



# 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: (414) 286-3456, E-mail: [tmacdo@milwaukee.gov](mailto:tmacdo@milwaukee.gov)**

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Wednesday, July 15, 2009

9:00 AM

Room 301-B, City Hall

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### AMENDED 7/14/09

1. [090315](#) 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 12](#)  
[Hearing Notice List](#)
  
2. [090317](#) 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 \$4,635,000 for a total estimated cost of these projects being \$5,414,000.  
**Sponsors:** THE CHAIR  
**Attachments:** [Cover Letter](#)  
[Fiscal note](#)  
[Hearing Notice List](#)
  
3. [090314](#) 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 \$82,000 for a total estimated cost of these projects being \$991,000.  
**Sponsors:** THE CHAIR  
**Attachments:** [Cover Letter](#)  
[Fiscal note](#)  
[Hearing Notice List](#)
  
4. [090316](#) 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 \$1,155,400 for a total estimated cost of these projects being \$2,045,400.  
**Sponsors:** THE CHAIR

**Attachments:** [Cover Letter](#)  
[Fiscal note](#)  
[Hearing Notice List](#)  
[Comptroller Certification](#)

5.     [090369](#)     Appointment of Mariano Schifalacqua to the Capital Improvements Committee by the Mayor. (5th Aldermanic District)  
**Sponsors:**     THE CHAIR  
**Attachments:** [Appointment Letter](#)  
                      [Resume](#)  
                      [Hearing Notice List](#)
6.     [090362](#)     Appointment of Michal Dawson to the Milwaukee Metropolitan Sewerage District by the Mayor. (3rd Aldermanic District)  
**Sponsors:**     THE CHAIR  
**Attachments:** [Appointment Letter](#)  
                      [Resume](#)  
                      [Hearing Notice List](#)
7.     [090363](#)     Appointment of Ald. Willie Wade to the Milwaukee Metropolitan Sewerage District by the Mayor.  
**Sponsors:**     THE CHAIR  
**Attachments:** [Appointment Letter](#)  
                      [Biography](#)  
                      [Hearing Notice List](#)
8.     [090360](#)     Reappointment of Representative Pedro Colon to the Milwaukee Metropolitan Sewerage District by the Mayor. (12th Aldermanic District)  
**Sponsors:**     THE CHAIR  
**Attachments:** [Reappointment Letter](#)  
                      [Attendance record](#)  
                      [Hearing Notice List](#)
9.     [090361](#)     Reappointment of Representative David Cullen to the Milwaukee Metropolitan Sewerage District by the Mayor. (10th Aldermanic District)  
**Sponsors:**     THE CHAIR  
**Attachments:** [Reappointment Letter](#)  
                      [Attendance record](#)  
                      [Hearing Notice List](#)
10.    [080495](#)     Substitute resolution to vacate the west leg of the east-west alley in the block bounded by West Appleton Avenue, West Beckett Avenue, West Courtland Avenue and West Hampton Avenue, in the 5th Aldermanic District.

**Sponsors:** THE CHAIR

**Attachments:** [Fiscal Note.doc](#)  
[Exhibit A](#)  
[City Plan Commission Letter.doc](#)  
[Hearing Notice List](#)

11. [081518](#) Substitute resolution to vacate West Glendale Avenue from North 35th Street easterly to its terminus, in the 1st Aldermanic District.

**Sponsors:** THE CHAIR

**Attachments:** [Fiscal Note.doc](#)  
[Exhibit A](#)  
[City Plan Commission Letter.doc](#)  
[Hearing Notice List](#)

12. [090256](#) Substitute resolution expressing the City of Milwaukee's position on the proposed reconstruction of the Zoo Interchange.

**Sponsors:** Ald. Murphy and Ald. Bauman

**Attachments:** [Fiscal note](#)  
[S&R Cmte Hearing Notice List](#)  
[Proposed Substitute A](#)  
[Hearing Notice List](#)

*---This file is only being scheduled to refer it to the Steering & Rules Committee*

13. [090282](#) Resolution relating to the design, configuration and elevation of a future replacement for the Hoan Bridge.

**Sponsors:** Ald. Bauman

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

14. [090338](#) Resolution authorizing acceptance and funding of a 2009 Stormwater Best Management Practices Partnership grant from the Milwaukee Metropolitan Sewage District.

**Sponsors:** THE CHAIR

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

15. [090339](#) Resolution approving a Lease Agreement with Kinder Morgan Bulk Terminal, LLC.

**Sponsors:** Ald. Bauman  
**Attachments:** [Cover Letter](#)  
[Fiscal Note](#)  
[Agreement](#)  
[Hearing Notice List](#)  
[Fiscal Analysis](#)

16. [090319](#) Resolution authorizing expenditure of 2009 Energy Challenge Funds for capital projects.

**Sponsors:** THE CHAIR  
**Attachments:** [Fiscal Note](#)  
[Energy Challenge Fund Requests](#)  
[Fiscal Analysis](#)  
[Hearing Notice List](#)

17. [090307](#) Communication from the La Follette School of Public Affairs relating to a Pay-As-You-Throw program study.

**Sponsors:** Ald. Dudzik  
**Attachments:** [Study](#)  
[Hearing Notice List](#)

18. [090335](#) Communication from the Infrastructure Services Division relating to a Statement of Mid-Year Review for Financial Condition of the Sewer Maintenance Fund.

**Sponsors:** THE CHAIR  
**Attachments:** [Cover Letter](#)  
[Report](#)  
[Hearing Notice List](#)

19. [090279](#) A substitute ordinance relating to purchase of city vehicles.

**Sponsors:** Ald. Zielinski  
**Attachments:** [Hearing Notice List](#)

*---May be referred to the Finance & Personnel Committee*

20. [090345](#) Resolution authorizing the Department of Public Works to enter into an agreement with CH2M Hill concerning relocation of communications package and road bridge operating control cables and also relating to the expenditure of funds to be reimbursed by greater than anticipated revenue.

**Sponsors:** Ald. Bauman  
**Attachments:** [Cover Letter](#)  
[Fiscal Note](#)  
[Agreement](#)  
[Hearing Notice List](#)

*---May be referred to the Finance & Personnel Committee*

21. [090328](#) Resolution authorizing the Commissioner of Public Works and Comptroller to execute a Letter Agreement for Traffic Signal Operation at the intersection of Miller Park Way/South 43rd Street and West Lincoln Avenue.
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)  
[Cover Letter](#)  
[Letter Agreement](#)  
[Original Agreement](#)  
[Hearing Notice List](#)
22. [090326](#) Resolution relative to the cost participation and installation of street lighting improvements in conjunction with the Federal/State Aid paving of South 13th Street from West College Avenue to West Rawson Avenue by Milwaukee County in the 13th Aldermanic District and the City of Oak Creek at a total estimated cost of \$104,164.45, with an estimated grantor share of \$83,331.56, and an estimated City share of \$20,832.89.
- Sponsors:** THE CHAIR
- Attachments:** [Cover Letter](#)  
[Fiscal Note](#)  
[Contract](#)  
[Hearing Notice List](#)
23. [090295](#) Resolution relative to application, acceptance and funding of a 2009 and 2010 Vehicle Miles of Travel Monitoring Grant.
- Sponsors:** THE CHAIR
- Attachments:** [Cover Letter](#)  
[Fiscal Note](#)  
[Grant Analysis Form](#)  
[Grant Budget Form](#)  
[Agreement](#)  
[Comptroller's Certification](#)  
[Hearing Notice List](#)
24. [090161](#) Substitute resolution directing the City Engineer to submit applications to the Wisconsin Department of Transportation for programming for the construction of freeway noise barriers at locations along I-94 as identified in the Wisconsin Department of Transportation's I-94 North-South Freeway Project Noise Barrier study for which no local cost participation is required.
- Sponsors:** Ald. Witkowski

**Attachments:** [Fiscal Note](#)  
[List of I-94 North-South Freeway Noise Barriers](#)  
[Maps](#)  
[Pattern Options](#)  
[7-7-09 Petition](#)  
[Hearing Notice List](#)

This meeting will be webcast live at [www.milwaukee.gov/channel25](http://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](http://www.milwaukee.gov/lobby).



## Legislation Details (With Text)

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**File #:** 090315      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **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 12, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090315

**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 15

06/26/09

June 26, 2009

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 15  
Report Appended

**OFFICIAL NOTICE NUMBER 12  
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:

<b>WEDNESDAY</b>
<b>JULY 15, 2009</b>
<b>ROOM 301-B – CITY HALL</b>
<b>9:00 A.M.</b>

**3rd Aldermanic District**

**N. Lake Dr. – E. North Ave. to E. Bradford Ave. (ST211090112):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (4-foot width of tree border area), and grading.

**E. North Ave. – N. Lake Dr. to N. Prospect Ave. (ST21110102):**

Asphalt pavement resurfacing, replace curb and gutter, sidewalk and driveway approaches where necessary, sodding (9-foot width of tree border area), and grading.

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, except July 2 and July 3, 2009.

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

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Ronald D. Leonhardt, City Clerk

July 1, 2009

**PW FILE NUMBER: 090315**

[illegible]



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Master with text

**File Number: 090317**

**File ID:** 090317

**Type:** Resolution

**Status:** In Committee

**Version:** 1

**Reference:**

**Controlling Body:** PUBLIC WORKS  
COMMITTEE

**Requester:** COMMON COUNCIL

**Cost:**

**File Created:** 07/07/2009

**File Name:**

**Final Action:**

**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 \$4,635,000 for a total estimated cost of these projects being \$5,414,000.

### Notes:

#### Code Sections:

**Agenda Date:**

**Indexes:** PUBLIC IMPROVEMENTS

**Agenda Number:**

**Sponsors:** THE CHAIR

**Enactment Date:**

**Attachments:** Cover Letter ,Fiscal note ,Hearing Notice List

**Enactment Number:**

**Drafter:** mld

**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	07/07/2009	ASSIGNED TO	PUBLIC WORKS COMMITTEE			
	<b>Action Text:</b> This Resolution was ASSIGNED TO to the PUBLIC WORKS COMMITTEE						
0	PUBLIC WORKS COMMITTEE	07/10/2009	HEARING NOTICES SENT		07/15/2009		
1	CITY CLERK	07/10/2009	DRAFT SUBMITTED				
	<b>Action Text:</b> This Resolution was DRAFT SUBMITTED						
0	PUBLIC WORKS COMMITTEE	07/15/2009					

### Text of Legislative File 090317

..Number  
090317  
..Version  
SUBSTITUTE 1  
..Reference  
081588  
..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 \$4,635,000 for a total estimated cost of these projects being \$5,414,000.

..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 \$4,635,000. The total estimated cost of these projects is \$5,414,000.

..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. Congress St. - N. 17th St. to N. 18th St. (SM495090025) File Number 081588: Sanitary sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$59,000). The total estimated cost for this project including the requested amount is \$74,000. This project is anticipated to be completed during the 2009 construction season.

W. Cornell St. - N. 22nd St. to N. 23rd St. (SM495090036) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$64,000). The total estimated cost for this project including the requested amount is \$79,000. This project is anticipated to be completed during the 2009 construction season.

W. Hampton Ave. - N. 20th St. to N. 24th Pl. (SM495090040) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$335,000). The total estimated cost for this project including the requested amount is \$350,000. This project is anticipated to be completed during the 2009 construction season.

W. Roosevelt Dr. - N. 21st St. to W. Congress St. (SM495090035) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund --\$37,000). The total estimated cost for this project including the requested amount is \$52,000. This project is anticipated to be completed during the 2009 construction season.

N. 18th St. - 270 feet mu north of W. Olive St. to W. Congress St. (SM495090042) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$132,000). The total estimated cost for this project including the requested amount is \$147,000. This project is anticipated to be completed during the 2009 construction season.

N. 19th Pl. - W. Olive St. to W. Congress St. (SM495090032) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$170,000). The total estimated cost for this project including the requested amount is \$185,000. This project is anticipated to be completed during the 2009 construction season.

N. 19th St. - W. Olive St. to W. Congress St. (SM495090033) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$170,000). The total estimated cost for this project including the requested amount is \$185,000. This project is anticipated to be completed during the 2009 construction season.

N. 21st St. - W. Roosevelt Dr. to W. Cornell St. (SM495090034) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$188,000). The total estimated cost for this project including the requested amount is \$203,000. This project is anticipated to be completed during the 2009 construction season.

N. 22nd St. - W. Congress St. to W. Cornell St. (SM495090039) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$253,000). The total estimated cost for this project including the requested amount is \$268,000. This project is anticipated to be completed during the 2009 construction season.

N. 23rd St. - W. Ruby Ave. to W. Cornell St. (SM495090037) File Number 081588: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$148,000). The total estimated cost for this project including the requested amount is \$163,000. This project is anticipated to be completed during the 2009 construction season.

3rd Aldermanic District

E. Bellevue Pl. - N. Downer Ave. to N. Stowell Ave. (SM495090065) File Number 090316: Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund --\$88,000). The total estimated cost for this

project including the requested amount is \$89,000. This project is anticipated to be completed during the 2009 construction season.

N. Hackett Ave. - N. Downer Ave. to E. Park Pl. (SM495090066) File Number 090316: Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$115,000). The total estimated cost for this project including the requested amount is \$116,000. This project is anticipated to be completed during the 2009 construction season.

E. Park Pl. - N. Hackett Ave. to N. Summit Ave. (SM495090064) File Number 090316: Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$68,000). The total estimated cost for this project including the requested amount is \$69,000. This project is anticipated to be completed during the 2009 construction season.

6th Aldermanic District

N. Holton St. at E. Townsend St. (ST04083900) File Number 090074: Special treatment including removal of railroad crossings (DCD/BID-36 Nonassessable Funds --\$115,000). The total estimated cost for this project is \$115,000. This project is anticipated to be completed during the 2009 construction season.

9th Aldermanic District

W. Rohr Ave. - N. Sherman Blvd. to N. 46th St. (WT410071085) File Number 051658: Relay water main. (Nonassessable Water Fund -- \$215,000). The total estimated cost for this project including the requested amount is \$230,000. This project is anticipated to be completed during the 2009 construction season.

N. 46th St. - W. Villard Ave. to W. Rohr Ave. (VVT410071084) File Number 051658: Relay water main. (Nonassessable Water 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 2009 construction season.

10th Aldermanic District

W. Wells St. - N. 45th Pl. to 360 feet west of N. 45th Pl. (VVT410081002) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$70,000). The total estimated cost for this project including the requested amount is \$85,000. This project is anticipated to be completed during the 2009 construction season.

N. 42nd St. -W. St. Paul Ave. to 200 feet north of W. St. Paul Ave. (WT410071062) File Number 051658: Relay water main. (Nonassessable Water Fund -- \$50,000). The total estimated cost for this project including the requested amount is \$65,000. This project is anticipated to be completed during the 2009 construction season.

N. 45th Pl. - W. Wisconsin Ave. to W. Wells St. (VVT410081001) File Number 070266: Relay water main. (Nonassessable Water Fund -- \$110,000). The total estimated cost for this project including the requested amount is \$125,000. This project is anticipated to be completed during the 2009 construction season.

N. 59th St. - 300 feet m/l south of W. St. Paul Ave. to W. Blue Mound Rd. (SM495090060) File Number 090194: Relay sanitary sewer. (Nonassessable Sewer Maintenance Relay Fund -- \$142,000). The total estimated cost for this project including the requested amount is \$157,000. This project is anticipated to be completed during the 2009 construction season.

11th Aldermanic District

W. Crawford Ave. - S. 48th St. to S. 50th St. (VVT410071054) File Number 051658: Relay water main. (Nonassessable Water Fund -- \$70,000). The total estimated cost for this project including the requested amount is \$85,000. This project is anticipated to be completed during the 2009 construction season.

W. Lynndale Ave. - S. 48th St. to S. 50th St. (VVT410071056) File Number 051658: Relay water main. (Nonassessable Water Fund -- \$150,000). The total estimated cost for this project including the requested amount is \$165,000. This project is anticipated to be completed during the 2009 construction season.

S. 48th St. - W. Crawford Ave. to S. Tripoli Ave. (WT410071053) File Number 051658: Relay water main. (Nonassessable Water Fund -- \$70,000). The total estimated cost for this project including the requested amount is \$85,000. This project is anticipated to be completed during the 2009 construction season.

S. 48th St. - W. Tripoli Ave. to W. Howard Ave. (VVT410071055) File Number 051658: Relay water main. (Nonassessable Water Fund -- \$130,000). The total estimated cost for this project including the requested amount is \$145,000. This project is anticipated to be completed during the 2009 construction season.

S. 50th St. - W. Crawford Ave. to W. Howard Ave. (VVT410071057) File Number 051658: Relay water main. (Nonassessable Water Fund -- \$135,000). The total estimated cost for this project including the requested amount is \$150,000. This project is anticipated to be completed during the 2009 construction season.

S. 68th St. at W. Howard Ave. (WT410091423) File Number 080237: Relay water main. (Nonassessable Water Fund -- \$55,000). The total estimated cost for this project including the requested amount is \$70,000. This project is anticipated to be completed during the 2009 construction season.

12th Aldermanic District

W. National Ave. at S. 9th St. Site Investigation (SM497090103): Soil borings and ground water monitoring. (Nonassessable I & I (Infiltration and Inflow) Reduction Fund --\$1,000). The total estimated cost for this project including the requested amount is \$5,000. This project is anticipated to be completed during the 2009 construction season.

13th Aldermanic District

S. 27th St. - W. Clayton Crest Ave. to W. Grange Ave. (WT410091422) File Number 071573: Relay water main. (Nonassessable Water Fund \$350,000). The total estimated cost for this project including the requested amount is \$370,000. This project is anticipated to be completed during the 2009 construction season.

14th Aldermanic District

E. Oklahoma Ave. at S. Logan Ave. (ST211090142) File Number 081678: Median installation. (Nonassessable Reconstruction Paving Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$25,000. This project is anticipated to be completed during the 2009 construction season.

15th Aldermanic District

W. Fond du Lac Ave. at N. 18th St. (ST211090130) File Number 080660: Median alteration. Remove and replace curb and gutter and sidewalk as necessary. (Nonassessable Reconstruction Paving Fund -- \$70,000). The total estimated cost for this project is \$82,000. This project is anticipated to be completed during the 2009-2010 construction season.

City of Greenfield

W. Edgerton Ave. at S. 43rd St. (VVT410081104) File Number 070266: Water main alteration. (Nonassessable Water Fund -- \$680,000). The total estimated cost for this project including the requested amount is \$700,000. This project is anticipated to be completed during the 2010 construction season.

W. Edgerton Ave. at S. 60th St. (VVT410081103) File Number 070266: Water main alteration. (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.

Various Locations

Stormwater Quality Treatment Devices (SM493090104) File Number 090013: (Nonassessable Sewer Fund-TSS Removal Fund -- \$350,000, \$45,000 Additional Funds). The total estimated cost for this project including the requested amount is \$415,000. This project is anticipated to be completed during the 2009 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 15

07/10/09

June 26, 2009

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 July 15, 2009.

Respectfully submitted,

Special Deputy Commissioner  
of Public Works

MLD:dr  
Title only  
Nfr 15

# CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: July 10, 2009

FILE NUMBER: 090317

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 \$4,635,000 for a total estimated cost of these projects being \$5,414,000.

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: ☐ 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:					
OTHER STRUCTURE					
Paving	ST211		\$ 90,000		
Paving	ST040		\$ 115,000		
Water	WT410		\$2,415,000		
Sewer	SM495		\$1,969,000		
Sewer	SM497		\$ 1,000		
Sewer	SM493		\$ 45,000		
TOTALS:			\$4,635,000		

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.*

--

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

PW FILE NUMBER: 090317

[illegible]



## Legislation Details (With Text)

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**File #:** 090314      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **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 \$82,000 for a total estimated cost of these projects being \$991,000.

**Sponsors:** THE CHAIR

**Indexes:** PUBLIC IMPROVEMENTS

**Attachments:** Cover Letter, Fiscal note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	1	CITY CLERK	DRAFT SUBMITTED		

Number

090314

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 \$82,000 for a total estimated cost of these projects being \$991,000.

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 \$82,000 with the total cost estimated to be \$991,000.

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:

#### 5th Aldermanic District

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 -- \$15,000). The total estimated cost for this project including the requested amount is \$400,000. This project is anticipated to be completed during the 2010 construction season.

Alley between W. Keefe Ave., W. Nash St., N. 98th St., and N. 99th St. (ST212100105): Paving the alley with concrete. Doing all the necessary grading pertaining to said work. (Nonassessable Alley Paving Fund -- \$7,000). The total estimated cost for this project including the requested amount is \$71,000. This project is anticipated to be completed during the 2010 construction season.

#### 13th Aldermanic District

W. Parnell Ave. - S. 29th St. to W. Ramsey Ave. (ST211090121): 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 \$470,000. This project is anticipated to be completed during the 2010 construction season.

Alley between W. Carrington Ave., S. Salem St., S. 19th St., and S. 20th St. (ST212090111): Install storm sewer. (Nonassessable Alley Paving Fund -- \$50,000). The total estimated cost for this project is \$50,000. This project is anticipated to be completed during the 2009 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 15  
07/10/09

June 26, 2009

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 July 15, 2009.

Respectfully submitted,

Special Deputy Commissioner  
of Public Works

MLD:dr  
Title only  
Apr 15

# CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: July 10, 2009

FILE NUMBER: 090314

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 \$82,000 for a total estimated cost of these projects being \$991,000.

B) SUBMITTED BY (name/title/dept./ext.): Mary Dziej iontkoski/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		\$ 25,000		
	ST212		\$ 57,000		
TOTALS:			\$ 82,000		

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 \$82,000 .*

--

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

## PW FILE NUMBER: 090314

[illegible]



## Legislation Details (With Text)

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**File #:** 090316      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **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 \$1,155,400 for a total estimated cost of these projects being \$2,045,400.

**Sponsors:** THE CHAIR

**Indexes:** PUBLIC IMPROVEMENTS

**Attachments:** Cover Letter, Fiscal note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	1	CITY CLERK	DRAFT SUBMITTED		

Number

090316

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 \$1,155,400 for a total estimated cost of these projects being \$2,045,400.

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 \$1,155,400 with the total cost estimated to be \$2,045,400.

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:

#### 2nd Aldermanic District

N. 74th St. - W. Silver Spring Dr. to W. Thurston Ave. (WT410100018): Relaying water main. (Nonassessable Water Fund -- \$15,000). The total estimated cost for this project including the requested amount is \$130,000. This project is anticipated to be completed during the 2010 construction season.

#### 3rd Aldermanic District

E. Bellevue Pl. - N. Downer Ave. to N. Stowell Ave. (SM495090065): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$1,000). The total estimated cost for this project including the requested amount is \$89,000. This project is anticipated to be completed during the 2009 construction season.

N. Hackett Ave. - N. Downer Ave. to E. Park Pl. (SM495090066): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$1,000). The total estimated cost for this project including the requested amount is \$116,000. This project is anticipated to be completed during the 2009 construction season.

E. Park Pl. - N. Hackett Ave. to N. Summit Ave. (SM495090064): Combined sewer lining. (Nonassessable Sewer Maintenance Relay Fund -- \$1,000). The total estimated cost for this project including the requested amount is \$69,000. This project is anticipated to be completed during the 2009 construction season.

#### 6th Aldermanic District

E. North Ave. - N. Holton St. to 150 feet east of N. Booth St. (WT410100017): Relay water main. (Nonassessable Water Fund -- \$20,000). The total estimated cost for this project including the requested amount is \$195,000. This project is anticipated to be completed during the 2010 construction season.

## 12th Aldermanic District

W. National Ave. at S. 9th St. Site Investigation (SM497030103): Soil borings and ground water monitoring. (Nonassessable I & I (Infiltration and Inflow) Reduction Fund -- \$1,000). The total estimated cost for this project including the requested amount is \$5,000. This project is anticipated to be completed during the 2009 construction season.

## 12th and 14th Aldermanic Districts

S. Kinnickinnic Ave. and S. 1st St. Bridges over the Kinnickinnic River (BR100090107): Relocation of Communications package and bridge operating control cables to avoid conflict with dredging and sheet piling work required. (City Share Non-assessable Structure Fund -- \$1,041,400). The total estimated cost for this project amount is \$1,041,400. This project is anticipated to be completed during the 2009 construction season.

## 14<sup>th</sup> Aldermanic District

S. Car ferry Dr. - S. Lincoln Memorial Dr. to I-794 northbound on-ramp (potential American Reinvestment and Recovery Act (ARRA)) (ST32009XXXX) (potential future ARRA project) Preconstruction engineering design for concrete pavement reconstruction, replace all curb and gutter, replace sidewalk where necessary, sodding and grading

City Share Non-Assessable Fund, Paving  
ST320090000  
Fund 0333  
\$45,000

Port of Milwaukee Share  
634002-0480-4280-0725-R999-2009  
Fund 0480  
\$30,000

Previously authorized for preliminary engineering (paving): 0  
Current estimated cost of the total project including this resolution: \$400,000  
Original estimated cost of the total project: \$400,000

; 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 15

07/10/09

June 26, 2009

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 July 15, 2009.

Respectfully submitted,

Special Deputy Commissioner  
of Public Works

MLD:dr  
Title only  
Npr 15

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE July 10, 2009

FILE NUMBER: 090316

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 \$1,155,400 for a total estimated cost of these projects being \$2,045,500.

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
	City Share Non-Assessable Paving Fund (Fund 0333)	ST320090000	\$ 45,000		
	Port of Milwaukee Share (Fund 0480)	634002	\$ 30,000		
OTHER:	Bridge (Fund 0303)	BR100090107	\$1,041,400		
	Water WT410		\$ 35,000		
	Sewer SM495		\$ 3,000		
	Sewer SM497		\$ 1,000		
TOTALS			\$1,155,400		

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 \$1,155,400.

**Capital Grant Resolution Certification from the**  
**Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. 090316 for preliminary engineering of the potential future ARRA project of S. Carferry Drive from South Lincoln Memorial Drive to I-794 (City Share \$45,000 Port of Milwaukee \$30,000) 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:

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The resolution should be corrected and returned to the Comptroller's Office for review.

Signature: C. W. W. W.

Date: 7/9/09


PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

☐

## PW FILE NUMBER: 090316

[illegible]



## Legislation Details (With Text)

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**File #:** 090369      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Appointment of Mariano Schifalacqua to the Capital Improvements Committee by the Mayor. (5th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** APPOINTMENTS, CAPITAL IMPROVEMENTS, COMMITTEES

**Attachments:** Appointment Letter, Resume, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090369

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Appointment of Mariano Schifalacqua to the Capital Improvements Committee by the Mayor. (5<sup>th</sup> Aldermanic District)

**Drafter**

Mayor

TB

7/7/09

July 7, 2009

To the Honorable, the Common Council  
Of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Mr. Mariano Schifalacqua, 9616 West Hadley Street, Milwaukee, Wisconsin, 53222, to the Capital Improvements Committee. This appointment is pursuant of Section 320-49 of the Milwaukee Code of Ordinances and Common Council File 081215. Mr. Schifalacqua's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

A handwritten signature in cursive script that reads "Tom Barrett". The signature is written in black ink and is positioned above the printed name and title.

Tom Barrett  
Mayor

## **Mariano A. Schifalacqua, PE**

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### **Education**

1971 Marquette University, Milwaukee, WI  
**Bachelor of Science in Civil Engineering**

1974 Marquette University, Milwaukee, WI  
**Master of Science**

Member of Chi Epsilon – National Honorary Civil Engineering Fraternity

### **Accreditation**

State of Wisconsin Registration

**Professional Engineer - No. 19047-006**

### **Professional experience**

2004 – Present  
Schifalacqua Consulting, LLC  
**Owner/Principal**

2000 - 2004 City of Milwaukee  
**Commissioner of Public Works**

1994 – 2000 City of Milwaukee  
**City Engineer**

1984 – 1994 City of Milwaukee  
**Engineer in Charge – Transportation Division**

1974 – 1984 City of Milwaukee  
**Civil Engineer**

Various levels including project design and management responsibilities

**Additional  
professional  
activities**

Past Chairperson, Civil Engineering Technology Advisory Committee – Milwaukee Area Technical College

Member, National Advisory Council – Marquette University College of Engineering

Numerous Boards and Advisory Committees for Local, Regional, and State Studies

**Professional  
memberships**

American Public Works Association – Past President of Wisconsin Chapter

American Society of Civil Engineers – Past member of Board of Directors for Southeast Wisconsin Section

Mr. Schifalacqua has 30 years of experience with the city of Milwaukee in various engineering and public works activities including the planning, budgeting, design, construction, operations and maintenance of all infrastructure systems including streets, bridges, sewers, water treatment and distribution, buildings, traffic control, street lighting, communications, and forestry. As Commissioner of Public Works also directed other activities including fleet purchasing and maintenance, solid waste collection and disposal, snow and ice control, parking controls and enforcement, recreation facilities, and the design and operation of parking lots and structures.

**Some Major Planning and Project Experience**

**Southeastern Wisconsin Regional Planning Commission,  
Kenosha-Racine-Milwaukee Corridor Transit Study Advisory  
Committee, Wisconsin.**

**Southeastern Wisconsin Regional Planning Commission,  
Intergovernmental Coordinating and Advisory Committee on  
Transportation System Planning and Programming for the  
Milwaukee Urbanized Area, Wisconsin.**

**Southeastern Wisconsin Regional Planning Commission,  
Technical Coordinating and Advisory Committee on Regional  
Transportation System Planning, Wisconsin.**

**Southeastern Wisconsin Regional Planning Commission,  
Technical and Citizen Advisory Committee on Regional  
Bicycle and Pedestrian Facilities System Planning,  
Wisconsin.**

**Southeastern Wisconsin Regional Planning Commission,  
Regional Water Supply Planning Advisory Committee,  
Wisconsin.**

**Southeastern Wisconsin Regional Planning Commission,  
Regional Telecommunications Planning Advisory Committee,  
Wisconsin.**

**City of Milwaukee, Water Treatment Plant Upgrades,  
Milwaukee, Wisconsin.** In charge of \$100 million upgrades to  
two drinking water treatment facilities including intake extension,  
pumping facilities, filters, controls, and the conversion to ozone  
disinfection. [first use by the city of design-build project delivery]

**City of Milwaukee, 6th Street Viaduct Replacement Design-  
Build, Milwaukee, Wisconsin.** In charge of a \$60 million  
complete bridge replacement that included two cable stayed  
spans and two movable bascule bridges. This was a joint project  
with the state of Wisconsin and Milwaukee County.

**City of Milwaukee, Marquette Interchange Replacement,  
Milwaukee, Wisconsin.** In charge of city efforts pertaining to an  
\$800 million state of Wisconsin project. Coordinated and  
implemented city activities.

**City of Milwaukee, Canal Street Extension, Milwaukee,  
Wisconsin.** In charge of a \$30 million street and bridge  
extension in the Menomonee Valley providing access for major  
development activities.

**City of Milwaukee, Park East Freeway Removal and Local  
Bridge and Street Extensions, Milwaukee, Wisconsin.** In  
charge of a \$30 million project removing underutilized elevated  
freeway and replacing with surface streets, opening a large area  
in downtown Milwaukee for development.

**City of Milwaukee, Rehabilitation and Resurfacing Various  
Freeway Segments, Milwaukee, Wisconsin.**

**City of Milwaukee, Becher Street Sewer Tunnel, Milwaukee,  
Wisconsin.** In charge of a \$10 million 10-foot-diameter tunnel  
constructed by boring and installation of a segmental liner.

**City of Milwaukee, North Avenue Dam Removal and River Bed Remediation, Milwaukee, Wisconsin.** In charge of the largest dam and river bed restoration in Wisconsin.

**City of Milwaukee, Seven Movable River Crossings, Milwaukee, Wisconsin.** In charge of design and construction projects that ranged between \$5 million and \$10 million.

**City of Milwaukee, Highway 45/W. Good Hope/N. 124th Street Interchange & Street Extensions, Milwaukee, Wisconsin.** In charge of \$30 million interchange and highway project to better handle traffic and open areas for development.

**City of Milwaukee, Drinking Water Extension, Milwaukee, Wisconsin.** Negotiated and extended drinking water service to the cities of Mequon & New Berlin, and the villages of Butler & Menomonee Falls.

**City of Milwaukee, Bradley Center and Miller Park, Milwaukee, Wisconsin.** Negotiated, coordinated, and implemented various projects needed to facilitate construction of major sports venues.

**City of Milwaukee, 4th & Highland and 8th & State Parking Structures, Milwaukee, Wisconsin.** Managed project for Bradley Center parking.

**City of Milwaukee, 1000 Water Office Development, Milwaukee, Wisconsin.** Managed design and implementation of a 1,200-space municipal parking structure into a high-rise office development

PW FILE NUMBER: 090369

[illegible]



## Legislation Details (With Text)

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**File #:** 090362      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Appointment of Michal Dawson to the Milwaukee Metropolitan Sewerage District by the Mayor. (3rd Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** APPOINTMENTS, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT

**Attachments:** Appointment Letter, Resume, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090362

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Appointment of Michal Dawson to the Milwaukee Metropolitan Sewerage District by the Mayor. (3rd Aldermanic District)

**Drafter**

Mayor

TB

7/7/09

July 7, 2009

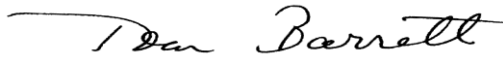
To the Honorable, the Common Council  
Of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Ms. Michal Dawson, 3489 North Frederick Avenue, Milwaukee, Wisconsin, 53211, to replace Preston Cole on the Milwaukee Metropolitan Sewerage District. This appointment is pursuant of Chapter 200, Subchapter II of the Wisconsin State Statutes. Ms. Dawson's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive, flowing style with a long horizontal line extending from the start of the name.

Tom Barrett  
Mayor

**MICHAL ANN DAWSON**  
**3489 N. Frederick Avenue**  
**Milwaukee, WI 53211**  
**414-332-1064**

#### **WORK EXPERIENCE**

1000 Friends of Wisconsin, southeastern Wisconsin Director - January 2004 to present

Deputy Commissioner, Department of City Development - 1999 to December, 2003

Special Assistant to Mayor John O. Norquist - 1988 to 1999

Staff Assistant to the Commissioner of the Department of City Development - 1983-1988

Staff to Finance and Personnel Committee of the Common Council - 1980-1983

Liaison Officer to the Common Council - 1976-1980

Elementary School teacher - 1966-1970

#### **COMMUNITY INVOLVEMENT**

Professional Dimensions member

Women's Fund Board member; past Chair

YMCA Board member

YWCA Board member

Pabst Theater Board member

Select Milwaukee Board member

Local Initiatives Support Corporation (LISC) Board member

Menomonee Valley Partners Infrastructure Committee

#### **EDUCATION**

BA, University of California, Santa Barbara

Graduate education credential, University of California, SB

Graduate work at University of Wisconsin, Milwaukee

#### **PERSONAL INFORMATION**

Born in White Plains, New York 1943

Two children: Marcey Gulley, Kansas City, MO and Brian Dawson, attorney in San Diego, CA

PW FILE NUMBER: 090362

[illegible]



## Legislation Details (With Text)

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**File #:** 090363      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Appointment of Ald. Willie Wade to the Milwaukee Metropolitan Sewerage District by the Mayor.

**Sponsors:** THE CHAIR

**Indexes:** APPOINTMENTS, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT

**Attachments:** Appointment Letter, Biography, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090363

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Appointment of Ald. Willie Wade to the Milwaukee Metropolitan Sewerage District by the Mayor.

