representative as soon as practicable thereafter and the Municipality shall pay its share of the prompt change order cost.

3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the estimate summary:
 - a. Preliminary engineering and State review services.
 - b. The grading, base, pavement, and curb and gutter.
 - c. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - d. Construction engineering incidental to inspection and supervision of actual construction work.
 - e. Signing and pavement marking, including detour routes.
 - f. Storm sewer mains necessary for the surface water drainage.
 - g. Construction or replacement of sidewalks and surfacing of private driveways.

- h. New installations or alteration of street lighting and traffic signals or devices.
 - i. Real Estate for the improvement, if required
- 4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner or other responsible party (not including the State) includes the following items:
 - a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - b. Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
 - c. Conditioning, if required, and maintenance of detour routes.
 - d. Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
 - e. Bridge width in excess of standards.
- 5. As the work progresses, the Municipality will be billed for and agrees to pay for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs and the Municipality agrees to pay any required reimbursement to the State.
- 6. If the Municipality should withdraw from the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
- 7. The work will be administered by the State and may include items not eligible for Federal/State participation.
- 8. The Municipality will at its own cost and expense:
 - a. Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and will make ample provision for such maintenance each year.
 - b. Prohibit angle parking.
 - c. Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - d. Regulate and prohibit parking at all times in the vicinity of the proposed improvements during their construction.
 - e. Assume general responsibility for all public information and public relations for the project and to make fitting announcements to the press and such outlets as

would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.

- f. Provide complete plans, specifications, relocation order, real estate plat, and estimates, *except as provided in Paragraph 3 above*.
- g. Use the WisDOT Utility Accommodation Policy unless it adopts a policy which has equal or more restrictive controls.

9. Basis for local participation: 80% Federal; balance by Municipality, as specified in Surface Transportation Program—Urban (STP-U) regulations. Federal participation in this project is limited to \$1,133,600. If project costs exceed this estimate, this project agreement may be revised and additional City of Milwaukee STP-M entitlements may be used, provided a positive entitlement balance is maintained.

(End of Document)

**STATE/MUNICIPAL AGREEMENT FOR A
HIGHWAY IMPROVEMENT PROJECT**

Date: April 5, 2010
 ID: 2545-03-01
 Highway: West Hampton Avenue
 Limits: N Green Bay Ave to N Teutonia Ave
 Route: Local Street
 County: Milwaukee

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2) and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request:

Roadway pavement is visibly distressed with transverse cracking, surface raveling, and multiple patching.

Proposed Improvement - Nature of work:

Roadway Reconstruction.

The apportionment of costs for work necessary to finish the project (including non-participating work and work which will be undertaken by the Municipality) is as follows:

Estimated Cost					
Phase	Total Estimated Cost	Federal/State Funds	%	Municipal Funds	%
Design (-01)	\$680,000	\$544,000	80%	\$136,000	20%
State Review (-01)	\$105,000	\$84,000	80%	\$21,000	20%
Total Cost Distribution *	\$785,000	\$628,000		\$157,000	

* Federal participation in this project is limited to \$628,000. If project costs exceed this estimate, this project agreement may be revised and additional City of Milwaukee STP-M entitlements may be used, provided a positive entitlement balance is maintained.

This request is subject to the terms and conditions that follow (pages 2 through 4) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and on behalf of the City of Milwaukee:	
Signature	Title
Name (Written Clearly)	Date
<hr/>	
Signature (Comptroller)	Title
Name (Written Clearly)	Date

TERMS AND CONDITIONS

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.

2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceed Federal/State financing commitments or are ineligible for Federal/State financing. The Municipality's concurrence is required before award of the contracts for the improvement when the contracts exceed 5% of the estimate. The Municipality must also concur with contract modifications to contracts awarded by the State over \$25,000.00, unless the authorized representative of the State determines that a prompt change order is needed to preserve the work in progress, prevent extraordinary damage, avoid unreasonable and costly delay, or other extraordinary condition of necessity, safety or emergency exists. The authorized representative of the State shall provide notice of the prompt change order to the Municipality or its authorized representative as soon as practicable thereafter and the Municipality shall pay its share of the prompt change order cost.

3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the estimate summary:
 - a. Preliminary engineering and State review services.
 - b. The grading, base, pavement, and curb and gutter.
 - c. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - d. Construction engineering incidental to inspection and supervision of actual construction work.
 - e. Signing and pavement marking, including detour routes.
 - f. Storm sewer mains necessary for the surface water drainage.
 - g. Construction or replacement of sidewalks and surfacing of private driveways.

- h. New installations or alteration of street lighting and traffic signals or devices.
 - i. Real Estate for the improvement, if required
- 4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner or other responsible party (not including the State) includes the following items:
 - a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - b. Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
 - c. Conditioning, if required, and maintenance of detour routes.
 - d. Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
 - e. Bridge width in excess of standards.
- 5. As the work progresses, the Municipality will be billed for and agrees to pay for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs and the Municipality agrees to pay any required reimbursement to the State.
- 6. If the Municipality should withdraw from the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
- 7. The work will be administered by the State and may include items not eligible for Federal/State participation.
- 8. The Municipality will at its own cost and expense:
 - a. Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and will make ample provision for such maintenance each year.
 - b. Prohibit angle parking.
 - c. Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - d. Regulate and prohibit parking at all times in the vicinity of the proposed improvements during their construction.
 - e. Assume general responsibility for all public information and public relations for the project and to make fitting announcements to the press and such outlets as

would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.

- f. Provide complete plans, specifications, relocation order, real estate plat, and estimates, *except as provided in Paragraph 3 above*.
 - g. Use the WisDOT Utility Accommodation Policy unless it adopts a policy which has equal or more restrictive controls.
9. Basis for local participation: 80% Federal; balance by Municipality, as specified in Surface Transportation Program—Urban (STP-U) regulations. Federal participation in this project is limited to \$628,000. If project costs exceed this estimate, this project agreement may be revised and additional City of Milwaukee STP-M entitlements may be used, provided a positive entitlement balance is maintained.

(End of Document)

**STATE/MUNICIPAL AGREEMENT
FOR A
HIGHWAY IMPROVEMENT PROJECT**

Date: April 5, 2010
 ID: 2570-04-00/70/90
 Highway: North Port Washington Avenue
 Limits: North MLK Jr Dr to W Fiebrantz Ave
 Route: Local Street
 County: Milwaukee

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2) and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request:

Roadway pavement is in poor condition having a rough ride quality and numerous irregularities including deteriorated joints and base, pot hole, settlements, cracks, and patches.

Proposed Improvement - Nature of work:

Roadway Reconstruction.

The apportionment of costs for work necessary to finish the project (including non-participating work and work which will be undertaken by the Municipality) is as follows:

Estimated Cost					
Phase	Total Estimated Cost	Federal/State Funds	%	Municipal Funds	%
Design (-00)	\$340,000	\$272,000	80%	\$68,000	20%
State Review (-00)	\$70,000	\$56,000	80%	\$14,000	20%
Construction (-70)	\$2,000,000	\$1,600,000	80%	\$400,000	20%
Signals/Signs (-90)	\$95,000	\$76,000	80%	\$19,000	20%
Total Cost Distribution *	\$2,505,000	\$2,004,000		\$501,000	

* Federal participation in this project is limited to \$2,004,000. If project costs exceed this estimate, this project agreement may be revised and additional City of Milwaukee STP-M entitlements may be used, provided a positive entitlement balance is maintained.

This request is subject to the terms and conditions that follow (pages 2 through 4) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and on behalf of the City of Milwaukee:	
Signature	Title
Name (Written Clearly)	Date
Signature (Comptroller)	Title
Name (Written Clearly)	Date

TERMS AND CONDITIONS

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.

2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceed Federal/State financing commitments or are ineligible for Federal/State financing. The Municipality's concurrence is required before award of the contracts for the improvement when the contracts exceed 5% of the estimate. The Municipality must also concur with contract modifications to contracts awarded by the State over \$25,000.00, unless the authorized representative of the State determines that a prompt change order is needed to preserve the work in progress, prevent extraordinary damage, avoid unreasonable and costly delay, or other extraordinary condition of necessity, safety or emergency exists. The authorized representative of the State shall provide notice of the prompt change order to the Municipality or its authorized representative as soon as practicable thereafter and the Municipality shall pay its share of the prompt change order cost.

3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the estimate summary:
 - a. Preliminary engineering and State review services.
 - b. The grading, base, pavement, and curb and gutter.
 - c. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - d. Construction engineering incidental to inspection and supervision of actual construction work.
 - e. Signing and pavement marking, including detour routes.
 - f. Storm sewer mains necessary for the surface water drainage.

- g. Construction or replacement of sidewalks and surfacing of private driveways.
 - h. New installations or alteration of street lighting and traffic signals or devices.
 - i. Real Estate for the improvement, if required
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner or other responsible party (not including the State) includes the following items:
- a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - b. Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
 - c. Conditioning, if required, and maintenance of detour routes.
 - d. Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
 - e. Bridge width in excess of standards.
5. As the work progresses, the Municipality will be billed for and agrees to pay for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs and the Municipality agrees to pay any required reimbursement to the State.
6. If the Municipality should withdraw from the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
7. The work will be administered by the State and may include items not eligible for Federal/State participation.
8. The Municipality will at its own cost and expense:
- a. Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and will make ample provision for such maintenance each year.
 - b. Prohibit angle parking.
 - c. Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - d. Regulate and prohibit parking at all times in the vicinity of the proposed improvements during their construction.

- e. Assume general responsibility for all public information and public relations for the project and to make fitting announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
- f. Provide complete plans, specifications, relocation order, real estate plat, and estimates, *except as provided in Paragraph 3 above*.
- g. Use the WisDOT Utility Accommodation Policy unless it adopts a policy which has equal or more restrictive controls.

9. Basis for local participation: 80% Federal; balance by Municipality, as specified in Surface Transportation Program—Urban (STP-U) regulations. Federal participation in this project is limited to \$2,004,000. If project costs exceed this estimate, this project agreement may be revised and additional City of Milwaukee STP-M entitlements may be used, provided a positive entitlement balance is maintained.

(End of Document)

**STATE/MUNICIPAL AGREEMENT
FOR A
HIGHWAY IMPROVEMENT PROJECT**

Date: April 5, 2010
 ID: 2984-16-01/71/91
 Highway: West Lloyd Street
 Limits: N 47th St to N 60th St
 Route: Local Street
 County: Milwaukee

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2) and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request:

Roadway pavement is in poor condition having a rough ride quality and numerous irregularities including deteriorated joints and base, pot hole, settlements, cracks, and patches.

Proposed Improvement - Nature of work:

Roadway Reconstruction.

The apportionment of costs for work necessary to finish the project (including non-participating work and work which will be undertaken by the Municipality) is as follows:

Estimated Cost					
Phase	Total Estimated Cost	Federal/State Funds	%	Municipal Funds	%
Design (-01)	\$275,000	\$220,000	80%	\$55,000	20%
State Review (-01)	\$55,000	\$44,000	80%	\$11,000	20%
Construction (-71)	\$1,600,000	\$1,280,000	80%	\$320,000	20%
Signals/Signs (-91)	\$105,000	\$84,000	80%	\$21,000	20%
Total Cost Distribution *	\$2,035,000	\$1,628,000		\$407,000	

* Federal participation in this project is limited to \$1,628,000. If project costs exceed this estimate, this project agreement may be revised and additional City of Milwaukee STP-M entitlements may be used, provided a positive entitlement balance is maintained.

This request is subject to the terms and conditions that follow (pages 2 through 4) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and on behalf of the City of Milwaukee:	
Signature	Title
Name (Written Clearly)	Date
<hr/>	
Signature (Comptroller)	Title
Name (Written Clearly)	Date

TERMS AND CONDITIONS

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceed Federal/State financing commitments or are ineligible for Federal/State financing. The Municipality's concurrence is required before award of the contracts for the improvement when the contracts exceed 5% of the estimate. The Municipality must also concur with contract modifications to contracts awarded by the State over \$25,000.00, unless the authorized representative of the State determines that a prompt change order is needed to preserve the work in progress, prevent extraordinary damage, avoid unreasonable and costly delay, or other extraordinary condition of necessity, safety or emergency exists. The authorized representative of the State shall provide notice of the prompt change order to the Municipality or its authorized representative as soon as practicable thereafter and the Municipality shall pay its share of the prompt change order cost.
3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the estimate summary:
 - a. Preliminary engineering and State review services.
 - b. The grading, base, pavement, and curb and gutter.
 - c. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - d. Construction engineering incidental to inspection and supervision of actual construction work.
 - e. Signing and pavement marking, including detour routes.
 - f. Storm sewer mains necessary for the surface water drainage.
 - g. Construction or replacement of sidewalks and surfacing of private driveways.

- h. New installations or alteration of street lighting and traffic signals or devices.
 - i. Real Estate for the improvement, if required
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner or other responsible party (not including the State) includes the following items:
- a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - b. Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
 - c. Conditioning, if required, and maintenance of detour routes.
 - d. Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
 - e. Bridge width in excess of standards.
5. As the work progresses, the Municipality will be billed for and agrees to pay for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs and the Municipality agrees to pay any required reimbursement to the State.
6. If the Municipality should withdraw from the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
7. The work will be administered by the State and may include items not eligible for Federal/State participation.
8. The Municipality will at its own cost and expense:
- a. Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and will make ample provision for such maintenance each year.
 - b. Prohibit angle parking.
 - c. Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - d. Regulate and prohibit parking at all times in the vicinity of the proposed improvements during their construction.
 - e. Assume general responsibility for all public information and public relations for the project and to make fitting announcements to the press and such outlets as

would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.

- f. Provide complete plans, specifications, relocation order, real estate plat, and estimates, *except as provided in Paragraph 3 above*.
 - g. Use the WisDOT Utility Accommodation Policy unless it adopts a policy which has equal or more restrictive controls.
9. Basis for local participation: 80% Federal; balance by Municipality, as specified in Surface Transportation Program—Urban (STP-U) regulations. Federal participation in this project is limited to \$1,628,000. If project costs exceed this estimate, this project agreement may be revised and additional City of Milwaukee STP-M entitlements may be used, provided a positive entitlement balance is maintained.

(End of Document)

**Capital Grant Resolution Certification from the
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. _____ for programming and design of various projects under the Federal/State Surface Transportation Program (City Share \$343,400 Grantor Share \$1,373,600) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: C. W. Winkler

Date: 4/23/10

- 2100-02-01 s 35th St –W Burham Ave to W Greenfield Ave (City 38,400; Grantor 153,600)
- 2570-04-00 N Port Washington Ave – N MLK Dr to W Fiebrantz Ave (City 82,000; Grantor 328,000)
- 2984-16-10 W Lloyd St – N 47th St to N 60th St (City 66,000; Grantor 264,000)
- 2545-03-01 W Hampton Ave – N Green Bay Ave to N Teutonia Ave (City 157,000; Grantor 628,000)



Legislation Details (With Text)

File #: 100024 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement" for a highway improvement project with Wisconsin Department of Transportation for the reconstruction of West Capitol Drive from North 60th Street to Mayfair Road (STH 100) with State/Federal Aid.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, HIGHWAYS, STREET IMPROVEMENTS, WISCONSIN DEPARTMENT OF TRANSPORTATION

Attachments: Cover Letter, Fiscal Note, Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100024

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution directing the Commissioner of Public Works to execute a revised project agreement titled "State/Municipal Agreement" for a highway improvement project with Wisconsin Department of Transportation for the reconstruction of West Capitol Drive from North 60th Street to Mayfair Road (STH 100) with State/Federal Aid.

Analysis

This resolution directs the Commissioner of Public Works to execute a revised project agreement with the Wisconsin Department of Transportation (WisDOT) for the programming and reconstruction of West Capitol Drive (STH 190) from North 60th Street to West Mayfair Road (STH 100) with State/Federal Aid under the State Trunk Highway program. The revised agreement splits roadway construction into two phases. Phase I is from North 60th Street to North 84th Street to be constructed in 2012 and Phase II is from North 84th Street to Mayfair Road (STH 100) to be constructed in 2013. The estimated total cost of the project is \$22,339,725, of which the City's share is \$1,664,556 and the grantor's share is \$20,675,169. The estimated preliminary engineering cost is \$3,018,225 of which the City's share is \$724,556 and the grantor's share is \$2,293,669.

Body

Whereas, The Common Council of the City of Milwaukee adopted resolution file number 041289 on February 11, 2005 directing the Commissioner of Public Works to execute a State/Municipal Agreement with Wisconsin Department of Transportation (WisDOT) for the programming and construction of West Capitol Drive from North 60th Street to West Mayfair Road (STH 100); and

Whereas, The Department of Public Works (DPW) requested and the WisDOT agreed to break construction of the roadway project into two phases. Phase I going from North 60th Street to North 84th Street scheduled for construction in 2012 and Phase II from North 84th Street to West Mayfair Road (STH 100) scheduled for construction in 2013; and

Whereas, DPW should notify the Common Council of the City of Milwaukee of any such cost overruns, and changes in scope approved by DPW; and

Whereas, Funding for the construction of these projects will be included in future resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works is hereby authorized to execute the revised project agreement for the reconstruction of West Capitol Drive from North 60th Street to West Mayfair Road (STH 100) with State/Federal Aid under the WisDOT State Trunk Highway Program in two phases, a copy of which is attached to Common Council File 100024 and is incorporated by reference as though set forth in full.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

LCG:amh

March 25, 2010

Reso W Captl (STH 190) M-Fai Rd - N 60 032510.rtf

April 26, 2010

To the Honorable, the Common Council

Subject: West Capitol Drive (STH 190)
Mayfair Road (STH 100) to
North 60th Street

Dear Council Members:

The Common Council of the City of Milwaukee adopted Resolution File Number 041289 February 11, 2005 directing the Commissioner of Public Works to execute the State/Municipal Agreement with Wisconsin Department of Transportation (WisDOT) under the State Trunk Highway program for the programming and construction of West Capitol Drive (STH 190) from Mayfair Road (STH 100) to North 60th Street with state/federal aid.

The City of Milwaukee requested and the WisDOT agreed to split construction of the subject project into two phases: Phase I is from North 60th Street to North 84th Street to be constructed in 2012 and Phase II is from North 84th Street to Mayfair Road (STH 100) to be constructed in 2013. City of Milwaukee participating costs on this project are dependent on percentage of parking and all non-participating costs are to be paid for 100% by the corresponding municipality. The attached revised agreement reflects the split in construction of this roadway, the cost of which will be set up in future resolutions.

We recommend adoption of the attached resolution directing the Commissioner of Public works to execute the revised State/Municipal Agreement (attached).

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

LCG:amh

Attachment

CITY OF MILWAUKEE FISCAL NOTE

A) DATE _____

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution authorizing and directing the Commissioner of Public Works to execute a Revised Project Agreement between the City of Milwaukee and the Wisconsin Department of Transportation to split roadway construction into two phases: West Capitol Drive (STH 190), North 60th Street to North 84th Street and West Capitol Drive (STH 190) North 84th Street to Mayfair Road (STH 100).