**Drafter**

Mayor

TB

7/7/09

July 7, 2009

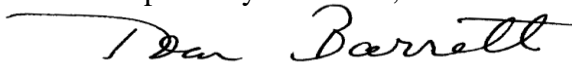
To the Honorable, the Common Council  
Of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Alderman Willie Wade, 200 East Wells Street, Suite 205, Milwaukee, Wisconsin, 53202, to replace Alderman Ashanti Hamilton on the Milwaukee Metropolitan Sewerage District. This appointment is pursuant of Chapter 200, Subchapter II, of the Wisconsin State Statutes. Alderman Wade's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive, flowing style with a long horizontal line extending from the start of the name.

Tom Barrett  
Mayor

## Biography

Alderman Wade has lived in the 7th District for more than 36 years and has spent more than 27 years working in the community as a mentor, coach and teacher. Alderman Wade is a graduate of Milwaukee Public Schools. He attended Armstrong State College in Savannah, Georgia. He spent 19 years as an employee of Milwaukee Public Schools, including 15 years working with emotionally disturbed students. He was a member of SEIU for 10 years and is longtime member of MTEA.

Alderman Wade, with the help of some friends, created a college scholarship fund in 2003 for inner city youth. The fund he helped to create has assisted young people attending college better handle their educational costs.

Alderman Wade is instrumental in serving the City of Milwaukee through his board membership with the Survive Alive House, Local Initiative Support Corp. (LISC), as commissioner on the board of the Redevelopment Authority of the City of Milwaukee (RACM), his service on a subcommittee of the Southeastern Wisconsin Regional Planning Commission (SEWRPC), and as a member of the city's Workforce Development transition team. He is also vice chairman of the city's Zoning, Neighborhoods and Development Committee, and is a member of the Public Works and Community Economic & Development Committees.

Alderman Wade is married with children.

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PW FILE NUMBER: 090363

[illegible]



## Legislation Details (With Text)

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**File #:** 090360      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Reappointment of Representative Pedro Colon to the Milwaukee Metropolitan Sewerage District by the Mayor. (12th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** APPOINTMENTS, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT

**Attachments:** Reappointment Letter, Attendance record, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090360

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Reappointment of Representative Pedro Colon to the Milwaukee Metropolitan Sewerage District by the Mayor.  
(12th Aldermanic District)

**Drafter**

Mayor

TB

7/7/09

July 7, 2009

To the Honorable, the Common Council  
Of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to reappoint Representative Pedro Colon, 338 West Walker Street, Milwaukee, Wisconsin, 53204, to the Milwaukee Metropolitan Sewerage District. This reappointment is pursuant of Chapter 200, Subchapter II of the Wisconsin State Statutes. Representative Colon's term will commence upon taking of the oath of office.

I trust this reappointment will have the approval of your Honorable Body.

Respectfully submitted,

A handwritten signature in black ink, reading "Tom Barrett". The signature is written in a cursive style with a long horizontal line extending from the "T" across the top of the signature.

Tom Barrett  
Mayor



City Hall, Room 205  
200 E. Wells Street  
Milwaukee, WI 53202  
(414) 286-2221



**Office of the City Clerk**

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Re: Common Council File Number 090360

Reappointment of Representative Pedro Colon to the Milwaukee Metropolitan Sewerage District by the Mayor. (12th Aldermanic District)

Dear Sir/Madam,

In accordance with Common Council resolution File Number 65-2210, adopted November 30, 1965, all reappointments are to be referred to an appropriate standing committee.

Under this policy, the appropriate committee is to be informed in writing of the incumbent's attendance record during his/her last term of service.

Please provide the following required information and return immediately to our office for consideration at the

- Number of meetings held: 30 Meetings 7/1/2008 – 7/8/2009
- Number of meetings attended: 19
- Number of excused absences: 11
- Number of unexcused absences: 0

Please return this information to Terry J. MacDonald, Staff Assistant, City Clerk's Office, Room 205, City Hall.

Very truly yours,

RONALD D. LEONHARDT  
City Clerk

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PW FILE NUMBER: 090360

[illegible]



## Legislation Details (With Text)

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**File #:** 090361      **Version:** 0

**Type:** Appointment      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Reappointment of Representative David Cullen to the Milwaukee Metropolitan Sewerage District by the Mayor. (10th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** APPOINTMENTS, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT

**Attachments:** Reappointment Letter, Attendance record, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090361

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Reappointment of Representative David Cullen to the Milwaukee Metropolitan Sewerage District by the Mayor. (10th Aldermanic District)

**Drafter**

Mayor

TB

7/7/09

July 7, 2009

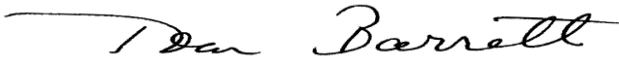
To the Honorable, the Common Council  
Of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to reappoint Representative David Cullen, 2845 North 68<sup>th</sup> Street, Milwaukee, Wisconsin, 53210, to the Milwaukee Metropolitan Sewerage District. This reappointment is pursuant of Chapter 200, Subchapter II of the Wisconsin State Statutes. Representative Cullen's term will commence upon taking of the oath of office.

I trust this reappointment will have the approval of your Honorable Body.

Respectfully submitted,

A handwritten signature in cursive script that reads "Tom Barrett". The signature is written in dark ink and is positioned above the printed name and title.

Tom Barrett  
Mayor



City Hall, Room 205  
200 E. Wells Street  
Milwaukee, WI 53202  
(414) 286-2221



**Office of the City Clerk**

---

Re: Common Council File Number 090361

Reappointment of Representative David Cullen to the Milwaukee Metropolitan Sewerage District by the Mayor. (10th Aldermanic District)

Dear Sir/Madam,

In accordance with Common Council resolution File Number 65-2210, adopted November 30, 1965, all reappointments are to be referred to an appropriate standing committee.

Under this policy, the appropriate committee is to be informed in writing of the incumbent's attendance record during his/her last term of service.

Please provide the following required information and return immediately to our office for consideration at the

- Number of meetings held: 26 Meetings 7/1/2008 – 7/8/2009
- Number of meetings attended: 26
- Number of excused absences: 0
- Number of unexcused absences: 0

Please return this information to Terry J. MacDonald, Staff Assistant, City Clerk's Office, Room 205, City Hall.

Very truly yours,

RONALD D. LEONHARDT  
City Clerk

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PW FILE NUMBER: 090361

[illegible]



## Legislation Details (With Text)

**File #:** 080495      **Version:** 1  
**Type:** Resolution      **Status:** In Committee  
**File created:** 7/30/2008      **In control:** PUBLIC WORKS COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Substitute resolution to vacate the west leg of the east-west alley in the block bounded by West Appleton Avenue, West Beckett Avenue, West Courtland Avenue and West Hampton Avenue, in the 5th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** Fiscal Note.pdf, Exhibit A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/30/2008	0	COMMON COUNCIL	ASSIGNED TO		
8/1/2008	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	1	CITY CLERK	DRAFT SUBMITTED		

Number  
080495  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
THE CHAIR

Title

Substitute resolution to vacate the west leg of the east-west alley in the block bounded by West Appleton Avenue, West Beckett Avenue, West Courtland Avenue and West Hampton Avenue, in the 5th Aldermanic District.

Analysis

This substitute resolution vacates the above portion of alley 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 was requested by Mirza Fahim Beg to restrict access to a gas station from the alley for the security of his customers.

Body

Whereas, It is proposed that the west leg of the east-west alley in the block bounded by West Appleton Avenue, West Beckett Avenue, West Courtland Avenue and West Hampton Avenue be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been authorized and directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 62.73, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

Whereas, Said vacation has been reviewed in accordance with Section 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said portion of alley as indicated by Exhibit A and bound and described by:

That part of the east-west 20-foot wide alley as presently laid out in Block 1 of Fondale, a recorded subdivision, in the Northeast 1/4 of Section 3, Township 7 North, Range 21 East, described as follows: Commencing at the northwest corner of Lot 8 in said Block 1; thence Southeasterly, along the westerly line of Lot 8 aforesaid, 22.74 feet to the point of beginning of the land to be described; thence Northeasterly, as measured normal to, said westerly line, 39.00 feet to a point in the north line of Lot 8; thence Northeasterly to the southwest corner of Lot 4 in said Block 1; thence Easterly, along the south line of Lot 4 and Lot 3 in said Block 1, to the southeast corner of Lot 3; thence Southwesterly to northeast corner of Lot 8; thence Westerly, along the north line of Lot 8, to a point lying 84.73 feet easterly of the northwest corner of Lot 8; thence Southwesterly, as measured normal to, the westerly line of Lot 8 aforesaid, 73.15 feet to a point in said westerly line; thence Northwesterly to the point of beginning is vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

Further Resolved, That the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation and when a money deposit is required, it must be deposited prior to implementing said actions; and, be it

Further Resolved, That as provided by Section 62.73, Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said portion of alley had not been vacated.

Drafter

DCD:AJF:ajf

07/10/09

July 13, 2009

To the Honorable Common Council  
Public Works Committee  
City of Milwaukee

Dear Committee Members:

File No. 080495 vacates the west leg of the east-west alley in the block bounded by West Appleton Avenue, West Beckett Avenue, West Courtland Avenue, and West Hampton Avenue, in the 5th Aldermanic District. This vacation is requested by Mirza Fahim Beg to restrict access to a gas station from the alley for the security of his customers.

The Department of Public Works Coordinated Report contains no stated objections to the proposed vacation. At the request of the Commissioner of Public Works, the petitioner has provided:

Close the alley approach	\$4,700.00
Benefit Assessments	\$160.00
Total	\$4,860.00

Since the proposed vacation is not in conflict with City plans, the City Plan Commission at its regular meeting on July 13, 2009, recommended approval of the subject file.

Sincerely,

Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

cc: Ald. James Bohl, Jr.

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 07/30/08

FILE NUMBER:

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution to vacate the westerly leg of the East-West alley in the block bounded by West Appleton Avenue, West Beckett Avenue, West Courtland Avenue and West Hampton Avenue, in the 5th 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**.

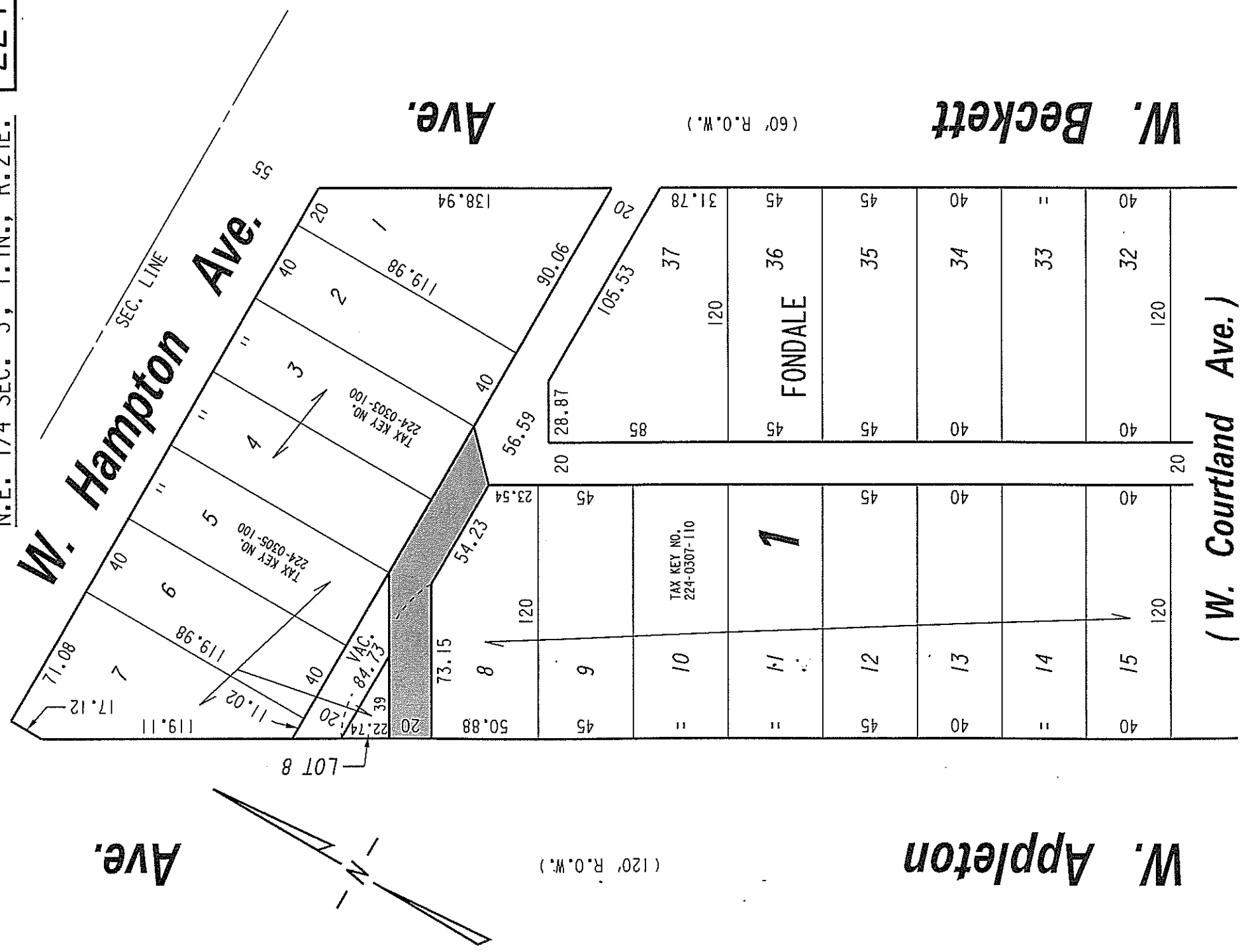
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

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

☐



PORTION OF PUBLIC  
ALLEY PROPOSED  
TO BE VACATED

EXHIBIT "A"  
FILE NO. 080495  
INFRASTRUCTURE SERVICES DIVISION  
MILWAUKEE, WISCONSIN

ASSIGNED TO: W.E. FUCHS  
CH'K'D. BY: W.E. FUCHS  
DRAWN BY: W.E.F.  
DATE: AUG. 6, 2008  
PROJECT/GRANT NO.: WK52337270  
SCALE: 1" = 60'  
APPROVED BY:

*Maria Lindholm*  
CENTRAL DRAFTING & RECORDS MANAGER  
*W.E. Fuchs*  
CITY ENGINEER

PW FILE NUMBER: 090495

[illegible]



## Legislation Details (With Text)

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**File #:** 081518      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 3/3/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution to vacate West Glendale Avenue from North 35th Street easterly to its terminus, in the 1st Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** STREET VACATIONS

**Attachments:** Fiscal Note.pdf, Exhibit A, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/3/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	1	CITY CLERK	DRAFT SUBMITTED		

Number  
081518  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
THE CHAIR  
Title

Substitute resolution to vacate West Glendale Avenue from North 35th Street easterly to its terminus, in the 1st Aldermanic District.

Analysis

This substitute resolution vacates the above 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 was requested by the Milwaukee Metropolitan Sewerage District. The District recently completed the Lincoln Creek Watercourse Improvements, Reach 3 Project, and this street right-of-way is no longer needed or used.

Body

Whereas, It is proposed that West Glendale Avenue from North 35th Street easterly to its terminus be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been authorized and directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 62.73, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

Whereas, Said vacation has been reviewed in accordance with Section 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said street right-of-way as indicated by Exhibit A and bound and described by:

All of West Glendale Avenue as presently laid out in the Northeast 1/4 of Section 1, Township 7 North, Range 21 East, lying between a line drawn from the point of intersection of the present north line of West Glendale Avenue with the east line of North 35th Street to the point of intersection of the present south line of West Glendale Avenue with the east line of North 35th Street and the east line of the 100-foot wide Soo Line Railroad Company right-of-way, said line also being the southeasterly extension of the westerly line of Block 27 of North Milwaukee Town-Site Company's Addition No. 2, a recorded subdivision, in said 1/4 Section is vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

Further Resolved, That the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation and when a money deposit is required, it must be deposited prior to implementing said actions; and, be it

Further Resolved, That as provided by Section 62.73, Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as

if said street right-of-way had not been vacated.

Drafter

DCD:AJF:ajf

07/10/09

July 13, 2009

To the Honorable Common Council  
Public Works Committee  
City of Milwaukee

Dear Committee Members:

File No. 081518 vacates West Glendale Avenue from North 35th Street easterly to its terminus, in the 1st Aldermanic District. This vacation was requested by the Milwaukee Metropolitan Sewerage District (MMSD). MMSD recently completed the Lincoln Creek Watercourse Improvements, Reach 3 Project and this portion of the street right of way is no longer needed or used.

The Department of Public Works Coordinated Report contains no stated objections to the proposed vacation, and will not incur any additional costs as a result of the vacation.

Since the proposed vacation is not in conflict with City plans, the City Plan Commission at its regular meeting on July 13, 2009, recommended approval of the file.

Sincerely,

Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

cc: Ald. Ashanti Hamilton

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 03/03/09

FILE NUMBER:

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution to vacate West Glendale Avenue from North 35th Street to the easterly line of the Soo Line Railroad right-of-way, in the 1st 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 ☐



PW FILE NUMBER: 081518

[illegible]



## Legislation Details (With Text)

**File #:** 090256      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 6/16/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution expressing the City of Milwaukee's position on the proposed reconstruction of the Zoo Interchange.

**Sponsors:** ALD. MURPHY, ALD. BAUMAN

**Indexes:** EXPRESSWAY, STREET IMPROVEMENTS

**Attachments:** Fiscal note, Hearing Notice List, S&R Cmte Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/16/2009	0	COMMON COUNCIL	ASSIGNED TO		
6/19/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/19/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/22/2009	1	CITY CLERK	DRAFT SUBMITTED		
6/24/2009	1	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
7/10/2009	1	STEERING & RULES COMMITTEE	HEARING NOTICES SENT		
7/10/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090256

**Version**

SUBSTITUTE 1

**Reference**

**Sponsor**

ALD. MURPHY, BAUMAN AND KOVAC

**Title**

Substitute resolution expressing the City of Milwaukee's position on the proposed reconstruction of the Zoo Interchange.

**Analysis**

With this resolution, the City of Milwaukee takes the following position relating to the proposed reconstruction of the Zoo Interchange:

1. The preferred alternative is to rebuild the interchange with 6 lanes and safety improvements.
2. The money saved by reconstructing the Interchange with 6 lanes, rather than proceeding with the option that expands it to 8 lanes, should be appropriated to local governments for the maintenance and reconstruction of existing local roads and bridges.
3. Any reconstruction of the Zoo Interchange should make provisions for a transit right-of-way that extends from the former West Allis Air Line railroad right-of-way on the southern edge of the Interchange northward toward the Milwaukee County Grounds to preserve the option of installing mass transit service from downtown Milwaukee to the County Grounds at a future time.
4. As a traffic mitigation measure, commuter rail service should be operated along the Canadian Pacific mainline between Milwaukee and Watertown throughout the duration of the construction phase of the Zoo Interchange project.

**Body**

Whereas, The Wisconsin Department of Transportation has released a draft environmental impact statement for the proposed reconstruction of the Zoo Interchange (the junction of Interstates 94 and 894 and U.S. Highway 45) that describes 4 alternatives for the project with the following costs:

1. Do nothing	\$0
2. Rebuild interchange in its current configuration	\$960 million
3. Rebuild the interchange with 6 lanes and safety improvements	\$2.16 billion
4. Rebuild the interchange with 8 lanes and safety improvements	\$2.31 billion

; and

Whereas, An expansion of the Zoo Interchange to 8 lanes will encourage motor vehicle use and dependence, thereby increasing air pollution and reliance on foreign oil supplies, and leaving the Milwaukee-area economy and residents of the region at the mercy of gasoline price fluctuations; and

Whereas, The Zoo Interchange reconstruction plans make no provisions for improved mass transit in or around the Interchange and ignore the public's growing preference for a balanced, multi-modal transportation system that gives travelers and shippers a variety of options for personal and business travel and cargo transport; and

Whereas, An audit of the City's residential street paving program by the City Comptroller found that over one-fifth of Milwaukee's residential streets are in poor condition and that the cost of bringing all residential streets up to fair or good condition could be as much as \$780 million over 25 years; and

Whereas, It is fundamentally unjust for the federal and state governments to saddle local property taxpayers with the burden of paying to maintain and reconstruct existing local streets and bridges while at the same time funding the expansion of Interstate highways; and

Whereas, The Common Council finds that the costs to the City of Milwaukee, its residents and taxpayers of reconstructing and expanding the Zoo Interchange to 8 lanes far outweigh the benefits of the additional lanes; and

Whereas, The Common Council further finds that the \$150 million that may be spent to expand the Zoo Interchange from 6 lanes to 8 lanes could be more wisely used to provide additional aid to local governments for street and bridge maintenance, thereby preserving and improving the region's existing infrastructure; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee takes the following position with respect to the proposed reconstruction of the Zoo Interchange:

1. The preferred alternative for reconstruction of the Interchange is option 3, which makes various necessary safety improvements but does not increase the number of lanes in the Interchange.
2. The money saved by reconstructing the Interchange as outlined in option 3, rather than proceeding with option 4, should be appropriated to local governments for the maintenance and reconstruction of existing local roads and bridges.
3. Any reconstruction of the Zoo Interchange should make provisions for a transit right-of-way that extends from the former West Allis Air Line railroad right-of-way on the southern edge of the Interchange northward toward the Milwaukee County Grounds to preserve the option of installing rapid transit service from downtown Milwaukee to the County Grounds at a future time.
4. As a traffic mitigation measure, commuter rail service should be operated along the Canadian Pacific mainline between Milwaukee and Watertown, with intermediary stops at Wauwatosa, Elm Grove, Brookfield, Pewaukee, Hartland and Oconomowoc, throughout the duration of the construction phase of the Zoo Interchange project.

; and, be it

Further Resolved, That the City Clerk is directed to send copies of this resolution to Governor Doyle, the City of Milwaukee's representatives in the Wisconsin Legislature and Secretary of Transportation Busalacchi.

**Requestor**

**Drafter**

LRB09247-2

JDO

06/18/2009

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE June 22, 2009FILE NUMBER: 090256Original Fiscal Note ☒ Substitute ☐SUBJECT: Substitute resolution expressing the City of Milwaukee's position on the proposed reconstruction of the Zoo Interchange.B) SUBMITTED BY (Name/title/dept./ext.): Paul Vornholt/Dept. of Admin., Intergov. Relations/Ext. 5562

- 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 ☐

**PW FILE NUMBER: 090256**

[illegible]



## Legislation Details (With Text)

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**File #:** 090282      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the design, configuration and elevation of a future replacement for the Hoan Bridge.

**Sponsors:** ALD. BAUMAN

**Indexes:** BRIDGES

**Attachments:** Fiscal note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090282

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD. BAUMAN

**Title**

Resolution relating to the design, configuration and elevation of a future replacement for the Hoan Bridge.

**Analysis**

This resolution expresses the City of Milwaukee's opposition to any changes to the design, configuration or elevation of the Hoan Bridge and its approaches unless all of the following conditions are met:

1. The bridge and its approaches use the existing right-of-way and substantially the same footprint.
2. The bridge approaches remain elevated over all land uses that are currently beneath the approaches, including, but not limited to, Port of Milwaukee, MMSD and Henry W. Maier Festival Park facilities.
3. Moveable bridge spans have sufficient clearance over the mean water level to minimize bridge openings for non-commercial vessels.
4. Bridge openings are limited to non-peak traffic periods, except for emergencies.
5. The bridge and its approaches accommodate pedestrian and bicycle traffic.
6. The cross-sections of the bridge and its approaches are no wider than 2 travel lanes and one distress lane, bicycle lane and sidewalk in each direction.
7. The Lake Shore Interchange is eliminated and replaced by an at-grade intersection or roundabout in the approximate location of Clybourn Street and Lincoln Memorial Drive.
8. All new or reconstructed structures are designed with lighting and architectural elements developed in consultation with the City of Milwaukee.

**Body**

Whereas, The Hoan Bridge provides an invaluable transportation link, for both residents and businesses alike, between Downtown Milwaukee and Bay View and other South Side/South Shore communities; and

Whereas, The Hoan Bridge has contributed greatly to the economic development of these communities; and

Whereas, The current right-of-way footprint and elevation of the Hoan Bridge allow for smooth operation of Port of Milwaukee and Milwaukee Metropolitan Sewerage District ("MMSD") facilities and the Henry W. Maier Festival Park; and

Whereas, The current design of the Hoan Bridge also permits recreational boat traffic and commercial shipping to enter Milwaukee's Inner Harbor without any bridge openings that disrupt vehicular traffic; and

Whereas, The Wisconsin Department of Transportation ("WisDOT") has indicated that it needs to replace the deck and make structural repairs to the Hoan Bridge in the near future; and

Whereas, In 2008, WisDOT commissioned the consulting firm HNTB to conduct an analysis of alternatives for reconfiguring the Hoan Bridge and redeveloping the harbor area; and

Whereas, The preliminary feasibility analysis included in the HNTB study explored 2 options, reconstructing the Hoan Bridge in its current configuration and replacing the Bridge and its approaches with an at-grade lift or bascule bridge and 4-lane boulevard; and

Whereas, Any changes in the design, configuration or elevation of the Hoan Bridge and its approaches would have profound impacts on current land uses in this area, including the Port of Milwaukee, MMSD and Henry W. Maier Festival Park, as well as vehicular and maritime traffic patterns; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee is opposed to any changes to the design, configuration or elevation of the Hoan Bridge and its approaches unless all of the following conditions are met:

1. The bridge and its approaches use the existing right-of-way and substantially the same footprint.
2. The bridge approaches remain elevated over all land uses that are currently beneath the approaches, including, but not limited to, Port of Milwaukee, MMSD and Henry W. Maier Festival Park facilities.
3. Moveable bridge spans have sufficient clearance over the mean water level to minimize bridge openings for non-commercial vessels.
4. Bridge openings are limited to non-peak traffic periods, except for emergencies.
5. The bridge and its approaches accommodate pedestrian and bicycle traffic.
6. The cross-sections of the bridge and its approaches are no wider than 2 travel lanes and one distress lane, bicycle lane and sidewalk in each direction.
7. The Lake Shore Interchange is eliminated and replaced by an at-grade intersection or roundabout in the approximate location of Clybourn Street and Lincoln Memorial Drive.
8. All new or reconstructed structures are designed with lighting and architectural elements developed in consultation with the City of Milwaukee.

; and, be it

Further Resolved, That the City Clerk is directed to send copies of this resolution to Governor Doyle, the City of Milwaukee's representatives in the Wisconsin Legislature and Secretary of Transportation Busalacchi.

**Requestor**

**Drafter**

LRB09260-1

JDO

06/18/2009

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE July 8, 2009FILE NUMBER: 090282Original Fiscal Note ☒ Substitute ☐SUBJECT: Resolution relating to the design, configuration and elevation of a future replacement for the Hoan Bridge.B) SUBMITTED BY (Name/title/dept./ext.): Paul Vornholt/Dept. of Admin., Intergov. Relations/Ext. 5562  
Terry J. MacDonald, Staff Assistant/City Clerk's Office/Ext. 2233C) 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 ☐

..Number  
090282  
..Version  
PROPOSED SUBSTITUTE A  
..Reference

..Sponsor  
ALD. BAUMAN

..Title  
Substitute resolution relating to the design, configuration and elevation of a future replacement for the Hoan Bridge.

..Analysis  
This resolution expresses the City of Milwaukee's opposition to any changes to the design, configuration or elevation of the Hoan Bridge and its approaches unless all of the following conditions are met:

1. The bridge and its approaches use the existing right-of-way and substantially the same footprint.
2. The bridge approaches remain elevated over all land uses that are currently beneath the approaches, including, but not limited to, Port of Milwaukee, MMSD and Henry W. Maier Festival Park facilities.
3. Moveable bridge spans have sufficient clearance over the mean water level to minimize bridge openings for non-commercial vessels.
4. Bridge openings are limited to non-peak traffic periods, except for emergencies.
5. The bridge and its approaches accommodate pedestrian and bicycle traffic.
6. The cross-sections of the bridge and its approaches are no wider than 2 travel lanes and one distress lane, bicycle lane and sidewalk in each direction.
7. The Lake Shore Interchange is eliminated and replaced by an at-grade intersection or roundabout in the approximate location of Clybourn Street and Lincoln Memorial Drive.
8. All new or reconstructed structures are designed with lighting and architectural elements developed in consultation with the City of Milwaukee.

..Body  
Whereas, The Hoan Bridge provides an invaluable transportation link, for both residents and businesses alike, between Downtown Milwaukee and Bay View and other South Side/South Shore communities; and

Whereas, The Hoan Bridge has contributed greatly to the economic development of these communities; and

Whereas, The current right-of-way footprint and elevation of the Hoan Bridge allow for smooth operation of Port of Milwaukee and Milwaukee Metropolitan Sewerage District ("MMSD") facilities and the Henry W. Maier Festival Park; and

Whereas, The current design of the Hoan Bridge also permits recreational boat traffic and commercial shipping to enter Milwaukee's Inner Harbor without any bridge openings that disrupt vehicular traffic; and

Whereas, In its current configuration and size, the Hoan Bridge is "overbuilt" for the volume of traffic it actually accommodates – 44,150 vehicles daily, considerably less than such Milwaukee streets as S. 60<sup>th</sup> Street (55,867), W. Good Hope Road (45,709) and S. 27<sup>th</sup> Street (45,457); and

Whereas, The Wisconsin Department of Transportation ("WisDOT") has indicated that it needs to replace the deck and make structural repairs to the Hoan Bridge in the near future; and

Whereas, In 2008, WisDOT commissioned the consulting firm HNTB to conduct an analysis of alternatives for reconfiguring the Hoan Bridge and redeveloping the harbor area; and

Whereas, The preliminary feasibility analysis included in the HNTB study explored 2 options, reconstructing the Hoan Bridge in its current configuration and replacing the Bridge and its approaches with an at-grade lift or bascule bridge and 4-lane boulevard; and

Whereas, Any changes in the design, configuration or elevation of the Hoan Bridge and its approaches would have profound impacts on current land uses in this area, including the Port of Milwaukee, MMSD and Henry W. Maier Festival Park, as well as vehicular and maritime traffic patterns; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee is opposed to any changes to the design, configuration or elevation of the Hoan Bridge and its approaches unless all of the following conditions are met:

1. The bridge and its approaches use the existing right-of-way and substantially the same footprint.
2. The bridge approaches remain elevated over all land uses that are currently beneath the approaches, including, but not limited to, Port of Milwaukee, MMSD and Henry W. Maier Festival Park facilities.
3. Moveable bridge spans have sufficient clearance over the mean water level to minimize bridge openings for non-commercial vessels.
4. Bridge openings are limited to non-peak traffic periods, except for emergencies.
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6. The cross-sections of the bridge and its approaches are no wider than 2 travel lanes and one distress lane, bicycle lane and sidewalk in each direction.
7. The Lake Shore Interchange is eliminated and replaced by an at-grade intersection or roundabout in the approximate location of Clybourn Street and Lincoln Memorial Drive.

8. All new or reconstructed structures are designed with lighting and architectural elements developed in consultation with the City of Milwaukee.

; and, be it

Further Resolved, That the City Clerk is directed to send copies of this resolution to Governor Doyle, the City of Milwaukee's representatives in the Wisconsin Legislature and Secretary of Transportation Busalacchi.

..Requestor

..Drafter

LRB09260-2

JDO

07/10/2009

## PW FILE NUMBER: 090282

[illegible]



## Legislation Details (With Text)

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**File #:** 090338      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing acceptance and funding of a 2009 Stormwater Best Management Practices Partnership grant from the Milwaukee Metropolitan Sewage District.

**Sponsors:** THE CHAIR

**Indexes:** GRANTS, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT, MILWAUKEE PUBLIC LIBRARY, PUBLIC BUILDINGS

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

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090338

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution authorizing acceptance and funding of a 2009 Stormwater Best Management Practices Partnership grant from the Milwaukee Metropolitan Sewage District.

**Analysis**

This resolution authorizes the Milwaukee Public Library to accept and fund a 2009 Stormwater Best Management Practices Partnership grant from the Milwaukee Metropolitan Sewage District (MMSD) in the amount of \$250,000. The purpose of the grant is to support stormwater management efforts in the city and create educational opportunities for citizens to learn about stormwater management issues and techniques.

**Body**

Whereas, Mayor Barrett has directed city departments to reduce by 15% the amount of stormwater runoff from city properties that reduce the flow of stormwater into the sewer system and resulting sewer overflows; and

Whereas, The Milwaukee Public Library is replacing the existing annex roof of the Central Library with a green roof that reduces stormwater runoff, substantially increases the life of the roof, lowers energy costs, and reduces the urban heat island effects; and

Whereas; The MMSD 2009 Stormwater Best Management Practices Program requested proposals for projects that will improve the quality of or reduce the rate or volume of stormwater with emphasis on projects located in facilities with high visitor traffic that promote public awareness; and

Whereas, On March 11, 2009 the City of Milwaukee Common Council authorized the Milwaukee Public Library to submit a proposal to the MMSD for this program; and

Whereas, The MMSD has awarded a grant in the amount of \$250,000 to the Milwaukee Public Library for a stormwater management project that can demonstrate and educate about best practices in managing the volume, rate and quality of stormwater runoff; and

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Public Library is hereby authorized to accept this grant without further approval; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent Account of the 2009 Special Revenue - Grant and Aid Projects Fund, the following amounts for the project titled MMSD Program Grant:

<u>Proj/Grant</u>	<u>Fund</u>	<u>Org</u>	<u>Program</u>	<u>BuYr</u>
GR0000900000	0150	9900	0001	0000

<u>Subclass</u>	<u>Acct</u>	<u>Project</u>	<u>Amount</u>
R999	00600	Grantor Share	\$250,000

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

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

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

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

2. Expend from the 2009 grant budget funds for specific items of equipment;

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

**Requestor**

Milwaukee Public Library

**Drafter**

TS-WPL:jj

06/29/09

..Number

090338

..Version

PROPOSED SUBSTITUTE A

..Reference

081301

..Sponsor

THE CHAIR

..Title

Substitute resolution authorizing acceptance and funding of a 2009 Stormwater Best Management Practices Partnership grant from the Milwaukee Metropolitan Sewage District.

..Analysis

This resolution authorizes the Milwaukee Public Library to accept and fund a 2009 Stormwater Best Management Practices Partnership grant from the Milwaukee Metropolitan Sewage District (MMSD) in the amount of \$250,000. The purpose of the grant is to support stormwater management efforts in the city and create educational opportunities for citizens to learn about stormwater management issues and techniques.

..Body

Whereas, Mayor Barrett has directed city departments to reduce by 15% the amount of stormwater runoff from city properties that reduce the flow of stormwater into the sewer system and resulting sewer overflows; and

Whereas, The Milwaukee Public Library is replacing the existing annex roof of the Central Library with a green roof that reduces stormwater runoff, substantially increases the life of the roof, lowers energy costs, and reduces the urban heat island effects; and

Whereas; The MMSD 2009 Stormwater Best Management Practices Program requested proposals for projects that will improve the quality of or reduce the rate or volume of stormwater with emphasis on projects located in facilities with high visitor traffic that promote public awareness; and

Whereas, On March 11, 2009 the City of Milwaukee Common Council authorized the Milwaukee Public Library to submit a proposal to the MMSD for this program; and

Whereas, The MMSD has awarded a grant in the amount of \$250,000 to the Milwaukee Public Library for a stormwater management project that can demonstrate and educate about best practices in managing the volume, rate and quality of stormwater runoff; now therefore be it

Resolved by the Common Council of the City of Milwaukee that application to Milwaukee Metropolitan Sewerage District is authorized and the Milwaukee Public Library shall accept this grant without further approval unless the terms of the grant change as indicated in section 304-81 of the Milwaukee Code of Ordinances; and be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project/Grant Parent Account of the 2009 Special Revenue - Grant and Aid Projects Fund, the following amounts for the project titled MMSD Program Grant:

Proj/Grant	Fund	Org	Program	BuYr	Subclass	Acct	Project	Amount
GR0000900000	0150	9900	0001	0000	R999	00600	Grantor Share	\$250,000

2. Create the necessary Special Revenue Fund - Grant and Aid Project/Grant and Project Level values; budget to these Project/Grant values the amount required under the grant agreement;
3. Establish the necessary City Share Project values; and, be it

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

1. Expend from the amount budgeted for specified purposes as indicated in the grant budget and incur costs consistent with the award date;
2. Expend from the 2009 grant budget funds for specific items of equipment;
3. Enter into subcontracts and leases detailed in the grant budget.

..Requestor  
Milwaukee Public Library  
..Drafter  
TS-WPL:jj;neh  
07/13/2009

## LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS

**PUBLIC WORKS COMMITTEE**

**ITEM 14, FILE #090338**

**JULY 15, 2009**

**AMY E. HEFTER**

File Number 090338 is a resolution authorizing acceptance and funding of a 2009 Stormwater Best Management Practices Partnership Grant from the Milwaukee Metropolitan Sewerage District (MMSD) for the green roof project at the Milwaukee Public Library Central Library.

### **Background**

1. MMSD issued a request for proposal to provide grant funding for stormwater management projects that can demonstrate best practices in managing volume, rate and quality of stormwater runoff. On March 11, 2009, the Common Council adopted resolution number 081301, authorizing the Milwaukee Public Library to submit a proposal to MMSD for a grant to assist in the funding of the Central Library annex green roof project under the 2009 Stormwater Best Management Practices Partnership Program.
2. The 2009 Budget included \$950,000 in capital funding to support an ongoing program of maintenance to the exterior façade of the Central Library. This reflects the tear off of existing roofing materials and installation of a low maintenance green roof of the Central Library annex. A structural engineer verified that the building can support a green roof and a green roof architect provided budgetary information. Installation of a green roof would reduce stormwater runoff as well as energy consumption. Green roofs also protect underlying roof materials which can double the life of a roof.

### **Discussion**

1. MMSD has awarded a grant in the amount of \$250,000 to the Milwaukee Public Library for the Central Library annex green roof project that demonstrates and creates educational opportunities for citizens to learn about best practices and techniques in managing the volume, rate and quality of stormwater runoff.
2. The grantor share of \$250,000 will be used to support personnel costs in the amount of \$3,800; operating expenditures in the amount of \$26,200 including displays, signage, kiosks and educational materials; services in the amount of \$220,000 including architectural/engineering services (\$10,000) and construction services including demolition, roof plantings, accessible viewing area and monitoring equipment (\$210,000).

### **Fiscal Impact**

The total amount of the Central Library annex green roof project is \$1,200,000, with a grantor share of \$250,000 and a City in-kind share of \$950,000 (capital funds).

cc: Paula Kiely      Marianne Walsh  
Taj Schoening      Jacob Miller

Prepared by: Amy E. Hefter, X2290  
LRB-Research & Analysis Section  
July 13, 2009



Paula A. Kiely  
*Director*

June 29, 2009

To the Honorable, the Common Council

Dear Council Members:

The attached resolution requests approval for the Milwaukee Public Library to accept a grant of \$250,000 from the Milwaukee Metropolitan Sewage District (MMSD) for the 2009 Stormwater Best Management Practices Partnership project. The grant funding will be used for the green roof project at the Central Library.

The resolution will authorize the Library Director to execute a grant agreement with the MMSD for this project and expend funds.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula A. Kiely".

Paula A. Kiely  
Library Director

Enclosures

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE June 29, 2009

FILE NUMBER: \_\_\_\_\_

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution relative to the acceptance and funding of a \$250,000 grant from the Milwaukee Metropolitan Sewage District's 2009 Stormwater Best Management Practices Partnership program.

B) SUBMITTED BY (Name/title/dept./ext.): Taj Schoening/Business Operations Manager/Milwaukee Public Library/3024

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:			250,000	250,000	
TOTALS			250,000	250,000	

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:
Departmental Estimates

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

# 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: MMSD 2009 Stormwater Best Management Practices Partnership Grant for Green Roof

PROJECT/PROGRAM YEAR: 2009 - 2010

CONTACT PERSON: Paula A. Kiely, Library Director

NUMBER OF POSITIONS		LINE DESCRIPTION	PAY RANGE/ UNITS	GRANTOR SHARE	IN-KIND SHARE	CASH MATCH A/C #	TOTAL
NEW	EXISTING						
		<b>PERSONNEL COSTS</b>					
	1	Business Operatons Manager (30 hours)	9	\$1,250			\$1,250
	1	Building Maintenance Manager (40 hours)	7	\$1,450			\$1,450
		<b>TOTAL PERSONNEL COSTS</b>		\$2,700			\$2,700
		<b>FRINGE BENEFITS</b>					
		<b>TOTAL FRINGE BENEFITS</b>		\$1,100			\$1,100
		<b>OPERATING EXPENDITURES</b>					
		Displays, Signage, Kiosks, Educational Materials		\$26,200			\$26,200
		<b>TOTAL OPERATING EXPENDITURES</b>		\$26,200			\$26,200
		<b>EQUIPMENT</b>					
		<b>TOTAL EQUIPMENT</b>					
		<b>SERVICES</b>					
		Architechtrual/Engineering Services		\$10,000	\$70,000		\$80,000
		Construction (Includes demolition, roof, plantings		\$210,000	\$880,000		\$1,090,000
		accessible viewing area, & monitoring equip.)					
		<b>TOTAL SERVICES</b>		\$220,000	\$950,000		\$1,170,000
	2	<b>TOTAL COSTS</b>		\$250,000	\$950,000		\$1,200,000

## GRANT ANALYSIS FORM OPERATING & CAPITAL GRANT PROJECTS/PROGRAMS

Department/Division: Milwaukee Public LibraryContact Person & Phone No: Taj Schoening

## Category of Request

☒ New Grant☐ Grant Continuation☐ Change in Previously Approved Grant

Previous Council File No. \_\_\_\_\_

Previous Council File No. \_\_\_\_\_

Project/Program Title: **2009 Stormwater Best Management Practices Partnership Grant**Grantor Agency: Milwaukee Metropolitan Sewage DistrictGrant Application Date: February 2009Anticipated Award Date: June 2009

1. Description of Grant Project/Program (Include Target Locations and Populations):

**The Milwaukee Public Library will be replacing the existing roof on a portion of the Central Library with a green roof. This resolution authorizes the Library Director to accept and fund a \$250,000 grant for a Stormwater Best Management Practices Partnership program from the Milwaukee Metropolitan Sewage District (MMSD).**

2. Relationship to City-Wide Strategic Goals and Departmental Objectives:

**Sustaining, enhancing and promoting Milwaukee's natural environmental assets, including stormwater management improvements.**

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

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

5. Grant Period, Timetable and Program Phase-Out Plan:

2009 -2010

6. Provide a list of Subgrantees:

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



PW FILE NUMBER: 090338

[illegible]



## Legislation Details (With Text)

---

**File #:** 090339      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution approving a Lease Agreement with Kinder Morgan Bulk Terminal, LLC.

**Sponsors:** ALD. BAUMAN

**Indexes:** AGREEMENTS, LEASES, PORT OF MILWAUKEE

**Attachments:** Cover Letter, Fiscal Note, Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090339

**Version**

Original

**Reference**

**Sponsor**

Ald. Bauman

**Title:**

Resolution approving a Lease Agreement with Kinder Morgan Bulk Terminal, LLC.

**Analysis**

This resolution would approve a Lease Agreement with Kinder Morgan Bulk Terminal, LLC commencing April 1, 2009 and terminating on March 31, 2012, with one automatic additional three (3) year period under the same terms and conditions.

**Body:**

Whereas, Kinder Morgan Bulk Terminal (KMBT) has been a long term tenant in good standing in the Port of Milwaukee; and

Whereas, KMBT has an existing lease with the Port/City of Milwaukee dated September 10, 1991, as amended, and

Whereas, KMBT will use the property for handling and storage of limestone or other dry bulk aggregates; and

Whereas, The Board of Harbor Commissioners at their meeting of June 11, 2009 acted by vote of the Board to approve this Lease Agreement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said Common Council hereby ratifies and approves the Lease Agreement with Kinder Morgan Bulk Terminal, LLC, with the City of Milwaukee, by and through its Board of Harbor Commissioners.

Requester  
Port of Milwaukee

**Drafter**

Eric C. Reinelt  
6/12/2009

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**LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS**

**PUBLIC WORKS COMMITTEE**

**JULY 15, 2009**

**Item 16, File #090339**

File Number 090339 is a resolution approving a Lease Agreement between the City of Milwaukee (Board of Harbor Commissioners) and Kinder Morgan Bulk Terminal, LLC, for approximately 2.0 acres of bare ground located on the South Harbor Tract.

**Background**

1. The Port of Milwaukee has negotiated a Lease Agreement with Kinder Morgan Bulk Terminal, LLC, for 2.0 acres of bare ground on the Port's South Harbor Tract, on S. Harbor Drive extended.
2. Kinder Morgan intends to use this property for the handling and storage of limestone and other dry bulk aggregates.
3. The Board of Harbor Commissioners approved this Lease Agreement at its meeting of June 11, 2009.

**Discussion**

1. This resolution approves the Lease Agreement for a 3-year term (April 1, 2009 through March 31, 2012). The Lease will automatically renew for one additional 3-year period unless either the City or the tenant delivers a written notice of termination to the other party.
2. The Lease Agreement allows the tenant to install bulk unloading systems, conveyors and other equipment or improvements necessary to facilitate the handling and storage of limestone or other dry bulk aggregates. Any other improvements shall be subject to the prior written approval of the Municipal Port Director.
3. Under the Lease Agreement, Kinder Morgan agrees to store piled materials only in locations designated by the City. No hazardous materials may be stored on the site.

**Fiscal Impact**

1. Under the Lease Agreement, Kinder Morgan Bulk Terminal, LLC, will pay the City a base annual rent of \$28,500 (\$14,250 per acre). Rent is payable quarterly and in advance.
2. On April 1, 2012, the annual base rent for the leased property will be adjusted for inflation. The new rate will apply to the second 3-year Lease period.
3. Kinder Morgan will also pay the City a wharfage fee based on the current Municipal Port Tariff for cargo, products or ingredients shipped from the leased property by ship, barge, railcar or truck. Annual wharfage fee revenues are estimated at \$36,000.

4. Because the Port of Milwaukee operates as an enterprise fund, approval of this Lease Agreement has no direct or immediate fiscal impact on the City. However, given that this lease will increase the Port's revenues and that the Port's surplus revenues are transferred to the City's General Fund, approval of this resolution will likely have a positive fiscal impact on the City.

Prepared by: Jeff Osterman, X2262  
LRB-Research & Analysis Section  
July 13, 2009

cc: Eric Reinelt  
Lawrence Sullivan  
Hattie Billingsley  
Marianne Walsh

June 12, 2009

Ref: KMBT/Lease 2.0 acres

To The Honorable  
The Common Council  
City of Milwaukee

Dear Council Members:

The Port of Milwaukee is requesting approval of Lease Agreement with Kinder Morgan Bulk Terminal for approximately 2.0 acres of property located on S. Harbor Drive extended at the Port of Milwaukee commencing April 1, 2009 and terminating March 31, 2012.

At its meeting of June 11, 2009, the Board of Harbor Commissioners approved the Lease Agreement and authorized the Port staff to notify Common Council. It is therefore, placed before your Honorable Body for its ratification of the Board's action. We respectfully request that your Honorable Body approve this Lease Agreement and authorize its execution by adopting the attached resolution.

Respectfully submitted,

ERIC C. REINELT  
Municipal Port Director

ECR/dcl

mw/i:kmbtlse2.0acrescltr.doc

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE June 12, 2009

FILE NUMBER: \_\_\_\_\_

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Approve Lease Agreement with Kinder Morgan Bulk Terminal, LLC for 2.0 Acres of Property

B) SUBMITTED BY (Name/title/dept./ext.): Eric C. Reinelt, Municipal Port Director, Port of Milwaukee, 8130

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:	N/A				
SUPPLIES:	N/A				
MATERIALS:	N/A				
NEW EQUIPMENT:	N/A				
EQUIPMENT REPAIR:	N/A				
OTHER:	N/A				
TOTALS	N/A				

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	Land rent at \$28,500; wharfage @ \$36,000
<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:

None

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

Land rent set by lease terms at \$28,500

Wharfage set by lease terms at \$.30/ton times estimated 120,000 tons annually

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

# LEASE AGREEMENT

Between

MILWAUKEE BULK TERMINAL, LLC

a Wholly Owned Subsidiary of KINDER MORGAN BULK  
TERMINAL, INC.

and the

BOARD OF HARBOR COMMISSIONERS

City of Milwaukee

For 2.0 acres of bare ground located on  
S. Harbor Drive Extended

Term: April 1, 2009 – March 31, 2012

## LEASE AGREEMENT

Lease Agreement made as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between MILWAUKEE BULK TERMINALS, LLC a Wisconsin Limited Liability corporation, a wholly owned subsidiary of Kinder Morgan Bulk Terminal, Inc. (hereinafter referred to as "Tenant"), and the CITY OF MILWAUKEE, a Wisconsin corporation, by and through its Board of Harbor Commissioners (hereinafter collectively referred to as the "City").

### W I T N E S S E T H :

City hereby leases, demises and lets unto Tenant the real property comprised of approximately 2.0 acres (hereinafter referred to as the "Property"), located on the South Harbor Tract of the City of Milwaukee. The Property is more particularly described in Exhibit A, which is affixed hereto and incorporated into this document by this reference.

This Lease is entered into by the parties under the following terms and conditions:

**1. Term.** The initial term of this Lease shall be for a period of three (3) years (the "Initial Term") commencing 12:00 a.m. April 1, 2009 and terminating at 11:59 p.m. March 31, 2012.

The term of this Lease shall be extended automatically for one (1) additional three (3)-year period (the "Extended Term") under the same terms and conditions unless either party shall deliver to the other party a written notice of termination within one hundred eighty (180) days prior to expiration of the Initial Term.

**2. Rent.**

(A) The rental rate under this Lease shall be Twenty Eight Thousand Five Hundred and no/100ths Dollars (\$28,500) per year (\$14,250 annually per acre). Rent shall be payable quarterly in advance on January 1, April 1, July 1, and October 1.

(B) On April 1, 2012, and on each third-year anniversary thereafter during the term of this Lease, the annual rent for the Property, shall be adjusted to the amount determined by applying the percentage increase if any, in the "All Commodities" line (Code 2500) of the "Producer Price Indexes" published by the United States Bureau of Labor Statistics (or its successor organization) (1982=100) for the two-year period prior to the beginning of the new rental period, to the rental figure payable during the previous two-year term of this Lease; provided, however, that in no event shall the new base rental, as adjusted by the foregoing method, be decreased to an amount below that for the rental during the Initial Term.

(C) Wharfage. In addition to the foregoing rent, Tenant shall also pay City wharfage at the rate of \$.30 per metric ton during the term of this Lease for aggregates shipped to the Property by vessels, barges, rail cars, trucks or other conveyances. Wharfage will be charged

quarterly in arrears on January 1, April 1, July 1, and October 1 each year. Each year wharfage payment shall be for the immediately preceding quarter. Wharfage will be escalated every third year as specified in Section 2(B) above.

**3. Records.** Tenant shall maintain completed, accurate and verifiable books and records of its business conducted on the property relative thereto, the form of such books and records to be subject to the approval of the Board of Harbor Commissioners and the City Comptroller and to be made available to properly accredited representatives of the Board of Harbor Commissioners and of the City of Milwaukee, at any reasonable time after request at Tenant's office, for audit or for such other inspection as may be deemed desirable by the City. Tenant shall maintain adequate books and records for determination of all amounts due City under this Lease; such books and records shall be kept in accordance with generally-accepted accounting principles. Tenant's books and records are its private property, and City shall endeavor to keep confidential all information which it derives therefrom to the fullest extent allowed by law.

**4. Use of the Property.** Tenant shall use the Property for the handling and storage of limestone or other dry bulk aggregates. To facilitate these operations, Tenant may install bulk unloading systems, conveyors, and such other systems as may be necessary for this use. All other improvements to the Property, which are constructed by Tenant, shall be subject to the prior written approval of the Municipal Port Director. Additional uses of the leased Property are not permitted without the prior written approval of the Municipal Port Director. The cost of any and all improvements to the Property shall be borne solely by Tenant. The installation of, or making of any improvements, shall be accomplished in a workmanlike manner. Tenant agrees to comply with all federal, state and municipal laws, ordinances and regulations.

Tenant agrees that storage of piled materials shall be restricted to locations designated by City. Tenant further agrees to provide suitable protection to any existing water lines, power lines or other underground installations which are now in place so as to protect them from damage by the surcharge of piled materials.

No hazardous materials will be handled at the site.

Tenant warrants that such site in its present condition is suitable for Tenant's intended use. It is understood that this parcel is a small part of a larger 4.0 acre land area formerly known as the Ace site. Tenant accepts that the remainder of this larger land area may be leased to another tenant for their use and that this will result in the need for the two tenants to cooperate with each other to minimize potential disruptions to each owns operations.

Should the Port find the need to lease out the entire 4.0 acres to another tenant, which could include this parcel, Port will work with Tenant to find a suitable alternate site on which Tenant can relocate and continue their aggregate business.

**5. Occupancy Subject to Existing Easements and Restrictions.** Tenant's occupancy of the Property is subject to any recorded easements and restrictions of record.

**6. Termination and Vacation; Default.**

A) Termination and Vacation Date. Tenant shall vacate the Property on or before the expiration of this Lease. The Property shall be returned to City by Tenant in substantially the same condition in which it was received. In the event that Tenant fails to vacate the Property in a timely fashion, City shall have the option to do any or all of the following: (1) cause the Property to be vacated; (2) charge Tenant twice (2x) the rent set forth in Section 2 of this Lease for all periods subsequent to the date of expiration of this Lease or of any agreed extension thereof; and (3) to assess and recover against the Tenant the actual costs of such vacation and any damages sustained by the City as a consequence of the Tenant's failure to timely vacate the Property.

B) Property to be Vacated Clear of all Materials. Tenant shall vacate the Property free and clear of all materials and equipment and of all improvements in accordance with Paragraph 14. In the event that Tenant fails to vacate the Property in the prescribed state of clearance, as determined by City, after ten (10) days' written notice to Tenant, City shall have the option to have such clearance and clean-up conducted as in its reasonable judgment is necessary in order to bring the Property to the prescribed state of clearance and to assess the costs of such action against Tenant.

**7. Default.** The occurrence of one or more of the following events shall be considered events of default under the terms of this Lease:

A) Tenant shall be adjudged a bankrupt, or a decree or order, approving as properly filed, a petition or answer asking reorganization of Tenant under Federal Bankruptcy Laws as now or hereafter amended, or under the laws of this State, shall be entered, and any such decree, judgment or order shall not have been vacated, stayed or set aside within sixty (60) days from the date of the entry or granting thereof; City may at its sole option extend the Lease term on a month-to-month basis in the event additional time is required for Tenant to vacate Property under this Section; or

B) Tenant shall file or admit the jurisdiction of the court and the material allegations contained in any petition in bankruptcy or any petition pursuant or purporting to be pursuant to the Federal Bankruptcy Laws as now or hereafter amended, or Tenant shall institute any proceedings or shall give its consent to the institution of any proceedings for any relief of Tenant

under any bankruptcy or insolvency laws or any laws relating to the relief of debtors, readjustment of indebtedness, or reorganization; or

C) Tenant shall make an assignment for the benefit of creditors or shall apply for or consent to the appointment of a receiver for Tenant; or

D) Tenant shall abandon the Property for a period of thirty (30) days.

E) Tenant shall be delinquent in any rental or other payments due under this Lease and such delinquency shall continue for five (5) days after notice thereof in writing to Tenant; or

F) Tenant shall default in any of the other covenants or agreements herein contained to be kept, observed and performed by Tenant, and such default shall continue for ten (10) days after notice thereof in writing to Tenant; or

G) Tenant shall make any assignment, sublease, transfer, conveyance or other disposition of its interest in the Property without the express written consent of City.

Upon occurrence of any one or more of such events of default, it shall be lawful for City, at its election in the manner and terms herein provided, to declare this Lease ended, and to recover possession of the Property, either with or without process of law, to enter and to expel, and remove Tenant and all agents, employees and representatives of Tenant engaged in operating the Property or occupying the Property, using such force as may be necessary in so doing. If default shall be made in any covenants, agreements, conditions or undertakings herein contained, to be observed and performed by Tenant, which cannot with due diligence be cured within a period of ten (10) days, and if notice thereof in writing shall have been given to Tenant, and if Tenant prior to the expiration of said ten (10) days from and after the giving of such notice, commences to eliminate the cause of such default and proceeds diligently and with dispatch to take all steps and do all work required to cure such default and thereafter does so cure such default, then City shall not have the right to declare the term of the Lease as ended; however, that the curing of any default in such manner shall not be construed to limit or restrict the right of City to declare this Lease ended and terminated, and to enforce all of City's rights and remedies hereunder for any other default not so cured.

#### **8. Maintenance and Housekeeping.**

A) City's Repairs & Maintenance. Tenant hereby grants to City the right to enter upon the Property, at reasonable times, and upon reasonable notice, except in emergencies exclusively determined by City, for the purpose of making inspections and/or repairs. Tenant shall have the duty to periodically inspect the Property and notify City should Tenant observe a need for repairs or maintenance of any obligation to be performed by City under this Lease. Upon receipt of Tenant's notice, City shall have reasonable period of time to make such repairs

or maintenance; however, it is expressly understood that City's liability with respect to the failure or delay to make any such repairs or maintenance shall be limited to the cost of such repairs or maintenance.

B) Tenant's Repairs & Maintenance. Tenant, at Tenant's sole cost and expense, shall have the affirmative duty to periodically inspect, maintain, service, repair and replace, if necessary, all portions of the Property which are not expressly the responsibility of City under Section 8 (A) of this Lease including, but not limited to fences. In addition thereto, Tenant shall keep the Property and any area servicing the Property in a clean and sanitary condition, and shall keep the common parking areas, driveways and loading areas free of Tenant's debris, and shall control weeds and maintain landscaping. Tenant shall not store materials, waste or pallets outside of the Property, and shall timely arrange for the removal and/or disposal of all pallets, crates and refuse owned by Tenant which cannot be disposed of in the dumpster(s) servicing the Property.

Upon the expiration or earlier termination of this Lease, Tenant shall return the Property to City in substantially the same condition as when received, reasonable wear and tear accepted. Tenant shall perform all repairs and maintenance in a good and workmanlike manner, using materials and labor of the same character, kind and quality as originally employed within the Property; and all such repairs and maintenance shall be in compliance with all governmental and quasi-governmental laws, ordinances and regulations, as well as all requirements of City's insurance carrier. In the event Tenant fails to properly perform any such repairs or maintenance within a reasonable period of time, City shall have the option to perform any such repairs on behalf of Tenant, in which event Tenant shall reimburse to City, as Additional Rent, the costs thereof within thirty (30) days after receipt of City's invoice for same.

**9. Utilities**. Tenant shall be solely responsible for the installation and purchase of all utility services required by Tenant during the term of this Lease.

**10. Assignment and Subleasing**. Tenant shall not assign or sublet the Property or any portion thereof, nor allow the same to be used or occupied by any other person or for any other use than herein specified, without the prior written consent of City. For purposes of this Section, the transfer of any majority interest in any corporation or partnership shall be deemed to be an assignment of this Lease. In the event City consents to any sublease or assignment, the same shall not constitute a release of Tenant from the full performance of Tenant's obligations under this Lease. Further, in the event of any such sublease or assignment, Tenant shall reimburse City for all reasonable attorneys' fees in connection with reviewing and/or drafting any appropriate documents to effect such transfer of Tenant's interests.

**11. Indemnification.** Tenant hereby agrees to indemnify and save harmless City from and against all liabilities, claims, demands, judgments, losses and all suits at law or in equity, costs and expenses, including reasonable attorney's fees, for injury to and/or death of any person or persons and/or loss and/or damage to the property of any person, firm or corporation whomsoever, including both parties hereto and their employees, arising from the construction, maintenance or operation of Tenant's improvements and equipment, or in the carrying on of its business as hereinbefore set forth, except when such liability, claim, demand, judgment or loss arises solely from a negligent act of the City, its agents, contractors or employees.

**12. Insurance.** Tenant shall maintain in full force and effect throughout the currency of this Lease, the following insurance covering any and all liability or obligations which may result from operations by Tenant, Tenant's employees, agents, contractors or subcontractors as aforesaid in this Lease:

A) Property insurance coverage protecting against physical damage (including but not limited to fire, lightning, extended coverage perils, vandalism, sprinkler leakage, water damage, collapse and other special extended perils) to the extent of the replacement cost of Tenant's personal property and improvements as well as goods or property in Tenant's care, custody and/or control.

B) Comprehensive General Liability Insurance (including but not limited to Products and Completed Operations and Contractual Liability, as applicable to Tenant's obligations under this Lease) with limits not less than:

Each Occurrence Limit:	\$2,000,000
Products/Completed Operations Aggregate:	\$2,000,000
General Policy Aggregate:	\$2,000,000

C) Automotive Liability Insurance with Limits not less than:

Bodily Injury and Property Damage

Combined Single Limit: \$1,000,000 per occurrence

D) Worker's Compensation Insurance in accordance with Chapter 102, Wisconsin Statutes and any applicable Federal law.

E) Umbrella Coverage: \$10,000,000 in aggregate

All such policies shall be of a form and content satisfactory to City. In addition, the Board of Harbor Commissioners of the City of Milwaukee and the City of Milwaukee will be designated on the General Liability, Property Insurance, Automobile and Umbrella policies as Additional Named Insureds. All policies shall be with companies licensed to do business in the State of Wisconsin and rated A or better in the most current issue of Best's Key Rating Guide.

Tenant shall furnish City with certificates of insurance for all policies showing that insurance has been written as required. Such evidence shall be provided by Tenant at least thirty (30) days prior to occupancy; and further, such policies shall provide that no less than thirty (30) days written notice be given to City before any such policies are cancelled or substantially changed to reduce the insurance provided thereby. Said certificates of insurance shall remain in effect for the duration of this Lease. Tenant shall not act in any manner that may make void or voidable any insurance required herein. Upon written demand, Tenant shall provide City full, complete and accurate copies of the insurance policies required by this Lease. Once in every three (3)-year period during the term of this Lease, City shall review the extent and limits of the insurance coverage required herein. After said review, should City determine an increase in the extent and/or limits of insurance coverage is required, Tenant shall be so notified in writing and Tenant shall cause such increases to be placed in effect within thirty (30) days of receiving such notice. In no event shall the extent and limits of insurance coverage be reduced from the amounts shown herein.

The attorney in fact or agent of any insurance company furnishing any policy of insurance shall sign and furnish an affidavit setting forth that no City official or employee has any interest, direct or indirect, or has received any premium, commission, fee or other thing of value on account of furnishing said policy of insurance.

**13. Taxes.** Tenant shall pay and discharge when due all taxes, if any, assessments, levies and other charges, general and special, that are or may be during the term hereof levied, assessed, imposed or charged on the Property or the improvements thereon or hereafter placed thereon.

**14. Alterations & Improvements.** Tenant shall not make any alterations, additions, buildings or improvements to the Property without the prior written consent of City. Notwithstanding the aforesaid, Tenant, at Tenant's sole cost and expense, may install such trade fixtures as Tenant may deem necessary. All such trade fixtures shall be constructed and/or installed by contractors approved by City, in a good and workmanlike manner, and in compliance with all applicable governmental and quasi-governmental laws, ordinances, and regulations, as well as all requirements of City's insurance carrier, if any. Tenant shall furnish, upon City's request, plans, specifications, drawings and/or renderings of any proposed alterations, additions, buildings or improvements.

On or before the date of the expiration or earlier termination of this Lease, Tenant shall remove all trade fixtures and any other alterations, additions, buildings or improvements installed by Tenant within the Property; and, upon such removal, Tenant shall restore the Property to a condition substantially similar to that condition when received by Tenant. However, notwith-

standing the aforesaid, upon City's written election, such alterations, additions, buildings and improvements shall revert to City and shall remain within the Property. In no event shall City have any right to any of Tenant's trade fixtures; and, except as otherwise set forth in this Lease, Tenant may remove such trade fixtures upon the termination of this Lease, provided Tenant repairs any damage caused by such removal.

**15. Destruction.** If the improvements upon the Property are damaged in whole or in part by casualty so as to render the Property untenable, and if the damages cannot be repaired within one hundred eighty (180) days from the date of said casualty, this Lease shall terminate as of the date of such casualty. If the damages can be repaired within said one hundred eighty (180) days, and City does not elect within sixty (60) days after the date of such casualty to repair same, then either party may terminate this Lease by written notice served upon the other. In the event of any such termination, the parties shall have no further obligations to the other, except for those obligations accrued through the effective date of such termination; and, upon such termination, Tenant shall immediately surrender possession of the Property to City. Should City elect to make such repairs, this Lease shall remain in full force and effect, and City shall proceed with all due diligence to repair and restore the Property to a condition substantially similar to that condition which existed prior to such casualty. In the event the repair and restoration of the Property extends beyond one hundred eighty (180) days after the date of such casualty due to causes beyond the control of City, this Lease shall remain in full force and effect, and City shall not be liable therefore; but City shall continue to complete such repairs and restoration with all due diligence. Tenant shall not be required to pay any Rent for any period in which the Property is untenable. In the event only a portion of the Property is untenable, Tenant's Rent shall be equitably abated in proportion to that portion of the Property, which is so unfit. However, there shall be no Rent abatement if said damage is due to fault or negligence of Tenant or Tenant's agents, employees or invitees.

**16. Compliance with Laws and Orders.**

A) Tenant agrees to observe fully and to comply with any laws, statutes, regulations, ordinances, rules, requirements or directives now in force or which shall emanate from any state, federal or local departments or agencies having jurisdiction. Tenant also agrees to be fully bound and to observe the provisions of the Municipal Port Tariff in effect as of the date of commencement of this Lease and of any successor or equivalent document issued by the Board of Harbor Commissioners of the City of Milwaukee during the term of this Lease.

B) Tenant or its contractors agree to properly secure all necessary permits and licenses required by any state, federal or local departments or agencies for the construction and

operation of Tenant's business and improvements. A copy of each such permit or license shall be sent to the Port of Milwaukee for its record file.

**17. Security Compliance.** Tenant agrees to conform to all national security requirements imposed by the U.S. Department of Homeland Security, the Marine Transportation Security Act and its implementing regulations, as well as any applicable state and local security rules and regulations.

"Security," as that term is used herein shall mean "Measures designed to safeguard personnel; to prevent unauthorized access to equipment, property, buildings, harbor facilities, installations, materials, and documents; and to safeguard against espionage, sabotage, damage, and theft, or to prevent persons or organizations from engaging in any activity or using Port properties, equipment and material in a manner that would aid an effort to harm vital interests of the City of Milwaukee, the State of Wisconsin or the United States of America."

**18. Environmental Compliance and Obligations.**

A) Compliance with Environmental Regulations. Tenant shall fully comply with all statutes, regulations, or other applicable requirements imposed by any federal, state, or municipal agency with respect to the environmental condition of the Property and/or with respect to any activities or operations that Tenant may conduct upon the Property (hereinafter referred to as "Environmental Requirements"). Tenant shall not cause, permit or suffer the existence or commission by Tenant, its agents, employees, contractors or invitees, or by any other person of any violation of any Environmental Requirements upon, about or beneath the Property or any portion thereof.

B) Hazardous Material; Environmental Liens. Except to the extent commonly used in the day-to-day operation of the Property, and in strict compliance with all Environmental Requirements (including those relating to storage, use and disposal), Tenant shall not cause, permit or suffer any "hazardous material" or "hazardous substance" (as defined by applicable Federal or State statutes or regulations) to be brought upon, treated, kept, stored, disposed of, discharged, released, produced, manufactured, generated, refined, or used upon, about, or beneath the Property or any portion thereof by Tenant, its agents, employees, contractors, tenants or invitees, or any other person without the prior written consent of the City. Any request by Tenant for such consent by the City shall be in writing and shall demonstrate to the reasonable satisfaction of the City that such "hazardous material" or "hazardous substances" is necessary to the conduct of the business of Tenant and will be stored, used, and disposed of in a manner that complies with all applicable Environmental Requirements. Tenant shall not create or suffer to exist with respect to the Property any lien, security interest, or other charge or encumbrance of

any kind relating to the environmental condition of the Property, including (without limitation) any lien imposed pursuant to Sec. 107(f) of the Superfund Amendments and Reauthorization Act 1986 (42 U.S.C. § 9607(L)) or any similar State Statute.

C) Obligation to Investigate and/or Remediate. Tenant shall, upon demand of the City, and at its sole cost and expense, promptly take all actions to investigate and/or remediate the environmental condition of the Property which may be required by any federal, state or local governmental agency or political subdivision which remediation is necessitated from, or attributable to, the presence upon, about, or beneath the Property of any "hazardous material" or "hazardous substances" or any violation of Environmental Requirements caused by the Presence of and/or activities or operations conducted by the Tenant upon the Property. Any such investigation and/or remediation shall be performed by and under the direction of a qualified environmental consulting or engineering firm approved by City in advance of the commencement of the work. Tenant agrees to allow entry upon the Property by the City, or agents, contractors or employees of the City for purposes of conducting environmental audits and/or other tests for the purpose of determining the impact of Tenant's presence and/or activities or operations upon or with respect to the Property upon the environmental condition thereof. In the event that Tenant performs any such environmental audit and/or test on its own behalf, it shall promptly provide to the City full and complete copies of any results and/or reports that are generated in connection with the above activities.

D) Survival of Obligations. Tenant's obligations with respect to the environmental condition of the Property (as more fully set forth in subparagraphs (A) through (C) above) shall survive the expiration or termination of this Lease.

**19. Liens.** Tenant shall not mortgage or otherwise encumber or allow to be encumbered its interest herein without obtaining the prior written consent of City. Should Tenant cause any mortgage, lien or other encumbrance (hereinafter singularly or collectively referred to as "Encumbrance") to be filed, against the Property, Tenant shall dismiss or bond against same within fifteen (15) days after the filing thereof. If Tenant fails to remove said Encumbrance within said fifteen (15) days, City shall have the absolute right to remove said Encumbrance by whatever measures City shall deem convenient including, without limitation, payment of such Encumbrance, in which event Tenant shall reimburse City, as Additional Rent, all costs expended by City, including reasonable attorney's fees, in removing said Encumbrance. All of the aforesaid rights of City shall be in addition to any remedies which either City or Tenant may have available to them at law or in equity.

**20. Time of the Essence.** It is expressly understood and agreed to by the parties hereto that time is of the essence for each term and provision of this Lease.

**21. Waiver.** One or more waivers by any party of any covenant or condition of this Lease shall not be construed as a waiver of a subsequent breach of the same or of any other covenant or condition. The consent or approval given by any party with respect to any act by the other party requiring such consent or approval shall not be deemed to waive or render unnecessary further consent or approval of any subsequent similar act by such party.