B) SUBMITTED BY (Name/title/dept./ext.): Jeffrey S. Polenske, PE / City Engineer / Infrastructure Services Division / extension 2400

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Capital Improvement Funds	ST320100000 Fund 0333	- 0-		
TOTALS			- 0 -		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

STATE/MUNICIPAL AGREEMENT
 FOR A
 HIGHWAY IMPROVEMENT PROJECT
 REVISES October 29, 2004 AGREEMENT

DATE: April 26, 2010
 PROJECT DESIGN ID: 2025-11-00
 PROJECT CONSTRUCTION ID: 2025-11-70/71/90/91
 HIGHWAY: West Capitol Dr (STH 190) LENGTH: 2.85 miles
 LIMITS: Mayfair Road (STH 100) to North 60th Street
 COUNTY: Milwaukee

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: Improvement.
Proposed Improvement - Nature of work: As determined by project scoping.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: A nominal amount is included to cover items in paragraph 4 (to be adjusted in the final plan).

PHASE	ESTIMATED COST					
	Total Est. Cost	Federal/ State Funds		Municipal % Funds		%
Preliminary Engineering:						
Plan Development	\$ 2,898,225	\$ 2,173,669		75%	\$ 724,556	25%
Real Estate Acquisition:						
Acquisition	\$ 100,000	\$ 100,000		100%	\$ -	0%
Compensable Utilities	\$ 20,000	\$ 20,000		100%	\$ -	0%
Construction:						
2025-11-70/90						
84th St - 60th St pavement for parking **	\$ 5,800,000	\$ 5,370,800		92.6%	\$ 429,200	7.4%
Traffic Control Devices	\$ 550,000	\$ 550,000		100%	\$ -	0%
2025-11-71/91						
Mayfair Rd - 84th St pavement for parking **	\$ 5,800,000	\$ 5,324,400		91.8%	\$ 475,600	8.2%
Traffic Control Devices	\$ 245,500	\$ 245,500		100%	\$ -	0%
CSS*	\$ 600,000	\$ 600,000		MAX	\$ -	BAL
New Sidewalk	\$ 51,000	\$ 40,800		80%	\$ 10,200	20%
Non-Participating	\$ 25,000	\$ -		0%	\$ 25,000	100%
Total Cost Distribution	\$ 22,339,725	\$ 20,675,169			\$ 1,664,556	

*Community Sensitive Solutions (CSS) - maximum State/Federal funds \$600,000, any amount that exceeds the maximum is to be funded with 100% Municipal funds

** Participation for parking is an estimate, the actual percent will be calculated when final plans are complete.

This request is subject to the terms and conditions that follow (pages 2 and 3) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon acceptance by the State shall constitute agreement between the Municipality and the State.

Signed for and in behalf of the City of Milwaukee.

Name	Title	Date

TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality will pay to the State all costs incurred by the State in connection with the improvement which exceeds Federal/State financing commitments or are ineligible for Federal/State financing. The Municipality's concurrence is required before award of the contract for the improvement when the contracts exceed 5% of the estimate. The Municipality must also concur with contract modifications to contracts awarded by the State over \$25,000.00, unless the authorized representative of the State determines that a prompt change order is needed to preserve the work in progress, prevent extraordinary damage avoid unreasonable & costly delay, or other extraordinary condition of necessity, safety or emergency exists. The authorized representative of the State shall provide notice of the prompt change order to the Municipality or its authorized representative as soon as practicable thereafter and the Municipality shall pay its share of the prompt change order cost.
3. Funding of each project phase (preliminary engineering, real estate, construction, and other) is subject to inclusion in an approved program. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the estimate summary:
 - (a) The grading, base, pavement, and curb and gutter.
 - (b) Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - (c) Construction engineering incident to inspection and supervision of actual construction work.
 - (d) Signing and pavement marking, including detour routes.
 - (e) Storm sewer mains necessary for the surface water drainage.
 - (f) Construction of new sidewalks and driveways, replacement of sidewalks and private driveways resulting from roadway construction.
 - (g) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices.
 - (h) Real Estate for the improvement.
 - (i) Preliminary engineering and state review services.
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
 - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) Damages to abutting property due to change in street or sidewalk widths, grades or drainage.
 - (c) Conditioning, if required and maintenance of detour routes.
 - (d) Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
 - (e) Bridge width in excess of standards.
5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs.

6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
7. The work will be administered by the State and may include items not eligible for Federal/State participation.
8. The Municipality shall at its own cost and expense:
 - (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year.
 - (b) Maintenance of sidewalks and landscaping features along the project.
 - (c) Maintenance of lighting systems, to include energy.
 - (d) Maintenance of all features outside the travel lanes when additional pavement width is added at the request of the Municipality, with the exception of turn lanes.
 - (e) Prohibit angle parking.
 - (f) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - (g) Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within an around the projects.
 - (h) Provide complete plans, specifications, relocation order, real estate plat, estimates, appraisals, and acquiring the parcels.
 - (i) Use the WisDOT Utility Accommodation Policy unless it adopts a policy, which has equal or more restrictive controls.

9. Basis for local participation:

Funding for preliminary engineering – for connecting highways is 25% Municipal

Funding for construction of standard roadway items – 100% State

Funding for parking lanes – 100% Municipal and is calculated as a percentage of parking area compared to the total area of pavement. Parking percentage applies only to pavement items.

Funding for CSS (Community Sensitive Solutions) – 100% State, maximum amount \$600,000. Costs about this maximum are 100% Municipal. The funding is to be used for enhancement features along the project limits. CSS funds have been inflated to 2013 dollars.

Funding for real estate required for standard roadway construction, 100% State.

Funding for compensable utilities required for standard roadway construction, 100% State.



Legislation Details (With Text)

File #: 090896 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 11/3/2009 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution amending a special privilege for change of ownership to Complete Lawn Services Inc for a fence in the public right-of-way for the premises at 9306 West Flagg Avenue, in the 2nd Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Special Privilege Petition, Letter from Dept of Public Works, Fiscal note, Picture, Map, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2009	0	COMMON COUNCIL	ASSIGNED TO		
11/4/2009	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
5/6/2010	1	CITY CLERK	DRAFT SUBMITTED		
5/7/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

090896

Version

SUBSTITUTE 1

Reference

920048

Sponsor

THE CHAIR

Title

Substitute resolution amending a special privilege for change of ownership to Complete Lawn Services Inc for a fence in the public right-of-way for the premises at 9306 West Flag Avenue, in the 2nd Aldermanic District.

Analysis

This resolution amends a special privilege for change of ownership to Complete Lawn Services Inc for a fence with a sliding gate in the public right-of-way for the premises at 9306 West Flag Avenue.

Body

Whereas, Metropolitan Maintenance and Landscaping Inc requested permission to keep and maintain a fence in the public right-of-way; and

Whereas, Permission for said fence was granted in 1992 under Common Council Resolution File Number 920048; and

Whereas, Complete Lawn Services Inc now owns the subject premises; and

Whereas, For the liability for said fence to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 920048 is hereby rescinded; and, be it

Further Resolved, That Complete Lawn Services Inc, PO Box 213, Jackson, Wisconsin 53037, is hereby granted the following special privilege:

To keep and maintain an 8-foot tall chain link fence projecting 4 feet into the north sidewalk area of West Flag Avenue. Said fence commences at a point approximately 32 feet west of the westline of North 93rd Street and extends west 120 feet. There is a 20-foot wide gate that opens by sliding parallel to the street.

Said above-mentioned fence shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said fence shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Complete Lawn Services 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 certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer an annual fee, which has an initial amount of \$558.54. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

MDL:ns

April 20, 2010

090896



PETITION FOR A SPECIAL PRIVILEGE

ccl-246 (6/09)

SP 2490

- New application \$250.00 Fee
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)
- Amendment to remove items from Special Privilege # _____ (No fee)
- Amendment for change of ownership for Special Privilege # 1390 (No fee)

- File petition with the City Clerk License Division, City Hall, 200 E. Wells Street, Room 105, Milwaukee, WI 53202, telephone (414) 286-2238. www.milwaukee.gov/license
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee Complete Lawn ~~Care~~ Services
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 9306 W. Flagg Ave
(Street Address and Zip Code)

in the 2nd Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: Fence and Landscaping

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to 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. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Pete Holcomb
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: [Handwritten Signature]
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: Complete Lawn Services
(If applicable, as shown above)

PO Box 213
Jackson, WI 53037
262-852-1251

(OVER)



Office of the City Clerk
License Division

Ronald D. Leonhardt
City Clerk

Rebecca N. Grill
License Division Manager

September 28, 2009

Pete Holcomb
Complete Lawn Care
P.O. Box 213
Jackson, WI 53037

RE: Special Privilege #1390
Common Council #920048

Dear Mr. Holcomb:

Our office has been notified that Complete Lawn Care is the new owner of the premises at 9306 W. Flagg Avenue. A Special Privilege for a fence and landscaping was granted to the previous owner.

In order to change ownership of the Special Privilege to Complete Lawn Care, the enclosed Petition for a Special Privilege and Special Privilege Certificate of Insurance need to be completed and returned to our office immediately.

Failure to do so, may result in the Special Privilege being rescinded.

Sincerely,

Janice Wagner
License Coordinator

April 20, 2010

To the Public Works Committee

Subject: Common Council Resolution File Number 090896

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 090896, being an amendment to a special privilege for change of ownership for a fence in the public right-of-way for the premises at 9306 West Flagg Avenue.

Complete Lawn Services Inc requested permission for a fence to occupy the north sidewalk area of West Flagg Avenue and, in 1992, permission for said fence was granted under Common Council Resolution File Number 920048. The 8-foot tall chain link fence, which projects 4 feet into the public way, commences at a point approximately 32 feet west of the westline of North 93rd Street and extends 120 feet to the west.

We are not aware that the presence of said fence has had or will have an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will formally allow the fence to continue to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Art Dahlberg, Commissioner
Department of Neighborhood Services

MDL: ns

Attachment
c: Alderman Joe Davis, Sr.

CITY OF MILWAUKEE FISCAL NOTE

A) DATE April 20, 2010

FILE NUMBER: 090896

Original Fiscal Note Substitute

SUBJECT: Substitute resolution amending a special privilege for change of ownership to Complete Lawn Services Inc for a fence in the public right-of-way for the premises at 9306 West Flagg Avenue.

B) SUBMITTED BY (Name/title/dept./ext.): **JEFFREY S. POLENSKE, P.E./CITY ENGINEER/INFRASTRUCTURE SERVICES DIVISION/2400**

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Annual billing/initial Inspection		\$2.77/4.04		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:			\$2.77/4.04	\$558.54	
TOTALS				\$558.54	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Fee (Income) \$558.54
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Cost Billing - \$2.77/4.04
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

Annual billing/initial Inspection

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

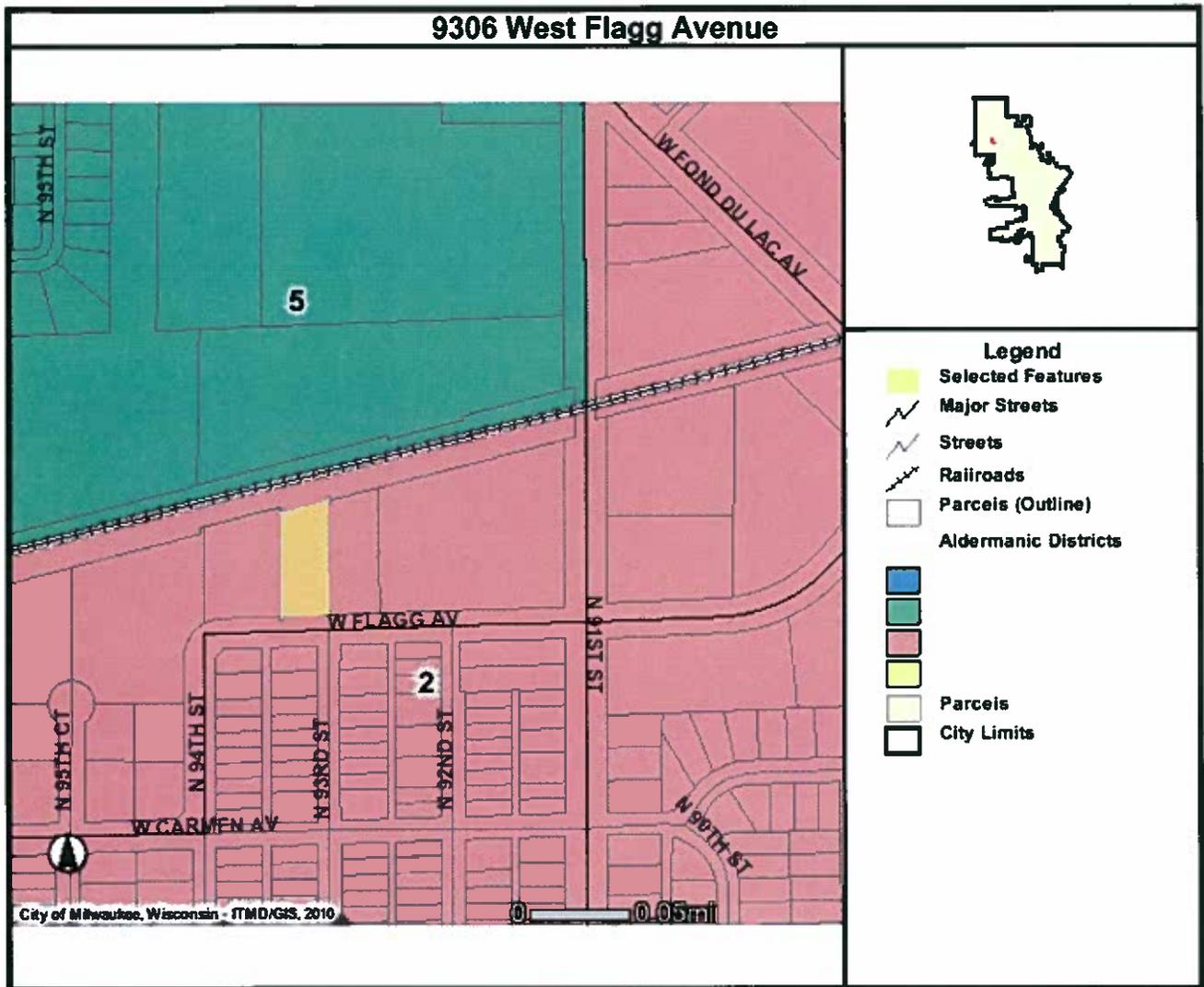
Special Privilege Committee Fee Schedule

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



CCF 090896 9306 W Flagg Ave 4-16-2010
Looking NE'ly across Flagg Ave at fence.

Note: There is no paved public sidewalk.





Legislation Details (With Text)

File #: 091328 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 2/9/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution amending a special privilege for change of ownership to City on a Hill Inc for a private utility package and for removal of a second utility package in the public right-of-way for the premises at 2224 West Kilbourn Avenue, in the 4th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Special Privilege Petition, Letter from Dept. of Public Works, Fiscal note, Map, Map of utility package crossing, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/11/2010	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
5/6/2010	1	CITY CLERK	DRAFT SUBMITTED		
5/7/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

091328

Version

SUBSTITUTE 1

Reference

62108

66-3839

66-3839-a

66-3839-b

Sponsor

THE CHAIR

Title

Substitute resolution amending a special privilege for change of ownership to City on a Hill Inc for a private utility package and for removal of a second utility package in the public right-of-way for the premises at 2224 West Kilbourn Avenue, in the 4th Aldermanic District.

Analysis

This resolution amends a special privilege for change of ownership to City on a Hill Inc for a private utility package and for removal of a second utility package in the public right-of-way for the premises at 2224 West Kilbourn Avenue.

Body

Whereas, Lutheran Hospital of Milwaukee Inc requested permission to keep and maintain two private utility “tunnels”, also known as “packages” in the public right-of-way; and

Whereas, Permission for said private utility packages was granted in 1975 under Common Council Resolution File Number 66-3839-b; and

Whereas, City on a Hill Inc now owns the subject premises; and

Whereas, The current owner reports that one of the private utility packages had been abandoned at sometime in the past; and

Whereas, For the liability for said remaining private utility package to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 62108, 66-3839, 66-3839-a and 66-3839-b are hereby rescinded; and, be it

Further Resolved, That City on a Hill Inc, 2224 West Kilbourn Avenue, Milwaukee, Wisconsin 53233, is hereby granted the following special privilege:

To keep and maintain a private utility package crossing under the 60-foot right-of-way of North 23rd Street at a point approximately 165 feet south of the southline of West State Street. Said utility package is a minimum depth of 5 feet below grade and is 4 feet wide and is 3 feet tall.

Said above-mentioned private utility package shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said private utility package shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, City on a Hill 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 certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$240.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.
7. Join and continue to be a member of Digger's Hotline, the one call system that operates in the Milwaukee area, as long as there are private underground facilities in the public right-of-way as required in Section 182.0175(lm)(6) of the Wisconsin Statutes.

Requestor

Department of Public Works

Drafter

Infrastructure Services Division

MDL: ns

April 15, 2010

091328



PETITION FOR A SPECIAL PRIVILEGE

ccl-246 (6/09)

SP 2507

- New application \$250.00 Fee
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)
- Amendment to remove items from Special Privilege # _____ (No fee)
- Amendment for change of ownership for Special Privilege # 116 (No fee)

- File petition with the City Clerk License Division, City Hall, 200 E. Wells Street, Room 105, Milwaukee, WI 53202, telephone (414) 286-2238. www.milwaukee.gov/license
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee City on a Hill, Inc.
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 2224 West Kilbourn Avenue 53233
(Street Address and Zip Code)

in the 4th Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: Amend CCF 66-3839-B for change of ownership for ^{one} ~~two~~ private utility tunnels (1 of 2)
Retained Tunnel: Concrete tunnel 4ft wide x 3ft high crossing 23rd St.
165 ft. south of W. State St. 5 ft. below street level containing conduit.

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to 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. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Diane De La Santos
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: Diane De La Santos
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: City on a Hill, Inc.
(If applicable, as shown above)
(OVER)

Mailing Address (If different than property address above): _____

City: _____ State: _____ Zip: _____

Telephone: 414-931-6670 E-Mail: ddelaSantos@cityona-hillmilwaukee.org

Architect/Engineer/Contractor (If Applicable)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____



PETITION FOR A SPECIAL PRIVILEGE

ccl-246 (6/09)

SP 2507

- New application \$250.00 Fee
- Amendment to add items to Special Privilege # _____ (\$125.00 Fee)
- Amendment to remove items from Special Privilege # _____ (No fee)
- Amendment for change of ownership for Special Privilege # 116 (No fee)

- File petition with the City Clerk License Division, City Hall, 200 E. Wells Street, Room 105, Milwaukee, WI 53202, telephone (414) 286-2238. www.milwaukee.gov/license
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Petition must be submitted in duplicate.