**22. Sole Agreement and Amendment.** This shall be binding upon the parties hereto and their respective successors and assigns, and may not be modified orally or in any other manner other than by agreement, in writing, signed by each of the parties to this Lease. Each person signing this Lease warrants that this is the full, entire and complete Lease between the parties; that the terms of this Lease supersede and nullify any and all prior discussion, negotiations or agreements between the parties and/or any of the parties' respective officers, employees or agents relating in any manner to the subject matter of this Lease; and that no promise or inducement not expressed in this Lease has been made or exists to cause or influence each such person to execute this Lease. Each person signing this Lease warrants their ability to bind the party on whose behalf each signs.

**23. Notice.** Any notice provided for herein or given pursuant to this Lease, shall be deemed in compliance herewith if in writing and sent by United States certified or registered mail, postage prepaid, return receipt requested, or by receipted personal delivery to the parties as follows:

To the City:

BOARD OF HARBOR COMMISSIONERS  
2323 S. Lincoln Memorial Drive  
Milwaukee, WI 53207  
Attention: Municipal Port Director

To The Tenant:

Milwaukee Bulk Terminals, LLC  
1900 S. Harbor Drive  
Milwaukee, WI 53207  
Attn: Mr. Roy Cook

**24. Governing Law.** This Lease shall be governed by the internal laws of the State of Wisconsin. If any term or provision of this Lease or any exhibits hereto, or the application thereof to any person or circumstance, shall to any extent be declared invalid or unenforceable,

then the remainder of this Lease and exhibits, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term and provision of this Lease shall be valid and be enforced to the fullest extent permitted by applicable law.

Both parties understand that the City is bound by the Wisconsin Public Records Law, and as such, all of the terms of this Lease are subject to and conditioned on the provisions of Wis. Stat. §19.21, et seq. Tenant acknowledges that it is obligated to assist the City in retaining and producing records that are subject to Wisconsin Public Records Law, and that the failure to do so shall constitute a material breach of this Lease, and that the Tenant must defend and hold the City harmless from liability under that laws. Except as otherwise authorized, those records shall be maintained for a period of seven years after receipt of final payment under this Lease.

**25. Authorization.** The undersigned signatories to this instrument represent that they are duly authorized to contract on behalf of their respective entities.

**26. Nondiscrimination.** Tenant hereby agrees that in its use of the Property and in its activities undertaken pursuant hereto it shall not discriminate, permit discrimination or restriction on the basis of race, sexual orientation, creed, ethnic origin or identity, color, gender, religion, marital status, age, handicap or national origin.

**27. Counterparts.** This Lease may be executed in any number of counterparts, each of which shall constitute an original and all of which shall constitute one and the same Lease. The terms "Board of Harbor Commissioner" and "City" whenever used herein shall mean and include the Board of Harbor Commissioners of the City of Milwaukee and/or its successors and assigns in authority, as the context may require.

**28. Approval.** IT IS FURTHER AGREED AND UNDERSTOOD that this Lease must be submitted to the Common Council of the City of Milwaukee and that the same must be approved by the Common Council and its execution authorized.

IN WITNESS WHEREOF, the parties hereto have by their duly authorized officers executed this Lease under seal as of the day and year first above written.

**CITY OF MILWAUKEE:**

---

Tom Barrett, Mayor

---

Ronald D. Leonhardt, City Clerk

**COUNTERSIGNED:**

\_\_\_\_\_  
W. Martin Morics, City Comptroller

**BOARD OF HARBOR COMMISSIONERS:**

\_\_\_\_\_  
Timothy K. Hoelter, President

\_\_\_\_\_  
Donna Luty, Secretary

**MILWAUKEE BULK TERMINAL, LLC**

\_\_\_\_\_  
Mr. Roy Cook, President

**STATE OF WISCONSIN**  
\_\_\_\_\_ **COUNTY**

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, the, and Roy Cook, the President, of MILWAUKEE BULK TERMINALS,  
LLC, who by its authority and on its behalf executed the foregoing instrument and acknowledged  
the same.

**PLEASE NOTE:** TENANT MUST COMPLET THE FOLLOWING:

(Note: Someone other than the individual who executed this Lease must certify the following):

CERTIFICATE RE: CORPORATION

I, \_\_\_\_\_ certify that I am the \_\_\_\_\_ of the  
(print name) (print title)

above TENANT named herein; that \_\_\_\_\_, who executed this  
(print signator of tenant)

Lease on behalf of the TENANT was then \_\_\_\_\_ of said  
(official capacity of signator)

corporation, and in said capacity, duly signed said Lease for and on behalf of said corporation,  
being duly authorized so to do under is bylaws or is authorized so to do by action of its duly  
constituted board, all of which is within the scope of its corporate powers.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_  
(location)

\_\_\_\_\_  
(signature)

APPROVED as to Form and Execution this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Assistant City Attorney

PW FILE NUMBER: 090339

[illegible]



## Legislation Details (With Text)

---

**File #:** 090319      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing expenditure of 2009 Energy Challenge Funds for capital projects.

**Sponsors:** THE CHAIR

**Indexes:** BUDGET, CAPITAL IMPROVEMENTS, ENERGY CONSERVATION

**Attachments:** Fiscal Note, Energy Challenge Fund Requests, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090238

**Version:**

Original

**Reference:**

**Sponsor:**

THE CHAIR

**Title**

Resolution authorizing expenditure of 2009 Energy Challenge Funds for capital projects.

**Analysis**

This resolution authorizes expenditures from the 2009 Energy Challenge Fund.

The Energy Challenge Fund was created as part of the 2008 budget process to provide funds for capital projects that would increase energy efficiency, reduce costs, or, by using renewable energy or alternative fuels, would decrease the City's operating costs and dependency on fossil fuels.

**Body**

Whereas, The Milwaukee Common Council's 2009 budget included \$500,000 for an Energy Challenge Fund for capital projects that result in energy efficiencies or use of renewable energy sources; and

Whereas, The Common Council adopted a resolution as part of its adoption of the 2009 Budget requiring a Common Council resolution to release such funds; and

Whereas, The Common Council has authorized the Department of Administration to manage the Energy Challenge Fund; and

Whereas, The Department of Administration solicited proposals from City departments for energy efficiency projects; and

Whereas, The proposals included information on annual savings, simple payback (in years) and potential rebates available from Focus on Energy and We Energies; and

Whereas, The Department of Administration reviewed proposals to assess the projected reductions in energy use, cost of measures, and project payback within a reasonable time frame; and

Whereas, The projects recommended by the Department of Public Works were based on audits conducted of the facilities; and

Whereas, The projects will result in significant energy use reduction, or by using a renewable fuel source, will reduce City operating costs and dependence on energy sources whose prices are highly volatile; now therefore, be it

**Resolved, By the Common Council of the City of Milwaukee, that funds from the Energy Challenge**

Capital account are authorized to be expended on the following projects:

Project	Dept.	Facility	Fund Allocation	Third Party Rebates	Estimate Savings Payback
Distributed Generation	DPW	ZMB Fac. Services	\$54,000	\$0	1.1 years
Lighting Retrofit	DPW-	4 <sup>th</sup> and parking Highland Garage	\$62,750	\$16,333	2.3 years
Lighting Retrofit	DPW-	MacArthur Square parking	\$91,339	\$18,226	2.5 years
Lighting Retrofit	DPW-	2 <sup>nd</sup> and Plankinton parking	\$48,830	\$7,430	3.1 years
Replace air handling units; add variable frequency drives	Library	Center Street	\$13,300	\$1,200	3.3 years
Solar hot Water Heaters	Fire	10 Fire-houses	\$40,000	\$83,300	14.8 years

; and be it

Further Resolved, That the Comptroller's Office is directed to transfer the funds in account 0321-9990-R999-BU110080100 to the listed departments for the indicated projects; and, be it

Further Resolved, That the Department of Administration will submit a subsequent resolution to expend additional funds from this account at a later date.

### **Requestor**

Ann Beier, Office of Environmental Sustainability

**Drafter**

ES

6/12/09

**LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS****PUBLIC WORKS COMMITTEE****ITEM 17, FILE #090319****JULY 15, 2009****AMY E. HEFTER**

File Number 090319 is a resolution authorizing the expenditure of 2009 Energy Challenge Fund funds for capital projects.

**Background**

1. The 2009 Budget included \$500,000 in capital funding to support the goal of helping city departments reduce energy consumption by 15% from 2008 to 2012, using 2005 city energy consumption as a baseline. Funds are awarded to departments for capital projects that result in energy efficiencies or that use renewable energy or alternative fuel sources. Funds are distributed based on projected reductions in energy use and demand charges and demonstration of project payback within a reasonable time period. The Environmental Sustainability Director manages the Energy Challenge Fund.
2. The Energy Challenge Fund targets buildings that have the highest energy usage and highest energy costs. The projects are evaluated based on their pay-back period (e.g., a project that pays for itself in 3 years rather than 7 years might receive greater consideration).
3. 2009 Budget Amendment 121a, adopted by the Common Council, added a footnote to the Energy Challenge Fund capital account to require Common Council approval for expenditure. To date, the Common Council has not passed a resolution approving expenditure of funds.

**Discussion**

The following projects have been selected to receive 2009 Energy Challenge Funds per File 090319:

<b>Project</b>	<b>Department</b>	<b>Facility</b>	<b>Energy Fund Allocation</b>	<b>Third Party Rebates*</b>	<b>Total Project Costs</b>	<b>Annual Project Savings</b>	<b>Estimate Savings Payback</b>
Distributed Generation	DPW Facility Services	Zeidler Municipal Building	\$54,000	\$0	\$64,000	\$49,200	1.1 years
Lighting Retrofit	DPW-Parking	4 <sup>TH</sup> & Highland Garage	\$62,750	\$16,333	\$79,083	\$27,316	2.3 years
Lighting Retrofit	DPW-Parking	MacArthur Square	\$91,339	\$18,226	\$109,565	\$36,085	2.5 years
Lighting Retrofit	DPW-Parking	2 <sup>ND</sup> & Plankinton	\$48,830	\$7,430	\$56,260	\$15,893	3.1 years
Replace Air Handling Units; Add Variable Frequency Drives	Library	Center Street	\$13,300	\$1,200	\$14,500	\$4,000	3.3 years
Solar Hot Water Heaters	Fire Dept.	10 Firehouses	\$40,000	\$83,300	\$123,300	\$2,710	14.8 years
<b>TOTAL</b>			<b>\$310,219</b>	<b>\$126,489</b>	<b>\$446,708</b>	<b>\$135,204</b>	<b>2.29 years</b>

\*Anticipated rebates from Focus on Energy and WE Energy

**Fiscal Impact**

This resolution authorizes expenditures in the amount of \$310,219 from the 2009 Energy Challenge Fund for capital projects.

cc: Sharon Robinson  
Ann Beier  
Erick Shambarger

Marianne Walsh  
Eric Pearson

Prepared by: Amy E. Hefter, X2290  
LRB-Research & Analysis Section  
July 13, 2009

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE 6/9/2009

FILE NUMBER: \_\_\_\_\_

Original Fiscal Note ☐ Substitute ☐

SUBJECT: Resolution authorizing expenditure of 2009 Energy Challenge Funds for capital projects.

B) SUBMITTED BY (Name/title/dept./ext.): Erick Shambarger/City Economist/DOA/x8556

- 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:		BU110080100	310,219		\$135,125
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**.

- ☐ 1-3 YEARS ☐ 3-5 YEARS Expenditures are 1 time; energy savings are annual
- ☐ 1-3 YEARS ☐ 3-5 YEARS
- ☐ 1-3 YEARS ☐ 3-5 YEARS

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

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

Departmental request forms; Note that the expenditures are net of \$126,000 in anticipated rebates from Focus on Energy and We Energy

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

## Energy Challenge Fund Requests

Project Description	Department	Facility	ECF Request	Grants	Total Costs	Annual Project Savings	Simple Payback (ECF Costs)	Energy Audit (Y/N)	Recommended?	Reason
Distributed Generation	DPW-Facilities	ZMB	\$ 54,000	\$ -	\$ 64,000	\$ 49,200	1.1	N	Y	Short payback and low risk
Garage Lighting Retrofit: Sodium -> CFL	DPW-Parking	4th & Highland Garage	\$ 62,750	\$ 16,333	\$ 79,083	\$ 27,316	2.3	Y	Y	Short payback; Parking is enterprise fund but supports General Fund
Garage Lighting Retrofit: Sodium -> CFL	DPW-Parking	MacArthur Square	\$ 91,339	\$ 18,226	\$ 109,565	\$ 36,085	2.5	Y	Y	Short payback; Parking is enterprise fund but supports General Fund
Garage Lighting Retrofit: Sodium -> CFL	DPW-Parking	2nd & Plankton	\$ 48,830	\$ 7,430	\$ 56,260	\$ 15,893	3.1	Y	Y	Short payback; Parking is enterprise fund but supports General Fund
Replace AHU & add VFDs	Library	Center Street	\$ 13,300	\$ 1,200	\$ 14,500	\$ 4,000	3.3	N	Y	Short payback
Fire House Solar Hot Water	MFD/OES	10 Firehouses	\$ 40,000	\$ 83,300	\$ 123,300	\$ 2,710	14.8	N	Y	Long payback but strong leverage of other funds and part of plan to develop local solar industry
30kW Solar	DPW-Facilities	Central Repair Garage (CRG)	\$ 150,000	\$ 150,000	\$ 300,000	\$ 6,805	22.0	N	N	Long payback
Lighting- T12->T5	DPW-Facilities	809 Bldg, 2nd Fl	\$ 104,240	\$ 3,200	\$ 107,440	\$ 6,781	15.4	Y	N	Long payback
Lighting- T12->T5	DPW-Facilities	809 Bldg, 4th Fl	\$ 111,180	\$ 4,000	\$ 115,180	\$ 6,899	16.1	Y	N	Long payback
Motion Sensors	DPW-Facilities	City Hall and CRG	\$ 45,000	\$ 2,000	\$ 47,000	\$ 6,350	7.1	Y	N	This is equipment and not eligible for capital funding
Energy Audits	DPW-Facilities	DPW Field HQ; Tow lot	\$ 8,500	\$ -	\$ 6,500	\$ -	-	-	N	Comptroller's Office will not allow audits to be funded with capital
Refrigerator Replacement (99)	DPW-Facilities	City Hall Complex	\$ 25,000	\$ 5,000	\$ 30,000	\$ 21,650	1.2	N	N	This is equipment and not eligible for capital funding
LEED Certification	DPW-Facilities	City Hall Complex	\$ 57,000				-		N	No payback
Fire House Solar Hot Water	DPW-Facilities	6 Firehouses	\$ 134,982	\$ 57,338	\$ 192,320	\$ 917	147.2	N	N	No effective payback
Garage Lighting Retrofit: Sodium -> CFL	DPW-Parking	1000 N. Water	\$ 180,245	\$ 18,255	\$ 198,500	\$ 47,198	3.8	Y	N	Strong payback but future of facility uncertain
Computer Upgrades	HACM	Various	\$ 50,000		\$ 50,000	\$ 4,224	11.8	N	N	ECF reserved for city facilities proper
Cabinet Heater Replacement (electric -> steam)	Library	Central Library	\$ 19,625	\$ -	\$ 19,625	\$ 683	28.7	N	N	Long payback
<b>Total</b>			<b>\$ 1,139,991</b>	<b>\$ 366,282</b>	<b>\$ 1,449,273</b>	<b>\$ 187,611</b>	<b>6.08</b>			
<b>Recommended</b>			<b>\$ 310,219</b>	<b>\$ 126,489</b>	<b>\$ 446,708</b>	<b>\$ 136,204</b>	<b>2.29</b>			

PW FILE NUMBER: 090319

[illegible]



## Legislation Details (With Text)

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**Sponsors:** ALD. DUDZIK

**Indexes:** RECYCLING, REPORTS AND STUDIES, SOLID WASTE DISPOSAL

**Attachments:** Study, Hearing Notice List

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7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

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090307

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD. DUDZIK

**Title**

Communication from the La Follette School of Public Affairs relating to a Pay-As-You-Throw program study.

**Requestor**

**Drafter**

CC

tjm

6/29/09

**City of Milwaukee:**

# **Impacts of Pay-As-You-Throw Municipal Solid Waste Collection**

Prepared by  
Catherine Hall  
Gail Krumenauer  
Kevin Luecke  
Seth Nowak

For the  
City of Milwaukee, Department of Administration,  
Budget and Management Division

Workshop in Public Affairs, Domestic Issues  
Public Affairs 869  
Spring 2009



**Robert M. La Follette School of Public Affairs  
University of Wisconsin-Madison**

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## **Foreword**

Students in the master of public affairs program in the Robert M. La Follette School of Public Affairs at the University of Wisconsin–Madison produced this report for the City of Milwaukee’s Department of Administration’s Budget and Management Division. The opinions and judgments presented in the report do not represent the views, official or unofficial, of the La Follette School or of the clients for whom the students prepared the report.

The authors are enrolled in the Public Affairs Workshop, Domestic Issues, the capstone course in their graduate program. The La Follette School offers a two-year graduate program leading to a master of public affairs or a master of international public affairs degree. The workshop provides practical experience applying the tools of analysis acquired during three semesters of coursework to actual issues clients face in the public, non-governmental, and private sectors. Students work in teams to produce carefully crafted policy reports that meet high professional standards within the timeframe of a single academic semester. The reports are research-based, analytical, and when appropriate, evaluative.

This report would not have been possible without the encouragement and leadership of the City of Milwaukee’s dedicated employees. A University of Wisconsin–Madison Engage grant for collaborative work from the Division of Information Technology supported additional costs of this report, including travel costs of meeting with clients. The report also benefited greatly from the support of the staff of the La Follette School. Outreach Director Terry Shelton, along with Kari Reynolds, Mary Mead, and Gregory Lynch, contributed logistical and practical support. Karen Faster, La Follette Publications Director, edited the report and shouldered the task of producing the final bound document.

This report was generated primarily for the educational benefit of its student authors. The purpose of the project was to improve their analytical skills by applying them to an issue with a substantial policy or management component. This culminating experience is the ideal equivalent of the thesis for the La Follette School degrees in public affairs.

Dr. Susan Webb Yackee  
Assistant Professor of Public Affairs and Political Science  
May 2009

## **Acknowledgments**

We thank the following people for their guidance and assistance in preparing this report: Mark Nicolini, City of Milwaukee Budget Director, for commissioning the project; Erick Shambarger, City of Milwaukee Economist, for his feedback; Rick Meyers, City of Milwaukee Recycling Specialist, for his assistance; the various municipal employees who took the time to respond to our comparative cities survey; the vendors and manufacturers who provided pricing and equipment details; Karen Faster for her editing and comments; Professor Jack Huddleston for statistical guidance; and Professor Susan Yackee for her mentoring and guidance.

## **Executive Summary**

This report analyzes the possible implementation of a pay-as-you-throw (PAYT) user fee system for municipal solid waste (MSW) collection in the City of Milwaukee. PAYT collection systems serve more than 25 percent of the U.S. population and more than half of Wisconsin communities. These programs replace flat fees with charges based on the quantity of MSW generated per household. PAYT systems may cause residents to recognize the cost of their individual disposal habits and reduce their waste. Pay-As-You-Throw can also promote behavioral change in the form of greater recycling. Municipalities and residents find these systems to be equitable, since those who generate more waste pay more for collection services. PAYT revenue may also provide financial benefits to the city by fully compensating program costs.

Milwaukee charges each household \$150 per year for MSW and recycling services. This flat rate creates insufficient revenue for complete program cost recovery. Milwaukee wishes to pursue a PAYT user fee system that fully pays for the MSW and recycling programs, particularly as landfill rates charged for waste disposal continue to rise.

Our analysis draws upon research from the U.S. Environmental Protection Agency (EPA), academic studies, City of Milwaukee MSW and recycling data, contacts with MSW equipment suppliers, and a survey of 10 comparable U.S. cities using PAYT systems. We assess three program options for Milwaukee: the status quo, a multiple cart system with pricing based on household waste cart size, and a weight-based program that charges per pound of refuse collected. We examine each alternative based on metrics of efficiency, effectiveness, equity, and ease of implementation to determine which MSW system best suits Milwaukee.

We recommend a weight-based PAYT system for Milwaukee. The weight-based model offers the greatest efficiency and creates the greatest incentive to reduce waste. This alternative also scores highest in equity measures. In contrast, the current system and multiple carts allow greater disparities between the price per unit paid by households with low levels of MSW disposal and the prices paid by those with high levels. The weight-based system also requires less capital investment than a multiple cart system.

We also recommend a series of implementation measures to ease the transition to a PAYT system. Recycling rates rise an average of 16–17 percent in PAYT communities. Increasing the frequency of recycling collection (as recommended in the 2008 Audit of the City of Milwaukee Recycling Program) before PAYT is instituted would prepare residents and city staff before the anticipated increase in recycling. In addition, Milwaukee should conduct a pilot program to review equipment performance, implement new billing software, and gauge program acceptance. Steps to enhance responsiveness to the PAYT program include education and outreach, billing comparisons to show customer savings for MSW reductions, and collection of program feedback from pilot households.

## Introduction

This report examines the City of Milwaukee's solid waste and recycling collection structure and fees. Milwaukee charges each household an annual \$150 flat fee for municipal solid waste (MSW) and recycling collection. This fee does not fully cover Milwaukee's cost for providing the services and charges each household the same rate, regardless of the amount of solid waste it generates.

More than 7,000 U.S. communities operate pay-as-you-throw (PAYT) municipal solid waste collection systems as an alternative to traditional flat rates. This report includes a comparative analysis of PAYT implementation and impacts in U.S. cities similar to Milwaukee. The analysis also examines potential impacts of reduced solid waste generation should Milwaukee implement a variable price structure. To evaluate the policy alternatives, the report considers the efficiency, effectiveness, equity, and ease of implementation in the current program, a multiple cart PAYT alternative, and a weight-based PAYT alternative.

### Research Question

Which PAYT garbage collection system, that can be practically implemented, most effectively covers Milwaukee's solid waste and recycling costs while equitably charging residents for their solid waste output?

### Definitions

The following definitions are used in this report:

- **Bin:** A small container used for recycling collection, typically less than 20 gallons in size.
- **Cart:** A wheeled receptacle used for municipal solid waste, recycling, or yard waste collection. Typical cart sizes range from 30 to 128 gallons.
- **Municipal solid waste (MSW):** Household garbage that is taken to a landfill or incinerator.
- **Pay-as-you-throw (PAYT):** Any MSW collection system that charges users a variable price based on the amount of waste they dispose of. PAYT systems are typically volume-based, but some are weight-based.
- **Recycling:** Any goods accepted by the municipal recycling program. It is illegal to dispose of recyclables in a landfill, although this is rarely enforced (Prohibitions on Land Disposal and Incineration 2008).
- **Tipping fee:** The charge, typically in dollars per ton, for unloading solid waste at a landfill.

## Background

Traditional municipal solid waste programs charge households a flat fee for MSW collection and/or include garbage collection fees as part of the property tax levy. The rate per household applies uniformly regardless of the amount of waste generated. PAYT solid waste programs utilize variable rates that charge households for collection based on the amount of MSW they generate. PAYT systems fall into volume-based and weight-based categories, described in the following section (U.S. EPA 2008b).

### Volume-Based PAYT Systems

These systems charge variable rates based on the volume of municipal solid waste a household generates. Volume-based PAYT systems commonly take three implementation forms:

- 1. Prepaid bags:** This system uses uniquely colored or marked trash bags for solid waste collection. Residents purchase the bags from the municipality or local retail outlets, and they must place all garbage in these bags. The cost per bag is set to cover all or part of the solid waste collection service plus a small fee for retail outlets distributing the bags.

**Advantages:** Prepaid bag systems are relatively easy to administer, simple for customers to understand, and provide a strong incentive for customers to reduce their MSW. Prepaid bag systems are compatible with existing billing systems and may allow for the elimination of billing for MSW collection all together.

**Disadvantages:** Prepaid bag systems are incompatible with the automated and semi-automated MSW collection trucks used by most mid-sized and large municipalities as they require collectors to manually check the bags and load them into the truck. Prepaid bag systems also result in unsteady revenue streams for the municipality since customers may purchase large numbers of bags at one time and then none for a number of months. Non-compliant bags are generally not collected, which can lead to solid waste accumulation for households.
- 2. Prepaid tags:** This system functions similarly to prepaid bag systems, except residents purchase tags or stickers to attach to their own trash bags.

**Advantages:** Prepaid tag systems have the same advantages as prepaid bag systems with the additional advantage that tags are smaller than bags and easier for retailers to handle.

**Disadvantages:** Prepaid tags have the same disadvantages as prepaid bags.
- 3. Multiple cart sizes:** This system uses different sized MSW carts and charges residents based on the size of their cart. Most municipalities using this system offer two or three cart sizes, although some offer as many as six. Many communities using multiple carts also utilize a prepaid bag or tag system for MSW items exceeding the cart size.

**Advantages:** Multiple cart programs are compatible with automated and semi-automated MSW collection vehicles used in many municipalities. In municipalities moving from a single cart program to a multiple cart program, customers are already familiar with how the cart and collection system works. Multiple cart programs are relatively easy to administer once the billing system is established.

**Disadvantages:** Multiple cart systems provide no economic incentive to customers to reduce their waste unless they can reduce it enough to move to a smaller cart size; this can be partially overcome by offering a large number of cart sizes. The purchase of a large number of carts to implement the program and billing administration can be costly for municipalities.

### **Weight-Based PAYT Systems**

These systems weigh MSW during collection and bill residents per pound of MSW they generate.

1. **Truck-mounted scales:** Most weight-based systems utilize carts and a scale on the collection vehicle. The collection vehicle scans a bar code or radio frequency tag on the cart, weighs the cart as it is emptied, and records the cart number and weight in an on-board computer. This information is then uploaded into the billing system.

**Advantages:** Weight-based systems provide the greatest incentive for residents to reduce waste, as they can see a clear cost reduction with even small reductions in waste. Weight-based systems are compatible with automated and semi-automated collection vehicles when outfitted with the appropriate equipment. The systems are simple to understand and generally perceived as the most equitable form of PAYT (Skumatz 1995).

**Disadvantages:** The equipment needed to accurately weigh MSW and bill residents may be complicated and more expensive than other options (U.S. EPA 1994). Additionally, billing administration can be more complex. To date, weight-based PAYT programs in the United States have been limited to a number of pilot programs and a handful of municipalities.

Despite disadvantages in all PAYT systems, numerous communities nationwide have found it beneficial to adopt various forms of these systems to reduce solid waste output, promote greater equity, and increase recycling by residents (Miranda and Aldy 1996; Skumatz and Freeman 2006).

### **PAYT Links to Recycling**

Successful PAYT programs operate in conjunction with comprehensive recycling programs. This allows residents to reduce much of their waste, and therefore their MSW bill, by increasing their recycling rates. The municipality benefits to the extent that recycling lowers landfill tipping fees and potentially increases revenue from the resale of recyclables.

Milwaukee operates a residential recycling program that collects recyclables monthly from the majority of households using 95-gallon carts, although a portion of the city uses 18-gallon bins and receives weekly collection. In 2008, the Milwaukee Comptroller conducted an audit of the city's recycling program at the request of the Common Council. The audit highlighted anecdotal evidence that many households completely fill their recycling carts in less than one month (Morics 2008). This implies that residents have little opportunity to increase their recycling rates under the monthly collection schedule and, as a result, residents may encounter difficulty reducing their MSW output. The audit recommended that Milwaukee conduct feasibility studies of moving to biweekly recycling collection throughout the city (Morics 2008). Biweekly collection allows households that fill their recycling carts before collection to increase their recycling rates. Increased residential recycling presumably results in less solid waste, which in turn results in smaller MSW bills for households under a PAYT program and lower tipping fees for the city.

To implement a successful PAYT program, the city must ensure that residents are able to recycle as much of their waste as possible. Monthly recycling collection provides inadequate opportunity for residents to increase recycling rates. Implementation of a PAYT system should be accompanied with an increase in residential recycling capacity, accomplished through increased collection frequency.

## **Rationale for PAYT**

More than 7,000 American communities operate PAYT systems, covering 25 percent of the population and 30 percent of the nation's largest cities. This has led to the diversion of 6.5 million tons of MSW per year from landfills. Wisconsin ranks among the states with the most communities using PAYT systems, with more than 500 programs (Skumatz and Freeman 2006).

PAYT offers a market-based solution that encourages behavioral changes that serve the public welfare (Folz and Giles 2002). Economists often advocate unit-pricing approaches like PAYT because of their efficiency (Van Houtven and Morris 1999). Residents frequently overuse solid waste services in a flat fee system because local tax levies or flat fees for solid waste collection remain largely invisible to consumers (Van Houtven and Morris 1999). Essentially, flat fees and property-tax-based MSW systems break the link between the act of discarding waste and the payment for collection services. Households face the same cost regardless of how much MSW they generate, with little or no incentive to produce less waste. This can lead people to generate more MSW than they would if charged a variable rate.

In contrast, PAYT systems support efficiency and effectiveness goals by assigning proportional charges to various levels of service. A properly designed unit pricing system charges households based on the amount of waste management services they use (Van Houtven and Morris 1999). Many PAYT systems reduce overall MSW, allowing cities to extend collection routes, reduce the size and increase the automation of truck fleets, and reduce the number of collection crews or crew sizes. Less MSW may also reduce landfill tipping fees and the city's transportation costs and extend landfill life (Folz and Giles 2002). Additionally, PAYT systems promote equity because they reflect individual MSW service usage and enable residents to exercise some control over their solid waste collection costs (Skumatz and Freeman 2006; Folz and Giles 2002).

PAYT systems encourage recycling and composting. According to a Duke University study, communities experience a 20–35 percent increase in the weight of materials going through their recycling and composting programs after implementing PAYT (Miranda and Aldy 1996). Milwaukee's main recycling facility operates at only half capacity, ready to process additional recycling expected under a PAYT system (R. Meyers, personal communication February 26, 2009).

Overall, PAYT provides a link between behavior and bills. Research shows that the average tonnage of waste disposed is 16–17 percent less in PAYT communities than comparable non-PAYT communities, with approximately one-third of this reduction attributable to source reduction, one-third to increased recycling, and one-third to composting. PAYT proves to be one of the most cost-effective methods to promote waste reduction (Harrison 2000).

## **Methodology**

This section describes the methods of our investigation of PAYT programs employed in United States cities comparable to Milwaukee. This section also describes the methods, data, assumptions, and limitations in developing our quantitative analysis of the policy alternatives.

### **Comparable City Selection**

We investigated PAYT programs in American cities that are comparable to Milwaukee to better understand the potential costs, benefits, and other impacts of implementing PAYT in Milwaukee. Identification of eligible cities began with the U.S. Environmental Protection Agency's website, which provides extensive resources on PAYT communities and programs (U.S. EPA 2008a). Initial criteria for comparable cities included populations between approximately 250,000 and 750,000, although a few cities beyond this range were included to broaden the selection, including Eau Claire, the largest municipality in Wisconsin using PAYT.

We also considered racial and ethnic composition, income and poverty data, and the ratio of owner- versus renter-occupied housing when selecting the most comparable cities. Finally, we included climate, particularly annual snowfall, because municipal snow removal equipment and labor needs overlap with that of MSW collection in Milwaukee. The additional data came from the U.S. Census Bureau's American FactFinder webpage (<http://factfinder.census.gov>) and the National Oceanic and Atmospheric Administration Satellite and Information Service webpage (<http://cdo.ncdc.noaa.gov>). From this research, we established an initial sample of 14 comparative cities.

### **Comparable Cities Data Collection**

We collected PAYT program information specific to each city in the sample from each city's official website. We eliminated Eau Claire from the comparison because the city uses a system of multiple private haulers, each offering slight variations of PAYT that would have little in common with a Milwaukee program.

Next, in March 2009, we telephoned individuals working for each of the remaining 13 municipalities. Initial contact targets included directors of public works or solid waste or recycling management departments. If our first contacts were unable to provide specific information regarding PAYT, we asked them to direct us to a source better able to do so. Upon reaching the appropriate contact, we confirmed the details of the city's PAYT program. At this point, we eliminated Albuquerque, New Mexico, because the city's program details did not represent full PAYT implementation, and Oakland, California, due to an inability to access data from the city's private contractor. San Francisco, California, gave no response after repeated contact attempts, resulting in a final pool of 10 comparative cities. Similarities to Milwaukee among the final sample of comparable cities are depicted in Table 1. Appendix A describes the criteria used to determine each city's comparability to Milwaukee in given categories.

**Table 1: Responding City Comparison**

City	Population	Racial Composition	Median Household Income	Families Below Poverty Level	Owner-Occupied Housing	Climate
Milwaukee, WI	602,782	45% white/ 55% non-white or mixed race	\$35,233	21%	49%	seasonal snow
<b>Most Comparable to Milwaukee</b>						
Fort Worth, TX	Yes	No	Yes	Yes	Yes	No
Lansing, MI	No	No	Yes	Yes	Yes	Yes
Minneapolis, MN	No	No	Yes	Yes	Yes	Yes
Sacramento, CA	Yes	Yes	No	Yes	Yes	No
<b>Moderately Comparable to Milwaukee</b>						
Austin, TX	Yes	No	No	Yes	Yes	No
Grand Rapids, MI	No	No	Yes	Yes	No	Yes
Portland, OR	Yes	No	No	Yes	Yes	No
<b>Least Comparable to Milwaukee</b>						
Plano, TX	No	No	No	No	No	No
San Jose, CA	No	Yes	No	No	No	No
Seattle, WA	Yes	No	No	No	Yes	No

Sources: Barrett (2007), National Oceanic and Atmospheric Administration Satellite and Information Service (2009), U.S. Census Bureau (2005-2007)

We asked our final contact within each city to complete a survey administered electronically using SurveyMonkey (<http://www.surveymonkey.com>). The survey questions were designed to obtain a more detailed understanding of PAYT implementation, effectiveness, and other issues specific to each city. When possible, we created multiple choice questions based on our research of typical PAYT programs in order to make the survey more user-friendly. We also provided opportunities for the respondent to expand on answers in narrative form. Seven contacts responded immediately. The remaining three cities were resent the survey after seven to 10 days passed without response and each city subsequently responded. In total, we received 100 percent survey response from our 10 comparative city sample. See Appendix B for the complete survey and responses.

### **Milwaukee MSW Generation Distribution**

The City of Milwaukee does not collect household level data regarding the amount of MSW residents generate. The finest level of data available for this analysis lists the average weight of solid waste collected per route during an eight-month period in 2007 (City of Milwaukee 2007). These data allow for analysis of routes and provide an overall average MSW weight per household. However, without more specific data, the distribution of average MSW weight per household remains unknown. In other words, we cannot know exact amounts of solid waste each household generates.

The lack of household-level MSW data presents particular problems with regard to the multiple cart PAYT program alternative. Knowing household MSW output allows us to estimate the number of households that will choose each cart size and appropriately set pricing for the different sizes. The lack of data also creates problems in determining an equity index for this project. The equity index serves as a measure of price paid per unit of MSW by households. To overcome these data limitations we made certain assumptions and produced multiple scenarios about the distribution of MSW in Milwaukee (see Appendix C for full details).

### **Setting Prices for Each Alternative**

A program's full cost recovery depends on accurate establishment of prices for MSW collection. Prices represent the total amount of money paid for collection services, whether as a flat fee, volumetric charge, bag or tag price, or a combination of these charges. Costs that need to be recovered include personnel expenses, administrative costs, capital costs, collection expenses, and tipping fees.

Of these expenses, only the tipping fee varies significantly with the amount of MSW collected. To illustrate this, consider two households. One household disposes of 1 pound of waste per week, while the other disposes of 100 pounds each week. Milwaukee's collection costs for both households are the same, but disposing of the waste from the one pound household costs much less than from the 100 pound household. However, Milwaukee's tipping fee constitutes only a fraction of the overall cost of the program.

Given this, we determined that the PAYT alternatives should have a flat base fee with a variable fee added to it. The base prices described in this section partially cover the fixed collection costs to Milwaukee, while the variable fee reflects the amount of MSW disposed as well as some of the fixed costs.

Pricing for the Status Quo was left at the 2009 rate of \$150 per year.

Pricing for Alternative I, Multiple Cart Sizes, was complex. For this alternative, we devised scenarios using the standard deviations described in Appendix C to find the maximum number of households that might change from their current 95-gallon cart to a 32- or 64-gallon cart. We set annual cart prices at \$48 for a 32-gallon cart, \$96 for a 64-gallon cart, and \$144 for a 95-gallon cart; this represents a \$4 difference per month between each cart size. The pricing differential of \$4 per month is low relative to comparative cities but large enough to remain visible on residents' bills. We placed these annual cart prices into a formula established to set the base price assuming full cost recovery. The base price plus the cart price equals the total cost for MSW collection per household.

Establishing pricing for Alternative II, the Weight-Based Program, was relatively straightforward: We placed the base price of \$50 per year into a formula specifying both full cost recovery for the program and the amount of MSW generated each year. The formula produced the price per ton of MSW that the City would charge to customers based on those factors. This price could then be converted into a price per pound that customers understand is more easily.

Sample budget and pricing tables for the status quo and each alternative are presented in Appendix D.

## **Comparative Cities Analysis**

Our survey results from comparable cities show that Milwaukee would be a relative pioneer in choosing to implement PAYT. Few similarly sized American cities with PAYT programs exist. Moreover, we find no PAYT systems in Midwest cities with population, climate, and demographics similar to Milwaukee. Given this, we identified cities using PAYT programs with roughly the same profile as Milwaukee. Although Milwaukee remains distinct within the profile of PAYT communities, experiences with the impacts of other PAYT systems nationwide provide valuable information, as many cities resemble Milwaukee in one or more of the comparable criteria categories (see Table 1 and Appendix A).

### **Survey Responses**

The complete survey and survey responses are provided in Appendix B.

### **Program Descriptions**

The PAYT systems surveyed function under varying conditions. All comparable programs service residential homes. In addition, 90 percent of these municipalities collect MSW from two- to four-unit multifamily residences; 30 percent include PAYT in multifamily homes beyond five units. Approximately 44 percent of the cities have unionized municipal employees. Another 22 percent employ non-unionized municipal collectors, and one-third utilize contract labor.

Eight of the 10 survey cities operate with multiple cart systems. The remaining two cities use bag and tag systems only. Of the eight multiple cart communities, three cities use a three-cart system. Two additional cities began with three-cart systems, then later added 10–20 gallon “micro-can” sizes. Cities most comparable to Milwaukee, where at least four of the six criteria match “yes” in Table 1, include Fort Worth, Sacramento, and Minneapolis. Each uses multiple cart systems.

Many cities using multiple cart systems identified customer choice and a variety of household family sizes as reasons for their cart size offerings. Eighty percent of responding communities identified increasing recycling as a goal tied to their programs. Seventy percent also wanted to increase their municipality’s diversion rates, decrease trash output, and promote equity by charging unit rates with variable pricing systems.

Most comparable cities allow MSW in excess of the cart limit for an additional fee. Three cities require prepaid bags or tags for additional waste. These items are available for purchase at grocery stores or retail outlets. Three other cities collect MSW beyond the cart limit and bill the household for additional service. One city allows bulky waste set outs beyond the cart limit one time per month.

### **Program Implementations**

Two-thirds of the PAYT communities surveyed conducted pilot programs in their implementation process. Examples include a one-year pilot of 3,000 households in Austin and pilots with 17 neighborhoods in San Jose. Full-scale implementation varied by municipality. While Austin used a three year phase-in process for PAYT, five other communities moved directly from pilot programs to full implementation, and three cities moved directly from flat rate systems to full implementation without a phase-in period.

Almost 90 percent of the comparable cities promoted their PAYT programs to residents through education and outreach efforts. Cities used a broad range of techniques, from information included with the utility bill to public service announcements on radio and television, press releases, advertising, and news articles.

Seven cities identified a need for program change in conjunction with or subsequent to implementation. These include the introduction of smaller can sizes and changes such as switching recycling to carts from bins that are unrelated to the institution of PAYT. Six cities required administrative or billing changes for their MSW program. Necessary investments included software purchases; system adjustments for each new can size; expanded customer data, including tracking carts by serial number; and, in some cases, entire billing system overhauls. Specific cost estimates for enacting such changes were not specified by survey respondents and follow-up calls to comparable cities yielded no specific investment amounts.

### **Program Results**

Seven of the 10 cities surveyed report decreases in MSW tonnage under their PAYT systems. Reductions varied in terms of landfilled tonnage and actual MSW collected. For example, Fort Worth reports a 12.5 percent tonnage decline and 25 percent less in MSW collections. San Jose reports average weekly household MSW rates at approximately 96 gallons prior to PAYT and averages near 32 gallons per household after program implementation. Austin reports an initial decrease in tonnage that leveled off in subsequent years. Three respondent cities indicate tonnage rates similar or higher under a PAYT system to that under flat rates. Respondents report total landfill diversion rates from 22 percent in Fort Worth to 52 percent in Sacramento and 60 percent in San Jose.

These findings reinforce research that shows households alter disposal behaviors, purchasing habits, and recycling rates to reduce output with a PAYT system (Skumatz and Freeman 2006). The research and our comparable cities survey show no noticeable illegal dumping or additional littering as a method for residents to reduce the MSW in their carts (Van Houtven and Morris 1999; Skumatz 2008). Instead, the survey shows 80 percent of cities report recycling increases that complement MSW reduction. Fort Worth indicates an average weekly household increase in recycling from 3.92 pounds in 2002 before PAYT,

to 11.59 pounds the year after PAYT implementation, and 13.54 pounds in 2008. Other cities reflect similar results, with recycling tonnage rising from 12,000 tons per year to 40,000 tons per year in Sacramento and a 23 percent increase in Portland. The two municipalities without increases have recycling rates similar to those seen before PAYT.

Some limitations of PAYT systems are apparent in the survey results. Only two-thirds of responding municipalities achieve full cost recovery under their programs. Another 11 percent report higher revenues under PAYT, but fall short of cost recovery, and two cities, or 22 percent, indicate the same revenues now as they experienced prior to PAYT. However, these shortfalls represent a program design limitation and are not PAYT specific. Fort Worth initially experienced some difficulty with full implementation due to the large number of households served. Portland also notes the revenue difficulty for municipalities due to low recycling resale rates in current recessionary economic conditions. Austin finds inefficiency with the additional prepaid bags outside carts, due to incompatibility with a semi-automated collection system. Despite pricing structures to encourage the use of a larger bin size as opposed to extra bags, some residents continue to use additional bags.

### **Comparative Cities Summary**

Overall, the majority of comparable cities with PAYT programs use multiple cart systems. These programs work with union and non-union labor hired by the municipality or a contractor. Sixty percent of municipalities reported a need to retrain collection employees on the new system, which generally included minor actions, not significant investments. Nearly all survey cities took steps to prepare, such as resident education efforts, pilot programs, or both, before introducing PAYT to their communities. Many cities also adjusted their billing systems to accommodate variable pricing, but respondents did not specify adjustments or associated costs.

Once implemented, the comparable cities generally experienced MSW tonnage declines paired with recycling increases. Two multiple cart cities added more cart sizes in later years in the form of 10-20 gallon “micro-cans” in response to MSW reduction trends. Other cities reported only modest gains in terms of revenue and MSW reductions under PAYT, and a few results could be considered neutral. Other limitations under PAYT include insufficient pricing gaps to create incentive for cart size changes and inconveniences from manual pickup of additional bags or tagged items.

## Policy Options and Analysis

This section describes the three policy alternatives evaluated in this report: the status quo solid waste collection program, PAYT using multiple solid waste cart sizes, and PAYT using weight-based solid waste collection. The alternatives are analyzed in the context of the evaluative criteria of efficiency, effectiveness, equity, and ease of administration.

### Selecting Viable Alternatives

The administrative and equipment capabilities of Milwaukee and information gathered from comparable cities narrow the list of appropriate PAYT policies for analysis. Among specific PAYT options, both weight-based and volume-based systems serve as feasible options.

Within volume-based options, bag and tag PAYT programs are widespread throughout Wisconsin and the United States (U.S. EPA 1999a). These programs offer relatively simple administration and eliminate the need for a billing system (Folz and Giles 2002). However, bag and tag programs require manual collection of MSW to ensure residents' proper use, along with a distribution system through local retailers or the municipality for selling the appropriate supplies. Manual collection aligns best with smaller communities. The largest bag or tag system in Wisconsin operates in Manitowoc, with a population of approximately 34,000; Milwaukee is approximately 18 times larger in population and faces significantly different logistical challenges relative to small communities (U.S. EPA 1999b). Many communities including Milwaukee have moved to automated or semi-automated collection systems to speed MSW collection and reduce potential workers' compensation claims stemming from lifting and moving trash bags into trucks. Bag and tag systems lack compatibility with automated or semi-automated collection vehicles, like those used in Milwaukee. Milwaukee's size and semi-automated collection system eliminate bag and tag programs from further consideration in our analysis.

The remainder of this section compares the City of Milwaukee's current MSW and recycling collection program with two alternatives: a weight-based program and a multiple cart system.

### Policy Criteria for Evaluation

The following policy goals guide our evaluation of the alternatives. Appendix E provides a detailed description of the development of the criteria.

- **Efficiency:** An efficient PAYT system diverts the greatest amount of MSW, while charging the lowest possible fee for customers and using the fewest taxpayer dollars in the long run. To evaluate this, we consider capital investments relative to potential savings and new benefits of the PAYT alternatives. Full program cost recovery also serves as an efficiency metric for Milwaukee. We define cost recovery as the percentage of

program expenses paid by program income.

- **Effectiveness:** Guidelines for effectiveness include resident compliance with the collection program. Physical impacts, such as changes in MSW diversion and recycling rates, also measure effectiveness. A more effective program creates higher MSW diversion and recycling rates.
- **Equity:** Equity measures the ability of a program to charge residents based on the amount of service they consume, or, in other words, the amount of solid waste they generate. We defined an equity index to consistently measure the relative fairness of each policy alternative. This index shows the ratio of the prices paid between those that generate the most MSW and those that generate the least. An index of 1.0 indicates the most equitable system possible, where all residents pay the same price for each unit of MSW they generate. By comparison, an index of 2.0 indicates that households generating the least MSW pay twice as much per unit of MSW as those generating the most waste.
- **Ease of implementation:** This criterion examines the administrative requirements of the status quo and alternatives to compare the structural changes and information dissemination necessary for implementation.

We also consider political feasibility in our analysis. Because the City of Milwaukee has expressed interest in a PAYT program, we believe a full analysis of benefits and limitations under various alternatives will yield an acceptable result for the client. Therefore, feasibility discussion within each alternative occurs within the cost and administrative aspects listed in our policy goals, rather than as a stand-alone criterion for evaluation.

#### **Status Quo: Current Milwaukee MSW and Recycling Collection Program**

Milwaukee's solid waste program provides weekly collection of refuse from all single-family and multi-family homes with up to four units, totaling approximately 190,000 households. Recycling collection using 95-gallon carts occurs approximately once per month for most households, although 15 percent of households have weekly recycling collection using 18-gallon bins. Households pay a \$150 annual flat fee for MSW and recycling collection, which covers approximately 91 percent of the \$35.7 million combined program budgets for 2009. Milwaukee covers remaining costs through revenue from the resale of recyclables, state recycling grants, and the local property tax levy.

Households place their solid waste in 95-gallon carts, which two-person crews empty weekly using semi-automated collection trucks. The semi-automated system requires operators to connect the cart to the truck, which then automatically empties the cart. Households may request a second cart at no additional charge if they consistently produce more than 95 gallons of MSW per week. Residents may also place up to 4 cubic yards of additional solid waste out

with the cart for collection at no charge. More than 4 cubic yards of waste or large items require special pickup at a \$50 fee. Table 2 depicts the various services and charges under the status quo.

**Table 2:** Description of Status Quo: Current Milwaukee MSW Collection System

<b>Type of System</b>	Single cart size
<b>Size of MSW Carts</b>	95-gallons
<b>Charge for Single-Cart Service</b>	\$150/year (\$12.50/month)
<b>Charge for Additional Carts</b>	\$0
<b>Charge for Additional MSW (Not in Cart)</b>	\$0 (up to 4 cubic yards/week)
<b>Charge for Special Pickup (Large Items)</b>	\$50/pickup
<b>Charge for Recycling Collection</b>	\$0 (included in MSW collection fees)

Source: R. Meyers, personal communication January 30, 2009

Most Milwaukee households also use 95-gallon carts for recycling collection. These carts have a divided interior for separation of paper recyclables from glass, metal, and plastic recyclables. No set schedule exists, but Milwaukee collects recycling approximately once per month. Approximately 28,000 households use 18-gallon bins for their recycling collection. Bin use occurs in central city areas that have a majority of rental properties and alley pick-up service rather than curbside collection. Milwaukee collects bin recyclables weekly on set days.

Recycling markets continue to experience sharp variability with the recent economic downturn. Milwaukee contracts with Waste Management Recycle America to process and market recyclables at an annually adjusted fee of more than \$40 per ton. The proceeds from the resale of recyclables are split evenly between the city and Waste Management Recycle America. In 2008, the City received resale revenue of \$58 per ton, resulting in a net income of \$18 per ton after paying the processing fee. The 2009 budget figures in Table 3 rely on projected recycling resale revenues of \$40 per ton. Due to recycling resale declines, the City expects zero net revenue after paying for processing. Should recycling resale values drop below \$40 per ton, the total cost and cost per household figures may rise for collection services. However, overall cost savings can still be achieved relative to landfilling as the landfill tipping fee is avoided.

**Table 3:** Status Quo: Ongoing Income, Costs, and Cost Recovery

<b>Total Income/Revenue</b>	+\$33,165,000
<b>Total Expenses/Costs</b>	-\$36,325,385
<b>Net Income/Loss</b>	-\$3,160,385
<b>Percentage Cost Recovery</b>	91.30%

Source: E. Shambarger, personal communication February 16, 2009; authors' calculations

Note: Assumes standard deviation of 12.00 pounds, municipal tipping fee of \$30/ton, and 0% MSW reduction; see Appendix C for more details

**Efficiency:** Milwaukee's current system presents several opportunities to improve efficiency. The status quo provides little incentive, beyond offering recycling services without additional charge, for residents to divert more MSW. Households

pay the same flat rate regardless of their waste output. As Table 3 shows, the status quo does not achieve full cost recovery. In 2009, Milwaukee expects \$28.6 million in revenue from MSW user and special collection fees. State recycling grants and the resale of recyclables will generate an additional \$4.5 million. These revenue streams cover approximately 91 percent of the total cost for the MSW and recycling programs, leaving a \$3.1 million shortfall that must be covered by the local property tax levy.

The status quo provides efficiency benefits with respect to financial feasibility. The current MSW and recycling system requires little capital investment, limited to regular annual maintenance and adjustments for existing budgetary considerations.

The loss of value for recyclables due to economic recession and rising landfill fees are unfavorable economic trends that will make full cost recovery less attainable without increases in the flat fee. Continuing the current system rather than adopting PAYT maintains Milwaukee's reliance on property taxes to balance the MSW budget. Without change, the combination of these two trends may increase pressure on the budget.

**Effectiveness:** The status quo results in effective resident compliance. Milwaukee experiences no noticeable issues arising from illegal dumping (R. Meyers, personal communication February 26, 2009). However, this alternative shows less effectiveness due to a lack of incentive for households to divert MSW.

**Equity:** Flat fee MSW systems lack equity. Under the status quo, all Milwaukee households pay the same rate despite the amount of waste. As a result, residents who create little waste pay a higher rate per pound than residents who generate significantly more solid waste. Using the equity index described in Appendix E, City of Milwaukee households with the lowest disposal rates pay a range of 1.5 to 5.3 times as much per pound as households disposing the highest levels of MSW under the status quo. Appendix D provides detailed equity index calculations under different scenarios in the status quo.

**Ease of implementation:** Milwaukee's current system requires no implementation changes. Table 4 reflects the potential costs to implementing a different MSW program, but because the status quo is already in operation, there are no upfront costs to this program.

**Table 4:** Status Quo: Program Startup Costs

<b>New Cart Purchases</b>	\$0
<b>Updated Billing System</b>	\$0
<b>Truck Modification</b>	\$0
<b>Education/Outreach</b>	\$0
<b>Total Startup Costs</b>	\$0

Source: Authors' calculations

### Alternative I: Multiple Cart Sizes

Introduction of additional cart sizes for MSW, with higher prices for larger carts, shifts toward a full cost recovery PAYT system by aligning user fees with the amount of MSW collected. Many possible permutations of numbers of carts, gallon capacity combinations, and fee differentials exist when designing an optimal multiple cart PAYT system. Our peer cities survey shows that eight of our 10 responding cities use a multiple cart PAYT system. Of these, three operate a three-cart model, including Fort Worth and Sacramento, two of the most comparable cities to Milwaukee demographically (See Table 1 and Appendix A). In a three-cart model, Milwaukee would maintain the current 95-gallon carts as the largest MSW size option and as the standard size for recycling at all non-bin residences. Two new cart options include 32- and 64-gallon sizes.

By analyzing average tonnage rates for 2007 summer routes, we estimate a range of multiple cart pricing options. To achieve full cost recovery, we consider several scenarios to reflect data variance and two landfill fee scenarios for Milwaukee. Depending on the variables used, each household choosing a 32-gallon cart pays in the range of \$116 to \$136 annually under the multiple cart system. A household with a 64-gallon cart pays \$164 to \$184 per year. A household with a 95-gallon cart pays \$212 to \$232. These rates consist of a base rate plus a variable rate dependent upon the cart size each household chooses (see Setting Prices on page 9 for base rate details and Appendix C for additional details). These charges are shown in Table 5.

**Table 5:** Description of Alternative I: Multiple Cart Size MSW Collection

<b>Type of System</b>	Multiple Cart
<b>Size of MSW carts</b>	32, 64, and 95-gallons
<b>Base charge</b>	\$68–\$88/year
<b>Cart charge</b>	32-gallon: \$48/year 64-gallon: \$96/year 95-gallon: \$144/year
<b>Charge for additional carts</b>	Same as cart charge for first cart
<b>Charge for additional MSW (not in cart)</b>	\$3/30-gallon bag
<b>Charge for special pickup (large items)</b>	\$50/pickup
<b>Charge for recycling collection</b>	\$0 (included in MSW collection fees)

Source: Authors' calculations

Beyond the regular cart fees, a multiple cart system commonly involves extra charges for excess waste beyond the cart size. Based on peer city responses and research, we find pricing for additional bags of MSW and special pickups to be critical. Per bag and special pickup pricing may influence the cart size a household selects, and reinforce diversion and recycling MSW behaviors. In this multiple cart model, residents pay a \$3 charge for each 30-gallon garbage bag left outside the cart. Only distinct bags, sold through local retailers, will be collected. We assume that \$1 of each bag's cost will be used to cover administrative costs as well as reimburse retailers for distributing the bags. In addition, excess waste outside the cart, up to 4 cubic yards, costs \$50 per pickup, the same as a special

pick-up request. A second cart costs each household the same amount (base fee not included) as the first cart of the same volume. As an example, a second 64-gallon cart costs \$96 per year in addition to the \$166–\$186 per year for the first 64-gallon cart. Table 6 outlines these charges.

**Table 6:** Alternative I: Ongoing Income, Costs, and Cost Recovery Projections

<b>Total Income/Revenue</b>	+\$36,386,737
<b>Total Expenses/Costs</b>	-\$36,386,737
<b>Net Income/Loss</b>	\$0
<b>Percentage Cost Recovery</b>	100.00%

Source: Authors' calculations

Note: Assumes standard deviation of 12.00 gallons, municipal landfill/tipping fee of \$30/ton, and 0% MSW reduction; see Appendix C for more details

**Efficiency:** The multiple carts alternative allows Milwaukee to introduce pricing incentives that influence household disposal behaviors. Using three set monthly rates achieves greater efficiency than the status quo. This alternative requires significant investment in new carts, however, which detracts from efficiency. Current average household MSW rates indicate that instituting a multiple cart system would result in the vast majority of households switching to 32-gallon or 64-gallon carts. This reduces efficiency of the multiple cart system, because significant cart investments will be necessary to meet actual household disposal rates. Most households generate far less than 95 gallons of MSW on a weekly basis (authors' calculations, see Appendix D).

Non-binding price estimates from cart manufacturers Schaefer Systems and Rehrig Pacific Company create the basis for cart investment estimates. Schaefer Systems provides the lower price estimate at \$35 per 32-gallon cart and \$45 per 64-gallon cart. Based on the assumption that households would select the least expensive cart option to meet their MSW needs, we estimate a need to purchase 24,759 to 67,228 of the 32-gallon carts and 107,507 to 165,239 of the 64-gallon carts (see Appendix C). Zero to 15,265 households would keep the current 95-gallon bin. This totals an estimated \$5.7 million to \$9.8 million in capital investment costs for carts alone, using the lowest estimated rates for carts. These costs are reflected in Table 7.

**Table 7:** Alternative I: Program Startup Costs

<b>New Cart Purchases</b>	\$5,700,000–\$9,800,000
<b>Updated Billing System</b>	\$0
<b>Truck Modification</b>	\$0
<b>Education/Outreach</b>	\$200,000
<b>Total Startup Costs</b>	~\$5,900,000–\$10,000,000

Source: Authors' calculations

Potential exists for modest cost recovery on carts. Milwaukee can eliminate recycling bin costs for several years by reserving the unused 95-gallon carts for this purpose. Milwaukee may also possibly sell any excess cart overstock

back to the product distributor for \$15–\$20 each (Schaefer Systems, personal communication April 3, 2009). Milwaukee could also consider a phase-in period to reduce the financial impact of cart investments in any single budget cycle or consider requiring residents to purchase smaller carts with the recognition that households would recover the cost during the first year of the program.

**Effectiveness:** A multiple cart system influences household disposal and MSW diversion rates more than the status quo. Multiple carts should garner effectiveness in terms of residential compliance and acceptance because the cart rate remains consistent from one collection period to the next.

Pricing drives diversion rates in this system. Austin uses a \$5 per month gap between cart sizes, which is too small to motivate residents to switch to smaller carts (see Appendix B). Pricing carts and additional MSW services requires balance between incentives and revenues to find the threshold in each community for cart rates.

**Equity:** Multiple cart options enhance the equity of MSW services. Variable pricing based on household waste output reflects Milwaukee's goal of equitably establishing an MSW user fee system to a greater degree than the status quo, using common guidelines found in other U.S. cities. This alternative enhances both the process and perception of equity in municipalities. The equity index for multiple carts ranges from 1.22 to 4.40. This ranks more equitably than the status quo under all household disposal scenarios.

**Ease of implementation:** Switching to a multiple cart system would require few changes in the physical collection process of MSW. This system would require notable changes elsewhere, however. For the multiple cart system to work effectively, Milwaukee would need to implement a bag or tag system for excess waste. This includes establishing a network of local grocers and retailers to sell the bags or tags. Billing administration requires investment for modifications as well, although changes would be minor and would primarily require data input time as opposed to actual software changes (E. Shambarger, personal communication April 13, 2009; D. Rasmussen, personal communication April 24, 2009). Billing needs to reflect extra cart charges and collection fees for up to 4 cubic yards of MSW. We anticipate a need for Milwaukee to hire one additional employee or to train a current employee to manage multiple cart billing. This cost is included in all budget scenarios depicted in Appendix D.

## **Alternative II: Weight-Based Program**

Weight-based programs use technology to measure weekly household MSW disposal. Under this alternative, Milwaukee would contract with a company to install weight measuring scales in the lift mechanism of the current semi-automated MSW and recycling collection fleet. During collection, the truck calculates the MSW cart weight through the load cells outfitted in the lifting mechanism. Radio frequency identification transponder chips or bar code tags are attached to each customer's cart. As the lifting mechanism empties the cart, a receiver detects the cart's identification code and sends the registered weight information wirelessly to a computer in the truck. The computer decodes the identification number into a street address and records the average weight of several readings taken during the collection process (McLellan 1994). The data would be transmitted to Milwaukee's MSW billing system. Overall, this process adds less than 10 seconds to the collection (Luken and Smith 1994).

Unlike the multiple cart system, few examples of weight-based PAYT systems exist. In place of comparable cities data, we rely primarily on research and discussions with equipment vendors to evaluate this alternative. We find that Seattle and Minneapolis are among the most comparable communities with published results of weight-based pilot projects.

Seattle conducted the first weight-based pilot program in two phases during 1989 and 1990, with financing from a U.S. Environmental Protection Agency grant. The second phase of Seattle's pilot used semi-automated trucks, like those found in Milwaukee, and electronic identification tags comparable to technology available today. Weights recorded during collection were included in mock billing given to residents as a supplement to their regular, non-pilot MSW fees. Post-project analysis suggests that households accepted the system change and reduced their MSW rates by an average of 15 percent. This is significant because Seattle already operated under an established multiple cart PAYT system. The published case study identifies weight-based PAYT in Seattle's long-term MSW plans. However, more than a decade later, Seattle still uses multiple carts (Skumatz 1995; L. Skumatz, personal communication April 13, 2009).

Minneapolis conducted a pilot test for weight-based systems in the spring and summer of 1993. They installed weight-reading load cells in the lift mechanisms of their semi-automatic MSW collection trucks and recorded household information with electronic identification software. Minneapolis reported good accuracy and scale reliability in a post-pilot report, but ultimately decided against weight-based PAYT due to the short-term nature of their pilot and concerns about an unfamiliar system creating dissatisfaction for customers (Skumatz 1995).

Loadman On-Board Scales, a company based in Texas, specializes in weight-based equipment for MSW collection and recycling trucks. Their representatives contributed cost and accuracy information used in our considerations. Although the technology continues to develop, details for the weight-based alternative

require some speculation beyond our research and interviews. The basic features of the weight-based PAYT alternative are described in Table 8.

**Table 8:** Description of Alternative II: Weight-Based MSW Collection

<b>Type of System</b>	Weight-based
<b>Size of MSW Carts</b>	95 gallons
<b>Base Charge</b>	\$50/year
<b>Charge per Pound of MSW</b>	7.7–11.1 cents
<b>Charge for Additional Carts</b>	Charged at same rate per pound
<b>Charge for Additional MSW (Not in Cart)</b>	Charged at same rate per pound
<b>Charge for Special Pickup (Large Items)</b>	\$50/pickup
<b>Charge for Recycling Collection</b>	\$0 (included in MSW collection fees)

Source: Authors' calculations

In contrast with the current flat fee system, this alternative would include full cost recovery as a requirement when MSW collection charges are established. This results in income and revenue exactly equaling expenses and costs as shown in Table 9.

**Table 9:** Alternative II: Ongoing Income, Costs, and Cost Recovery

<b>Total Income/Revenue</b>	+\$36,448,089
<b>Total Expenses/Costs</b>	-\$36,448,089
<b>Net Income/Loss</b>	\$0
<b>Percentage Cost Recovery</b>	100.00%

Source: Authors' calculations

Note: Assumes standard deviation of 12.00 pounds, municipal tipping fee of \$30/ton, and 0% MSW reduction; see Appendix C for more details

**Efficiency:** Weight-based PAYT offers the highest incentive for efficiency by tying charges to the amount of household MSW. Charging by the pound provides clear incentives for residents to divert the greatest amount of MSW. We project full cost recovery as a result (see Table 9). Moreover, Milwaukee pays fees to the landfill by the ton. A weight-based system creates consistency between the unit of measure the City charges to residents and pays to the landfill.

Converting to a weight-based program would require capital investments in the loading equipment and software. This would include \$14,500 to retrofit each of Milwaukee's 173 rear-loading MSW and recycling fleet. An additional \$570,000–\$950,000 investment would cover electronic tag installation on Milwaukee's carts (D. Hoven, personal communication April 23, 2009). This totals \$3 million to \$3.5 million for fleet retrofitting, cart tags, and software investments. If Milwaukee refrained from retrofitting its 49 recycling trucks, capital investments would drop to \$2.2 million to \$2.6 million. However, retrofitting the recycling trucks might prove beneficial in the event that Milwaukee needed to deploy MSW trucks for other purposes.

This truck system also requires approximately \$36,000 in expenditures to make Milwaukee's billing system compatible with the weight-based equipment (D. Hoven, personal communication April 23, 2009; K. Klawitter, personal communication, April 24, 2009). In addition, two additional municipal staff positions may be required. These include one billing administrator for the weight-based system and a municipal technician for equipment service and maintenance. The price scenarios in Appendix C include two new employees, paid \$40,000 each annually and the associated fringe costs. Alternatively, Milwaukee may invest in training current employees to manage these functions. For the weight-based system, capital and additional staff investments total significantly less than the multiple cart alternative, although future maintenance costs remain unclear.

**Effectiveness:** Weight-based systems create little visible change in the physical process of collection services from residents' perspective. The primary concern arises in the need for Milwaukee to explain cost changes, the purpose behind them, and the new billing method to which residents must adapt. Otherwise, problems may surface with resident compliance. Residents may find a different monthly MSW bill unacceptable, compared to a consistent rate under the status quo or multiple cart system. With the proper outreach and education, opportunities under weight-based systems are extensive for diversion and recycling behavioral change. Milwaukee can charge a set rate per pound to achieve greater program cost recovery than under the status quo.

One concern with this alternative is that residents may subvert the weight system by, for example, disposing of MSW in a neighbor's cart. Research frequently examines this concern and consistently finds no evidence of this occurring (Folz and Giles 2002; Morris and Van Houtven 1999; Harrison 2000). Other concerns include "migrating" carts that do not remain with their assigned households. This may be best solved by stenciling the assigned address on each cart, although this complicates reuse of carts at other addresses. Electronic tagging can also tie each cart to a specific household, allowing Milwaukee to pinpoint carts that have been separated from their households. While using electronic tags without stenciling does not allow residents to know if they have their own carts, residents could label their own carts at their own expense.

**Equity:** In terms of paying for service use, weight-based PAYT programs promote the greatest equity of any alternative, outscoring the status quo and multiple cart system in all but one scenario. The equity index for Milwaukee in the weight-based model ranges from 1.09 to 1.80. In theory, weight-based systems could achieve an ideal 1.0 equity rating, where all households pay the same rate per pound of MSW. However, our pricing operates with a \$50 annual base fee, which makes a 1.0 equity rating unattainable.

**Ease of implementation:** A weight-based MSW collection system would function nearly identically to the current system in use in Milwaukee. In fact, residents would likely only notice changes in their bills. Under this alternative,

semi-automated trucks would collect MSW from 95-gallon carts. Loadman On-Board Scales sends technicians to install the weighing equipment between the city MSW truck bodies and the lifting mechanism. The trucks weigh the waste as it is emptied into the truck, and the weight is logged in the billing system. Because all MSW can be weighed, no additional fee would be charged for extra carts or for additional MSW outside the cart. Extra MSW would be placed into the household cart, weighed during a second emptying cycle, and included in the total weight billed for that week. Households that regularly generate excess MSW beyond 95-gallons would receive another RFID-tagged cart to save the manual labor of loading extra bags for a second weigh cycle. Single, odd-shaped items that do not fit in the cart, but are not considered laborious special pick-up items, may be collected free of charge once per month. These items constitute only a negligible percentage of MSW collection. Table 8 depicts the various services and charges under the weight-based alternative.

Equipment effectiveness relative to performance certification requirements is a concern with weight-based PAYT. A suburban Minnesota pilot encountered difficulties meeting state-mandated weight accuracy standards with its truck scales. When charging residents per pound of refuse, the scale needs to reflect the same accuracy as the fee structure. Streets on hills or sharply crowned roads may compromise some scale types when tilting more than 3 degrees (Luken and Smith 1994). Loadman On-Board Scales guarantees scale accuracy within a 1.5 percent margin of error. For a home disposing of 30 pounds of MSW per week, this means the scales and recording equipment will register a weight between 29.55 pounds and 30.45 pounds (K. Klawitter, personal communication April 3, 2009). The manufacturer claims that the scales maintain accuracy on uneven surfaces and guarantees the return of equipment failing to meet performance standards (K. Klawitter, personal communication April 3, 2009 and April 24, 2009).

Loadman runs full testing with Bayne MSW collection vehicles, including the TaskMaster and TaskMaster Hi-Lift models used in Milwaukee. With this partnership and equipment familiarity, Milwaukee may avoid some of the implementation challenges other pilot programs faced in the 1990s. Currently, the equipment meets Wisconsin Department of Agriculture, Trade, and Consumer Protection guidelines for commercial maintenance accuracy. The agency's initial equipment test uses more restrictive weight tolerances though, which may require the passage of legislation to allow the equipment's use in Milwaukee. Overriding the initial tolerance does not detract from the regular truck scale performance requirements. The legislative action does, however, create an additional political acceptability consideration for the weight-based alternative.

Weight-based systems also involve greater administrative complexity than the status quo or multiple carts. Weekly variability in billing rates per household requires more attention than a flat rate or established cart rate during the three-month billing accrual period. Milwaukee may choose to adapt the current billing system, similar to the way water meter reading occurs, to accommodate weight-

based billing (D. Rasmussen, personal communication April 24, 2009). This can be accomplished through the Loadman company's software writing capabilities for a onetime fee (K. Klawitter, personal communication April 24, 2009). Rehrig Pacific Company could also replace the current billing software with a web-based system for a \$36,000 annual fee (D. Hoven, personal communication April 23, 2009). Table 10 reflects this and other costs for the weight-based alternative.

Due to the relatively unprecedented use of weight-based PAYT systems, education and outreach efforts to explain the purpose and goals of this system could make implementation easier and enhance the program's effectiveness. Adoption of a weight-based system also would require corresponding changes to Milwaukee's recycling systems, such as increased collection frequency or larger bins, to handle expected increases in recycling volume (Skumatz and Freeman 2006).

Initial startup expenses are lower for this alternative than for the multiple cart alternative. An estimate of program startup costs is provided in Table 10.

**Table 10:** Alternative II: Program Startup Costs

<b>New Cart Purchases</b>	\$0
<b>RFID Tags for Existing Carts</b>	~\$570,000 - \$950,000
<b>Updated Billing System</b>	~\$36,000
<b>Truck Modification</b>	~\$2,500,000
<b>Education/Outreach</b>	\$200,000
<b>Total Startup Costs</b>	~\$3,306,000 - \$3,686,000

Source: Authors' calculations

## **Recommendation and Conclusion**

Based on analysis of research, comparable cities, City of Milwaukee data, and various alternatives, we recommend the weight-based PAYT system. The weight-based system creates the greatest efficiency and effectiveness with the least equity disparity among our alternatives. While less empirical information exists about the use of weight-based systems relative to other PAYT programs, Milwaukee benefits financially from substantially lower capital investment in weight-based equipment. The weight-based system presents implementation concerns to the extent that it requires more investment in maintenance, in the form of a municipal employee and potential equipment repairs. However, our calculations project that intermittent maintenance, staffing, and billing under a weight-based system require substantially less investment, even over a 10-year time horizon, than the additional millions of dollars in upfront costs necessary to implement a multiple cart system.