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee City on a Hill, Inc.
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 2224 West Kilbourn Avenue 53233
(Street Address and Zip Code)

in the 4th Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Description of Special Privilege: Amend CCF 66-3839-B for ~~change of ownership for two~~ ^{removal from Special Privilege of one} private utility tunnels
Abandoned Tunnel: concrete tunnel 102 ft. north of Kilbourn Avenue
(1 of 2 tunnels)

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to 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. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Diane De La Santos
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: Diane De La Santos
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: City on a Hill, Inc.
(If applicable, as shown above)
(OVER)

Mailing Address (If different than property address above): _____

City: _____ State: _____ Zip: _____

Telephone: 414-931-6670 E-Mail: ddela Santos@cityonahillmilwaukee.org

Architect/Engineer/Contractor (If Applicable)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____

April 15, 2010

To the Public Works Committee

Subject: Common Council Resolution File Number 091328

Dear Honorable Members:

Returned herewith is Common Council Resolution File Number 091328, being an amendment to a special privilege for change of ownership for a private utility package and for removal of a second utility package in the public right-of-way for the premises at 2224 West Kilbourn Avenue.

Common Council Resolution File Number 091328 changes the owner to City on a Hill Inc for a private utility package crossing under North 23rd Street and for removal of a second utility package from the public right-of-way. Permission for the remaining utility package was originally granted in 1937 under Common Council Resolution File Number 62108. Permission for the second utility package was originally granted in 1966 under Common Council Resolution File Number 66-3839. Subsequent amendments to these special privileges reflect changes in ownership and in package usage.

City on a Hill Inc, the present owner, reported that the south utility package has been abandoned. The remaining utility package crosses North 23rd Street at a point approximately 165 feet south of the southline of West State Street at a minimum depth of 5 feet below grade. Said package is 4 feet wide, is 3 feet tall and carries electrical conduits to a parking lot at 2303 West State Street.

We are not aware that the presence of said utility package has had or will have an adverse effect on the general use of the public right-of-way. We have, therefore, prepared the attached special privilege resolution, which, if adopted, will amend the ownership of the above special privilege, will remove the abandoned utility package from the special privilege and will formally allow the remaining utility package to continue to occupy the public right-of-way.

Very truly yours,

Jeffrey S. Polenske, P.E.
City Engineer

Jeffrey J. Mantes
Commissioner of Public Works

Art Dahlberg, Commissioner
Department of Neighborhood Services
MDL: ns
Attachment
c: Alderman Robert Bauman

CITY OF MILWAUKEE FISCAL NOTE

A) DATE April 15, 2010

FILE NUMBER: 091328

Original Fiscal Note Substitute

SUBJECT: Substitute resolution amending a special privilege for change of ownership to City on a Hill Inc for a private utility package and for removal of a second utility package in the public right-of-way for the premises at 2224 West Kilbourn Avenue.

B) SUBMITTED BY (Name/title/dept./ext.): JEFFREY S. POLENSKE, P.E./CITY ENGINEER/INFRASTRUCTURE SERVICES DIVISION/2400

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Annual billing/initial Inspection		\$2.77/4.04		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:			\$2.77/4.04	\$240.00	
TOTALS				\$240.00	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Fee (Income) \$240.00
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	Annual Cost Billing - \$2.77/4.04
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

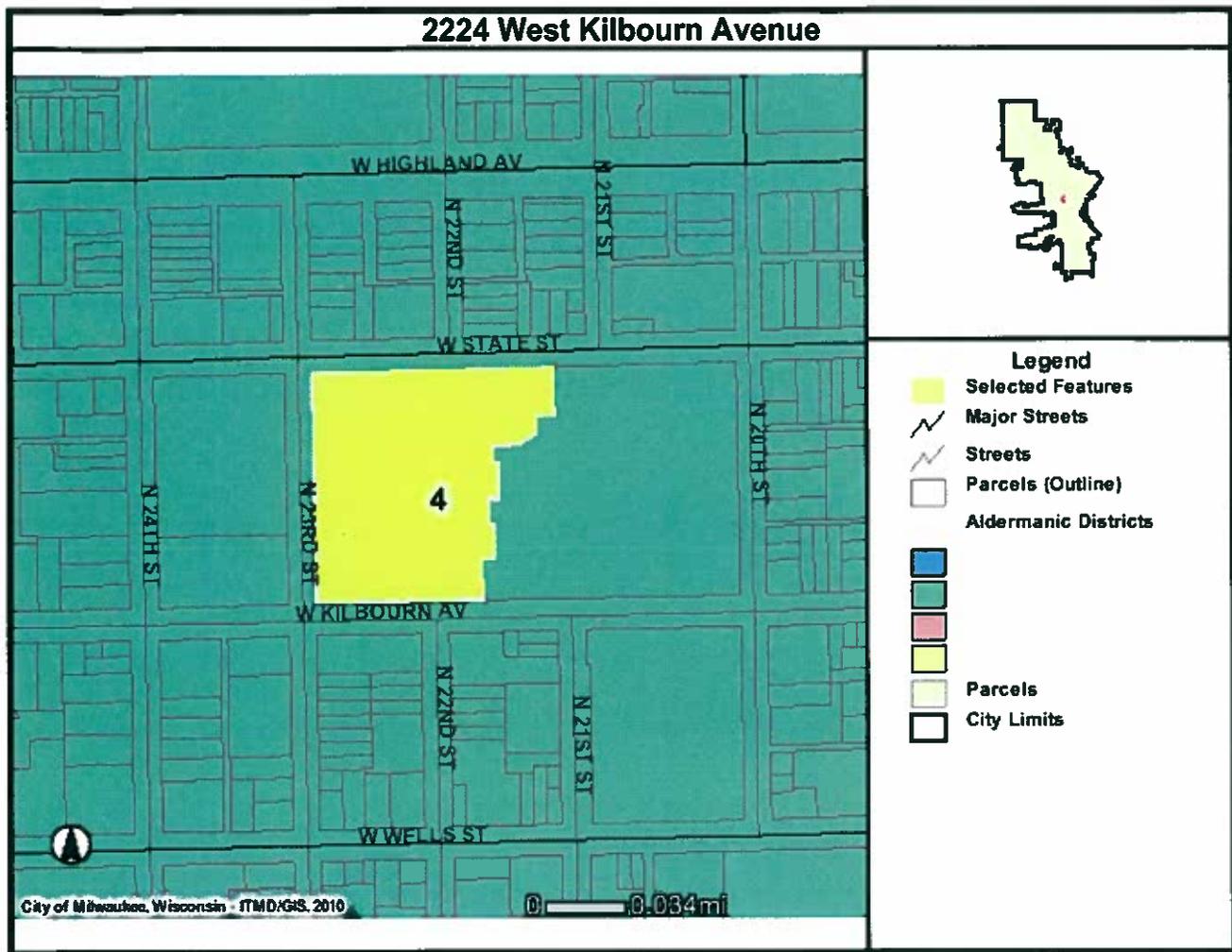
G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

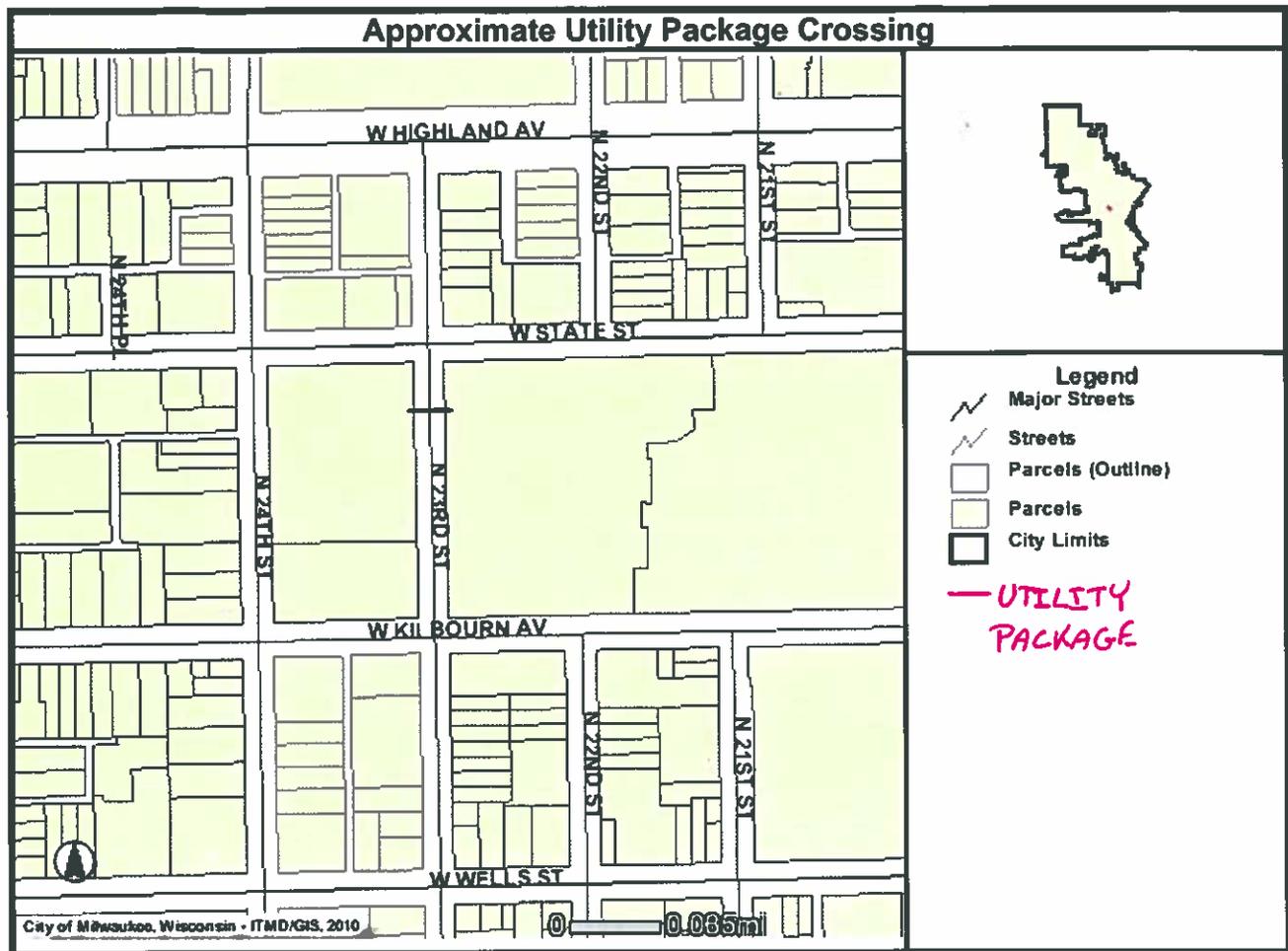
Annual billing/initial Inspection

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

Special Privilege Committee Fee Schedule

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE







Legislation Details (With Text)

File #: 100050 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution accepting the donation of a fire-damaged, foreclosed house at 2742 West State Street in the Historic Concordia neighborhood from Deutsche Bank National Trust for restoration using the Housing Infrastructure Preservation Fund, in the 4th Aldermanic District.

Sponsors: ALD. BAUMAN

Indexes: AGREEMENTS, DONATIONS, FORECLOSURES, HOUSING

Attachments: Fiscal Note.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100050

Version

ORIGINAL

Reference

Sponsor

ALD. BAUMAN

Title

Resolution accepting the donation of a fire-damaged, foreclosed house at 2742 West State Street in the Historic Concordia neighborhood from Deutsche Bank National Trust for restoration using the Housing Infrastructure Preservation Fund, in the 4th Aldermanic District.

Analysis

This resolution authorizes acceptance of donation of a fire-damaged residential building for restoration by the Department of City Development prior to sale.

Body

Whereas, The bank foreclosed house at 2742 West State Street is fire-damaged and the Department of Neighborhood Services issued an order to raze or repair the structure and to stabilize an abandoned, historic property; and

Whereas, The house is a blight on the Historic Concordia neighborhood, but demolition would adversely affect the historic character of the area; and

Whereas, The property owner, Deutsche Bank National Trust, has offered to donate the property to the City of Milwaukee ("City") and will provide the City with clear title to the property; and

Whereas, After donation, the Department of City Development ("DCD") proposes to use the City's Housing Infrastructure Preservation Fund to make critical repairs to stabilize the structure and make the house marketable to an owner-occupant; and

Whereas, Prior to using such funds, DCD will consult with the local Common Council member to classify the property as a Special Consideration-Restoration Property, pursuant to Section 304-49-2.b-3-a, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City is authorized to accept donation of the property at 2742 West State Street from Deutsche Bank National Trust; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to execute the Donation Agreement with Deutsche Bank National Trust and to accept the deed and execute other documents necessary to acquire clear title to the property; and, be it

Further Resolved, That upon concurrence of the local Common Council member on the designation as Special Consideration-Restoration Property, DCD shall prepare a scope of work and contract for restoration activities using the Housing Infrastructure Preservation Fund to stabilize the house and make it suitable for marketing.

Drafter

DCD:BMM:bmm

05/04/10/A

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** May 4, 2010

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution accepting the donation of a fire-damaged, foreclosed house at 2742 West State Street in the Historic Concordia neighborhood from Deutsche Bank National Trust for restoration using the Housing Infrastructure Preservation Fund, in the 4th Aldermanic District.

B) **SUBMITTED BY (Name/title/dept./ext.):** Rocky Marcoux, Commissioner

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 100054 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Department of City Development to prepare a resolution to vacate a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way, in the 8th Aldermanic District.

Sponsors: THE CHAIR

Indexes: STREET VACATIONS

Attachments: Fiscal Note.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100054

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution directing the Department of City Development to prepare a resolution to vacate a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way, in the 8th Aldermanic District.

Analysis

This resolution directs the Department of City Development to prepare a resolution to vacate said street right-of-way in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation eliminates excess street right-of-way in conjunction with the City Lights development. TID No. 73, City Lights, was authorized under Common Council File No. 081627.

Body

Whereas, It has been proposed by the Department of City Development that a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to prepare a resolution to vacate said street right-of-way in accordance with Section 308-28 of the Milwaukee Code of Ordinances.

Drafter

DCD:AJF:ajf

05/04/10/D

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 05/04/10

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution directing the Department of City Development to prepare a resolution to vacate a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way, in the 8th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, DCD

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 100055 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution approving a License Agreement with Friends of the Hank Aaron State Trail, Inc. to permit installation and maintenance of a shelter and trail signage at 138 North Broadway, in the 4th Aldermanic District.

Sponsors: ALD. BAUMAN

Indexes: AGREEMENTS, SIGNS

Attachments: Fiscal note, Catalano Square Site and Shelter Information, License Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100055

Version

ORIGINAL

Reference

Sponsor

ALD. BAUMAN

Title

Resolution approving a License Agreement with Friends of the Hank Aaron State Trail, Inc. to permit installation and maintenance of a shelter and trail signage at 138 North Broadway, in the 4th Aldermanic District.

Analysis

This resolution approves a License Agreement to permit installation and maintenance of a shelter and signage on City-owned property.

Body

Whereas, The Friends of the Hank Aaron State Trail, Inc. ("FOHAST") desires to install and maintain a shelter and signage on City-owned property at 138 North Broadway to provide information regarding the Hank Aaron State Trail and shelter for public transit riders; and

Whereas, The Historic Third Ward Architectural Review Board has approved the design and location of the proposed shelter and signage; and

Whereas, The City of Milwaukee ("City") has negotiated a License Agreement with FOHAST, a copy of which is attached to this Common Council File; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the License Agreement with FOHAST for a portion of the property located at 138 North Broadway is approved; and, be it

Further Resolved, That the final construction and site plans are to be approved by the Department of City Development ("DCD") and the Department of Public Works; and, be it

Further Resolved, That the City Attorney's office, in cooperation with the Commissioner of DCD, is authorized to make such further minor modifications to said License Agreement that are consistent with the intent and purpose of this resolution and which are mutually acceptable to the City Attorney and the Commissioner of DCD; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to execute the License Agreement with FOHAST and any other necessary documents upon final approval of the License Agreement by the Common Council.

Drafter

DCD/Real Estate

YSL:ysl

05/04/10/A

CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** 05/05/10

FILE NUMBER: 100055

Original Fiscal Note Substitute

SUBJECT: Resolution approving a License Agreement with Friends of the Hank Aaron State Trail, Inc. to permit installation and maintenance of a shelter and trail signage at 138 North Broadway, in the 4th Aldermanic District.

B) **SUBMITTED BY (Name/title/dept./ext.):** Rocky Marcoux, Commissioner, DCD

C) **CHECK ONE:** ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:** DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**

H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

LICENSE AGREEMENT

This License Agreement ("Agreement"), is made as of this _____ day of _____, 2010 (the "Effective Date") by and between the CITY OF MILWAUKEE, a Wisconsin municipal corporation ("CITY"), as licensor, and the FRIENDS OF THE HANK AARON STATE TRAIL, INC., a Wisconsin non-stock corporation ("FOHAST"), as licensee.

RECITALS

- A. CITY owns certain real estate and improvements known as "Catalano Square" located at 138 North Broadway, Milwaukee, Wisconsin (the "Property"), depicted and shown on Exhibit A attached hereto.
- B. FOHAST wishes to obtain from CITY, and CITY wishes to grant to FOHAST, a personal license (the "License") to install one (1) lighted car stop shelter as depicted on Exhibit B attached hereto (the "Shelter") on that portion of the Property identified and depicted on Exhibit A attached hereto (the "Premises").
- C. CITY is authorized to enter into this Agreement pursuant to CITY Resolution File No. _____, passed _____, 2010.

AGREEMENT

For good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows.

1. Recitals Incorporated. The recitals above are hereby acknowledged, agreed to, and incorporated herein by reference.
2. Grant of License to FOHAST. CITY hereby grants to FOHAST a personal and qualified license to enter onto the Premises and to install, use, and maintain the Shelter on the Premises on the terms and conditions contained herein.
3. No Real Property Interest. This is a license and personal privilege. It is not a lease or other conveyance of any interest or estate in real property. FOHAST is not a tenant. FOHAST has no rights under Wis. Stat. Ch. 704. FOHAST is not an easement holder.
4. Ownership. FOHAST is and shall remain owner of the Shelter, unless the parties agree to the contrary.
5. Term. This License shall commence on the date noted above and shall continue in effect unless terminated as provided for herein.
6. AS-IS, WHERE-IS. CITY makes no warranty or representation whatsoever to FOHAST, express or implied, regarding the Property or the Premises. FOHAST acknowledges that the Premises are being licensed to FOHAST on an AS-IS, WHERE-IS

BASIS, with all faults known or unknown, and whether or not suitable for FOHAST's intended use.

7. **License Fee.** In consideration of CITY's grant to FOHAST of the License, FOHAST has paid CITY One and no/100ths Dollars (\$1.00) and other good and valuable consideration, receipt of which CITY acknowledges.
8. **Use.** FOHAST, its employees, agents, or servants, shall have the right to enter, use and occupy the Premises, as a licensee and as a personal privilege, solely for the installation, use, and maintenance of the Shelter (collectively, the "Use"), and to carry out FOHAST's duties hereunder. No other use is permitted unless agreed to by CITY in writing.
9. **Compliance with Laws and Regulations.** FOHAST shall, at its sole cost and expense, comply with, and cause its employees, agents or servants to comply with, any and all laws, statutes, ordinances and regulations, federal, state, county, and municipal, now or hereafter applicable when carrying out the Use, including, but not limited to, any applicable environmental law, rule or regulation of the Wisconsin D.N.R. or the U.S. E.P.A.
10. **No Hazardous Substances.** FOHAST shall not (and it shall prohibit its employees, agents or servants to) store, use, discharge or dispose of any Hazardous Substances on the Property or the Premises. The term "Hazardous Substances" shall include all substances identified as hazardous by Federal, State, County or Municipal Law, Statute, Ordinance, Order or Regulation related to the protection of the environment (including, without limitation, any regulations promulgated by the Federal Environmental Protection Agency or the Wisconsin Department of Natural Resources).
11. **Responsibility for Damage to Property.** FOHAST shall be responsible (i) for remediateing any Hazardous Substances on the Property or the Premises traced to, caused by, or attributable, directly or indirectly, to the Use, and (ii) for repairing any damage (environmental, physical, structural, or otherwise) to the Property or Premises (and to any improvement at the Property) caused by, or attributable, directly or indirectly to the Use; provided, however, FOHAST shall have no liability under (i) or (ii) to the extent the Hazardous Substances or damage are present or caused by a third party unrelated to FOHAST. In furtherance of the foregoing, CITY acknowledges that FOHAST is not responsible for remediating environmental pollution or Hazardous Substances, or for repairing any damage at the Property or the Premises that existed thereat prior to the commencement of the Term, or that was caused by persons other than FOHAST (or its employees, agents or servants). FOHAST shall promptly provide written notice to CITY of any damage to the Property or Premises, and of any Hazardous Substance on the Property or Premises for which FOHAST is aware of. FOHAST shall also provide prior written notice of, and obtain CITY's prior written approval before conducting, any

remediation or repair work required under (i) or (ii) that it intends to conduct at the Premises or the Property; provided, however, such notice and consent shall not be required in the case of an emergency.

12. **Installation of Shelter by FOHAST; Plans and Specs.** FOHAST shall, at its expense, in a professional manner, in accordance with all applicable laws, rules and regulations, and according to the plans and specifications shown on **Exhibit C** attached hereto which have been approved by CITY (the "Plans and Specs"), install the Shelter on the Premises. No change in the Plans and Specs may be made without the prior written consent of CITY. Prior to installation or subsequent modification of the Shelter, FOHAST shall first obtain all required permits and other approvals from CITY.
13. **Shelter Maintenance.** FOHAST, at its sole cost and expense, will monitor and maintain the Shelter in good repair, and in accordance with all applicable laws and regulations.
14. **Removal of Shelter.** Upon termination of this Agreement, unless CITY agrees otherwise in writing, FOHAST will remove the Shelter and restore and repair the Premises to the condition they were in prior to installation of the Shelter. FOHAST must repair any damage to the Premises or Property caused by its removal of the Shelter.
15. **No Liens Are Permitted.** FOHAST does not have any estate or interest in the Property or Premises, and it has no right to mortgage, pledge as collateral, or to hypothecate, any interest in the Property or Premises. FOHAST shall not permit any lien, including, but not limited to, any lien under Wis. Stat. Ch. 779, Subch. I, any materialman, contractor, construction, or other lien to attach or to exist against the Property or the Premises as a result or consequence of FOHAST's action or inaction. If any such lien does attach, FOHAST shall promptly provide CITY with notice of such lien, and FOHAST shall, at its sole expense and in a reasonable period of time, cause such lien to be removed from title.
16. **Lien Waivers.** Upon completion by FOHAST of any installation or repair work that could result in a lien attaching to the Premises, FOHAST shall obtain, and, if CITY so requests, FOHAST shall provide to CITY lien waivers from each contractor and subcontractor who performed work or labor, or who provided services, materials, or supplies with respect to such work.
17. **Utilities.** The Shelter does not currently require electric service at the Property or Premises. Should FOHAST desire utilities at a future date, it shall be at FOHAST's sole expense and FOHAST shall first obtain approval from the Commissioners of the Department of City Development and the Department of Public Works, or their respective designees, and shall also obtain any required permits for the work.

18. **Insurance.** FOHAST shall obtain and maintain, or cause to be obtained and maintained, in place during the entire Term, at its expense (or at the expense of the third party obtaining and maintaining the insurance on FOHAST's behalf), insurance as described and in strict compliance with **Exhibit D** attached hereto. FOHAST shall provide CITY with a certificate of insurance evidencing such coverage upon written request.
19. **Indemnification.** To the fullest extent permitted by law, FOHAST agrees to defend, indemnify, and hold harmless CITY, its officers, agents and employees from and against all claims, demands, damages, liability, suits, judgments and decrees, attorney's fees, losses, costs and expenses of any kind or nature whatsoever which may come against CITY on account of injury or death of any person or persons or damage to any property occurring directly or indirectly from the performance or lack of performance or work hereunder, or negligence or carelessness, by FOHAST or its employees, agents or servants, in connection with the Use during the Term, including, without limitation, claims related to a breach of FOHAST's obligations under Section 9 of this Agreement. The indemnifications contained herein shall survive the Term of this License.
20. **Retained Rights.** CITY expressly retains its rights, title and interest in and to the Property (including the Premises) and nothing contained herein shall be deemed an amendment to, any such rights, title or interest. CITY expressly retains all rights it has under Wis. Stat. §893.80.
21. **Defaults and Remedies.** Should CITY or FOHAST fail to perform any covenants or conditions herein contained, and such failure shall continue for thirty (30) days after written notice from the other party (except that such thirty (30) day period shall be automatically extended for an additional period of time reasonably necessary to cure such failure, if such failure cannot be cured within such thirty (30) day period and provided the party responsible for curing such failure commences the process of curing such failure within said thirty (30) day period and continuously and diligently pursues such cure to completion), then in any such case, said party shall be in default under this Agreement and the non-defaulting party shall have all rights provided by law or in equity, including, but not limited to, the right to seek specific performance, and the right to recover damages. Nothing in this Section shall be construed as limiting CITY's rights pursuant to Section 24 of this Agreement.
22. **Condemnation of or Damage to Premises.** If the Premises (or a part thereof), at any time during the Term, get condemned by any public authority with the power of eminent domain (or are voluntarily transferred in lieu of, or under threat of, condemnation), or if the Premises are damaged in whole or in part by fire or some other cause so as to render - in CITY's reasonable opinion - all or any significant portion of the Premises unfit for the Use, CITY may terminate this Agreement, and FOHAST shall not be entitled to any part of the condemnation award or insurance proceeds (if any).

Notwithstanding anything to the contrary contained herein, if the Premises or any part thereof are damaged by act, omission, default or negligence of FOHAST, or its employees, agents or servants, this Agreement shall continue and FOHAST shall be responsible to repair or restore the Premises, but not the Shelter, at FOHAST's cost and expense.

23. **No Right to Assign or Sub-License.** FOHAST has no right to assign or transfer any interest whatsoever in and to this Agreement, or in and to the Property or Premises unless agreed to in writing by CITY.

24. **Termination of Agreement.** Notwithstanding anything to the contrary contained herein, either CITY or FOHAST may (for any reason, including no reason) terminate this Agreement at any time upon ninety (90) days' prior advance written notice. Upon termination, FOHAST shall peaceably and quietly deliver, yield up, and surrender the Premises and remove the Shelter and repair and restore the Premises as called for herein. Any of FOHAST's property not removed (including the Shelter) shall, at CITY's option, either become the sole property of CITY or be stored on-site or off-site at FOHAST's expense.

25. **Waiver.** No delay, waiver, omission or forbearance on the part of CITY or FOHAST to exercise any of either party's respective rights hereunder shall be deemed a waiver of such rights.

26. **Governing Law.** This Agreement shall be construed according to the laws of the State of Wisconsin.

27. **Notices.** All notices permitted or required hereunder shall be considered given (i) upon receipt if hand-delivered by commercial courier or otherwise personally delivered, (ii) if sent by facsimile, then at the time sent, if sent during business hours (i.e. 8:30 A.M. to 4:30 P.M., Monday through Friday) and so long as the sender does not receive any error or "busy" or "inability to send" notification, and (iii) within two business days of depositing same in the U.S. mail, postage-paid, addressed by name and addressed to the party intended as follows:

A. **If to CITY:**
City of Milwaukee
c/o City Real Estate
809 North Broadway
Milwaukee, WI 53202
Fax: 414-286-0395
Phone: 414-286-5820

With a copy to:
Danielle M. Bergner
City Attorney's Office

800 City Hall
200 East Wells Street
Milwaukee, WI 53202
Phone: (414) 286-2620
Fax: (414) 286-8550

B. **If to FOHAST:**

Friends of the Hank Aaron State Trail, Inc.
Melissa Cook
c/o Wisconsin Department of Natural Resources
2300 North Doctor Martin Luther King Drive
Milwaukee, WI 53212
Phone: (414) 263-8500

The parties hereto may, from time to time, as needed, change the recipient and address information above by providing notice of new/replacement information by notice as required hereunder.

28. **Director.** All submissions to CITY, and all approvals or consents required to be obtained from CITY, hereunder, shall be submitted to, or obtained from the Commissioner of the Department of City Development, or his designee. The Commissioner's or his designee's signature on any document providing approval or consent shall be absolute proof of such approval or consent.
29. **Severability of Provisions.** If any of the terms or provisions contained herein shall be declared to be invalid or unenforceable by a court of competent jurisdiction, the remaining provisions and conditions of this Agreement, or the application of such to persons or circumstances other than those to which it is declared invalid or unenforceable, shall not be affected thereby, and shall remain in full force and effect and shall be valid and enforceable to the fullest extent permitted by law.
30. **Captions.** The captions in this Agreement are for convenience and reference, and in no way define or limit the scope or intent of the various provisions, terms, or conditions hereof.
31. **Entire Agreement.** This writing constitutes the entire agreement between the parties hereto and may not be amended or altered in any manner except in writing signed by the parties hereto.
32. **Counterparts; Facsimiles; No Recording.** This Agreement may be executed in one or more counterparts, which, when taken together, shall constitute one and the same document. Facsimile signatures shall be accepted as originals. This Agreement, being a personal license, shall not be recorded in the Register of Deeds Office.
33. **Open Records.** This Agreement and certain documents relating thereto are, or may be, subject to Wisconsin's Open Records Law (see Wis. Stat. Ch. 19, Subch. II, and, esp.

Wis. Stat. §19.36(3) which includes records produced or collected under this Agreement). Subject to exercising its legal rights under law, FOHAST agrees to cooperate with CITY in the event CITY receives a request under Wisconsin's Open Records Law for this Agreement or for any record relating to, or produced or collected under, this Agreement. FOHAST acknowledges that failure to do so will be a material breach under this Agreement and FOHAST will defend and hold CITY harmless with respect to liability concerning any such breach. Except as otherwise authorized under Wisconsin's Open Records Law, FOHAST records regarding this Agreement, the Property, the Premises and the Shelter shall be retained for 7 years.

34. **Drafter Doctrine.** The doctrine of construing contracts against the drafter shall not apply to this Agreement, as the parties hereto had the opportunity to review and negotiate this Agreement prior to entry.
35. **Authority.** CITY and FOHAST represent that each has the full power and authority to consummate the transaction contemplated by this Agreement, and all actions, proceedings and/or resolutions of CITY and FOHAST necessary to consummate such transaction have been taken in accordance with applicable law.

[Signatures Begin on Next Page]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

**CITY:
CITY OF MILWAUKEE**

By: _____
Elaine Miller
Special Deputy Commissioner
Department of City Development