To ease the implementation process, we recommend that Milwaukee conduct a one-year pilot program that encompasses approximately 10 percent of the city's collection routes. Pilot programs for various aspects of MSW collection have been used in Milwaukee in the past (R. Meyers, personal communication February 26, 2009). A comprehensive pilot program could verify efficiency and effectiveness of the equipment and billing systems prior to full-scale implementation. Additionally, a one-year pilot would ensure that the equipment functions properly under all weather conditions. The lack of weight-based models and historical PAYT funding opportunities through the U.S. EPA may create possibilities for federal funding to support such a program (See Appendix B, Question 11). In addition, scale manufacturers have an economic incentive to provide equipment on favorable terms or at reduced prices to the extent that successful demonstration may open up new markets for them. Throughout the pilot process, detailed data tracking for waste collected per household will help to inform effectiveness of weight-based PAYT and contribute to Milwaukee's knowledge of MSW and recycling trends in the current flat rate system.

The new and generally unfamiliar weight-based program requires extensive education and outreach to residents to explain the transition to PAYT. These efforts could include information dissemination through billing statements, media outlets, advertisements on buses, and online resources. During the pilot period, Milwaukee might wish to institute a "dual billing" system to show residents their current flat fee monthly rates in comparison to the rates they would pay under a weight-based system. Milwaukee might consider sharing data with residents to show how their amount of garbage compares with other households on their route. Evidence from utility companies shows that social factors, such as neighbor comparisons, can add effectiveness to rolling out new programs. Some systems use graphics included with municipal service bills to demonstrate collection rates compared to the average and to those who throw away the lowest weight of solid waste (Ceniceros 2008; Kaufman 2009).

In conjunction with broad and effective communication enhancing political support for PAYT, some administrative changes can boost public acceptance. Communities attribute actions such as visibly removing the trash fee from the tax levy before imposing PAYT as being key to their success. Other communities attribute their success to receiving input from haulers when designing the PAYT program or using a pilot program or a phase-in approach for the PAYT program (Skumatz 2008).

Implementation of a weight-based Pay-as-You-Throw system will allow Milwaukee to enhance the efficiency and cost effectiveness of its municipal solid waste collection. While the lack of a weight-based operation in the United States creates some concerns, this alternative promotes the greatest equity and requires the least upfront capital investment of the PAYT alternatives. This alternative also meets Milwaukee's needs while making the greatest use of existing equipment and carts. Experts identify weight-based PAYT as the ideal system to reduce MSW generation, increase recycling, and create a sense of personal responsibility for households with respect to their waste. Implementing weight-based PAYT provides a genuine opportunity for Milwaukee to lead comparable cities and the rest of the United States in municipal solid waste service design and delivery.

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## Appendix A: Comparative City Selection Criteria

We administered a survey to a sample of 10 U.S. cities with PAYT programs. Within the final sample of responding cities, we denoted in Table 1 whether these cities were sufficiently comparable to Milwaukee based on specific criteria, including population, racial composition, median household income, families below poverty level, type of housing occupancy, and climate. Table 11 depicts the data on which we based our comparisons.

**Table 11:** Comparative Cities Data

City	Population	Racial Composition	Median Household Income	Families Below Poverty Level	Owner-Occupied Housing	Climate
<b>Milwaukee, WI</b>	<b>602,782</b>	<b>45% white/ 55% non-white or mixed race</b>	<b>\$35,233</b>	<b>21%</b>	<b>49%</b>	<b>Seasonal snowfall</b>
Austin, TX	725,306	64/36	\$48,227	13%	47%	No
Fort Worth, TX	635,612	62/38	\$44,804	14%	59%	No
Grand Rapids, MI	193,671	67/33	\$38,792	17%	62%	Yes
Lansing, MI	115,366	67/33	\$35,990	20%	59%	Yes
Minneapolis, MN	362,513	68/32	\$44,478	16%	54%	Yes
Plano, TX	255,591	76/24	\$79,687	4%	67%	No
Portland, OR	541,550	79/21	\$45,512	11%	57%	No
Sacramento, CA	446,721	50/50	\$48,584	12%	52%	No
San Jose, CA	898,901	49/51	\$76,354	7%	62%	No
Seattle, WA	565,809	71/30	\$56,319	7%	51%	No

Sources: Barrett (2007), National Oceanic and Atmospheric Administration Satellite and Information Service (2009), U.S. Census Bureau (2005-2007)

Cities in Table 1 received a ranking of “Yes” in each respective category if the following standards were met relative to Milwaukee:

- Population: Within 200,000 residents
- Racial Composition: Within 10 percent of white and 10 percent of non-white or mixed race residents
- Median Household Income: Within \$10,000 per household
- Families Below Poverty Level: Within 10 percent of families
- Owner-Occupied Housing: Within 10 percent of owner-occupied housing units
- Climate: Experiences regular seasonal snowfall

Cities that did not match the preceding standard received a “No” in the corresponding category.

## Appendix B: Comparative City PAYT Survey Results

To better understand the potential costs, benefits, and impacts of pay-as-you-throw programs, we surveyed 10 U.S. cities that use them: Austin, TX; Fort Worth, TX; Grand Rapids, MI; Lansing, MI; Minneapolis, MN; Plano, TX; Portland, OR; Sacramento, CA; San Jose, CA; and Seattle, WA. They are comparable to Milwaukee in size, population, demographics, and climate. We asked a contact within each city's government to complete a survey using SurveyMonkey (<http://www.surveymonkey.com>). We designed the questions to obtain more detailed understanding of PAYT implementation, effectiveness, and other issues specific to each city. When possible, we created multiple choice questions based on our research of typical PAYT programs. We also provided opportunities for respondents to expand on some answers in narrative form. This appendix provides the full comparative survey and results.

Each respondent answered every question. The results below indicate the frequency that respondents chose an answer as well as the actual number of times the answer was chosen. The results also include verbatim text that were typed by respondents into "Other" or "Comments" text boxes as well as answers to open-ended questions.

**Question 1:** What type of Pay-As-You-Throw system is being utilized by your municipality?

Answer Options	Frequency	Count
Prepaid bags	0.0%	0
Prepaid tags	0.0%	0
Multiple cart sizes	80.0%	8
Other (please specify)	20.0%	2

Other:

- Prepaid bags and multiple cart sizes
- All above options are being used.

**Question 2:** What cart sizes are used in your system? Check all that apply.

Answer Options	Frequency	Count
10 gallon	12.5%	1
15 gallon	12.5%	1
30/32/35 gallon	87.5%	7
45 gallon	0.0%	0
60/65 gallon	87.5%	7
90/95 gallon	100.0%	8
Other (please specify):	37.5%	3

Other:

- 32, 64 & 96 gallon carts
- 20 gallon
- 20 gallon mini-cans. This size is not supplied by franchised haulers and must be purchased by the residential customer

**Question 3:** Why were these particular cart sizes chosen?

Answer Options	Count
Open ended question	7

Answers:

- Pilot study indicated need for 95 gallon for once/week collection. 60-68 gallon chosen as incentive for reducing waste. 32 gallons tested but we had problems with collection arm in servicing this size.
- 32 gal was std industry garbage can size. We pretty much worked off of multiples or fractions of that, although the Mini-can that was available is 20 gallon and the micro-can size available is 10 gallon
- Standard 32 gallon increments, Manufacturer Availability
- Based on historical volumes.
- Standard sizes used by cities in Bay Area (CA); also sufficient movement between sizes including the “mini” size of 22 gallons - also all still can receive automated collection
- To provide standardized choice along with two frequencies of service (monthly and weekly) to meet a variety of residential needs. Roll carts supplied by the hauler result in a slightly higher cost than containers supplied by the customer.
- It was a good range of sizes to accommodate all sizes of families.

**Question 4:** Why was the specific number of cart offerings chosen (two cart sizes vs. three sizes...)?

Answer Options	Count
Open ended question	7

Answers:

- Started with 32 gal, 64, 96 for customer choice. Then added mini (20 gal) and micro (10 gal) as folks recycled more
- 32 gallon carts for single person households 64 gallon carts for small families and 96 gallon carts for large families
- To offer a wider range of savings to fit the customers’ needs.
- Because we have found that there is a variety of needs throughout the community due to different family & household sizes, cultural practices, frequency of service, and other factors; and we wish to avoid the practice of extra set-outs when possible. Please note that recycling & yard debris containers are standardized to ONE size (65 gallon roll carts) and all are provided by the hauler.
- We have a variety of family sizes in Austin.

**Question 5:** Are residents allowed to place out solid waste that does not fit in their cart?

Answer Options	Frequency	Count
Yes, and there is no additional charge	12.5%	1
Yes, but waste must be in prepaid bags or have a prepaid tag on it	25.0%	2
Yes, and residents are billed separately for additional waste	37.5%	3
No, residents must take additional waste to the dump or hold it for later pickup	0.0%	0
No, residents must call for special pickup	0.0%	0
Other (please describe)	25.0%	2

Other:

- No. Residents have the option of placing items that cannot fit into the cart for once monthly bulky waste collection or taking the items to the transfer stations (limited to 2x per month). We do collect items outside of cart the week after holidays.
- Additional solid waste bags can be placed outside of the cart but each bag must have a \$4.00 sticker which can be purchased at area grocery stores. There is an \$8.00 per bag charge for each unstickered bag

**Question 6:** Why was this specific type of program selected over other Pay As You Throw programs or alternative options? Check all that apply.

Answer Options	Frequency	Count
Compatibility with existing collection equipment	60.0%	6
Ease of implementation	50.0%	5
Accurately charges users for their solid waste output	80.0%	8
Politically feasible	60.0%	6
Other (please specify)	30.0%	3

Other:

- We originally used prepaid stickers for “extra garbage” beyond the cart, but that proved to be a huge hassle.
- Encourage recycling/diversion
- Garbage collection & recycling service is not required for SFR homes unless they are a rental property (all rental property owners & managers are required to provide garbage & recycling to tenants).

**Question 7:** What were the goals of the municipality in changing to a Pay As You Throw program? Check all that apply.

Answer Options	Frequency	Count
Recovering a higher cost ratio for services provided	20.0%	2
Increasing the solid waste diversion rate	70.0%	7
Decreasing trash output	70.0%	7
Promoting equity for residents by charging per unit rather than a flat fee	70.0%	7
Increasing recycling rates	80.0%	8
Other (please specify)	0.0%	0

**Question 8:** Approximately how many households are served by the program?

Answer Options	Count
Open ended question	10

Answers:

- 14,750; 55,000; 68,000; 105,000; 130,000; 150,000; 150,000; 175,000; 195,000; 202,000

**Question 9:** What types of homes are served by the program? Check all that apply.

Answer Options	Frequency	Count
Single family homes	100.0%	10
Multifamily homes, 2-4 units	90.0%	9
Multifamily homes, 5+ units	30.0%	3
Other (please specify)	20.0%	2

Other:

- Multifamily complexes (regardless of the number of units) currently have an option to choose individual carts or common bins.
- Multi-family includes moorages, group homes, trailer parks, congregate care & retirement facilities, etc.

**Question 10:** What year was the Pay As You Throw program implemented in?

Answer Options	Count
Open ended question	10

Answers:

- 1968; 1973; 1989; 1993; 1995; 1996; 1997; 1998; 2000; 2003

**Question 11:** Were pilot programs conducted before full implementation of the program?

Answer Options	Frequency	Count
No	33.3%	3
Yes (describe the size and scope of the pilot program)	66.7%	6

Answers:

- 8,000 homes with 32 and 68 gallon containers
- Several thousand homes
- There was a pilot cart program but it was not PAYT. Areas were selected based on varying demographics but all waste was collected with no additional cost.
- From July 1991 thru July 1992 the Solid Waste Department conducted a one year PAYT pilot with 3000 households which tested all elements of the new approach, including different cart sizes and variable rates.

- The program began as part of a federal study to determine the feasibility of cost-per-unit collection systems as opposed to flat rate unlimited services in regard to their potential for limiting trash generation.

**Question 12:** Was the program rolled out to all participants at one time, or was it phased in?

Answer Options	Frequency	Count
All participants at one time	88.9%	8
Phased in (please describe)	11.1%	1

Answers:

- City Council approved a three year, phased in conversion, of the entire city to begin in 1993. Service implementation began with Phase I in Aug 1993, Phase II in June 1994, Phase III-A in Nov 1995, and Phase III-B in June 1996.
- City Council adopted variable rates in July 1997, and all customers citywide were converted to PAYT in 1997.

**Question 13:** Was there an education or outreach program targeted at citizens alerting them to the changes in solid waste collection and costs?

Answer Options	Frequency	Count
No	11.1%	1
Yes (describe education/outreach programs)	88.9%	8

Answers:

- Articles in citywide newsletter, press release, website
- Direct mail, print and electronic media advertising
- News articles, water bill inserts, mass mailing
- Bill stuffers and mailers.
- A comprehensive public outreach campaign aimed at single-family households explained the new variable rates being introduced, the new categories of recyclables being added to the services provided, and the benefits of participating. All materials were produced in three languages (English, Spanish, and Vietnamese). The campaign was guided by the information received during a series of focus groups in the three languages, baseline and follow-up telephone surveys, and shopping mall intercept surveys. More than 250 community meetings were held in 1993, and a block leader program and school education program were organized. See EPA case study at <http://www.epa.gov/epawaste/conservation/tools/payt/tools/ssanjose.htm>
- At the time of implementation, we were bringing several complementary programs on-line. We were adding materials to our curbside recycling program, and expanding our yard trimmings program. Educating the public about PAYT was a comprehensive, multi-media approach to information which included paid advertisement and inserts about program guidelines in the Austin American Statesman, 14 billboards around town

with program guidelines, utility bill inserts about the new extra garbage stickers, radio advertisements and press releases about the message “Recycle or PAYT, it’s your choice”, direct communication with neighborhoods and new neighborhoods as they were added to the program, door hangers with program guidelines, and bi-monthly newsletters to neighborhood associations, and presentations at neighborhood meetings. To keep awareness of the new program high, messages using the tagline “Recycling Right” and “Take the bin to the curb” were also run during the early stages of the implementation.

- Mailings and school students and advertisements.
- Media releases and mailings

**Question 14:** Have there been any significant changes to the program since its original implementation?

Answer Options	Frequency	Count
No	30.0%	3
Yes (please describe)	70.0%	7

Answers:

- Introduced mini can and micro can after initial rollout
- Changed from bi-weekly to weekly.
- No longer offer 128 gallon cart, now offer 22 gallon cart
- Residential solid waste collection has been a franchised service historically in Portland. With the mandate that recycling be available to all residents, there have been multiple changes to the Portland Recycles! program with pilot programs and ongoing training & educational outreach to residents and businesses.
- Garbage collection rates and extra garbage fees have gone up over the years, but recycling is still included in the base rate at no extra charge. Garbage collection is now fully automated. We have just over the last several months switched from the bin system for recycling to a 90 gallon cart based single stream recycling program. We accept more materials in the recycling program and materials can all be co-mingled in the recycling cart.
- The addition of various sized carts was implemented in 1997. 21/32/65/95 gallon carts.
- Added the refuse cart program (various sizes). Added appliance stickers and bulk sticker items.

**Question 15:** Were major changes to the solid waste billing or administration program required with implementation of the PAYT program?

Answer Options	Frequency	Count
No	40.0%	4
Yes (please describe)	60.0%	6

Answers:

- Each time we added a size of can, we needed to modify the billing system
- Varying pay rates had to be set up, cart tracking by serial number, new customer service tracking program implemented. The PAYT started at the same time the City of Fort Worth took control of customer service for solid waste collections; this was previously a function of the collections contractor.
- Setup billing system and expand data on customer base.
- Software required to bill residents appropriately
- Our rates are adjusted annually through review by independent economists, and the most recent (2008) change to the recycling program (mandating hauler-provided roll carts for recycling & yard debris collection) resulted in a significant increase in residential rates and tipping fees (commercial rates are determined by the hauler & business customer in a non-franchised system).
- Prior to implementing variable billing rates, the City of Austin had to update its entire billing system.

**Question 16:** Did implementation of the PAYT program require retraining of solid waste collectors?

Answer Options	Frequency	Count
Yes	60.0%	6
No	40.0%	4

Comments:

- A little bit when we introduced semi-automated carts
- All services are contracted
- City collects single family residential and some commercial customers.
- Likely to some degree but still mainly just emptying carts regardless of what's in them.

**Question 17:** Which statement best describes the status of solid waste collectors in your municipality?

Answer Options	Frequency	Count
Unionized municipal employees	44.4%	4
Non-unionized municipal employees	22.2%	2
Unionized contract employees	22.2%	2
Non-unionized contract employees	11.1%	1

Comments:

- Private franchised haulers
- They have the option to join the Municipal Employees Union which offers membership to all municipal, federal, state and county employees. Membership dues are deducted from employee paychecks.
- Private haulers are permitted to acquire as many customers as they would like, no franchise agreements and these are almost all non-union employees that the municipality competes against. There are also no requirements on the days that areas are served. As a result there are many trucks in many areas on different days. We are working toward improving that as we write.

**Question 18:** Per capita solid waste (garbage) tonnage collected has...

Answer Options	Frequency	Count
Increased	10.0%	1
stayed the same	20.0%	2
Decreased	70.0%	7

Please describe magnitude of change:

- Have relatively few residents that have elected to participate with smaller container and lower fee. 68 GAL CARTS - 3,612; 95 GAL CARTS - 65,349
- Overall recycling rate across all waste streams has gone from 24% to 48.4%. Increase is even greater for single family sector - now reaching near 60% recycling. This is due to introduction of curbside yard waste and curbside recycling collection as well as PAYT
- Based on the information available the total tonnage was reduced by about 12.5% & garbage collected was reduced by about 25%
- disposal has decreased with recycling increasing significantly, from 12,000 tons per year to over 40,000 tpy
- Prior to PAYT and the cart-based recycling program, residents set out an average of three 32-gallon garbage carts per week. Now approx. 80% have one, 32-gallon garbage carts.
- Unclear at this time - not enough data. Overall our recycling rates have increased from mid 40 percentile in mid-90s to 63% in 2007.
- Solid Waste Services tracks performance measures by residential customer account, or household, not per capita. Our per household garbage tonnage

decreased since the beginning of the program, and then has leveled off and stayed consistent since.

- For the city crews, we are not aware of the private sector experience. They own the landfill, we pay to tip there.

**Question 19:** Per capita recycling tonnage collected has...

Answer Options	Frequency	Count
Increased	80.0%	8
Stayed the same	20.0%	2
Decreased	0.0%	0

Please describe magnitude of change:

- .0194% increase
- City -wide all waste streams we are at 48+% recycling as of 2007
- 02-03 - 3.92 pounds per household per week 03-04 - 11.59 pounds per household per week Last year 13.54 pounds per household per week
- Increased from 12,000 tpy in 2000 to 36,000 tpy in 2004 to a little over 40,000 tpy in 2008.
- The volume of recyclables and yard trimmings being collected more than doubled the levels recorded prior to the cart-based recycling program and PAYT.
- Solid Waste Services tracks performance measures by residential customer account, or household, not per capita. Before PAYT implementation, tonnage was low but increasing. Since implementation, levels have been static

**Question 20:** Solid waste (garbage) diversion rates have...

Answer Options	Frequency	Count
Increased	77.8%	7
Stayed the same	22.2%	2
Decreased	0.0%	0

Please describe the magnitude of change:

- Residential diversion increased from 39.8% to 41.1%. This number includes yard trimmings composting, HHW recycling and reuse, electronic recycling and appliance recycling.
- up to 48+%
- 02-03 diversion rate was 5.48% 03-04 diversion rate was 19.3% The last couple of years we are running between 22 & 23%
- Currently at approximately 52%
- Diverted 60% in 2006 and 44% in 1995 according to the CIWMB (<http://www.ciwmb.ca.gov/LGTools/mars/JurDrSta.asp?VW=In>)
- Solid Waste Services defines diversion rate as the amount of yard trimmings and recyclables diverted as a percentage of the total amount of garbage, recyclables, and yard trimmings generated and collected through weekly curbside pickups. Through the PAYT program and enhancements

to the curbside recycling program, the diversion rate went up and has, with minor fluctuations, remained constant over the last twelve years or so.

**Question 21:** Has there been any noticeable increase in littering or illegal dumping since implementing the PAYT program?

Answer Options	Frequency	Count
Yes	0.0%	0
No	100.0%	10

Comments:

- Littering/illegal dumping is a chronic low-level problem, but has not gone up w/ PAYT
- We opened citizen drop off stations along with the start of the PAYT program and have actually had a decrease in illegal dumping.
- In the beginning we did have instances where extra bags came from neighbors, but that leveled off.

**Question 22:** How has PAYT impacted solid waste revenues? Check all that apply.

Answer Options	Frequency	Count
The program is at full cost recovery	66.7%	6
The program is at less than full cost recovery and revenues are higher under PAYT than previously	11.1%	1
The program is at less than full cost recovery and revenues are the same under PAYT as previously	22.2%	2
The program is at less than full cost recovery and revenues are lower under PAYT than previously	0.0%	0

Comments:

- We have a profit sharing contract for our recycle processing and the revenue generated depends on the market. The last two quarters have seen drastic drops in commodity prices and our share of the revenue.
- Recycling is subsidized by payment per ton by the processor.
- Check back later
- We are an enterprise fund and through the rates that we charge our customers, we generate excess money that goes to the general fund. Also, with PAYT we realize more money through charging for larger carts, extra carts and collection of extra garbage.
- Just barely coming out even.
- The refuse program is supplemented by a refuse millage

**Question 23:** Please describe any unanticipated problems or difficulties with the Pay As You Throw program.

Answer Options	Count
Open ended question	9

Answers:

- None (x4)
- Contamination in recycling is high. Full implementation at one time was difficult due to the number of households.
- The cost savings are not difficult for the customer to see.
- Sustained economic downturn has affected recycling markets - recycling subsidizes residential garbage rates in Portland, and this loss of income has negatively impacted haulers. Given that the changes to our recycling program were implemented less than a year ago, it's hard to quantify how the changes have impacted our recovery rates, etc - simply not enough data AND too many variables.
- Manual collection of extra garbage bags creates inefficiencies with a system designed to tip garbage carts with automated trucks. Also, there are households that regularly generate larger volumes of extra garbage, and it's more desirable to all parties concerned, if they properly size their garbage carts, ie, go to a larger sized garbage cart. Although it goes against the philosophy of PAYT, it's cheaper for these customers to upgrade to a larger sized cart, and more efficient for our collection. There are also administrative costs to tracking and billing for extra garbage.
- We have to drive every street looking for the bags, there is no subscription requirement!! More fuel, more time, more cost!

**Question 24:** Please describe any other major issues, benefits, or relevant points associated with the program.

Answer Options	Count
Open ended question	7

Answers:

- The citizens get it. It is logical and is perceived as equitable. We are applying PAYT to our curbside yard waste/food waste composting collection with 13 gal, 32 gal and 96 gal options.
- Increased diversion has resulted in decreased disposal, and therefore stabilized disposal rates.
- There is some concern (and some anecdotal evidence) that, in order to save money, people will choose a smaller sized garbage bin and put their garbage into the larger recyclables cart. Some people do seem to do this but it's not the majority of people and tagging carts for contamination rather than just picking them up.
- The City of Portland currently provides commercial food generators with food composting - we hope to site a local composting facility to offer this service to residents in the next 18 months to 2 years.

- We found that if you allow for extra garbage, you must have a large enough rate gap between garbage cart sizes to incentivize recycling.
- We hope with the upcoming conversion to single stream recycling, from sort separated at curb, that we begin to see volume of trash being landfilled decline.
- None

## **Appendix C: Constructing a Distribution of MSW Production**

Milwaukee does not collect data on the amount of municipal solid waste each household in the city produces. The best data available show the average amount of MSW per collection route during an eight-month period in 2007 (City of Milwaukee 2007). This data can provide route-level information, but specific household data cannot be derived from it because the standard deviation of the data is unknown. The standard deviation describes how tightly all of the observations in a data set cluster around the mean (average) of the data. For example, if the mean of a data set is 40.00 and the standard deviation is 2, the majority of the data points fall between 38.00 and 42.00.

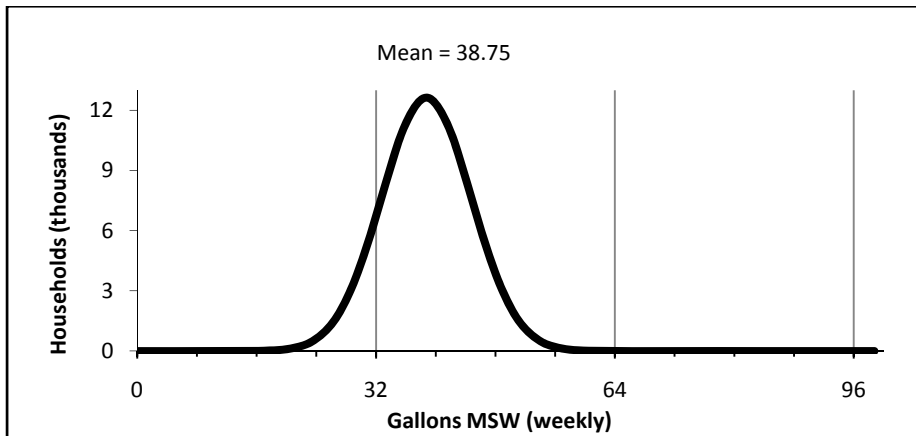
If the standard deviation and mean of a data set are known, the distribution of data points can be known. In this case, the mean of the MSW is known, but the standard deviation for Milwaukee's data is unknown. Therefore, the distribution of MSW generation by household cannot be generated from empirical records. The only relevant information that can be drawn from the available data is that the average household disposed of 43.16 pounds of MSW per week during this period. We converted this figure to an average weekly volume of 38.75 gallons using a standard conversion of 225 pounds per cubic yard of MSW.

The distribution of household MSW determines the pricing structure for a multiple cart PAYT system by determining the number of households that may subscribe to each cart size. To develop reasonable estimates of the unknown distribution of households, standard deviations from 1.00 to 38.00 (just less than the mean of 38.75 gallons per household) were considered. This range produced wide variation in the number of households potentially using each cart size. Using a more plausible range of standard deviations from 6.00 to 18.00 also produced widely varying estimates of the number of households using each cart size.

However, when these estimates were placed into the pricing formula, the range of prices for each cart size was fairly narrow and stable. In fact, the range of prices varied by only a few dollars for each cart size, even when the distribution of carts changed considerably. Given this, we examined the status quo and each alternative using theoretical distributions with standard deviations of 6.00, 12.00, and 18.00. The standard deviations were measured in either pounds or gallons depending on what was relevant for each alternative.

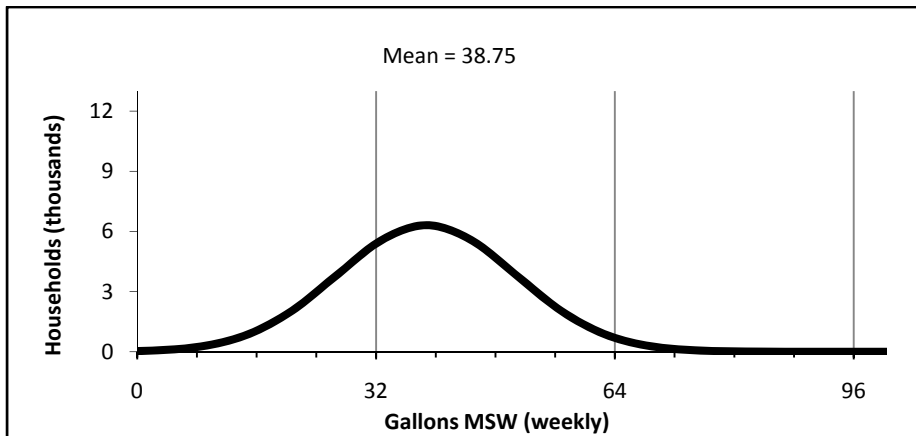
Figures 1, 2, and 3 graphically depict these standard deviations.

**Figure 1:** Normal MSW Distribution with Standard Deviation of 6.00



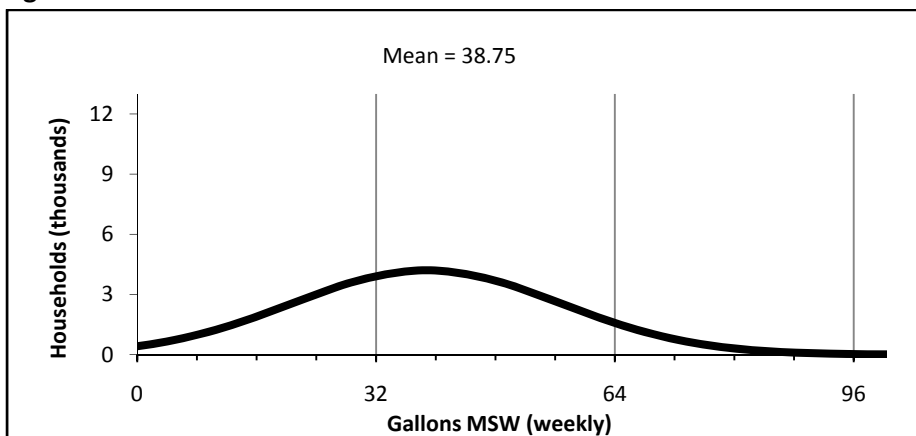
Source: Authors' calculations

**Figure 2:** Normal MSW Distribution with Standard Deviation of 12.0



Source: Authors' calculations

**Figure 3:** Normal MSW Distribution with Standard Deviation of 18.0



Source: Authors' calculations

## **Appendix D: Alternative Budget and Pricing Development**

This section describes the method used to establish budgets and an equity index for the status quo and both alternatives. Because we did not know the standard deviation for household MSW distribution, we outlined scenarios using hypothetical standard deviations of 6.00, 12.00, and 18.00. We also hypothesized scenarios using a tipping fee of \$30 per ton, the approximate rate Milwaukee pays in 2009 to unload waste at the dump, and \$35 per ton, which the client asked us to include. Finally, we projected scenarios using current levels of MSW generated by the city, a 10 percent reduction in total waste, and a 20 percent reduction in total waste. These waste reduction figures fall within the reasonable range of waste reduction reported by the comparative cities we surveyed and literature on cities moving to PAYT systems from flat-rate MSW collection.

These considerations resulted in six status quo scenarios, where no waste reduction was analyzed; 18 Alternative I scenarios; and 18 Alternative II scenarios. For each alternative, only one budget scenario is presented in this appendix, demonstrating a standard deviation of 6.00, a tipping fee of \$30, and zero reduction in MSW.

We started with a budget for the status quo which was based on the 2009 Milwaukee Solid Waste Budget (City of Milwaukee). This base budget was used for all of the pricing and equity index scenarios, with changes that are described below for each alternative.

Tables 12, 14, and 16 show the prices and the equity index for each scenario of each alternative. These tables show the standard deviation, the tipping fee, the waste collection charge, the equity index, and the cost recovery percentage for each scenario. The tables also present the total annual price that would be paid by the median Milwaukee household under each scenario.

### Status Quo Summary: Current MSW and Recycling Program

Six scenarios were constructed for the status quo. These used standard deviations of 6.00, 12.00, and 18.00, each with a landfill tipping fee of \$30 or \$35 per ton. Because no municipal solid waste reduction is assumed under the status quo, the scenarios do not reflect any reduction in MSW.

Under the status quo, the median household (in fact all households) pays \$150 per year for its MSW and recycling collection. This results in a program cost recovery of 88 to 91 percent depending on the tipping fee that is used. Table 12 displays these summary results as well as the equity index for each scenario.

**Table 12:** Status Quo Scenarios

Scenario	Std. Dev.	Tipping Fee	0% MSW Reduction Median Charge	% Cost Recovery
SQ1	6.00	\$30	\$150 Equity Index: 1.23	91.3%
SQ2	6.00	\$35	\$150 Equity Index: 1.23	88.7%
SQ3	12.00	\$30	\$150 Equity Index: 2.11	91.3%
SQ4	12.00	\$35	\$150 Equity Index: 2.11	88.7%
SQ5	18.00	\$30	\$150 Equity Index: 3.30	91.3%
SQ6	18.00	\$35	\$150 Equity Index: 3.30	88.7%

Source: Authors' calculations

A sample status quo budget scenario is presented in Table 13. A number of assumptions are contained in this budget:

- It is assumed that the long-run resale value of recyclables is \$80 per ton (R. Meyers, personal communication, March 24, 2009). Of this amount, Milwaukee receives \$40 in gross revenue. This amount is used in all budget scenarios.
- The state recycling grant is assumed to be the same as the FY2008 grant.
- "Overhead" excludes fringe benefits and depreciation expenses.
- Standard deviations of 6.00, 12.00, and 18.00 were used in calculating the equity index. The standard deviations were not relevant for price determination in the status quo.
- The tipping fee was set at \$30 and \$35 per ton as the client requested.

**Table 13: Status Quo Sample Budget Scenario**

<b>Status Quo: Current Milwaukee System Estimated Budget</b>				
Scenario 1: Standard Deviation = 6, MSW Tipping Fee = \$30				
<b>INCOME/REVENUES</b>				
<b>MSW Program</b>				
Number of Households	190,000	x Base Price	\$150	\$28,500,000
Extra Collection				
Large Pickups (>4 Yards <sup>3</sup> )	2,500	x Charge per pickup	\$50	\$125,000
<i>Total MSW Income/Revenue</i>				<i>\$28,625,000</i>
<b>Recycling Collection</b>				
Tons Collected	26,000	x Resale value per ton	\$40	\$1,040,000
Recycling state grants				\$3,500,000
<i>Total Recycling Income/Revenue</i>				<i>\$4,540,000</i>
<b>Total Income/Revenue</b>				<b>\$33,165,000</b>
<b>EXPENSES/COSTS</b>				
<b>MSW Program</b>				
Labor				\$11,334,141
ODWs Salaries (77 routes)			\$9,507,027	
OT (driver only)			\$327,019	
Field Clerks/Cart Techs			\$208,934	
San Workers			\$493,630	
Supervisors			\$797,532	
Fringe Benefit				\$4,646,998
Trucks				\$3,779,577
Maint/Repair/Fuel			\$1,902,096	
Depreciation			\$1,877,481	
Tonnage	190,000	x Tipping fee per ton	\$30	\$5,700,000
Other operating expenses				\$475,000
Containers				\$645,000
Overhead (13.38%)				\$2,683,525
<i>MSW Total</i>				<i>\$29,264,241</i>
<i>Continued on following page</i>				

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**EXPENSES/COSTS *continued***


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**Recycling Program**

Labor			\$2,306,512
ODWs Salaries (34 routes)		\$2,098,954	
OT		\$144,398	
Supervisors		\$265,884	
Recycling Manager		\$63,160	
Fringe Benefit			\$945,670
Trucks			\$1,471,882
Maint/Repair/Fuel		\$839,664	
Depreciation		\$632,218	
Tonnage	26,000	x Processing fee per ton	\$40 \$1,040,000
Other operating expenses			\$250,000
Containers			\$400,000
Overhead (13.38%)			\$647,080
<i>Recycling Total</i>			<i>\$7,061,144</i>
<b>Total Expenses/Costs</b>			<b>\$36,325,385</b>

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**COST RECOVERY**


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Total Income/Revenue	\$33,165,000
Total Expenses/Costs	\$36,325,385
Net Income/Loss	-\$3,160,385
<b>Percentage Cost Recovery</b>	<b>91.3%</b>

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**EQUITY MEASURE**


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Resident	Charge		Price/pound
10th Percentile Household	\$150 ÷ Annual MSW Pounds	1,735	\$0.086
Median Household	\$150 ÷ Annual MSW Pounds	2,158	\$0.070
90th Percentile Household	\$150 ÷ Annual MSW Pounds	2,543	\$0.059
<b>Equity Index</b>	<b>1.47</b>	Ratio of low-volume price to high-volume price	

### Alternative I Summary: Multiple Cart Sizes

Alternative I required the construction of 18 scenarios. As in the status quo, the standard deviation was 6.00, 12.00, and 18.00, each with a landfill tipping fee of \$30 and \$35. We assumed that some level of MSW reduction will occur when customers are charged based on their MSW output. We constructed scenarios to reflect 10 percent or 20 percent total reductions in MSW in addition to the other variables.