**FOHAST:
FRIENDS OF THE HANK AARON STATE TRAIL, INC.**

By: _____
Name Printed: _____
Title: _____

Exhibit A

Depiction of Property and Premises

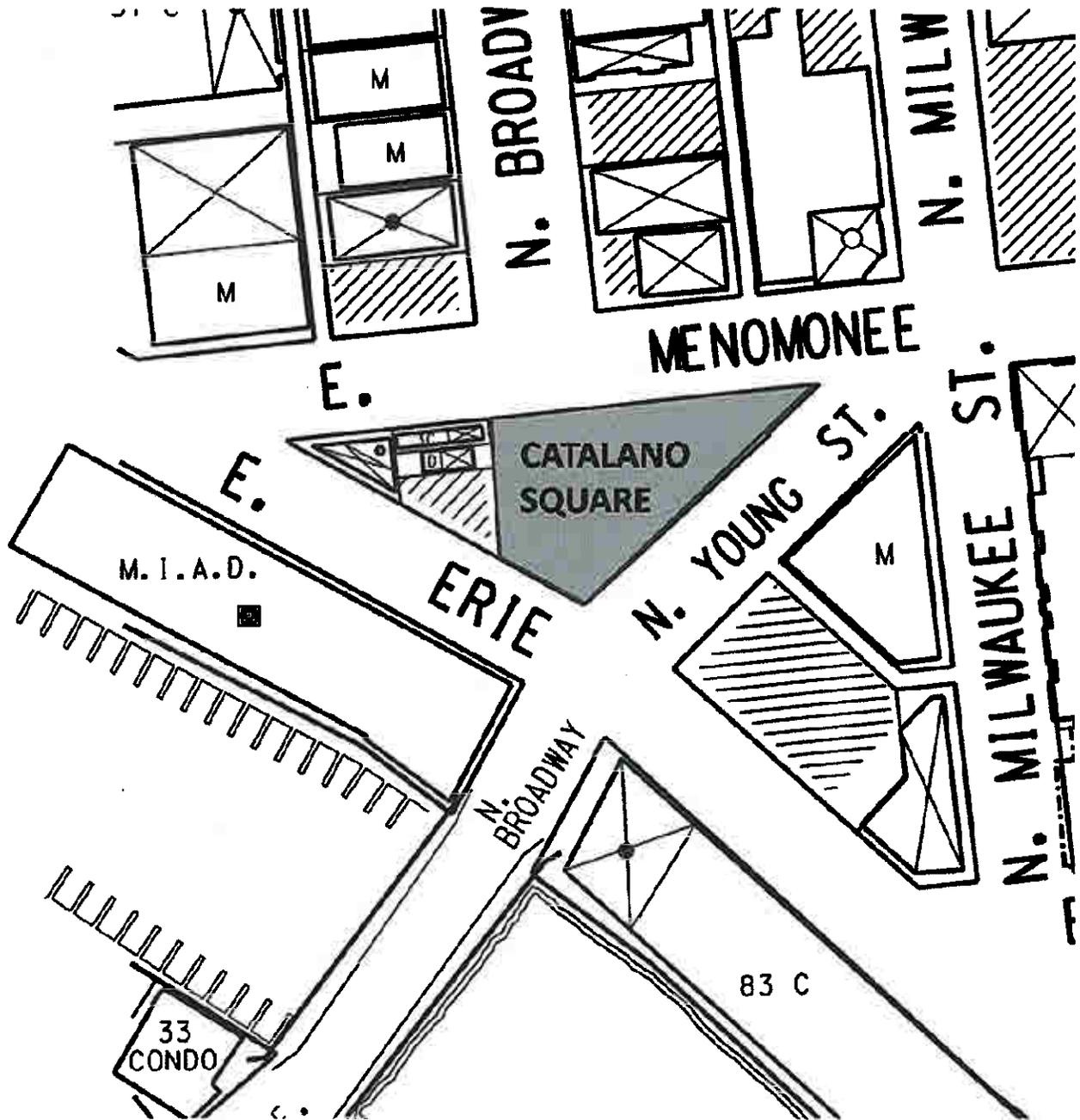


Exhibit B

Depiction of Proposed Shelter

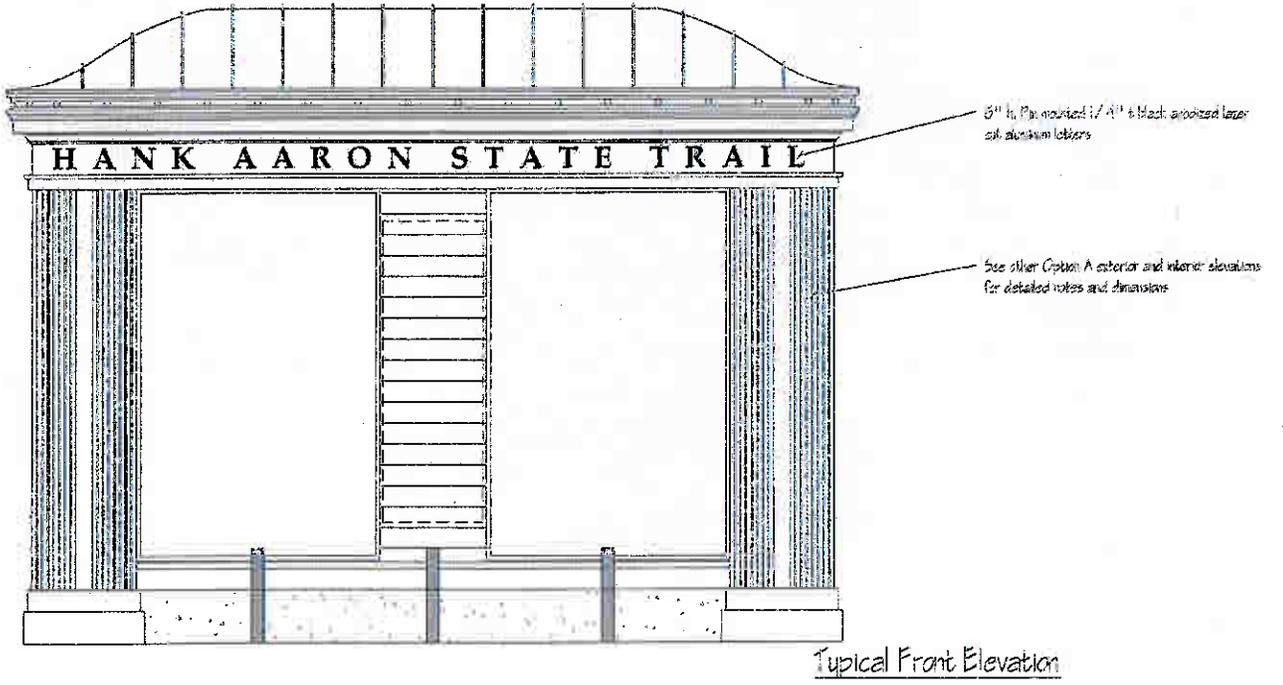


Exhibit C

Site Plan

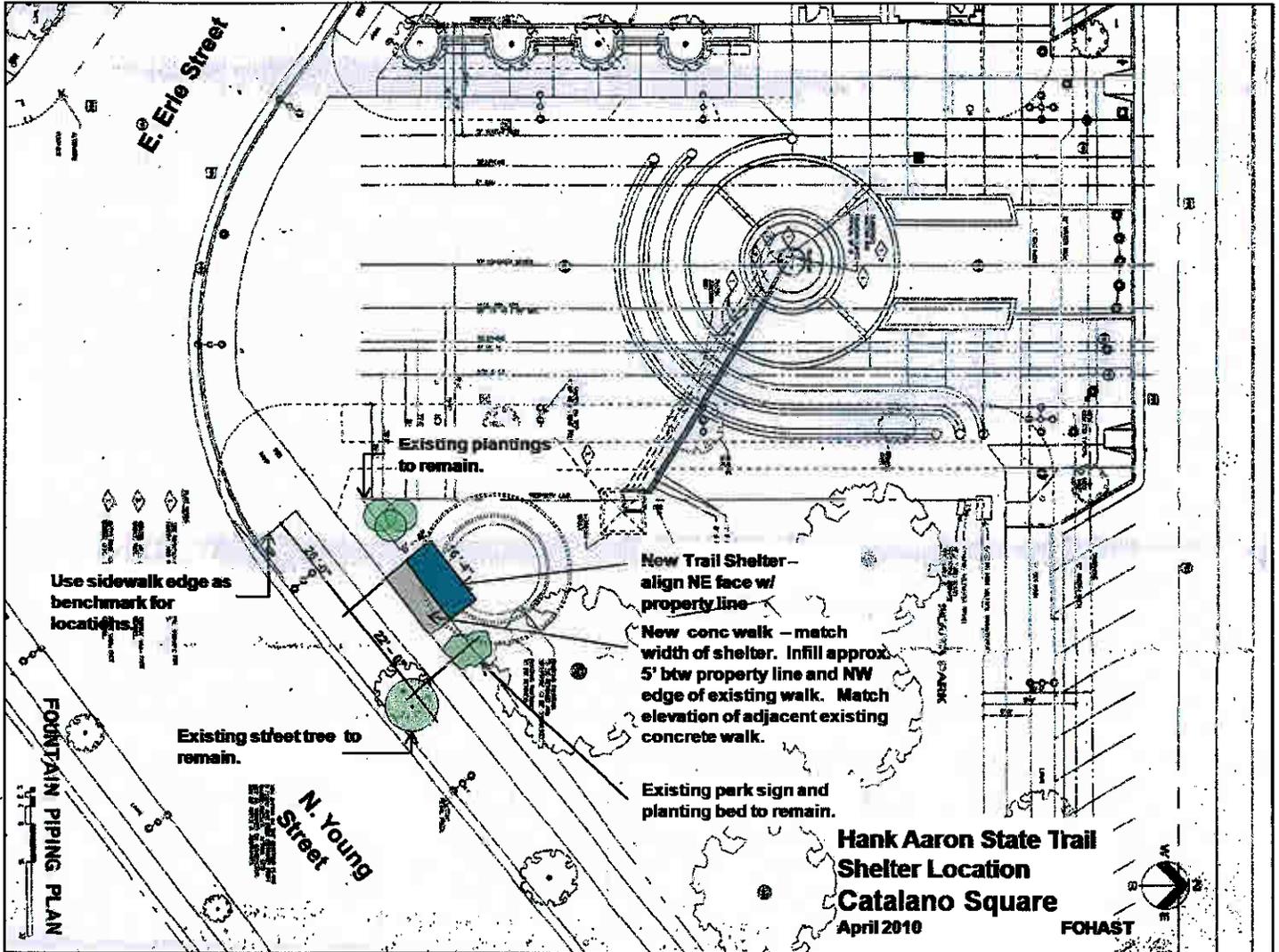


Exhibit D
CITY OF MILWAUKEE

Insurance Requirements - Right of Entry

Insurance certificates must be sent for inspection and approval prior to commencement of the project to: Elaine Miller, Manager of Real Estate Services, City of Milwaukee, 809 North Broadway, Milwaukee, WI 53202-3617 or by facsimile to (414) 286-0395.

For work performed by contractors and subcontractors, such individuals shall maintain:

TYPE OF INSURANCE
LIMITS

Workers' Compensation	Statutory limits
Employers Liability	
Bodily Injury by Accident	Each Accident \$100,000
Bodily Injury by Disease	Each Employee \$100,000
	Policy Limit \$500,000

Public Liability
A Comprehensive General or Commercial General
Insuring Agreement that provides:

Occurrence Coverage
Premises/Operations Protection
Products Completed Operations Protection
Independent Contractors (owners, contractors
protective coverage)
Contractual Liability for Risks Assumed to
this agreement

NOTE: If claims made coverage is provided, the
policy must be amended so all protected occurrences
are covered regardless of when the claim is made.

Bodily Injury/Property Damage	Each occurrence \$1,000,000
	General occurrence \$1,000,000
	Products/completed operation aggregate \$2,000,000

Automobile
Business Auto Policy that provides:
 Liability coverage for all owned, non-owned
 and hired vehicles
 Sudden and Accidental Pollution Coverage
 Provide MCS-90 Endorsement when applicable
 in accordance with the Motor Carrier Act of 1980

For ongoing occupancy, FOHAST shall maintain or cause to be maintained:

Public Liability
A Comprehensive General or Commercial General
Insuring Agreement that provides:

Occurrence Coverage

Premises/Operations Protection

Products Completed Operations Protection

Independent Contractors (owners, contractors
protective coverage)

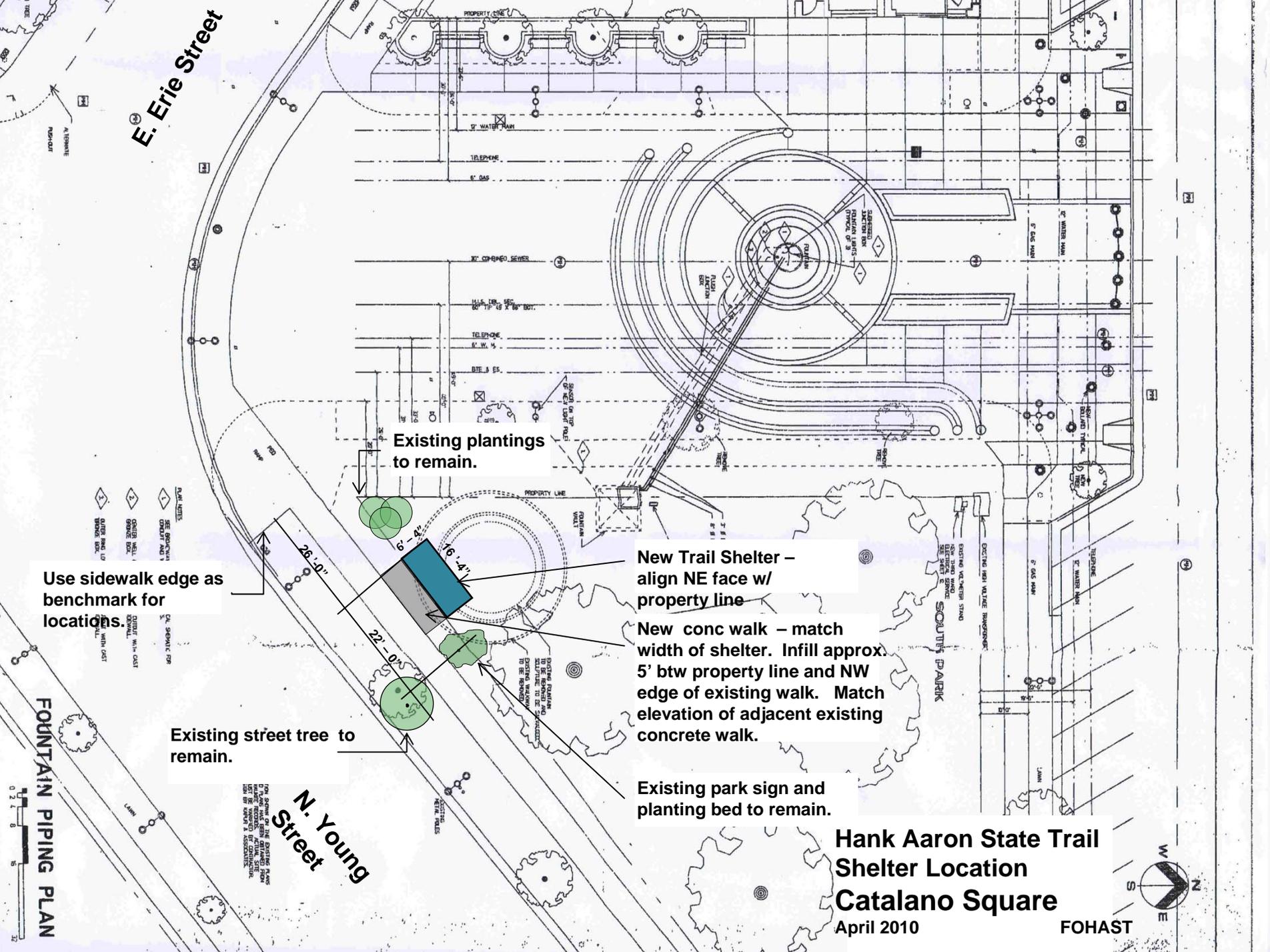
Contractual Liability for Risks Assumed to
this agreement

NOTE: If claims made coverage is provided, the
policy must be amended so all protected occurrences
are covered regardless of when the claim is made.

Bodily Injury/Property Damage

Each occurrence \$1,000,000
General occurrence \$1,000,000
Products/completed
operation aggregate \$2,000,000

**THE CITY OF MILWAUKEE MUST BE NAMED AS ADDITIONAL INSURED PARTY
ON THE POLICY.**



E. Erie Street

APPROXIMATE
RAMP-OUT

Use sidewalk edge as benchmark for locations.

Existing plantings to remain.

New Trail Shelter – align NE face w/ property line

New conc walk – match width of shelter. Infill approx. 5' btw property line and NW edge of existing walk. Match elevation of adjacent existing concrete walk.

Existing street tree to remain.

Existing park sign and planting bed to remain.

N. Young Street

Hank Aaron State Trail Shelter Location
Catalano Square

April 2010

FOHAST

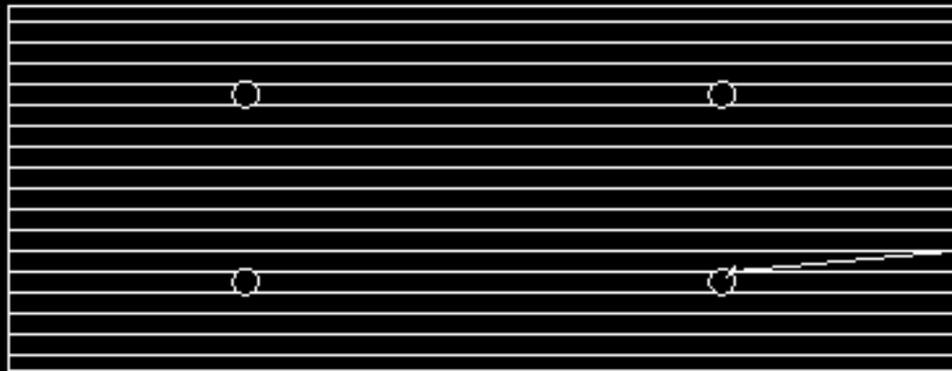


FROM SOME OF THE EXISTING PLANS
THE PLANNING HAS BEEN DERIVED FROM
THESE PLANS. THE PLANNING HAS BEEN
LISTED BY THE VENDOR FOR CONSTRUCTION.
SEE THE VENDOR'S DRAWINGS.

FOUNTAIN PIPING PLAN



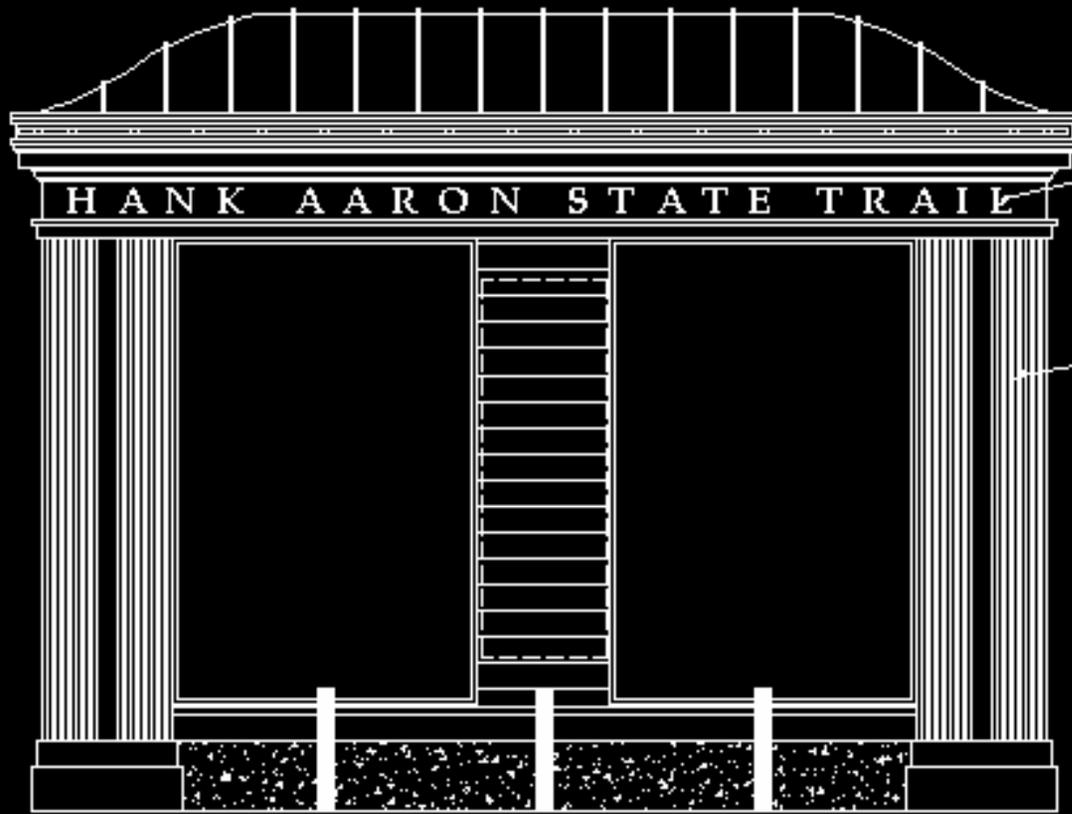
- C&G WATER
- C&G GAS
- C&G SEWER
- C&G TELEPHONE
- C&G 12" CORRUGATED SEWER
- C&G 12" WATER MAIN
- C&G 8" WATER MAIN
- C&G 6" WATER MAIN
- C&G 4" WATER MAIN
- C&G 3" WATER MAIN
- C&G 2" WATER MAIN
- C&G 1" WATER MAIN
- C&G 1/2" WATER MAIN
- C&G 1/4" WATER MAIN
- C&G 1/8" WATER MAIN
- C&G 1/16" WATER MAIN
- C&G 1/32" WATER MAIN
- C&G 1/64" WATER MAIN
- C&G 1/128" WATER MAIN
- C&G 1/256" WATER MAIN
- C&G 1/512" WATER MAIN
- C&G 1/1024" WATER MAIN
- C&G 1/2048" WATER MAIN
- C&G 1/4096" WATER MAIN
- C&G 1/8192" WATER MAIN
- C&G 1/16384" WATER MAIN
- C&G 1/32768" WATER MAIN
- C&G 1/65536" WATER MAIN
- C&G 1/131072" WATER MAIN
- C&G 1/262144" WATER MAIN
- C&G 1/524288" WATER MAIN
- C&G 1/1048576" WATER MAIN
- C&G 1/2097152" WATER MAIN
- C&G 1/4194304" WATER MAIN
- C&G 1/8388608" WATER MAIN
- C&G 1/16777216" WATER MAIN
- C&G 1/33554432" WATER MAIN
- C&G 1/67108864" WATER MAIN
- C&G 1/134217728" WATER MAIN
- C&G 1/268435456" WATER MAIN
- C&G 1/536870912" WATER MAIN
- C&G 1/1073741824" WATER MAIN
- C&G 1/2147483648" WATER MAIN
- C&G 1/4294967296" WATER MAIN
- C&G 1/8589934592" WATER MAIN
- C&G 1/17179869184" WATER MAIN
- C&G 1/34359738368" WATER MAIN
- C&G 1/68719476736" WATER MAIN
- C&G 1/137438953472" WATER MAIN
- C&G 1/274877906944" WATER MAIN
- C&G 1/549755813888" WATER MAIN
- C&G 1/1099511627776" WATER MAIN
- C&G 1/2199023255552" WATER MAIN
- C&G 1/4398046511104" WATER MAIN
- C&G 1/8796093022208" WATER MAIN
- C&G 1/17592186044416" WATER MAIN
- C&G 1/35184372088832" WATER MAIN
- C&G 1/70368744177664" WATER MAIN
- C&G 1/140737488355328" WATER MAIN
- C&G 1/281474976710656" WATER MAIN
- C&G 1/562949953421312" WATER MAIN
- C&G 1/1125899906842624" WATER MAIN
- C&G 1/2251799813685248" WATER MAIN
- C&G 1/4503599627370496" WATER MAIN
- C&G 1/9007199254740992" WATER MAIN
- C&G 1/18014398509481984" WATER MAIN
- C&G 1/36028797018963968" WATER MAIN
- C&G 1/72057594037927936" WATER MAIN
- C&G 1/144115188075855872" WATER MAIN
- C&G 1/288230376151711744" WATER MAIN
- C&G 1/576460752303423488" WATER MAIN
- C&G 1/1152921504606846976" WATER MAIN
- C&G 1/2305843009213693952" WATER MAIN
- C&G 1/4611686018427387904" WATER MAIN
- C&G 1/9223372036854775808" WATER MAIN
- C&G 1/18446744073709551616" WATER MAIN
- C&G 1/36893488147419103232" WATER MAIN
- C&G 1/73786976294838206464" WATER MAIN
- C&G 1/147573952589676412928" WATER MAIN
- C&G 1/295147905179352825856" WATER MAIN
- C&G 1/590295810358705651712" WATER MAIN
- C&G 1/1180591620717411303424" WATER MAIN
- C&G 1/2361183241434822606848" WATER MAIN
- C&G 1/4722366482869645213696" WATER MAIN
- C&G 1/9444732965739290427392" WATER MAIN
- C&G 1/18889465931478580854784" WATER MAIN
- C&G 1/37778931862957161709568" WATER MAIN
- C&G 1/75557863725914323419136" WATER MAIN
- C&G 1/151115727451828646838272" WATER MAIN
- C&G 1/302231454903657293676544" WATER MAIN
- C&G 1/604462909807314587353088" WATER MAIN
- C&G 1/1208925819614629174706176" WATER MAIN
- C&G 1/2417851639229258349412352" WATER MAIN
- C&G 1/4835703278458516698824704" WATER MAIN
- C&G 1/9671406556917033397649408" WATER MAIN
- C&G 1/19342813113834066795298816" WATER MAIN
- C&G 1/38685626227668133590597632" WATER MAIN
- C&G 1/77371252455336267181195264" WATER MAIN
- C&G 1/154742504910672534362390528" WATER MAIN
- C&G 1/309485009821345068724781056" WATER MAIN
- C&G 1/618970019642690137449562112" WATER MAIN
- C&G 1/1237940039285380274899244224" WATER MAIN
- C&G 1/2475880078570760549798488448" WATER MAIN
- C&G 1/4951760157141521099596976896" WATER MAIN
- C&G 1/9903520314283042199193953792" WATER MAIN
- C&G 1/19807040628566084398387907584" WATER MAIN
- C&G 1/39614081257132168796775815168" WATER MAIN
- C&G 1/79228162514264337593551630336" WATER MAIN
- C&G 1/158456325028528675187103260672" WATER MAIN
- C&G 1/316912650057057350374206521344" WATER MAIN
- C&G 1/633825300114114700748413042688" WATER MAIN
- C&G 1/1267650600228229401496826085376" WATER MAIN
- C&G 1/2535301200456458802993652170752" WATER MAIN
- C&G 1/5070602400912917605987304341504" WATER MAIN
- C&G 1/10141204801825835211974608683008" WATER MAIN
- C&G 1/20282409603651670423949217366016" WATER MAIN
- C&G 1/40564819207303340847898434732032" WATER MAIN
- C&G 1/81129638414606681695796869464064" WATER MAIN
- C&G 1/162259276829213363911593789128128" WATER MAIN
- C&G 1/324518553658426727823187578256256" WATER MAIN
- C&G 1/649037107316853455646375156512512" WATER MAIN
- C&G 1/1298074214737066911292750313025248" WATER MAIN
- C&G 1/2596148429474133822585500626050496" WATER MAIN
- C&G 1/5192296858948267645171001252100192" WATER MAIN
- C&G 1/1038459371789653529034200250420384" WATER MAIN
- C&G 1/2076918743579307058068400500840768" WATER MAIN
- C&G 1/4153837487158614116136801001681536" WATER MAIN
- C&G 1/8307674974317228232273602003363072" WATER MAIN
- C&G 1/1661534994863445646454724006726144" WATER MAIN
- C&G 1/3323069989726891292909448013452288" WATER MAIN
- C&G 1/6646139979453782585818896026904576" WATER MAIN
- C&G 1/13292279958907565171637792053809152" WATER MAIN
- C&G 1/26584559917815130343275584010718304" WATER MAIN
- C&G 1/53169119835630260686551168021436608" WATER MAIN
- C&G 1/106338239671260521373102336042873216" WATER MAIN
- C&G 1/212676479342521042746204672085746432" WATER MAIN
- C&G 1/425352958685042085492409344171492864" WATER MAIN
- C&G 1/850705917370084170984818688342985728" WATER MAIN
- C&G 1/1701411834740168341969637376685971456" WATER MAIN
- C&G 1/3402823669480336683939274753371942912" WATER MAIN
- C&G 1/6805647338960673367878549506743885824" WATER MAIN
- C&G 1/13611294677921346735757099013487771648" WATER MAIN
- C&G 1/27222589355842693471514198026975543296" WATER MAIN
- C&G 1/54445178711685386943028396053951086592" WATER MAIN
- C&G 1/108890357423370773886056792107022173184" WATER MAIN
- C&G 1/217780714846741547772113584214044346368" WATER MAIN
- C&G 1/435561429693483095544227168428088692736" WATER MAIN
- C&G 1/871122859386966191088454336856177385472" WATER MAIN
- C&G 1/1742245718773932821776908737122347710944" WATER MAIN
- C&G 1/3484491437547865643553817474244695421888" WATER MAIN
- C&G 1/6968982875095731287107634948489390843776" WATER MAIN
- C&G 1/1393796575019146257421526997681781687552" WATER MAIN
- C&G 1/2787593150038292514843053995363563375104" WATER MAIN
- C&G 1/5575186300076585029686107990727126740208" WATER MAIN
- C&G 1/11150372600151770059372215981454253480416" WATER MAIN
- C&G 1/22300745200303540118744431962908506960832" WATER MAIN
- C&G 1/44601490400607080237488863925817013921664" WATER MAIN
- C&G 1/89202980801214160474977727851634027843328" WATER MAIN
- C&G 1/17840596160242824094995545770328055686656" WATER MAIN
- C&G 1/35681192320485648189991091540656111373312" WATER MAIN
- C&G 1/71362384640971296379982183081312222746624" WATER MAIN
- C&G 1/142724769281942592759964366162644454925248" WATER MAIN
- C&G 1/285449538563885185519928732325288909850496" WATER MAIN
- C&G 1/570899077127770371039857464650577819700992" WATER MAIN
- C&G 1/1141798154255540742079714929301157439401984" WATER MAIN
- C&G 1/228359630851108148415942985860231487883936" WATER MAIN
- C&G 1/456719261702216296831895971720462975767872" WATER MAIN
- C&G 1/913438523404432593663791943440925951535744" WATER MAIN
- C&G 1/182687704680886587732758388688185188307136" WATER MAIN
- C&G 1/365375409361773175465516777376370376614272" WATER MAIN
- C&G 1/730750818723546350931033554752740753228544" WATER MAIN
- C&G 1/1461501637447092701862067109505481506457088" WATER MAIN
- C&G 1/2923003274894185403724134219010963012914176" WATER MAIN
- C&G 1/584600654978837080744826843802192602582832" WATER MAIN
- C&G 1/1169201309957674161489653687604385205165664" WATER MAIN
- C&G 1/2338402619915348322979307375208770410331328" WATER MAIN
- C&G 1/4676805239830696645958614750417540820662656" WATER MAIN
- C&G 1/9353610479661393291917229500835081641325312" WATER MAIN
- C&G 1/18707220959322785783834459001670163282650624" WATER MAIN
- C&G 1/37414441918645571567668918003340326565301248" WATER MAIN
- C&G 1/7482888383729114313533783600668065313060256" WATER MAIN
- C&G 1/14965776767458228627067567201336130261211136" WATER MAIN
- C&G 1/29931553534916457254135134402672260522422272" WATER MAIN
- C&G 1/59863107069832914508270268805344521044444448" WATER MAIN
- C&G 1/11972621413966582901654053761068842088889792" WATER MAIN
- C&G 1/2394524282793316580330810752213768417777984" WATER MAIN
- C&G 1/4789048565586633160661621504427536835555968" WATER MAIN
- C&G 1/9578097131173266321333243008855073711111936" WATER MAIN
- C&G 1/1915619426234653242666646017710144742223872" WATER MAIN
- C&G 1/3831238852469306485333292035420288484447744" WATER MAIN
- C&G 1/766247770493861297066658407084057696889536" WATER MAIN
- C&G 1/1532495540987722594133316814160115393779072" WATER MAIN
- C&G 1/3064991081975445188266633628320230787558144" WATER MAIN
- C&G 1/6129982163950890376533267256640461575116288" WATER MAIN
- C&G 1/12259964327901780753066535133209231510232576" WATER MAIN
- C&G 1/24519928655803561506133070266418463020465152" WATER MAIN
- C&G 1/4903985731160712301226604053283692604093024" WATER MAIN
- C&G 1/98079714623214246024532081065673852081866048" WATER MAIN
- C&G 1/19615942924642849204906416213134770416332192" WATER MAIN
- C&G 1/3923188584928569840981283242626954023266384" WATER MAIN
- C&G 1/7846377169857139681962566485253908046532768" WATER MAIN
- C&G 1/15692754339714279363925131704507816093065536" WATER MAIN
- C&G 1/31385508679428558727850263409015632186131104" WATER MAIN
- C&G 1/62771017358857117455700526818031264372262208" WATER MAIN
- C&G 1/12554203471771423491140103636062528744444416" WATER MAIN
- C&G 1/25108406943542846982280207272125055748888932" WATER MAIN
- C&G 1/5021681388708569396456041454425011149777664" WATER MAIN
- C&G 1/1004336277741713879291208290885002229955328" WATER MAIN
- C&G 1/2008672555483427758582416581770004459910656" WATER MAIN
- C&G 1/4017345110966855517164833163540008919821312" WATER MAIN
- C&G 1/8034690221933711034329666327080017839642624" WATER MAIN
- C&G 1/16069380438675422068659326541600035679285248" WATER MAIN
- C&G 1/32138760877350844137318653083200071358573792" WATER MAIN
- C&G 1/6427752175470168827463730616640014277115584" WATER MAIN
- C&G 1/12855504350940337654927461233280028554231168" WATER MAIN
- C&G 1/2571100870188067530985492246656005710846336" WATER MAIN
- C&G 1/51422017403761350619709849333120114216896704" WATER MAIN
- C&G 1/10284403480752270123941969866624028433779408" WATER MAIN
- C&G 1/20568806961504540247883939733248056867558112" WATER MAIN
- C&G 1/41137613923009080495767879466496113735116224" WATER MAIN
- C&G 1/82275227846018160991535758932992227470232448" WATER MAIN
- C&G 1/16455045769203632198307151786598454944046496" WATER MAIN
- C&G 1/32910091538407264396614303573196909888092992" WATER MAIN
- C&G 1/6582018307681452879322860714639819777618584" WATER MAIN
- C&G 1/13164036615362905758645721429279639555237168" WATER MAIN
- C&G 1/26328073230725811517291442858559279110474336" WATER MAIN
- C&G 1/52656146461451623034582885717118558220948672" WATER MAIN
- C&G 1/105312292922903246069165774334237164418897344" WATER MAIN
- C&G 1/21062458584580649213833154866847432883779488" WATER MAIN
- C&G 1/42124917169161298427666309733694865766757976" WATER MAIN
- C&G 1/84249834338322596855332619467389731535115952" WATER MAIN
- C&G 1/168499668776645193710665239334779463070231904" WATER MAIN
- C&G 1/336999337553290387421330478669558926140463808" WATER MAIN
- C&G 1/673998675106580774842660957339117852280927616" WATER MAIN
- C&G 1/134799735021316154968532191468235704556185232" WATER MAIN
- C&G 1/269599470042632309937064382936471409112364464" WATER MAIN
- C&G 1/539198940085264619874128765872942818224728928" WATER MAIN
- C&G 1/1078397880170529239748257531745845636449457952" WATER MAIN
- C&G 1/2156795760341058479496515063491692728898915808" WATER MAIN
- C&G 1/4313591520682116958993030126983385457797831616" WATER MAIN
- C&G 1/8627183041364233917986060253966770915595663232" WATER MAIN
- C&G 1/17254366082728467835972120507933541831191326464" WATER MAIN
- C&G 1/345087321654569356719442410158670836623826528" WATER MAIN
- C&G 1/690174643309138713438884820317341673247653056" WATER MAIN
- C&G 1/138034928661827742687776964063468346449526112" WATER MAIN
- C&G 1/276069857323655485375553928126936892899052224" WATER MAIN
- C&G 1/552139714647310970751107856253873783980104448" WATER MAIN
- C&G 1/110427942929462194150221572450754766796020896" WATER MAIN



Use wood T&G ceiling panels to match wall panel profile.

Proposed location for future entrance, provide door height. Provide joist hangers and ceiling path to future power source. See room elevations for location.

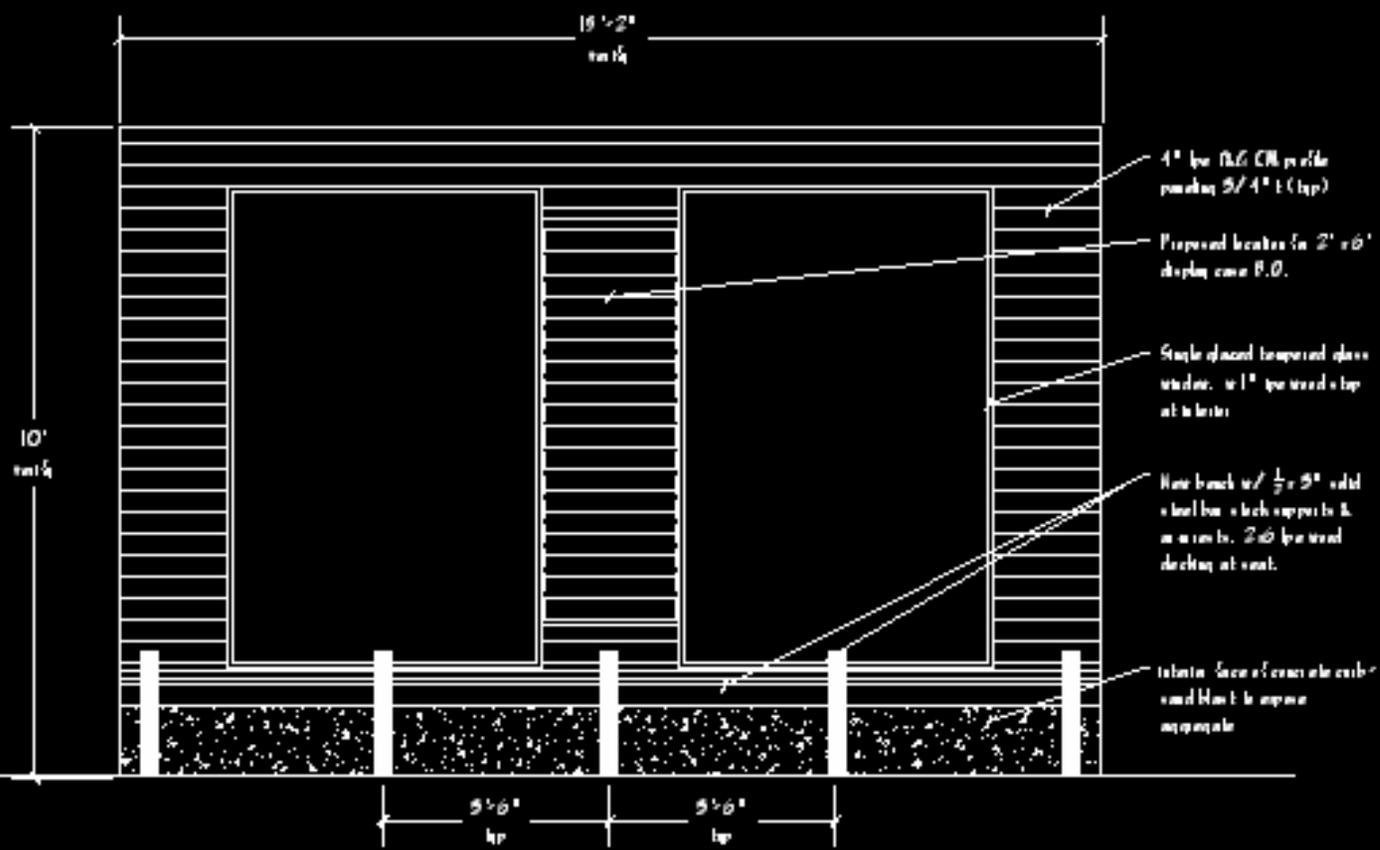
Reflected Ceiling Plan



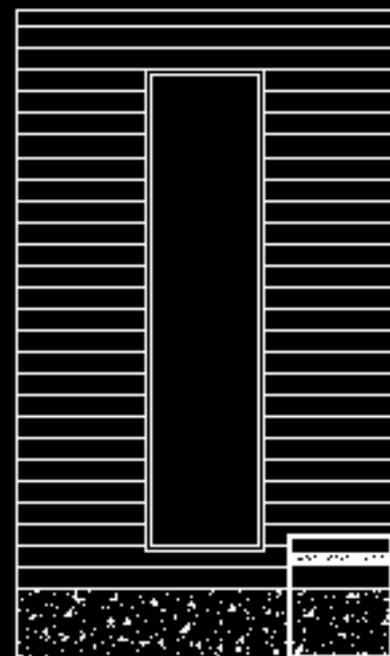
6" x 6" Pine wood 1/4" x 1" Black wood and lacquer cast letters in letters

See elevation Option A for letter and letter elevations for detailed notes and dimensions

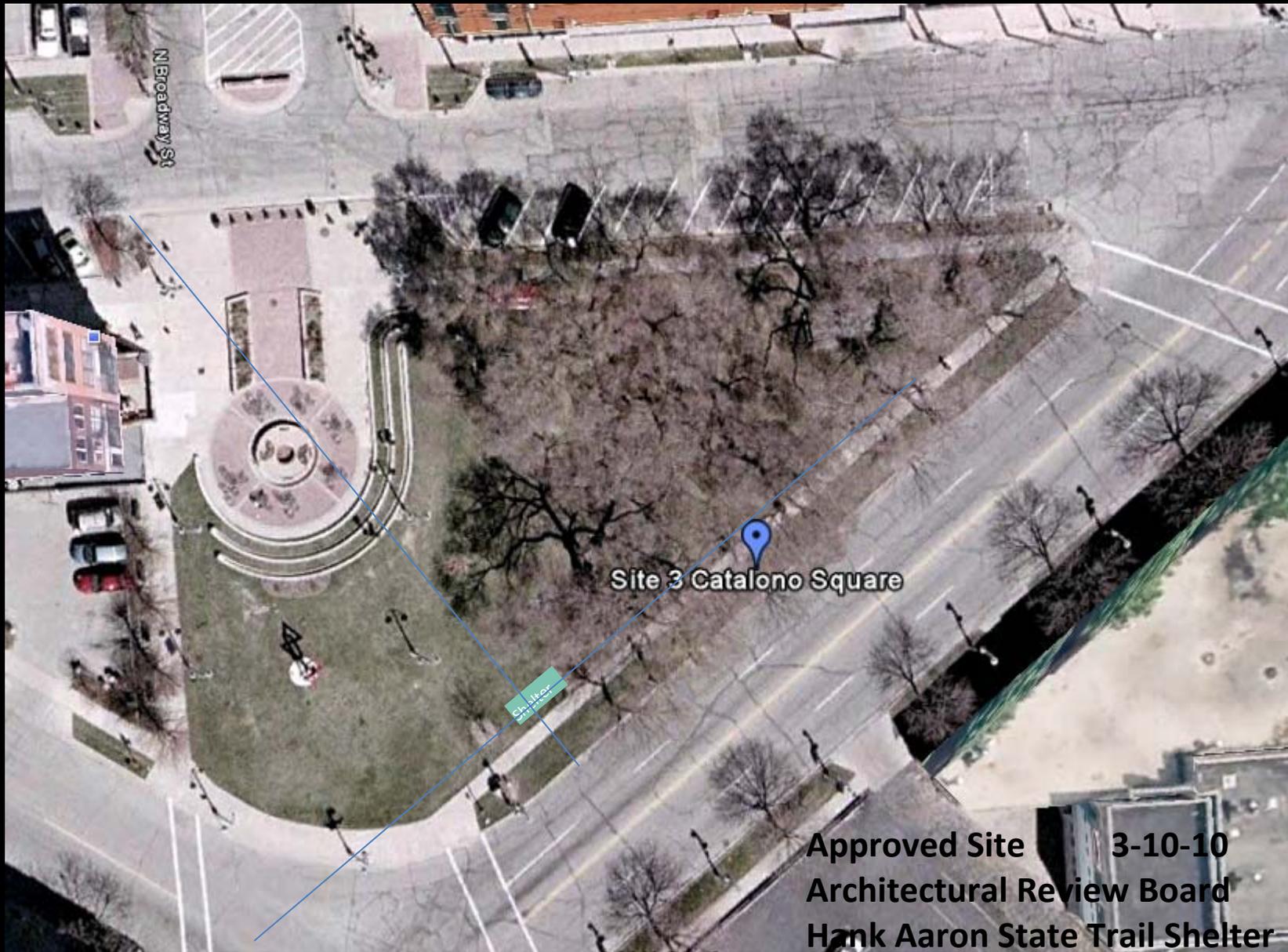
Typical Front Elevation



Typical Rear Elevation



Typical Side Elevation



N Broadway St

Site 3 Catalono Square

Chalker
PROJECT

Approved Site 3-10-10
Architectural Review Board
Hank Aaron State Trail Shelter



View North from Young Street Approved Site

128 N Young St Exit Photo



©2009 Google





Legislation Details (With Text)

File #: 081664 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 3/25/2009 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance relating to storm water management regulations applicable to properties within the Milwaukee River greenway overlay zone.