Under Alternative I, the median household produces 38.75 gallons of MSW per week with no MSW reduction, 34.84 gallons with a 10 percent reduction, and 31 gallons with a 20 percent reduction. We assume that under all of these scenarios the median household will use a 64-gallon cart. In this case, the median household will pay between \$164 and \$184 per year for MSW and recycling collection depending on the variables. Table 14 displays these summary results as well as the equity index for each scenario.

**Table 14:** Alternative I: Multiple Carts Scenarios

Scenario	Std. Dev.	Tipping Fee	0% MSW Reduction Median Charge	10% MSW Reduction Median Charge	20% MSW Reduction Median Charge
MC1	6.00	\$30	\$171 Equity Index: 1.08	\$168 Equity Index: 1.07	\$164 Equity Index: 1.06
MC2	6.00	\$35	\$177 Equity Index: 1.09	\$173 Equity Index: 1.08	\$169 Equity Index: 1.07
MC3	12.00	\$30	\$178 Equity Index: 1.69	\$174 Equity Index: 1.68	\$171 Equity Index: 1.67
MC4	12.00	\$35	\$184 Equity Index: 1.71	\$180 Equity Index: 1.70	\$176 Equity Index: 1.68
MC5	18.00	\$30	\$178 Equity Index: 2.88	\$175 Equity Index: 2.86	\$171 Equity Index: 2.84
MC6	18.00	\$35	\$184 Equity Index: 2.91	\$180 Equity Index: 2.89	\$176 Equity Index: 2.87

Source: Authors' calculations

A sample multiple cart budget scenario is presented in Table 15. A number of assumptions are contained in this budget:

- This alternative will require one new employee for billing, technical support and maintenance of the weighing system. This employee is budgeted at \$40,000 annually, plus the associated fringe costs.
- Full price recovery was specified for the alternative.
- Cart charges were set at \$48 per year for a 32-gallon cart, \$96 per year for a 64-gallon cart, and \$144 per year for a 95-gallon cart. Once these prices were established, a base charge could be set.

**Table 15: Alternative I Sample Budget Scenario**

<b>Alternative I: Multiple Cart System Estimated Budget</b>				
Scenario 1: Standard Deviation = 6, MSW Tipping Fee = \$30, MSW Reduction = 0%				
<b>INCOME/REVENUES</b>				
<b>MSW Program</b>				
Number of Households	190,000	x Base Price	\$75	\$14,290,073
Cart Charge				
Number 32g Households	24,759	x Annual Charge	\$48	\$1,188,432
Number 64g Households	165,239	x Annual Charge	\$96	\$15,862,944
Number 95g Households	2	x Annual Charge	\$144	\$288
Number additional carts	0	x Annual Charge	\$0	\$0
Extra Collection				
Additional 30g Bags	190,000	x Charge per bag	\$2	\$380,000
Large Pickups (>4 Yards <sup>3</sup> )	2,500	x Charge per pickup	\$50	\$125,000
<i>Total MSW Income/Revenue</i>				<i>\$31,846,737</i>
<b>Recycling Collection</b>				
Tons Collected	26,000	x Resale value per ton	\$40	\$1,040,000
Recycling state grants				\$3,500,000
<i>Total Recycling Income/Revenue</i>				<i>\$4,540,000</i>
<b>Total Income/Revenue</b>				<b>\$36,386,737</b>
<b>EXPENSES/COSTS</b>				
<b>MSW Program</b>				
Labor				\$11,374,141
ODWs Salaries (77 routes)			\$9,507,027	
OT (driver only)			\$327,019	
Field Clerks/Cart Techs			\$208,934	
San Workers			\$493,630	
Supervisors			\$837,532	
Fringe Benefit				\$4,662,998
Trucks				\$3,779,577
Maint/Repair/Fuel			\$1,902,096	
Depreciation			\$1,877,481	
Tonnage	190,000	x Tipping fee per ton	\$30	\$5,700,000
Other operating expenses				\$475,000
Containers				\$645,000
Overhead (13.38%)				\$2,688,877
<i>MSW Total</i>			<i>\$3,779,607</i>	<i>\$29,325,593</i>
<i>Continued on following page</i>				

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**EXPENSES/COSTS *continued***


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**Recycling Program**

Labor			\$2,306,512
ODWs Salaries (34 routes)		\$2,098,954	
OT		\$144,398	
Supervisors		\$265,884	
Recycling Manager		\$63,160	
Fringe Benefit			\$945,670
Trucks			\$1,471,882
Maint/Repair/Fuel		\$839,664	
Depreciation		\$632,218	
Tonnage	26,000	x Processing fee per ton	\$40 \$1,040,000
Other operating expenses			\$250,000
Containers			\$400,000
Overhead (13.38%)			\$647,080
<i>Recycling Total</i>			<i>\$7,061,144</i>
<b>Total Expenses/Costs</b>			<b>\$36,386,737</b>

---

**COST RECOVERY**


---

Total Income/Revenue	\$36,386,737
Total Expenses/Costs	\$36,386,737
Net Income/Loss	\$0
<b>Percentage Cost Recovery</b>	<b>100.0%</b>

---

**EQUITY MEASURE**


---

Resident	Charge		Price/gallon
10th Percentile Household	\$123 ÷ Annual MSW Gallons	1,553	\$0.079
Median Household	\$171 ÷ Annual MSW Gallons	1,937	\$0.088
90th Percentile Household	\$171 ÷ Annual MSW Gallons	2,322	\$0.074
<b>Equity Index</b>	<b>1.08</b> Ratio of low-volume price to high-volume price		

### Alternative II Summary: Weight-Based Program

Alternative II included the same 18 scenarios used in Alternative I.

Under Alternative II, the median household produces 43.16 pounds of MSW per week with no MSW reduction, 39.29 pounds with a 10 percent reduction, and 35.41 pounds with a 20 percent reduction. Given this, the median household will pay between \$169 and \$182 per year for MSW and recycling collection depending on the variables chosen. It is notable that this range is nearly identical to the range paid by the median household under Alternative I. Table 16 displays these summary results as well as the equity index for each scenario.

**Table 16:** Alternative II: Weight-Based Scenarios

Scenario	Std. Dev.	Tipping Fee	0% MSW Reduction Median Charge	10% MSW Reduction Median Charge	20% MSW Reduction Median Charge
W1	6.00	\$30	\$176 Equity Index: 1.11	\$172 Equity Index: 1.10	\$169 Equity Index: 1.10
W2	6.00	\$35	\$182 Equity Index: 1.11	\$178 Equity Index: 1.10	\$174 Equity Index: 1.09
W3	12.00	\$30	\$177 Equity Index: 1.25	\$172 Equity Index: 1.24	\$169 Equity Index: 1.22
W4	12.00	\$35	\$182 Equity Index: 1.24	\$178 Equity Index: 1.23	\$174 Equity Index: 1.21
W5	18.00	\$30	\$177 Equity Index: 1.47	\$172 Equity Index: 1.44	\$169 Equity Index: 1.41
W6	18.00	\$35	\$182 Equity Index: 1.45	\$178 Equity Index: 1.43	\$174 Equity Index: 1.40

Source: Authors' calculations

A sample weight-based budget scenario is presented in Table 17. A number of assumptions are contained in this budget:

- This alternative will require two new employees for billing and technical support and maintenance of the weighing system. These employees are budgeted at \$40,000 each annually, plus the associated fringe costs.
- Full price recovery was specified for the alternative.
- All customers pay a base fee of \$50 per year, regardless of their actual MSW output. The base fee covers fixed costs borne by Milwaukee regardless of the amount of MSW generated by households for collection. Based on this base charge, the total amount of MSW generated and the expenses that had to be recovered, a charge per pound of MSW was established.

**Table 17: Alternative II Sample Budget Scenario**

<b>Alternative II: Weight-Based System Estimated Budget</b>				
Scenario 1: Standard Deviation = 6, MSW Tipping Fee = \$30, MSW Reduction = 0%				
<b>INCOME/REVENUES</b>				
<b>MSW Program</b>				
Collection Charge	190,000	x Base Price	\$50	\$9,500,000
Weight Charge	190,000	x Charge per ton	\$117	\$22,283,089
Extra Collection				
Large Pickups (>4 Yards <sup>3</sup> )	2,500	x Charge per pickup	\$50	\$125,000
<i>Total MSW Income/Revenue</i>				<i>\$31,908,089</i>
<b>Recycling Collection</b>				
Tons Collected	26,000	x Resale value per ton	\$40	\$1,040,000
Recycling state grants				\$3,500,000
<i>Total Recycling Income/Revenue</i>				<i>\$4,540,000</i>
<b>Total Income/Revenue</b>				<b>\$36,448,089</b>
<b>EXPENSES/COSTS</b>				
<b>MSW Program</b>				
Labor				\$11,414,141
ODWs Salaries (77 routes)			\$9,507,027	
OT (driver only)			\$327,019	
Field Clerks/Cart Techs			\$208,934	
San Workers			\$493,630	
Supervisors			\$877,532	
Fringe Benefit				\$4,678,998
Trucks				\$3,779,577
Maint/Repair/Fuel			\$1,902,096	
Depreciation			\$1,877,481	
Tonnage	190,000	x Tipping fee per ton	\$30	\$5,700,000
Other operating expenses				\$475,000
Containers				\$645,000
Overhead (13.38%)				\$2,694,229
<i>MSW Total</i>			<i>\$3,779,607</i>	<i>\$29,386,945</i>
<i>Continued on following page</i>				

---

**EXPENSES/COSTS *continued***


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**Recycling Program**

Labor			\$2,306,512
ODWs Salaries (34 routes)		\$2,098,954	
OT		\$144,398	
Supervisors		\$265,884	
Recycling Manager		\$63,160	
Fringe Benefit			\$945,670
Trucks			\$1,471,882
Maint/Repair/Fuel		\$839,664	
Depreciation		\$632,218	
Tonnage	26,000	x Processing fee per ton	\$40 \$1,040,000
Other operating expenses			\$250,000
Containers			\$400,000
Overhead (13.38%)			\$647,080
<i>Recycling Total</i>			<i>\$7,061,144</i>
<b>Total Expenses/Costs</b>			<b>\$36,448,089</b>

---

**COST RECOVERY**


---

Total Income/Revenue	\$36,448,089
Total Expenses/Costs	\$36,448,089
Net Income/Loss	\$0
<b>Percentage Cost Recovery</b>	<b>100.0%</b>

---

**EQUITY MEASURE**


---

Resident	Charge		Price/pound
10th Percentile Household	\$154 ÷ Annual MSW Pounds	1,773	\$0.087
Median Household	\$177 ÷ Annual MSW Pounds	2,158	\$0.082
90th Percentile Household	\$199 ÷ Annual MSW Pounds	2,543	\$0.078
<b>Equity Index</b>	<b>1.11</b>	Ratio of low-volume price to high-volume price	

## Appendix E: Development of Policy Analysis Criteria

We evaluated each policy option according to four criteria: efficiency, effectiveness, equity, and ease of implementation. These are summarized in the “Policy Criteria” section of this report. Our measurement and data collection methods for each are described here.

### *Efficiency*

We measure efficiency through the percentage program cost recovery under each alternative. We calculate program using the following formula:

$$\% \text{ Cost Recovery} = \text{Program Income and Revenue} / \text{Program Expenses and Costs}$$

We used the spreadsheet template to total the income and expenses under a range of assumptions for six scenarios for each policy option. Additionally, each alternative scenario was run with 0 percent, 10 percent, and 20 percent MSW reductions, creating up to 18 scenarios for each alternative. Assumptions included the possibility of no reduction in the number of tons of MSW and, therefore, no expense reduction due to reduced tipping fees. To calculate the pricing structure needed for each scenario, we first determined the income needed to obtain full cost recovery. For PAYT options, this was weighted by the distribution of MSW per household given the base fees in each case.

In addition, we evaluate efficiency by the additional budget expenses each alternative requires. We calculated costs of new PAYT system inputs, public outreach and education expenses, and additional staffing expenses from the alternatives. We conducted telephone interviews with vendors and potential contractors, reviewed our comparable cities survey results and telephone contacts, and relied on estimates given by City of Milwaukee staff. Due to lack of detailed response, we must estimate some budget items such as education and outreach for the multiple cart and weight-based alternatives.

### *Effectiveness*

Effectiveness is quantifiable by MSW tonnage reduction resulting from residents’ disposal behavior under each alternative. Data in this category come from research studies and our comparable city survey responses. We also make relative comparisons of effectiveness regarding household acceptance of and compliance with the programs.

The spreadsheet calculations were based on the approach and assumptions about pricing and distributions of waste per household described in the methodology section (see page 7 and Appendix C).

We based these estimated tonnage inputs on three sources. First, the ranges of variation in tonnage found over time in Milwaukee prior to consideration of PAYT provided a magnitude of changes due to all non-PAYT factors.

Varying percentage reductions in solid waste from comparably sized PAYT municipalities act as a second benchmark. We also took into account averages from government and industry sources showing diversion rates and other impacts during the years following the introduction of PAYT. As most reductions in MSW following the introduction of PAYT came in the first year or two and then leveled off, our quantitative evaluations covered an entire single year and should be considered the long-run average.

City of Milwaukee staff provided recycling revenues and landfill fees per ton for the current budget cycle. These are not modified to account for long-term forecasts of variations in recycling prices in our analysis.

### *Equity*

We defined an equity index to consistently measure the relative fairness of each policy alternative. The index shows the ratio of the prices paid between those that generate the most MSW and those that generate the least. Specifically, the index compares the price paid per pound or gallon of MSW by the individual household 10 percent from the bottom and 10 percent from the top of the MSW distribution range. This approach provides a single number to compare the equity of different systems and different scenarios. A score of 2.0 on the index indicates those generating the least MSW pay twice as much as those generating the most. An index of 1.0 indicates residents pay the same amount for MSW collection per unit, which we consider to be the most equitable system possible. In our calculations, we found 1.08 as the most equitable score in our alternatives, occurring under the weight-based system. The status quo scores the highest equity disparity at 4.8. This means that under one possible status quo scenario, households with the lowest amount of MSW pay nearly five times the rate per pound of households generating the most waste.

### *Ease of Implementation*

Assessment of ease of implementation was a relative comparison between alternatives and considered issues such as education and billing changes. We also considered availability of new equipment and maintenance services, and whether the alternative requires substantial re-training of collection workers. We obtained this information from interviews with City of Milwaukee employees, our comparable cities survey results, and telephone contacts with vendors. We also used research on published PAYT information.

PW FILE NUMBER: 090307

[illegible]



## Legislation Details (With Text)

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**File #:** 090335      **Version:** 0

**Type:** Communication-Report      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Communication from the Infrastructure Services Division relating to a Statement of Mid-Year Review for Financial Condition of the Sewer Maintenance Fund.

**Sponsors:** THE CHAIR

**Indexes:** MUNICIPAL BORROWING, REPORTS AND STUDIES, SEWER USER CHARGE, SEWERS

**Attachments:** Cover Letter, Report, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090335

**Version**

Original

**Reference**

**Sponsor**

The Chair

**Title**

Communication from the Infrastructure Services Division relating to a Statement of Mid-Year Review for Financial Condition of the Sewer Maintenance Fund.

**Drafter**

ISD

MJ

7/1/09



Department of Public Works  
Infrastructure Services Division

Jeffrey J. Mantes  
Commissioner of Public Works

James P. Purko  
Director of Operations

Jeffrey S. Polenske  
City Engineer

June 25, 2009

To the Honorable, the Common Council

Subject: Review of the Financial Condition of  
the Sewerage System

Dear Council Members:

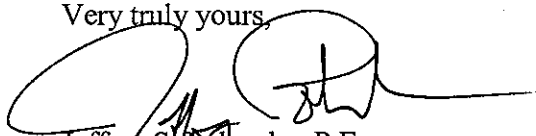
The Department of Public Works is submitting a "Statement of Mid-Year Review for Financial Condition" of the Sewer Maintenance Fund as required by the Sewerage System Revenue Bonds Master Resolution Article VIII, section 8.02 adopted August 2001, and the second lien resolution, section 11, adopted by the City of Milwaukee on June 20, 2006.

The analysis covers the current year 2009 and the proposed budget for 2010. The data for the current year covers actual revenue and actual expenditures through May, plus an estimate for revenue and expenditures through the end of the current year. The 2010 cost to continue budget was used for the projected year 2010.


The estimated debt service coverage of 6.43 for 2009 and 6.86 for 2010 exceeds the minimum requirement of 1.20 for the senior bonds. The estimated debt service coverage of 8.76 for 2009 and 5.51 for 2010 exceeds the requirement of 1.20 for second lien debt.

If you have any questions regarding this report, please do not hesitate to contact the City Engineer at 286-2400.


Very truly yours,



Jeffrey S. Polenske, P.E.  
City Engineer



Jeffrey J. Mantes  
Commissioner of Public Works

 MJ:amh

c: Mr. W. Martin Morics  
Mr. Mark Nicolini  
Mr. Martín Aquino  
Ms. Shirley Kruge

SEWER MAINTENANCE FUND  
STATEMENT OF MID YEAR REVIEW **OF** FINANCIAL CONDITION  
CURRENT YEAR 2009  
PROJECTED YEAR 2010  
**AS OF JUNE 30, 2009**

	2009 <sup>(A)</sup>	2010 <sup>(F)</sup>
Operating Revenues:		
Sewer Maintenance Fees <sup>(B)</sup>	\$ 28,142,246	\$ 27,944,830 <sup>(G)</sup>
Stormwater Fees <sup>(C)</sup>	18,469,725	20,522,091
Sewer Maint-Non City Service <sup>(D)</sup>	202,911	186,190
Interest Income	175,000	258,347
Sewer User Penalties 10%	381,142	401,793
Water Sales Penalties	681,024	698,143
	<hr/>	<hr/>
Total Revenues	\$ 48,052,048	\$ 50,011,394
Operating Expenditures:		
Contractual Expenses	\$ 7,191,106	\$ 6,977,000
Salaries and Wages	5,152,197 <sup>(E)</sup>	5,059,373 <sup>(H)</sup>
Employee Benefits	2,667,723	2,843,833 <sup>(I)</sup>
Equipment	80,500	25,000
	<hr/>	<hr/>
Total Expenses	\$ 15,091,526	\$ 14,905,206
Net Revenues Available for Senior Debt Service	\$ 32,960,522	\$ 35,106,188
Senior Bonds Maximum Annual Debt Service <sup>(J)</sup>	\$ 5,125,765	\$ 5,114,165
Senior Bonds Debt Service Coverage <sup>(K)</sup>	6.43	6.86
Senior Bonds Minimum Required Coverage <sup>(L)</sup>	1.20	1.20
Pass Senior Bonds Debt Service Coverage Test	yes	yes
Second Lien Revenues <sup>(M)</sup>	27,834,757	29,992,023
Second Lien Debt Service <sup>(N)</sup>	3,178,162	5,442,485
Second Lien Debt Service Coverage <sup>(O)</sup>	8.76	5.51
Second Lien Revenue Requirement <sup>(P)</sup>	1.20	1.20
Pass Second Lien Rate Covenant	yes	yes

Department Of Public Works  
Notes to the Statement of Midyear Review OF Financial Condition

(A) Current year 2009

Revenue data includes five months of actual revenue (January – May 2009) and estimated revenue through year-end. Operating Expenditures data includes five months of actual expenses (January – May 2009) and estimated expenses through year-end. Projections are based on current year trends and historical trends

(B) Operating Revenue – Sewer Maintenance Fees

The Sewer Fee is calculated at the current rate of \$1.1200 per CcF (hundred cubic feet) of sanitary sewer consumption, which is based on the amount of metered tap water.

(C) Operating Revenue – Storm water Management Fee

The Storm Water Fee is based on the amount of impervious surface (areas that do not allow storm water to penetrate into the soil). Each residential property is assumed to be 1 ERU (Equivalent Residential Unit) of 1,610 sq ft. Non-residential properties are assigned ERUs by dividing their actual impervious surface areas by 1,610 sq ft. Each ERU is charged \$8.66 per quarter thru April and \$12.87 per quarter thru year end.

(D) Operating Revenue - Sewer Maintenance-Non City Service

This revenue is for cleaning sewer systems, structures, drainage channels and culverts for city and outside agencies. Maintenance and repair services are included.

(E) Salaries and Wages 2009

Salaries and Fringes are actual cost through pay period 11. The 2009 projection assumes current spending levels through year-end. No cost of living increase was included in the calculation. The number of authorized positions will remain the same for the year.

(F) Budget year 2010

The expense data for 2010 is based on the fund's 2010 cost to continue. The 2010 figures are subject to change in the final adopted budget by the Common Council and Mayor in November 2009.

(G) Sewer Maintenance Revenue 2010

The 2010 Sewer Maintenance Fee revenue reflects the rate of \$1.1200 per CCF of sanitary sewer consumption. The storm Water Fee reflects the rate of \$12.87 per quarter per ERU.

(H) Salaries and Wages 2010

The current Salary and Wage Rate Schedule was used for determining the amounts to be included in the 2010 budget request. The number of authorized positions will remain the same as 2009.

(I) Employee Benefits 2010

Employee benefits includes an estimate for a pension contribution to be made in 2010.

(J) Senior Bonds Maximum Annual Debt Service

Includes bonds issued in 2001 and 2003. Assumes future bonds are issued on a subordinated basis.

(K) Debt Service Coverage

Net Revenues Available for Debt Service divided by Maximum Annual Debt Service.

(L) Senior Bonds Minimum Required Coverage

Required by the Master Resolution, section 8.02, adopted by the CITY on August 2, 2001.

(M) Second Lien Revenues

Net Revenues Available for Senior Debt Service less Debt Service on Senior Bonds. Senior Bonds Maximum Annual Debt Service is used as a proxy for Debt Service on Senior Bonds.

(N) Second Lien Debt Service

Debt Service payable in the Fiscal Year includes debt issued through June 1, 2009. For 2010, assumes \$35 million of Second Lien Debt issued in 2009.

(O) Second Lien Debt Service Coverage

Second Lien Revenues divided by Second Lien Debt Service.

(P) Second Lien Revenue Requirement

Required by the Second Lien Resolution, Section 11, adopted by the City on June 20, 2006.

## PW FILE NUMBER: 090335

[illegible]



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin 53202

## Legislation Details (With Text)

**File #:** 090279 **Version:** 1

**Type:** Resolution **Status:** In Committee

**File created:** 6/16/2009 **In control:** PUBLIC WORKS COMMITTEE

**On agenda:** **Final action:**

**Effective date:**

**Title:** A substitute ordinance relating to purchase of city vehicles.

**Sponsors:** ALD. ZIELINSKI

**Indexes:** AUTOMOBILES, PURCHASING PROCEDURES, TRUCKS

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/16/2009	0	COMMON COUNCIL	ASSIGNED TO		
6/19/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/19/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/19/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/19/2009	1	CITY CLERK	DRAFT SUBMITTED		
6/24/2009	0	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
7/10/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number  
090279  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
ALD. ZIELINSKI

Title  
A substitute ordinance relating to purchase of city vehicles.

Sections  
310-18.3 cr

Analysis  
This ordinance specifies that the city purchase only vehicles having at least 51% of parts manufactured in the United States. This directive shall only be waived upon request for a waiver and approval by the common council.  
Body

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

Part 1. Section 310-18.3 of the code is created to read:

**310-18.3. Purchase of General Motors Vehicles.**

1. DECLARATION OF POLICY. The United States federal government has a direct financial interest in several United States owned car companies, owning portions of the companies. There is also a lack of Americans purchasing cars made in the United States which is contributing to the collapse of the domestic auto industry and contributing to the decline in the health, safety and welfare of the nation. It is therefore a desirable goal of the city and the citizens of the United States to support the economic success of these companies.

2. GENERAL MOTORS VEHICLES. The city purchasing director and any other officer, agent, agency, committee, board or commission of the city are directed to purchase only vehicles having at least 51% of parts manufactured in the United States. This directive shall only be waived upon request for a waiver and approval by the common council.

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

MET

6/19/09

LRB09267-2

..Number  
090279  
..Version  
PROPOSED SUBSTITUTE **A**  
..Reference

..Sponsor  
ALD. ZIELINSKI

..Title  
A substitute ordinance relating to purchase of city vehicles.

..Sections  
310-18.3 cr

..Analysis  
This ordinance requires that the city only purchase vehicles having at least 51% of the monetary value of the parts manufactured in the United States, and 51% of the vehicle assembled in the United States. The business operations division – procurement services section - department of administration shall be responsible for monitoring contracts for compliance with this section including the right to waive the requirement.  
..Body

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

Part 1. Section 310-18.3 of the code is created to read:

**310-18.3. Purchase of American Made Vehicles.**

**1. DECLARATION OF POLICY.** The United States federal government has a direct financial interest in preserving the American automobile industry, owning portions of some companies. There is also a lack of Americans purchasing cars made in the United States which is contributing to the collapse of the domestic auto industry and contributing to the decline in the health, safety and welfare of the nation. It is therefore a desirable goal of the city and the citizens of the United States to support the economic success of these companies.

**2. DEFINITIONS.**

a. "American made vehicle" means a vehicle having at least 51% of the monetary value of the parts manufactured in the United States, and 51% of the vehicle assembled in the United States.

b. "Parts" means an article, material or supply incorporated directly into a vehicle.

**3. AMERICAN MADE VEHICLES.** The city purchasing director and any other officer, agent, agency, committee, board or commission of the city, unless contrary to federal, state or local law or regulations, are directed to purchase only American made vehicles.

**4. AFFIDAVITS.** No contracts for items referenced in sub. 3 shall be entered into by contracting departments unless the lowest responsible bidders first submit to the purchasing director sworn reports or affidavits which include a statement by the bidder that the vehicles to be supplied are American Made Vehicles as defined in sub. 2-a.

5. MONITORING AND ENFORCEMENT. The business operations division – procurement services section - department of administration shall be responsible for monitoring contracts for compliance with this section.

6. WAIVER. The requirements of this section may be waived in writing by the purchasing director if any of the following are true:

- a. All bidders to a contract are deemed ineligible under this section.
- b. The contract is necessary in order to respond to an emergency which endangers the public health and safety, and no contractor who complies with the requirements of this section is immediately capable of responding to the emergency.
- c. It is impossible or impracticable to draw specifications satisfactorily to permit competitive bidding, items can be furnished from only one source, or items constitute a special adaptation for a special purpose, pursuant to s. 16-05-3 of the charter.

7. SANCTIONS. Any contractor engaged in a contract who has been found by the business operations division - department of administration to have submitted any false, misleading or fraudulent information or who has failed to comply with the provisions of this section may be subject to the sanctions referenced in s. 310-17-3-f.

..LRB

APPROVED AS TO FORM

Barry Zalber

Legislative Reference Bureau

Date: 7/14/2009

..Attorney

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

..Requestor

..Drafter

MET

7/14/09

LRB09267-3

**PW FILE NUMBER: 090279**

[illegible]



## Legislation Details (With Text)

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**File #:** 090345      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing the Department of Public Works to enter into an agreement with CH2M Hill concerning relocation of communications package and road bridge operating control cables and also relating to the expenditure of funds to be reimbursed by greater than anticipated revenue.

**Sponsors:** ALD. BAUMAN

**Indexes:** AGREEMENTS, BRIDGES, COMMUNICATIONS SYSTEMS

**Attachments:** Cover Letter, Fiscal Note, Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090345

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD. BAUMAN

**Title**

Resolution authorizing the Department of Public Works to enter into an agreement with CH2M Hill concerning relocation of communications package and road bridge operating control cables and also relating to the expenditure of funds to be reimbursed by greater than anticipated revenue.

**Analysis**

This resolution authorizes the Department of Public Works to enter into an agreement with CH2M Hill for relocation of communications package and bridge operating control cables to avoid conflict with dredging and sheet piling work required along the South Kinnickinnic Avenue bridge and South 1<sup>st</sup> Street bridge and also provides the supplemental appropriations necessary to implement the agreement.

**Body**

Whereas, CH2M Hill has indicated its desire to enter into an agreement with the City of Milwaukee relating to relocation of communications package and road bridge operating control cables to avoid conflict with dredging and sheet piling work required along the South Kinnickinnic Avenue bridge and South 1<sup>st</sup> Street bridge; and

Whereas, The Commissioner of the Department of Public Works has determined that the agreement is necessary to maintain the City's communications conduit system and bridge operating control cable system; and

Whereas, The operation of this project in fiscal year 2009 will cost \$1,041,400 of which \$0 (0%) would be provided by the City and \$1,041,400 (100%) would be provided by CH2M Hill; and

Whereas, Section 304-91 of the Milwaukee Code of Ordinances establishes procedural guidelines related to the expenditure of funds to be reimbursed by greater than anticipated revenues; and

Whereas, The Department of Public Works-Infrastructure Services Division will receive \$1,041,400 in unanticipated revenue from CH2M Hill in the 2009 fiscal year; and

Whereas. This payment is established by an agreement approved by the Common Council in this Common Council File; and

Whereas, This payment will result in revenue \$1,041,400 higher than estimated for the Department of Public Works in the adopted 2009 City budget; and

Whereas, The Comptroller has certified that greater than anticipated revenue from CH2M Hill in the amount of \$1,041,400, pursuant to s.304-91,

Pursuant to s.304-91, I hereby certify that the money required for this to be realized on or before December 31, 2009, and is to be expended only for the purposes specific in this resolution.

Comptroller

Date

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Public Works is authorized to enter into an agreement with CH2M Hill relating to relocation of communications package and road bridge operating control cables, which will be substantially in the same form as the draft Relocation and Reimbursement Agreement attached to this file; and, be it

Further Resolved, That the Comptroller is hereby authorized and directed to increase appropriations in the amount of \$1,041,400 in the Capital Expenditures account for the Department of Public Works-Infrastructure Services Division (0303-5230-0001-R999-006000-BR100090000) and to increase the estimated revenues for the Miscellaneous revenue account (0303-5230-0001-987999-BR100090000) by \$1,041,400; and, be it

Further Resolved, That the Department of Public Works-Infrastructure Services Division is authorized to expend these funds for the purposes and activities identified in this file and the Relocation and Reimbursement Agreement with CH2M Hill; and, be it

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

Requestor

Department of Public Works

**Drafter**

Infrastructure Services

MGL:slm

July 1, 2009

July 1, 2009

To the Honorable, the Common Council

Subject: Agreement with CH2M Hill

Dear Council Members:

This resolution authorizes the Department of Public Works to enter into an agreement with CH2M Hill for relocation of communications package and bridge operating control cables to avoid conflict with dredging and sheet piling work required along the South Kinnickinnic Avenue bridge and South 1<sup>st</sup> Street bridge and also provides the supplemental appropriations necessary to implement the agreement. This work is estimated to cost \$1,041,400. The City will undertake this work, to be fully reimbursed by CH2M Hill.

It is recommended that this resolution be adopted

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

Jeffrey J. Mantes  
Commissioner of Public Works

MGL:clm

## CITY OF MILWAUKEE FISCAL NOTE

A) DATE July 1, 2009

FILE NUMBER:

Original Fiscal Note ☒ Substitute ☐

**SUBJECT:** Resolution authorizing the Department of Public Works to enter into an agreement with CH2M Hill concerning relocation of communications package and road bridge operating control cables and also relating to the expenditure of funds to be reimbursed by greater than anticipated revenue in the 14<sup>th</sup> Aldermanic District.

**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: Bridge Const.	0303-5230-0001-R999-BR100090000		\$1,041,400	\$1,041,400	
006000					
TOTALS			\$1,041,400	\$1,041,400	

**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	
<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 ☐

## RELOCATION AND REIMBURSEMENT AGREEMENT

THIS AGREEMENT is made as of \_\_\_\_\_, 2009 between the City of Milwaukee (hereinafter referred to as "City") having an office at the Zeidler Municipal Building, 841 North Broadway, Room 710, Milwaukee, WI 53202 and CH2M HILL, Inc. (herein referred to as "CH2M HILL") having a mailing address at 135 South 84<sup>th</sup> Street, Suite 325, Milwaukee, Wisconsin 53214 ("Agreement");

Whereas Common Council resolution file # \_\_\_\_\_, adopted \_\_\_\_\_, 2009 authorizes this agreement.

Whereas the City owns and operates an 8-duct communications conduit system consisting of both fiber optic and copper cables (hereinafter described as "communications package") along the western side of the Kinnickinnic Avenue Bridge, and bridge operating control cables for the Kinnickinnic Avenue and S. 1<sup>st</sup> Street bridges over the Kinnickinnic River in the City of Milwaukee, Wisconsin;

Whereas CH2M HILL is proposing to dredge the river and construct new sheet piling along the river banks, and is in direct conflict with the communications package and road bridge operating control cables for Kinnickinnic Avenue and S. 1<sup>st</sup> Street;

Whereas the City is willing to relocate the communications package and road bridge operating control cables (hereinafter described as "Work"), to avoid conflict with the dredging and sheet piling, subject to reimbursement by CH2M HILL for costs incurred;

Whereas the City and CH2M HILL wish to set forth the terms and responsibilities regarding their respective obligations toward completion of the Work;

NOW, THEREFORE, in consideration of the mutual promises and conditions set forth below, the parties agree as follows:

1. The City shall be responsible for managing the construction of the Work and ensuring that said Work is completed in accordance with the requirements set forth in **Exhibit 'A'** attached hereto and incorporated herein by reference.
2. The City shall be solely responsible for obtaining any necessary rights-of-way, encroachment permits, licenses, approvals or any other authority required for the City to maintain its occupancy and use of the right-of-way during and after completion of the construction.
3. CH2M HILL agrees to pay a deposit of \$520,000 USD, equivalent to approximately fifty (50%) percent of the estimated total costs of \$1,041,400 for the Work within seven (7) days following CH2M HILL receiving reimbursement from USEPA Region 5 for these costs. CH2M HILL further agrees to reimburse the City within seven (7) days following CH2M HILL receiving reimbursement from USEPA Region 5 for the

balance of obligations toward the design, materials, and construction described in the estimate, attached as **Exhibit 'B'**, following completion of the Work. If CH2M HILL has overpaid the cost for the City will reimburse CH2M HILL for such amounts already paid within forty-five (45) days. The City agrees to provide a detailed breakdown of project costs to CH2M HILL upon completion of the Work and before the balance of obligations is paid.