Sponsors: ALD. KOVAC, ALD. COGGS, ALD. HAMILTON

Indexes: EROSION CONTROL, FLOOD CONTROL, MILWAUKEE RIVER

Attachments: Fiscal note, Proposed Substitute A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/25/2009	0	COMMON COUNCIL	ASSIGNED TO		
3/30/2010	0	CITY CLERK	DRAFT SUBMITTED		
4/15/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/15/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/21/2010	1	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
5/7/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number
081664
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. KOVAC, COGGS AND HAMILTON

Title
A substitute ordinance relating to storm water management regulations applicable to properties within the Milwaukee River greenway overlay zone.

Sections
120-7-1.5 cr
120-14 cr

Analysis
This ordinance creates storm water management regulations that apply only to properties within the Milwaukee River greenway overlay zone, a zoning district located along the Milwaukee River between the former North Avenue Dam and the city limits at Silver Spring Drive. These provisions are intended to supplement the city's existing storm water management regulations. When an overlay zone storm water management provision is in conflict with any other provision of the city's storm water management regulations, any other provision of the city code, or any applicable state or federal law, the more restrictive provision shall apply.

The new storm water management regulations include:

1. A storm water management plan shall be required if a development or redevelopment causes a land disturbing activity of one-half acre or more, causes the cumulative area of all land disturbing activities at a property to be one-half acre or more over a 3-year period or causes an increase of 0.5 acres or more of impervious area.
2. If the development or redevelopment causes an increase of 0.5 acres or more of impervious area, the release rate and requirements shall be governed by Milwaukee metropolitan sewerage district chapter 13 - surface water and storm water rules.
3. Any development or redevelopment shall, by design, reduce to the maximum extent practicable the total suspended solids load by 80%, based on an average annual rainfall, as compared to no runoff management controls. This requirement applies whenever a storm water management plan is required in the separate storm sewer system or if storm water runoff from the development or redevelopment meets any of the criteria in item 1 and storm water runoff from that development or redevelopment discharges into waters of the state.

Body

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

Part 1. Section 120-7-1.5 of the code is created to read:

120-7. Control of Storm Water Discharge.

1.5. MILWAUKEE RIVER GREENWAY OVERLAY ZONE. This section shall not apply to any property located within the Milwaukee River greenway overlay zone, as shown on the city zoning map and established by common council file number 081568. Properties in the overlay zone shall be

subject to the storm water management regulations of s. 120-14.

Part 2. Section 120-14 of the code is created to read:

120-14. Control of Storm Water Discharge for the Milwaukee River Greenway Overlay Zone. 1. **PURPOSE.** The common council finds that the Milwaukee River corridor between the former North Avenue dam and the city limits at Silver Spring Drive contains native vegetation, wildlife habitat, natural bluffs, stream banks and waterways, and other valuable natural resources in need of protection. The regulations of this section are established to provide this protection by reducing the quantity of polluted storm water runoff, encouraging the planting of native vegetation, stabilizing stream banks and bluffs, mitigating flooding of the Milwaukee River and its tributaries, and reducing flows to the city's combined sewer system.

2. **APPLICABILITY.** This section applies only to all properties within the Milwaukee River greenway overlay zone, as shown on the city zoning map and established by common council file number 081568.

3. **CONFLICTING REQUIREMENTS.** The provisions of this section are intended to supplement, not replace, other provisions of this chapter. If any provision of this section conflicts with any other provision of this chapter, any other section of this code, or any applicable state or federal law, the more restrictive provision shall apply.

4. **DEVELOPMENT CRITERIA.** A storm water management plan is required if any of the following criteria are met:

- a. The development or redevelopment causes a land disturbing activity of one-half acre or more.
- b. The development or redevelopment causes the cumulative area of all land disturbing activities at a property to be one-half acre or more over a 3-year period.
- c. The development or redevelopment occurring causes an increase of 0.5 acres or more of impervious area.

5. **RUNOFF RELEASE RATE.** a. If the development or redevelopment occurring causes an increase of 0.5 acres or more of impervious area, the release rate and requirements shall be governed by Milwaukee metropolitan sewerage district ch. 13 - surface water and storm water rules.

b. If the development or redevelopment occurring meets any of the criteria in sub. 4 and does not cause a land disturbing activity of 0.5 acres or more of impervious area, the peak runoff flow rates under post-development conditions shall be at least 50% less than the peak runoff rates under pre-development conditions.

6. **RUNOFF DISCHARGE QUALITY CONTROL.** a. Any development or redevelopment shall, by design, reduce to the maximum extent practicable the total suspended solids load by 80%, based on an average annual rainfall, as compared to no runoff management controls. No person shall be required to exceed an 80% total suspended solids reduction to meet the requirement of this paragraph.

b. This subsection applies whenever a storm water management plan is required in the separate storm sewer system or if storm water runoff from the development or redevelopment meets any of

the criteria of sub. 4 and storm water runoff from that development or redevelopment discharges into waters of the state.

7. ADDITIONAL REGULATIONS. The following additional storm water management regulations shall apply to development or redevelopment within the Milwaukee River greenway overlay zone:

- a. Storm water best management plans shall show topographical lines and bluff lines.
- b. Storm water best management practices shall be located as close to the source of runoff as possible, and shall emphasize techniques that incorporate native plants, shrubs and trees, as defined in s. 295-201-390.5, and mimic natural landscape features.
- c. Storm water management facilities shall not be permitted within the primary environmental corridor, as defined in s. 295-201-462, unless the city engineer determines, based on evidence provided by the developer, that such facilities are necessary to protect public safety or bluff stability. The placement of storm water management facilities within the 50-foot setback area required by s. 295-1016-3-d shall be permitted if these facilities emphasize the use of such storm water management practices as rain gardens, vegetated swales and similar techniques, and do not adversely impact bluff stability and public access.
- d. Every storm water management facility shall be designed and constructed in a manner to minimize erosion and bluff instability. The permit requirements of ch. 30, Wis. Stats., shall also apply to any alterations to the river bank.
- e. A storm water management plan required pursuant to this section shall be prepared in accordance with the manual of storm water management practices, including both the provisions that apply citywide and the provisions that apply only to the Milwaukee River site plan review overlay zone.

LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date: _____
Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date: _____
Requestor

Drafter
LRB09142-2
JDO
03/09/2010

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)
 Ref: GEN\FISCALNT.MST

A) DATE: April 6, 2010

FILE NUMBER: 081664
 Original Fiscal Note Substitute

SUBJECT: A substitute ordinance relating to stormwater management regulations applicable to properties within the Milwaukee River greenway overlay zone.

B) SUBMITTED BY (NAME/TITLE/DEPT./EXT.): Jeffrey S. Polenske, P.E./City Engineer/Public Works/2400

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS:					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX

N/A

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

N/A

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

N/A

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

..Number

081664

..Version

PROPOSED SUBSTITUTE A

..Reference

..Sponsor

ALD. KOVAC, COGGS AND HAMILTON

..Title

A substitute ordinance relating to storm water management regulations applicable to properties within the Milwaukee River greenway site plan review overlay zone.

..Sections

120-7-1.5 cr

120-14 cr

..Analysis

This ordinance creates storm water management regulations that apply only to properties within the Milwaukee River greenway site plan review overlay zone, a zoning district located along the Milwaukee River between the former North Avenue Dam and the city limits at Silver Spring Drive. These provisions are intended to supplement the city's existing storm water management regulations. When an overlay zone storm water management provision is in conflict with any other provision of the city's storm water management regulations, any other provision of the city code, or any applicable state or federal law, the more restrictive provision shall apply.

The new storm water management regulations include:

1. A storm water management plan shall be required if a development or redevelopment causes a land disturbing activity of one-half acre or more, causes the cumulative area of all land disturbing activities at a property to be one-half acre or more over a 3-year period or causes an increase of 0.5 acres or more of impervious area.
2. If the development or redevelopment causes an increase of 0.5 acres or more of impervious area, the release rate and requirements shall be governed by Milwaukee metropolitan sewerage district chapter 13 – surface water and storm water rules.
3. Any development or redevelopment shall, by design, reduce to the maximum extent practicable the total suspended solids load by 80%, based on an average annual rainfall, as compared to no runoff management controls. This requirement applies whenever a storm water management plan is required in the separate storm sewer system or if storm water runoff from the development or redevelopment meets any of the criteria in item 1 and storm water runoff from that development or redevelopment discharges into waters of the state.

..Body

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

Part 1. Section 120-7-1.5 of the code is created to read:

120-7. Control of Storm Water Discharge.

1.5. MILWAUKEE RIVER GREENWAY SITE PLAN REVIEW OVERLAY ZONE. This section shall not apply to any property located within the Milwaukee River greenway site plan review overlay zone, as shown on the city zoning map and established by common council file number 081568. Properties in the overlay zone shall be subject to the storm water management regulations of s. 120-14.

Part 2. Section 120-14 of the code is created to read:

120-14. Control of Storm Water Discharge for the Milwaukee River Greenway Site Plan Review Overlay Zone. 1. PURPOSE.

The common council finds that the Milwaukee River corridor between the former North Avenue dam and the city limits at Silver Spring Drive contains native vegetation, wildlife habitat, natural bluffs, stream banks and waterways, and other valuable natural resources in need of protection. The regulations of this section are established to provide this protection by reducing the quantity of polluted storm water runoff, encouraging the planting of native vegetation, stabilizing stream banks and bluffs, mitigating flooding of the Milwaukee River and its tributaries, and reducing flows to the city's combined sewer system.

2. APPLICABILITY. This section applies only to all properties within the Milwaukee River greenway site plan review overlay zone, as shown on the city zoning map and established by common council file number 081568.

3. CONFLICTING REQUIREMENTS. The provisions of this section are intended to supplement, not replace, other provisions of this chapter. If any provision of this section conflicts with any other provision of this chapter, any other section of this code, or any applicable state or federal law, the more restrictive provision shall apply.

4. DEVELOPMENT CRITERIA. A storm water management plan is required if any of the following criteria are met:

a. The development or redevelopment causes a land disturbing activity of one-half acre or more.

b. The development or redevelopment causes the cumulative area of all land disturbing activities at a property to be one-half acre or more over a 3-year period.

c. The development or redevelopment occurring causes an increase of 0.5 acres or more of impervious area.

5. RUNOFF RELEASE RATE. a. If the development or redevelopment occurring causes an increase of 0.5 acres or more of impervious area, the release rate and requirements shall be governed by Milwaukee metropolitan sewerage district ch. 13 – surface water and storm water rules.

b. If the development or redevelopment occurring meets any of the criteria in sub. 4 and does not cause a land disturbing activity of 0.5 acres or more of impervious area, the peak runoff flow rates under post-development conditions shall be at least 50% less than the peak runoff rates under pre-development conditions.

6. RUNOFF DISCHARGE QUALITY CONTROL. a. Any development or redevelopment shall, by design, reduce to the maximum extent practicable the total suspended solids load by 80%, based on an average annual rainfall, as compared to no runoff management controls. No person shall be required to exceed an 80% total suspended solids reduction to meet the requirement of this paragraph.

b. This subsection applies whenever a storm water management plan is required in the separate storm sewer system or if storm water runoff from the development or redevelopment meets any of the criteria of sub. 4 and storm water runoff from that development or redevelopment discharges into waters of the state.

7. ADDITIONAL REGULATIONS. The following additional storm water management regulations shall apply to development or redevelopment within the Milwaukee River greenway site plan review overlay zone:

a. Storm water best management plans shall show topographical lines and bluff lines.

b. Storm water best management practices shall be located as close to the source of runoff as possible, and shall emphasize techniques that incorporate native plants, shrubs and trees, as defined in s. 295-201-390.5, and mimic natural landscape features.

c. Storm water management facilities shall not be permitted within the primary environmental corridor, as defined in s. 295-201-462, unless the city engineer determines, based on evidence provided by the developer, that such facilities are necessary to protect public safety or bluff stability. The placement of storm water management facilities within the 50-foot setback area required by s. 295-1016-3-d shall be permitted if these facilities emphasize the use of such storm water management practices as rain gardens, vegetated swales and similar techniques, and do not adversely impact bluff stability and public access.

d. Every storm water management facility shall be designed and constructed in a manner to minimize erosion and bluff instability. The permit requirements of ch. 30, Wis. Stats., shall also apply to any alterations to the river bank.

e. A storm water management plan required pursuant to this section shall be prepared in accordance with the manual of storm water management practices, including both the provisions that apply citywide and the provisions that apply only to the Milwaukee River site plan review overlay zone.

..LRB

APPROVED AS TO FORM

Legislative Reference Bureau

Date:_____

..Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date:_____

..Requestor

..Drafter

LRB09142-3

JDO

04/19/2010



Legislation Details (With Text)

File #: 100081 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution accepting one Water Easement.
Sponsors: THE CHAIR
Indexes: WATER EASEMENTS
Attachments: Fiscal Note.pdf, Easement.pdf, Plat Map.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100081

Version:

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution accepting one Water Easement.

Analysis

This resolution accepts Water Easement WE896 for the installation, operation, and maintenance of a water main.

Body

Resolved, By the Common Council of the City of Milwaukee that the following water easement offered the City:

WE896 executed by the City of Milwaukee, a municipal corporation of the State of Wisconsin, and Gordon Knoll Condominium Association, for a permanent water main easement in Vacated East Locust Street at Vacated North Gordon Place, in the City of Milwaukee.

Said document being attached to and part of this resolution, is accepted; and, be it

Further Resolved, That after said Easement has been accepted, it shall be forwarded to the Department of Public Works for recording and proper distribution.

Requestor

Department of Public Works

Milwaukee Water Works

Drafter

Water Engineering Section

PWP

May 3, 2010

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: May 3, 2010

FILE NUMBER: _____

Original Fiscal Note Substitute

SUBJECT: Resolution accepting Water Main Easement WE896.

B) SUBMITTED BY (name/title/dept./ext.): Carrie Lewis, Superintendent, Milwaukee Water Works, X2801

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER					
TOTALS:			\$		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

Water Easement
W.E. 896

EASEMENT

*In Vacated East Locust Street
At Vacated North Gordon Place*

Recording Area

Name and Return Address
Milwaukee Water Works
Water Engineering Section
841 North Broadway, Room 403
Milwaukee, WI 53202

THIS INDENTURE, Made by and between the CITY OF MILWAUKEE, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City", and Gordon Knoll Condominium Association,

owner, (including heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (If more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

WITNESSETH

That, WHEREAS, the City desires to acquire a permanent easement with the right of entry in and across the property hereinafter described with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter called "Facilities," in said property; namely, a six inch water main as shown on attached plan, file no. WE896.

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described does hereby grant unto the City a permanent easement in the Northeast One-quarter (N.E. ¼) of Section Sixteen (16), Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

TO-WIT:

Commencing at the Southeast corner of Lot Fifteen (15) in the Re-Subdivision of Block 2, Whitnall Knoll, being a part of Lot Twenty-nine (29) and Thirty (30) in said Northeast One-quarter (N.E. ¼), said point also being the Northwest corner of Vacated E. Locust St. and Vacated N. Gordon Pl.; thence South along the west line of Vacated N. Gordon Pl. extended, 42.00 feet to a point; thence East along the north line of E. Locust St., 15.00 feet to a point; thence North and parallel to the west line of Vacated N. Gordon Pl. extended, 42.00 feet to a point on the north line of W. Locust St.; thence West along the north line of W. Locust St. extended 15.00 feet to the point of beginning of the easement.

Part of Tax Roll Key No.'s 315-1451 through 315-1486

UPON CONDITION

1. *That said Facilities shall be maintained and kept in good order and condition by the City.*
2. *That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the property as may be disturbed, will at the expense of the City be replaced in substantially the same condition as it was prior to such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings or improvements other than ordinary lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed in the course of doing the above work. However, the City shall save harmless the Grantor from any loss, damage, injury or liability resulting from negligence on the part of the City in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if above loss, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses which under law the City is entitled to raise.*
3. *That no structure may be placed within the limits of the easement by the Grantor except that improvements such as walks, pavements for driveways and parking lot surfacing may be constructed.*
4. *That, in connection with the construction by the Grantor of any structure or building abutting said easement defined limits, the Grantor will assume all liability for any damage to the Facilities in the above described property. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence of the Grantor or person other than the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said easement defined limits, and shall reimburse the City for the full amount of such loss or damage.*
5. *That no charges will be made against said lands for the cost of maintenance or operation of said Facilities in the afore-described property. Whenever the Grantor makes application for a service connection, the regular and customary service connection charge in effect at the time of the application shall be charged and paid.*
6. *All conditions pertaining to the "Maintenance of Water Service Piping" as set forth in Chapter 3.3.0 of the "Rules and Regulations Governing Water Service" dated 2002 and subsequent amendments thereto shall apply to all water services which are within the easement defined limits and also within the limits of any adjoining easements; except that the City of Milwaukee Water Works, a utility owned by the City of Milwaukee shall in no case be responsible for maintaining at its expense any portion of said water services outside of the easement defined limits and outside the limits of any adjoining easements regardless of any statement to the contrary in said "Rules and Regulations Governing Water Service".*
7. *The Facilities shall be accessible for maintenance at all times. The owner shall submit plans for approval to the City for any underground installation within the easement.*
8. *That the Grantor shall submit plans for all surface alterations of plus or minus 1 foot or greater within the limits of said easement. Said alterations shall be made only with the approval of the Commissioner of Public Works of the City of Milwaukee.*
9. *It is understood that in the event the above described Real Estate may become portions of public streets; in which event, in the proceedings for the acquisition of the property needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised.*

Water Easement
W.E. 896

IN WITNESS WHEREOF, the Grantor has hereunto set its hands and seals

ON THIS DATE OF: _____

_____ *Gordon Knoll Condominium Association* _____

In presence of:

_____ by _____
WITNESS President

_____ by _____
WITNESS

STATE OF WISCONSIN)
S.S.
COUNTY OF MILWAUKEE)

Before me personally appeared on this _____ day
of _____, A.D. 19

GRANTOR – PRESIDENT

GRANTOR

to me known to be the person(s) who executed the foregoing EASEMENT and acknowledged the same as the
voluntary act and deed of said corporation.

NOTARY PUBLIC

My commission expires _____

Water Easement
W.E. 896

This instrument was drafted by the City of Milwaukee.

Approved as to contents

Date:

.....
SUPERINTENDENT OF MILWAUKEE WATER WORKS

Approved as to form and execution

Date:

.....
ASSISTANT CITY ATTORNEY

EXAMPLE

IN WITNESS WHEREOF, the Grantor has hereunto set its hands and seals

ON THIS DATE OF: _____ *Date* _____

Company Name

COMPANY NAME

Witness Signature by *Company Officer Signature*
WITNESS *Type or print name* *Type or print name and title*

Witness Signature by *Company Officer Signature*
WITNESS *Type or print name* *Type or print name and title*

STATE OF *State*)
COUNTY OF *County* S.S.)

Before me personally appeared on this *Date* _____ day
of _____, A.D. 19 _____

Type or print officer name

Type or print title

Type or print officer name

Type or print title

to me known to be the person(s) who executed the foregoing EASEMENT and acknowledged the same as the
voluntary act and deed of said corporation.

Notary Public

NOTARY PUBLIC
My commission expires _____



Legislation Details (With Text)

File #: 100006 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 5/4/2010 **In control:** PUBLIC WORKS COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution establishing a Police Administration Building Study Task Force.
Sponsors: ALD. BAUMAN
Indexes: COMMITTEES, POLICE DEPARTMENT, PUBLIC BUILDINGS
Attachments: Ald. Bauman news release, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/4/2010	0	COMMON COUNCIL	ASSIGNED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

100006

Version

ORIGINAL

Reference

Sponsor

ALD. BAUMAN

Title

Resolution establishing a Police Administration Building Study Task Force.

Analysis

This resolution establishes a Police Administration Building Study Task Force to analyze the Police Department's building space needs and alternative solutions to these needs. The task force shall consist of the Chair of the Public Works Committee, the Chair of the Finance and Personnel Committee, the Chair of the Capital Improvements Committee, a representative of the Milwaukee Police Department, a representative of the Department of City Development, a representative of the Department of Public Works and a representative of the Mayor's Office. The task force will report its findings within 3 months of the adoption of this resolution.

Body

Whereas, The Milwaukee Police Department has had \$0.4 million approved in its 2010 budget and requested \$46.3 million over 5 years, beginning in 2011, to renovate the existing Police Administration Building and has submitted a Master Plan for this project; and

Whereas, There should be further analysis of the needs of the Milwaukee Police Department for a Police Administration Building, and a review of alternatives and the conduct of a cost-benefit analysis of the requested renovation and Master Plan; and

Whereas, There should be an investigation into possible other sites, use of shared facilities or other alternatives; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Police Administration Building Study Task Force is established to analyze the needs of the Milwaukee Police Department and possible solutions relating to the Police Administration Building; and, be it

Further Resolved, that the Police Administration Building Study Task Force shall consist of the following members:

1. The Chair of the Public Works Committee.
2. The Chair of the Finance and Personnel Committee.
3. The Chair of the Capital Improvements Committee.
4. A representative of the Milwaukee Police Department appointed by the department.
5. A representative of the Department of City Development appointed by the department.
6. A representative of the Department of Public Works appointed by the Commissioner of Public Works.
7. A representative of the Mayor's Office appointed by the Mayor.

;and, be it

Further Resolved, The Police Administration Building Task Force shall be staffed by the Department of Public Works; and, be it

Further Resolved, All City departments are directed to assist the Police Administration Building Study Task Force in carrying out its mission; and, be it

Further Resolved, The Police Administration Building Task Force shall report its findings to the Common Council within 3 months of the adoption of this resolution and shall thereafter be dissolved.

Requestor

Drafter

LRB10165-1

MET

4/21/10

..Number

100006

..Version

PROPOSED SUBSTITUTE B

..Reference

..Sponsor

ALD. BAUMAN

..Title

Substitute resolution establishing a Police Administration Building Study Task Force.

..Analysis

This resolution establishes a Police Administration Building Study Task Force to analyze the Police Department's building space needs and alternative solutions to these needs. The task force shall consist of the Chair of the Public Works Committee, the Chair of the Finance and Personnel Committee, the Chair of the Zoning, Neighborhoods and Development Committee, a representative of the Milwaukee Police Department, a representative of the Department of City Development, a representative of the Department of Public Works, the Presiding Municipal Court Judge or his designee and a representative of the Mayor's Office. The task force will report its findings within 3 months of the adoption of this resolution.

..Body

Whereas, The Milwaukee Police Department has had \$0.4 million approved in its 2010 budget and requested \$46.3 million over 5 years, beginning in 2011, to renovate the existing Police Administration Building and has submitted a Master Plan for this project; and

Whereas, Prior to making a commitment to renovate the existing Police Administration Building, a thorough review of alternatives should be undertaken including, but not limited to, exploring alternative sites in the City of Milwaukee and alternative development models such as joint use buildings and/or mixed use buildings for the purpose of insuring that the best use of City funds is achieved both in terms of meeting the building and facility needs of the Police Department and maximizing development and neighborhood revitalization opportunities in the City; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Police Administration Building Study Task Force is established to undertake an analysis of alternatives to renovating the existing Police Administration Building, which includes, but is not limited to, alternative sites in the City of Milwaukee and alternative development models such as joint use buildings and/or mixed use buildings; and, be it

Further Resolved, That the Police Administration Building Study Task Force shall consist of the following members:

1. The Chair of the Public Works Committee or his designee.
2. The Chair of the Finance and Personnel Committee or his designee.
3. The Chair of the Zoning, Neighborhood and Development Committee or his designee.
4. A representative of the Milwaukee Police Department appointed by the department.
5. A representative of the Department of City Development appointed by the department.

6. A representative of the Department of Public Works appointed by the Commissioner of Public Works.
 7. The Presiding Municipal Court Judge or his designee.
 8. A representative of the Mayor's Office appointed by the Mayor.
- ; and, be it

Further Resolved, That the Chair of the Public Works Committee shall be the Chair of the Police Administration Building Study Task Force; and, be it

Further Resolved, The Police Administration Building Task Force shall be staffed by the Department of City Development; and, be it

Further Resolved, All City departments are directed to assist the Police Administration Building Study Task Force in carrying out its mission; and, be it

Further Resolved, The Police Administration Building Task Force shall report its findings to the Common Council within 3 months of the adoption of this resolution and shall thereafter be dissolved.

..Requestor

..Drafter
LRB10165-3
MET
5/11/10

..Number
100006
..Version
Proposed Substitute A
..Reference

..Sponsor
ALD. BAUMAN

..Title
Substitute resolution establishing a Police Administration Building Study Task Force.

..Analysis
This resolution establishes a Police Administration Building Study Task Force to analyze the Police Department's building space needs and alternative solutions to these needs. The task force shall consist of the Chair of the Public Works Committee, the Chair of the Finance and Personnel Committee, the Chair of the Capital Improvements Committee, a representative of the Milwaukee Police Department, a representative of the Department of City Development, a representative of the Department of Public Works and a representative of the Mayor's Office. The task force will report its findings within 3 months of the adoption of this resolution.

..Body
Whereas, The Milwaukee Police Department has had \$0.4 million approved in its 2010 budget and requested \$46.3 million over 5 years, beginning in 2011, to renovate the existing Police Administration Building and has submitted a Master Plan for this project; and

Whereas, There should be further analysis of the needs of the Milwaukee Police Department for a Police Administration Building, and a review of alternatives and the conduct of a cost-benefit analysis of the requested renovation and Master Plan; and

Whereas, There should be an investigation into possible other sites, use of shared facilities or other alternatives; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Police Administration Building Study Task Force is established to analyze the needs of the Milwaukee Police Department and possible solutions relating to the Police Administration Building; and, be it

Further Resolved, that the Police Administration Building Study Task Force shall consist of the following members:

1. The Chair of the Public Works Committee.
 2. The Chair of the Finance and Personnel Committee.
 3. The Chair of the Capital Improvements Committee.
 4. A representative of the Milwaukee Police Department appointed by the department.
 5. A representative of the Department of City Development appointed by the department.
 6. A representative of the Department of Public Works appointed by the Commissioner of Public Works.
 7. A representative of the Mayor's Office appointed by the Mayor.
- ; and, be it

Further Resolved, That the Chair of the Public Works Committee shall be the Chair of the Police Administration Building Study Task Force; and, be it

Further Resolved, The Police Administration Building Task Force shall be staffed by the Department of Public Works; and, be it

Further Resolved, All City departments are directed to assist the Police Administration Building Study Task Force in carrying out its mission; and, be it

Further Resolved, The Police Administration Building Task Force shall report its findings to the Common Council within 3 months of the adoption of this resolution and shall thereafter be dissolved.

..Requestor

..Drafter
LRB10165-2
MET
5/10/10



**CITY OF MILWAUKEE
MUNICIPAL COURT**

Derek C. Mosley, Presiding Judge
Branch 2

Valarie A. Hill, Judge
Branch 1

Phillip M. Chavez, Judge
Branch 3

Kristine M. Hinrichs
Chief Court Administrator

May 10, 2010

Public Works Committee
Alderman Robert Bauman, Chair
Alderman Joe Dudzik, Vice-Chair
Alderman Willie Wade
Alderman Robert Donovan
Alderman Robert Puente
200 East Wells Street
Milwaukee, WI 53202

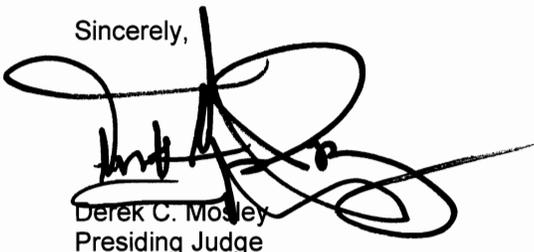
Dear Chairman Bauman and Committee Members,

I am writing on behalf of the Municipal Court in response to your May 6, 2010 news release concerning proposed capital improvements to the building that houses the MPD administrative offices and the Municipal Court. To be perfectly frank, the Court understands many of the problems present in our building but was surprised to learn that MPD has developed a proposal for building improvements and renovations. The Court has not been consulted or briefed by MPD on this project. We believe that the problems present in this building (and there are many) ought to be addressed in a comprehensive fashion and not be limited to particular parts of this structure. Issues such as HVAC deficiencies, asbestos abatement, plumbing problems, and electrical issues are present in all areas of the building and should be addressed in a comprehensive fashion.

Clearly, any changes to this building have the potential for significant impact on Municipal Court operations as well as the operations of the City Attorney, Justice2000 and the Violations Bureau. Therefore, we request that MPD be directed to involve the Court and others, as appropriate, in any future discussions of this project and that we be provided with representation on a Police Administration Building Task Force, should one be created.

Thank you for your attention to the Court's involvement in decisions relating to this project.

Sincerely,



Derek C. Mosley
Presiding Judge

cc: Judge Phil Chavez
Judge Valarie Hill
Chief Court Administrator Kristine Hinrichs

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 5/10/10

FILE NUMBER: 100006

Original Fiscal Note Substitute

SUBJECT: Resolution establishing a Police Administration Building (PAB) Study Task Force.

B) SUBMITTED BY (Name/title/dept./ext.): Venu J. Gupta, Superintendent, Facilities Development and Management Section, x-3401

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENT ACCOUNT(DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Technical support for the task force and consultant coordination and administration		\$10,000		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
Consultant Services	Technical (engineering and architectural) support for the task force.		\$40,000		
TOTALS			\$50,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:
 Expenditures based on consultant's proposal and previous experience of salaries and wages.

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



May 6, 2010

Ald. Robert Bauman
(414) 286-3774

Alderman Calls for Analysis of Proposed Police Administration Building Renovation

Alderman Bauman wants all options discussed before investment is made

When Police Chief Edward Flynn presented his 2010 proposed capital improvements budget to the Capital Improvements Committee last month, it included a more than \$46 million dollar request for a renovation to the police administration building at 951 N. James Lovell St.

Alderman Bauman called for a complete analysis of the project before the city commits to it. "If there is truly a need for the upgrades in space and equipment, we should investigate whether we could spend the same money and relocate the facility elsewhere, spurring economic development in other parts of the community."

Alderman Bauman said there has been a plan developed by the UW-Milwaukee School of Architecture and Urban Planning that redesigns MacArthur Square and enhances the commercial value of that site. "There may be other property the city already owns that could support the facility," Alderman Bauman said. "We just can't commit such significant funds without analyzing all of the available options."

Alderman Bauman has proposed a Police Administration Building Task Force to study the available options. Members will include the chairs of the Public Works Committee, the Capital Improvements Committee and the Finance and Personnel Committee as well as representatives from the police department, the Department of City Development, the Department of Public Works and a representative of the mayor's office.

Once the task force resolution is adopted, the group will have three months to report their findings. The next Capital Improvements Committee meeting is scheduled for May 26, 2010.



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Master With Text

File Number: 100125

File ID: 100125

Type: Communication

Status: In Committee

Version: 0

Reference:

Controlling Body: PUBLIC WORKS
COMMITTEE

Requester:

Cost:

File Created: 05/04/2010

File Name:

Final Action:

Title: Communication from the Milwaukee Water Works relating to the status of the water rate increase.

Notes:

Code Sections:

Indexes: WATER SALES, WATER WORKS

Sponsors: THE CHAIR

Attachments:

Drafter:

Contact:

Agenda Date:

Agenda Number:

Enactment Date:

Enactment Number:

Effective Date:

Extra Date 2:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
0	CITY CLERK	05/10/2010	REFERRED TO	PUBLIC WORKS COMMITTEE			
	Action Text: This Communication was REFERRED TO to the PUBLIC WORKS COMMITTEE						
0	PUBLIC WORKS COMMITTEE	05/12/2010					

Text of Legislative File 100125

..Number

100125

..Version

ORIGINAL

..Reference

..Sponsor

THE CHAIR

..Title

Communication from the Milwaukee Water Works relating to the status of the water rate increase.

..Requestor

..Drafter

jro
05/10/11



Legislation Details (With Text)

File #: 080512 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 7/30/2008 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution to grant a special privilege to 3500 N. Holton St., LLC to construct and maintain a door swing for the premises at 3500 N. Holton Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Special Privilege Petition

Date	Ver.	Action By	Action	Result	Tally
7/30/2008	0	COMMON COUNCIL	ASSIGNED TO		
8/1/2008	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

080512

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution to grant a special privilege to 3500 N. Holton St., LLC to construct and maintain a door swing for the premises at 3500 N. Holton Street, in the 6th Aldermanic District.

Drafter

CC-CC

dkf

9/20/06

spec-priv

ccl-246 (Rev. 12/13/07)

PETITION FOR A SPECIAL PRIVILEGE

SP 2432

\$250.00 Publication Fee
Must Accompany This Petition
SUBMIT PETITION IN DUPLICATE

July 7, 2008

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee 3500 N. Holton St., LLC
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 3500 N. Holton St. 53212
(Street Address and Zip Code)

in the 6th Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

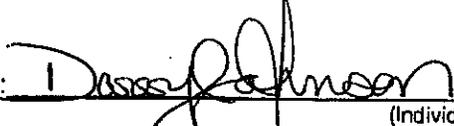
New Office/Commercial building on the corner of Holton St. and Keefe Ave. The westside of the building facing Holton St. will have doors that will wing open onto the City's sidewalk by 3 feet.
(Here describe the privilege)

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, to furnish a bond and pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to 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. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Darryl Johnson
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: 
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: 3500 N. Holton St., LLC
(If applicable, as shown above)

Mailing Address (If different than property address above): 303 E. Vienna Avenue

City: Milwaukee State: WI Zip: 53212

Telephone: (414)906-9650 E-Mail: darrylj@riverworksme.org

Architect/Engineer/Contractor (If Applicable)

Name: Thomas Stacey, Eppstein Uhen Architects

Address: 333 East Chicago Street

City: Milwaukee

State: WI

Zip: 53202

Telephone: (414)291-8159

E-Mail: toms@eppsteinuhen.com

**FILE WITH CITY CLERK LICENSE DIVISION ROOM 105, CITY HALL, 200 EAST WELLS STREET, 414-286-2238.
Make check payable to "City of Milwaukee".**

CITY OF MILWAUKEE
2008 JUL 14 AM 10:51
RONALD D. LEONHARDT
CITY CLERK



Legislation Details (With Text)

File #: 080908 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/29/2008 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution to grant a special privilege to Milwaukee Aloft, LLC to construct and maintain a ramp for the premises at 202 W. Juneau Avenue, in the 4th Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: Special Privilege Petition

Date	Ver.	Action By	Action	Result	Tally
10/29/2008	0	COMMON COUNCIL	ASSIGNED TO		
10/30/2008	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
5/7/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

080908

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution to grant a special privilege to Milwaukee Aloft, LLC to construct and maintain a ramp for the premises at 202 W. Juneau Avenue, in the 4th Aldermanic District.

Drafter

CC-CC

dkf

10/21/08

spec-priv

**\$250.00 Publication Fee
Must Accompany This Petition
SUBMIT PETITION IN DUPLICATE**

September 18, 2008

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee Milwaukee Aloft, LLC
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 202 W. Juneau Avenue
(Street Address and Zip Code)

in the 3rd Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

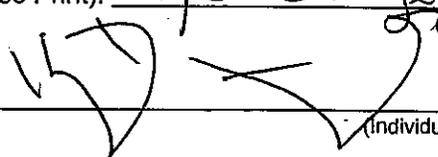
Allow ramp for public access on south end of property to be constructed in the public right of way.
(Here describe the privilege)

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, to furnish a bond and pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to 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. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Kyle Striganz
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: 
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: Milwaukee Aloft, LLC
(If applicable, as shown above)

Mailing Address (if different than property address above): 731 North Jackson St., Suite 818

City: Milwaukee State: WI Zip: 53202

Telephone: _____ E-Mail: _____

Architect/Engineer/Contractor (If Applicable)

Name: Horizon Construction Group, Inc.

Address: 1031 North Edge Trail

City: Verona State: WI Zip: 53593

Telephone: 608-848-4500 E-Mail: d.prusynski@horizondbm.com

**FILE WITH CITY CLERK LICENSE DIVISION ROOM 105, CITY HALL, 200 EAST WELLS STREET, 414-286-2238.
Make check payable to "City of Milwaukee".**

CITY OF MILWAUKEE
2008 OCT 13 PM 2:08
RONALD D. LEONHARDT
CITY CLERK