4. In no event shall either party hereunder be liable to the other for any indirect, consequential, special, punitive, economic or incidental damages, including, without limitation, loss of CH2M HILL's profits arising from this Agreement and the performance or non-performance of obligations hereunder. Limitations of liability provided herein will apply whether the liability arises in contract, tort, including negligence, strict liability, statutory liability, or any other cause of action.
5. The parties shall indemnify, defend and hold harmless each other, their employees and assigns from any loss, damage and injuries, including death, to any person, arising out of this Agreement (including the breach hereof by the indemnifying party) to the extent caused by any negligent act or omission of the indemnifying party, its agents, contractors or employees. The foregoing indemnification includes indemnification by the City for acts or omissions of its contractors.
6. The City warrants that the work hereunder shall be performed in a good and workmanlike manner and shall comply with all applicable federal, state and/or provincial and/or municipal and/or local laws and ordinances and will strictly comply with the provisions of this Agreement and with all specifications and drawings referred to in this Agreement. The City makes no other representation or warranty except as expressly set forth herein.
7. The City shall obtain and comply with, or cause to be obtained and complied with, all permits, certificates and licenses required by any governmental authority for the work hereunder. The City (or its subcontractor) shall comply with all federal, state, provincial, municipal and/or local rules and regulations which may apply during the performance of the Work.
8. This Agreement shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Wisconsin. The City agrees to perform all services provided for in this Agreement in accordance with and in full compliance with all local, state and federal laws and regulations.
9. This Agreement may be executed by the parties in separate counterparts, each of which shall be deemed to be an original copy, but all of which, together, shall constitute only one agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year below written, but effective as of the day and year first set forth above.

CH2MHill

By: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

City of Milwaukee

By: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## **Exhibit A**

The following are project requirements for relocation of the City of Milwaukee's utilities for the Kinnickinnic River Sediment Remediation Project:

- Removal/rerouting of all utilities from the communications package conduit shall be accomplished preferably by May 29, 2009, but certainly no later than June 30, 2009.
- Final installation depth for utilities installed before dredging has occurred in the area shall be at least three feet below the final dredge elevation of 556.5 ft MSL IGLD85; alternatively, the City can install utilities after dredging has been completed in the area at any depth.
- If utilities have been relocated before the completion of dredging, the City shall clearly mark their locations at both shores either by use of stakes and spray paint, or by spray painting on permanent structures such as bridge piers and abutments. Additionally, the City shall provide a drawing showing precise locations of the new facilities to both CH2M HILL and the dredging subcontractor.
- The City and CH2M HILL shall maintain open communications to facilitate execution of the Work described within this agreement and execution of the dredging work to minimize impact to the City and the public at large.

## Exhibit B

**Estimated Cost for City Services  
Kinnickinnic River Sediment Remediation Project  
May 5, 2009**

Item/Description	Estimated Cost	Notes
Barricading during bridge closure -S 1st Street Bridge	\$ 5,000.00	
Barricading during bridge closure -KK Ave. Bridge	\$ 5,000.00	
Communications package west of KK Ave. -design, materials, & installation	\$ 500,000.00	
Bridge control cables for KK Ave. -materials	\$ 143,400.00	There are four submarine cables at this bridge
Bridge control cables for KK Ave. -installation	\$ 176,000.00	
Bridge control cables for S 1st St. -materials	\$ 77,000.00	There are two submarine cables at this bridge
Bridge control cables for S 1st St. -installation	\$ 135,000.00	
<b>TOTAL</b>	<b>\$ 1,041,400.00</b>	

## PW FILE NUMBER: 090345

[illegible]



## Legislation Details (With Text)

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**File #:** 090328      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing the Commissioner of Public Works and Comptroller to execute a Letter Agreement for Traffic Signal Operation at the intersection of Miller Park Way/South 43rd Street and West Lincoln Avenue.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, TRAFFIC CONTROL SIGNALS

**Attachments:** Fiscal Note, Cover Letter, Letter Agreement, Original Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090328

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution authorizing the Commissioner of Public Works and Comptroller to execute a Letter Agreement for Traffic Signal Operation at the intersection of Miller Park Way/South 43<sup>rd</sup> Street and West Lincoln Avenue.

**Analysis**

This resolution authorizes the Commissioner of Public Works and Comptroller to execute a Letter Agreement for Traffic Signal Operation at the intersection of Miller Park Way/South 43<sup>rd</sup> Street and West Lincoln Avenue.

**Body**

Whereas, The original traffic signal agreement between the City of Milwaukee and the Village of West Milwaukee for the intersection of West Lincoln Avenue and South 43<sup>rd</sup> Street was signed September 9, 1964; and

Whereas, The installation of closed-loop traffic signal system on Miller Park Way in the Village of West Milwaukee has resulted in the need to amend the original traffic signal agreement with the attached Letter Agreement for Traffic Signal Operation; and

Whereas, The attached Letter Agreement will direct the Village of West Milwaukee to provide the City with a new traffic signal controller and incidental equipment necessary for installation at the intersection for inclusion in the closed-loop traffic signal system on Miller Park Way; and

Whereas, The attached Letter Agreement provides additional provisions as they apply to the closed-loop traffic signal system that establish jurisdictional limits and programming of the traffic signal at the intersection; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the Commissioner of Public Works and Comptroller are authorized to execute a Letter Agreement for Traffic Signal Operation at the intersection of Miller Park Way/South 43<sup>rd</sup> Street and West Lincoln Avenue.

**Requestor**

Department of Public works

**Drafter**

Infrastructure Services Division

RWB: ns

June 26, 2009

# CITY OF MILWAUKEE FISCAL NOTE

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

A) DATE: June 26, 2009

FILE NUMBER:

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution authorizing the Commissioner of Public Works and Comptroller to execute a Letter Agreement for Traffic Signal Operation at the intersection of Miller Park Way/South 43<sup>rd</sup> Street and West Lincoln Avenue.

B) SUBMITTED BY: Jeffrey S. Polenske, City Engineer, Dept. of Public Works, Infrastructure Services Division, ext. 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 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:

None

H) METHOD OF COMPUTATION

N/A

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

June 26, 2009

To the Honorable, the Common Council

Subject: West Lincoln Avenue and South 43<sup>rd</sup> Street  
Letter Agreement for Traffic Signal Operation

Dear Council Members:

Due to the installation of a closed-loop traffic signal system by the Village of West Milwaukee on Miller Park Way from West National Avenue to West Lincoln Avenue, the traffic signal agreement between the City of Milwaukee and Village of West Milwaukee for the subject intersection will be amended by a Letter Agreement for Traffic Signal Operation. The attached agreement directs the Village of West Milwaukee to provide the City with a traffic signal controller to be installed at the intersection as well as new provisions regarding jurisdiction and control over the signal after inclusion in the closed-loop traffic signal system on Miller Park Way.

We have, therefore, prepared the attached resolution authorizing the Commissioner of Public Works and Comptroller to execute the attached Letter Agreement for Traffic Signal Operation.

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

Jeffrey J. Mantes  
Commissioner of Public Works

RWB: ns

Attachment  
c: Honorable Joseph Dudzik

## **Letter Agreement**

**for**

### **Traffic Signal Operation at the Intersection of Miller Park Way/South 43<sup>rd</sup> Street and West Lincoln Avenue**

The following constitutes a letter of understanding between the staff of the Village of West Milwaukee and the City of Milwaukee, Department of Public Works, Infrastructure Services Division, Transportation Section.

It is beneficial to the motoring public and the environment to coordinate the traffic signals for Miller Park Way from West National Avenue to West Lincoln Avenue in a "Closed-Loop" system. The Traffic and Street Lighting Design unit of the City of Milwaukee acknowledges these benefits and is willing to take the traffic signal intersection controller at Miller Park Way/South 43<sup>rd</sup> Street and West Lincoln Avenue off their system to permit this coordination along Miller Park Way under the provisions of this Agreement.

The operation of the Miller Park Way traffic signal system is through modem communication on interconnect cable linking each traffic signal controller within the "MARC" System and will, upon the execution of this Agreement, connect to the intersection traffic signal controller at Miller Park Way/South 43<sup>rd</sup> Street at West Lincoln Avenue, which is under the jurisdiction of the City of Milwaukee.

A traffic signal agreement dated September 9, 1964 between the Village of West Milwaukee and the City of Milwaukee detailing the design, construction, installation, maintenance and repair of the traffic signal at Miller Park Way/South 43<sup>rd</sup> Street at West Lincoln Avenue will substantially stay in effect except for the following:

The Village of West Milwaukee staff or designated consultant will achieve the "closed-loop" system coordination by:

- Providing funds to the City of Milwaukee to install a communication cable, provided by the Village of West Milwaukee or its representatives, from a pull box in the west bound to north bound right turn bypass island, approximately 15 feet east of the east curb of Miller Park Way close to the south edge to the City of Milwaukee controller cabinet. As of April 17, 2009, it has been established by the "Eagle 2070" traffic signal controller provider that the interconnect cable at the City of Milwaukee controller cabinet is operational and no additional funds are needed for this part of the installation.

- Working with the City of Milwaukee to develop the traffic signal system and intersection timing plans for Miller Park Way.
- Purchasing an "Eagle 2070" traffic signal controller for the City of Milwaukee staff to install and modify the existing "170" traffic signal controller cabinet for the "MARC" closed loop system operation.
- Reducing vehicle delay at the Miller Park Way and W. Lincoln Avenue intersection will be a goal for both agencies to cooperatively achieve.

The maintenance jurisdiction of the communication cable will be delimited by a pull box in the north center island of the intersection. From the pull box to the north will be under the maintenance of the Village of West Milwaukee, and from the pull box to the south will be under the maintenance of the City of Milwaukee.

Communication with the controller from any outside source must be one-way only. An infallible, irrevocable protection must be guaranteed so no modifications can be done remotely to the traffic signal controller, timing or settings. Monitoring of the traffic signal controller or cabinet is authorized but no influence can be made to the controller.

The City of Milwaukee shall have the right to disconnect the equipment due to malfunction of the equipment.

Establishing the traffic signal timing for each signalized intersection is to be by the authority responsible for the maintenance of the intersection. In this particular case, the operation of the traffic signal system within the limits of this Agreement, will be significantly optimized by their inclusion within a "closed-loop" system. The staff of the Village of West Milwaukee or its designated consultant, will monitor this System and recommend traffic signal timing changes for the intersection of Miller Park Way and W. Lincoln Avenue to the staff of the Traffic and Street Lighting Design unit of the City of Milwaukee who will implement the mutually approved changes.

This letter agreement shall continue and be in force indefinitely unless terminated on six (6) months written notice by either agency to the other.

**Village of West Milwaukee, Administrator**

X Kim Egan Mueller  
Signature

X Kim Egan Mueller ----- 5-19-09  
Name typed or printed Date

5-19-09 - Village Administrator  
Title

**City of Milwaukee, Commissioner of Public Works**

X \_\_\_\_\_  
Signature

X \_\_\_\_\_  
Name typed or printed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Commissioner of Public Works

X \_\_\_\_\_  
Signature

X \_\_\_\_\_  
Name typed or printed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Comptroller

100

AGREEMENT

THIS AGREEMENT made and entered into this 9th day of September, 1964, by and between the City of Milwaukee, a municipal corporation, hereinafter called "Milwaukee", and the Village of West Milwaukee, a municipal corporation, hereinafter called "West Milwaukee", relating to the installation, operation, and maintenance of new traffic signals and related facilities at the intersection of S. 43rd Street and W. Lincoln Avenue. The limits of the area under consideration are as follows:

On W. Lincoln Avenue from a point approximately 150 feet east of the center line of S. 43rd Street to a point approximately 150 feet west of the center line of S. 43rd Street, and on S. 43rd Street from a point approximately 150 feet north of the center line of W. Lincoln Avenue to a point approximately 150 feet south of the center line of W. Lincoln Avenue.

In addition to such intersection area, that area in which work is required for installation of traffic control signal interconnecting cable from W. Lincoln Avenue and S. 35th Street to S. 43rd Street and W. Lincoln Avenue shall also be within the area of the project.

It is understood by the parties hereto that pavement marking and sign work may extend beyond the above-described limits.

NOW, THEREFORE, in consideration of the mutual promises of each municipality made to the other, and other good and valuable considerations, and the fulfillment of the terms and conditions, agreements, and understandings hereinafter set forth,

IT IS MUTUALLY AGREED by and between the two municipalities that uniform traffic control facilities shall be designed, constructed, installed, maintained, and repaired as required in that area previously described, substantially as shown on City of Milwaukee, Bureau of Traffic Engineering and Electrical Services Drawing No. M-64-516-T. Conditions of this Agreement are to be as follows:

I. Milwaukee agrees to the following:

(a) That it will, through its Bureau of Traffic Engineering and Electrical Services and other appropriate and necessary agencies of Milwaukee, design, construct, install, maintain and repair subject to payment of cost by West Milwaukee as hereinafter set forth, traffic control signals, including necessary underground conduit, related traffic control devices and traffic control signal interconnection to S. 35th Street.

(b) Milwaukee will assume routine maintenance responsibilities (lamp renewal, cleaning, lens replacement, traffic control signal and control cabinet painting, controller servicing, etc.) for the entire traffic control signal installation.

(c) Milwaukee will make all necessary repairs and replacements to equipment which is damaged or which fails to function properly, and will pay for the cost of such repair and replacement of material installed within Milwaukee.

(d) Milwaukee will paint appropriate pavement markings within the entire intersection and on all approaches to the intersection as defined, in conjunction with the original installation of traffic control signals, and will repaint such pavement markings on pavement surfaces within the limits of the City of Milwaukee only, as necessary to maintain proper traffic delineation, following the original pavement marking scheme as to positioning and color, unless deviations are found to be desirable in the future.

## II. West Milwaukee agrees to the following:

(a) West Milwaukee agrees to pay thirty-five per cent (35%) of the total cost of engineering, installation, and construction of the traffic control facilities for the subject intersection, and will deposit Two Thousand, Four Hundred Fourteen Dollars and Ninety-Three Cents (\$2,414.93), which is Thirty-five per cent (35%) of the estimated cost of the project, with the Commissioner of Public Works of Milwaukee within ten (10) days after the execution of this agreement. When the work has been completed and the actual costs determined, Milwaukee and West Milwaukee will adjust the difference between the deposit based on estimated cost and the payment based on actual cost by issuing the proper remittance to the one to whom such remittance is due.

(b) West Milwaukee agrees to pay for the cost of operation (electrical energy) of all traffic control signals at the subject intersection, including those located within the City of Milwaukee.

(c) West Milwaukee agrees that Milwaukee is to perform necessary repairs and replacements to all traffic control signal equipment which is damaged or which fails to function properly, and agrees to pay Milwaukee for the repair and replacement of equipment installed within West Milwaukee, including the cost of labor, material and equipment services, except for the routine maintenance, as listed under I (b).

(d) West Milwaukee agrees to notify the City of Milwaukee, Bureau of Traffic Engineering and Electrical Services (at one of the phone numbers listed below) of any damage, lamp outage, lens breakage, or seeming malfunction of traffic control signal equipment or related traffic control devices.

Canal Street Shop - BR. 6-3711, Extension 481  
Engineering Office - BR. 6-3711, Extension 351

(e) West Milwaukee agrees that Milwaukee is to perform all work related to the operation of traffic control signals at the subject intersection after the installation has been completed and placed in operation, as outlined in this agreement, except such immediate emergency measures as may need to be taken.

(f) If at some future time, a change in intersection geometrics occurs necessitating relocation of traffic control signals or related traffic control facilities and devices from Milwaukee to West Milwaukee, or vice versa, the cost of removal and relocation and the cost of such relocated equipment shall be charged in full to the municipality into which such equipment is relocated and that relocated equipment shall become the property of the municipality in which it is installed.

(g) West Milwaukee agrees that Milwaukee shall operate and adjust the traffic signal controller in such a manner as to best meet prevailing traffic conditions as determined by the City of Milwaukee, Bureau of Traffic Engineering and Electrical Services in collaboration with the Milwaukee Police Department, the West Milwaukee City Engineer's Office, and the West Milwaukee Police Department.

(h) West Milwaukee agrees to share equally with Milwaukee the cost of any replacement or addition of control equipment necessary because of damage, or revised operational patterns subject to mutual approval of each municipality.

(i) West Milwaukee agrees that Milwaukee shall paint appropriate pavement markings within the entire intersection and on all approaches to the intersection as defined, in conjunction with the original installation of traffic control signals for which West Milwaukee agrees to pay thirty-five per cent (35%) of the total cost of all such pavement markings, which cost is included in Paragraph II (a). West Milwaukee further agrees to repaint pavement markings on pavement surfaces within the limits of the Village of West Milwaukee as necessary to maintain proper traffic delineation following the original pavement marking scheme as to positioning and color, unless deviations are found to be desirable in the future.

### III. Ownership and Responsibility

After installation, all of the materials installed shall become the property of the municipality in which it is installed.

### IV. Payments

All payments due under this agreement shall be paid within thirty (30) days after receipt of invoice of same.

## V. Liability

Milwaukee shall be required to request layouts of West Milwaukee's underground structure and facilities before performing work of such a nature that existing underground facilities must be avoided. Milwaukee shall be required to take precautionary measures to avoid damage to such underground facilities.

West Milwaukee shall supply Milwaukee with a complete record of the existing underground materials structure in West Milwaukee and any change or revision thereto as may take place in the future.

In the event any person or persons make claim for injury or damages arising from an alleged malfunctioning of the said traffic control facilities, both municipalities shall defend against such claims and shall equally share liability, if any, provided, however, that if and in the event that any such claim is based on a street defect (Section 81.15 of the Wisconsin Statutes), the defense and the liability therefor shall be the obligation of the municipality in which the alleged defect was located.

## VI. Duration

This contract shall continue and be in force indefinitely, unless terminated on six (6) months' written notice of either municipality to the other, provided however, that no obligation or duty whatsoever arises under this contract on the part of Milwaukee until the payment of Two Thousand, Four Hundred Fourteen Dollars and Ninety-Three Cents (\$2,414.93) is made to the Commissioner of Public Works, as provided in Paragraph II (a) of this agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 9th day of September, 1964.

Signed and sealed in  
the presence of:

Gertrude Kuge

Dorlene Dalegal

Hildegard Colton

Jean Staps

VILLAGE OF WEST MILWAUKEE,  
A Municipal Corporation

Thomas Bell  
Village President

John W. Teubling  
Village Clerk

CITY OF MILWAUKEE, A Municipal  
Corporation

Henry W. Haver  
Mayor

Ray Markby  
City Clerk

John E. Kalupa  
City Comptroller

STATE OF WISCONSIN)

33.

MILWAUKEE COUNTY )

Personally came before me this 9<sup>th</sup> day of September,  
1964, Thomas Bell Village President, and  
Joseph M. Tabushing Village Clerk,

of the above-named VILLAGE OF WEST MILWAUKEE, a municipal corporation, to me known to be the persons who executed the foregoing instrument and to me known to be such Village President and Village Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said municipal corporation, by its authority.

Carol R. Kaerue

Notary Public, Milwaukee Co., Wis.

my commission expires July 11, 1965

STATE OF WISCONSIN)

ss.

MILWAUKEE COUNTY )

Personally came before me this 21st day of September  
1964, Henry W Maier Mayor, and  
Ray Markey City Clerk, and  
John E Kallpa City Comptroller,

of the above-named CITY OF MILWAUKEE, a municipal corporation,  
to me known to be the persons who executed the foregoing  
instrument and to me known to be such Mayor, City Clerk,  
and City Comptroller of said municipal corporation, and  
acknowledged that they executed the foregoing instrument  
as such officers as the deed of said municipal corporation,  
by its authority, and pursuant to resolution File No. 63-4424A  
adopted July 31, 1964.

Lois M. Zimmerman  
Notary Public, Milwaukee Co., Wis.  
My commission expires 5-28-67

Approved as to form and  
execution this 23rd day  
of Sept, 1964.

John F. Ruthe  
Assistant City Attorney

PW FILE NUMBER: 090328

[illegible]



## Legislation Details (With Text)

**File #:** 090326      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relative to the cost participation and installation of street lighting improvements in conjunction with the Federal/State Aid paving of South 13th Street from West College Avenue to West Rawson Avenue by Milwaukee County in the 13th Aldermanic District and the City of Oak Creek at a total estimated cost of \$104,164.45, with an estimated grantor share of \$83,331.56, and an estimated City share of \$20,832.89.

**Sponsors:** THE CHAIR

**Indexes:** AGREEMENTS, STREET IMPROVEMENTS, STREET LIGHTING, WISCONSIN DEPARTMENT OF TRANSPORTATION

**Attachments:** Cover Letter, Contract, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

090326

**Version**

ORIGINAL

**Reference**

040977

**Sponsor**

THE CHAIR

**Title**

Resolution relative to the cost participation and installation of street lighting improvements in conjunction with the Federal/State Aid paving of South 13th Street from West College Avenue to West Rawson Avenue by Milwaukee County in the 13th Aldermanic District and the City of Oak Creek at a total estimated cost of \$104,164.45, with an estimated grantor share of \$83,331.56, and an estimated City share of \$20,832.89.

**Analysis**

This resolution authorizes the Commissioner of Public Works and Comptroller to enter into a funding agreement with the Wisconsin Department of Transportation for installation of street lighting improvements in conjunction with the paving of South 13th Street from West College Avenue to West Rawson Avenue by Milwaukee County in the 13th Aldermanic District and the City of Oak Creek at a total estimated cost of \$104,164.45, with an estimated grantor share of \$83,331.56, and an estimated local share of \$20,832.89, and to install these improvements upon execution of the agreement. The local share is to be funded by the Cities of Milwaukee and Oak Creek. Cost participation for funding of the local share of improvements constructed in Oak Creek will be established under a separate funding agreement with the City of Oak Creek.

**Body**

Whereas, Common Council File Number 040977 authorized execution of a project agreement with Wisconsin Department of Transportation (WISDOT), construction, and transfer of funds for street lighting improvements in conjunction with the paving of South 13<sup>th</sup> Street from West College Avenue to West Rawson Avenue by Milwaukee County; and

Whereas, The Surface Transportation Program provides cost participation for street lighting improvements in conjunction with the paving of highways located on the Federal/State Aid Highway System; and

Whereas, The street lighting improvement project consists of the installation of street lighting poles and fixtures, underground cable, electrical service equipment, and other incidental items in conjunction with the paving of South 13<sup>th</sup> Street from West College Avenue to West Rawson Avenue in the Cities of Milwaukee and Oak Creek; and

Whereas, The total estimated cost of this project is \$104,164.45 for the alteration and upgrade of street lighting equipment; and

Whereas, Eighty percent of the participating project cost, or \$83,331.56, is reimbursable from the Wisconsin Department of Transportation (WISDOT), while the 20 percent local share will be funded by the Cities of Milwaukee and Oak Creek; and

Whereas, The portion of the local share to be provided by the City of Oak Creek is \$13,499.71 or 65 percent, while the City of Milwaukee share is \$7,333.18 or 35 percent; and

Whereas, A separate agreement with the City of Oak Creek for their share of construction, maintenance and operation of street lighting equipment installed in Oak Creek must be submitted and approved by the Common Council before any equipment is installed within their boundaries; and

Whereas, The State cannot proceed with any project cost overruns and/or changes in scope of more than 5% without prior Department of Public Works approval; 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% 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; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and the Comptroller are authorized to enter into a funding agreement and are directed to execute the contract with WISDOT for the installation of street lighting improvements in conjunction with the paving of South 13th Street from West College Avenue to West Rawson Avenue, a copy of which is attached to this resolution, and is incorporated into this resolution as though set forth in full; and, be it

Further Resolved, That upon approval of this contract and execution of a pending operation and maintenance agreement with the City of Oak Creek, the Commissioner of Public Works is directed to install street lighting equipment in conjunction with the improvements to South 13th Street from West Rawson Avenue to West College Avenue in the Cities of Milwaukee and Oak Creek; and, be it

**Requestor**

Department of Public Works

**Drafter**

Infrastructure Services Division

RWB: ns

June 29, 2009

South 13th Street (West College Avenue to West Rawson Avenue)

June 29, 2009

To The Honorable, the Common Council

Subject: South 13<sup>th</sup> Street from  
West College Avenue to West Rawson Avenue

Dear Council Members:

South 13<sup>th</sup> Street from West College Avenue to West Rawson Avenue is being improved by Milwaukee County under the Federal Surface Transportation Program. The Federal Program provides cost participation for the City of Milwaukee to install street lighting improvements in conjunction with the highway paving. These improvements include the installation of street lighting poles and fixtures, underground cable, electrical service equipment, and other incidental items in the Cities of Milwaukee and Oak Creek in conjunction with paving work.

The total estimated cost of the project is \$104,164.45. Eighty percent of the total cost, or \$83,331.56, will be funded by the Wisconsin Department of Transportation (WISDOT). The local share, or \$20,832.89, will be provided by the City of Milwaukee. A separate funding agreement with the City of Oak Creek for their share of construction, operation and maintenance costs will be prepared and submitted to the Common Council for approval.

We have, therefore, prepared the attached resolution, which authorizes the Commissioner of Public Works and Comptroller to execute a Local Force Account (LFA) – Local contract with WISDOT that allows City forces to install street lighting facilities in conjunction with the improvement of South 13<sup>th</sup> Street from West College Avenue to West Rawson Avenue in the 13<sup>th</sup> Aldermanic District.

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

Jeffrey J. Mantes  
Commissioner of Public Works

RWB: ns  
Attachment  
c: Honorable Terry L. Witkowski

# CITY OF MILWAUKEE FISCAL NOTE

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

**A) DATE:** June 29, 2009

**FILE NUMBER:**

Original Fiscal Note ☒ Substitute ☐

**SUBJECT:** Resolution relative to the cost participation and installation of street lighting improvements in conjunction with the Federal/State Aid paving of South 13th Street from West College Avenue to West Rawson Avenue by Milwaukee County in the 13th Aldermanic District and the City of Oak Creek at a total estimated cost of \$104,164.45, with an estimated grantor share of \$83,331.56, and an estimated City share of \$20,832.89.

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

N/A

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

Funding for construction previously established under Common Council File Number 040977.

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

# CONTRACT FOR CONSTRUCTION

## Local Force Account

Wisconsin Department of Transportation  
DT2056 7/2005

Project ID 2505-06-90	Contract Amount \$104,164.45	<b>Contract between WDOT and Local Governmental Unit</b> <input checked="" type="checkbox"/> Municipality <input checked="" type="checkbox"/> City of Milwaukee <input type="checkbox"/> Village of <input type="checkbox"/> Town of <input type="checkbox"/> County – Who is doing the work
Road Name S. 13 <sup>th</sup> St. from West College Avenue to West Rawson Avenue		
Highway CTH V	County – Where Work Performed Milwaukee	<input type="checkbox"/> Work on Local Units System (CEF to DTSD Region, Contract to BPD)
<input checked="" type="checkbox"/> Work on STH System - SHR Funded (CEF to BHO, Contract to BHO)		<input type="checkbox"/> Work on Another Local Units System (CEF to DTSD Region, Contract to BPD)
<input type="checkbox"/> Work on STH System – Non-SHR Funded (CEF to BHO, Contract to BHO)		
Type of Work Street Lighting Improvements		
Approximate Start Work Date October 1, 2009		Approximate Stop Work Date December 31, 2011

This contract is made and entered into by and between the Wisconsin Department of Transportation, designated the "Department", and the above-identified county or municipality, designated the "Local Governmental Unit", represented by its designees for constructing the above-specified project. The Department finds and determines that it is more feasible and advantageous for highway purposes to construct the identified project with the Local Governmental Unit's organization, forces, and equipment. The Department and Local Governmental Unit mutually agree to the provisions on the attached pages, which are made a part of this contract.

### Recommended for Approval

#### For County or Municipality

(Name) \_\_\_\_\_ (Date) \_\_\_\_\_  
Jeffrey J. Mantes

(Title) Commissioner of Public Works

(Name) \_\_\_\_\_ (Date) \_\_\_\_\_  
W. Martin Morics

(Title) Comptroller

(Name) \_\_\_\_\_ (Date) \_\_\_\_\_

(Title) \_\_\_\_\_

(Name) \_\_\_\_\_ (Date) \_\_\_\_\_

(Title) \_\_\_\_\_

#### For Wisconsin Department of Transportation

\_\_\_\_\_  
(Regional Director) (Date)

#### Approved for the State of Wisconsin

\_\_\_\_\_  
(Contract Specialist) (Date)

\_\_\_\_\_  
(Director of Project Development) (Date)

\_\_\_\_\_  
(Governor of Wisconsin) (Date)

The Local Governmental Unit agrees to construct the described project in accordance with the requirements of the Department, the approved plans when required for such project, in accordance with the Standard Specifications for Road and Bridge Construction and approved supplements as may be applicable, and in accordance with the special provisions made a part of this contract. The word "contractor" as used in the specifications and special provisions shall, when applicable, be deemed to mean the Local Governmental Unit.

The provisions of Subsection 108.11 of the Standard Specifications, Liquidated Damages, are deleted from this contract.

The Local Governmental Unit is authorized by the Department and agrees to provide for the purchase, delivery, and storing of all materials required except those excluded from this contract, the furnishing or necessary rental of all equipment and small tools, and the furnishing of all labor necessary to expeditiously complete the work, and to pay all costs incurred pursuant to this contract.

The Department agrees to reimburse the Local Governmental Unit for actual costs of equipment, labor and materials incurred in performing the work up to the contract amount or as amended by contract change orders.

The Department agrees to pay to the Local Governmental Unit and the Local Governmental Unit agrees to accept in full, settlement for the work performed under this contract:

1. The actual cost of labor, at rates currently paid by the Local Governmental Unit for similar work in the area, materials and incidental expense furnished or incurred by the Local Governmental Unit pursuant to this contract, such payment to be based on a Detailed Statement of Expenditures, submitted monthly with the Monthly Report of Expenditures, and verified by the Local Governmental Unit.
2. The recognized costs incident to the employment of labor under this contract (such as worker's compensation insurance, unemployment and retirement contributions and time off with pay) computed and requisitioned in accordance with established policy.
3. An allowance for the use of equipment, tools and incidentals for the work under this contract. Such allowance shall be in accordance with the provisions of, and at the rates either:
  - (a) Specified in the Cost Agreement between the Department and the Local Governmental Unit in effect when the work is performed, except for the

conditions, changes or additions as listed below, or as may be otherwise provided in the Special Provisions of this contract; or,

- (b) Specified in the attached Equipment Rate schedule, or as may be otherwise provided in the special provisions of this contract.

These payments shall be based on a Detailed Statement of Expenditures, submitted monthly with the Monthly Report of Expenditures and verified by the Local Governmental Unit.

The rates established apply on equipment in good working order. Allowance will be made only for the time during which the equipment is in actual use on the project; no allowance will be made for equipment wholly inadequate or inefficient or in excess of the requirements of the work.

In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s.51.01(5) Wis. Stats., sexual orientation, or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

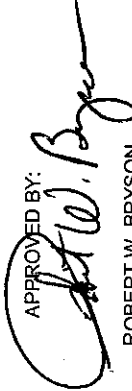
The Local Governmental Unit agrees to furnish, on the Detailed Statement of Expenditures, an accurate distribution of the costs between the various items of work.

The estimated unit costs of materials being used on this contract are listed as attached.

# PROJECT UNIT COST ANALYSIS

ESTIMATE OF QUANTITIES  
PROJECT ID 2505-06-00  
SOUTH 13TH STREET FROM: WEST COLLEGE AVENUE TO WEST RAWSON AVENUE  
MILWAUKEE COUNTY

Item No.	Description	Unit	Quantity	Excluded Costs	City Unit	City Total
90005-7	METAL PEDESTAL CABINET	EACH	23	\$ 883.82	\$ 108.18	\$ 2,488.22
90005-11	3#4/1 #8 LTP UNDERGROUND CABLE	LF	2138	\$ 7,125.49	\$ 5.46	\$ 11,663.24
90005-12	3#6/1 #8 LTP UNDERGROUND CABLE	LF	3507	\$ 8,058.83	\$ 4.42	\$ 15,502.23
90005-13	3#8/1 #8 LTP UNDERGROUND CABLE	LF	3717	\$ 5,690.41	\$ 3.65	\$ 13,579.46
90005-26	INSTALL A26 CONCRETE POLE (GRAY) INCLUDES RISER CABLE	EACH	37	\$ 26,946.18	\$ 981.26	\$ 36,306.60
90005-52	INSTALL 6'-0" UPSWEEP BRACKET (WOOD POLE MOUNTING)	EACH	1	\$ 115.48	\$ 185.23	\$ 185.23
90005-53	INSTALL 6'-0" 2" AL MITCHELL UPSWEEP BRACKET	EACH	37	\$ 1,900.67	\$ 97.87	\$ 3,621.33
90005-57	INSTALL A21-A26 MOUNTING CLAMP SINGLE BRACKET	EACH	37	\$ 1,376.02	\$ 60.44	\$ 2,236.35
90005-76	INSTALL 250W/240V COBRA FIXTURE & 250 WATT HIGH PRESSURE SODIUM LAMP	EACH	38	\$ 5,239.89	\$ 207.65	\$ 7,890.64
90005-103	HAND HOLE OR PEDESTAL SPLICE	EACH	37	\$ 44.96	\$ 66.27	\$ 2,452.13
90005-112	200 AMP 120/240 VOLT PAD MOUNT SERVICE CABINET (GREEN)	EACH	1	\$ 2,599.03	\$ 3,239.02	\$ 3,239.02
UTILITY	WE ENERGIES TO INSTALL ELECTRICAL SERVICE TO POWER CABINET	EACH	1		\$	\$ 5,000.00
				TOTAL CITY COST		\$104,164.45
				TOTAL EXCLUDED COSTS		\$59,980.78

APPROVED BY:  
  
ROBERT W. BRYSON  
CHIEF TRAFFIC AND LIGHTING ENGINEER

TRANSPORTATION SECTION  
TRAFFIC AND LIGHTING DESIGN UNIT  
DENIS KOZELEK  
6/23/2009

\*\* Please note that the Total City Cost includes the embedded costs of mobilization and traffic control which are included in the times used for calculating City Unit Costs on the attached worksheets.

## PW FILE NUMBER: 090326

[illegible]



## Legislation Details (With Text)

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**File #:** 090295      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 7/7/2009      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relative to application, acceptance and funding of a 2009 and 2010 Vehicle Miles of Travel Monitoring Grant.

**Sponsors:** THE CHAIR

**Indexes:** AIR QUALITY, ENVIRONMENT, STATE GRANTS, WISCONSIN DEPARTMENT OF TRANSPORTATION

**Attachments:** Cover Letter, Fiscal Note, Grant Analysis Form, Grant Budget Form, Agreement, Comptroller's Certification, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/7/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/10/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

**Number**

090295

**Version**

Original

**Reference**

**Sponsor**

The Chair

**Title**

Resolution relative to application, acceptance and funding of a 2009 and 2010 Vehicle Miles of Travel Monitoring Grant.

**Analysis**

This resolution authorizes the Commissioner of Public Works to apply for, accept and fund a 2009 and 2010 Vehicle Miles of Travel Monitoring Grant project from the Wisconsin Department of Transportation in the amount of \$81,263. The purpose of the project is to collect traffic count data to monitor traffic flow patterns in the City of Milwaukee.

**Body**

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

Whereas, The operation of this grant project from October 1, 2009 to September 30, 2010 would cost \$81,263 and would be provided by the grantor; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of Public Works and Comptroller are hereby authorized to make application to the Wisconsin Department of Transportation through execution of the agreement attached and incorporated in this resolution; and, be it

Further Resolved, That the Department of Public Works shall accept this grant without further approval unless the terms of the grant change as indicated in Section 304-81 of the Milwaukee Code of Ordinance; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit Funds within the Project/Grant Parent of the 2009 Special Revenue Grant and Aid Projects Fund the following amounts for the program/project titled 2009 and 2010 Vehicle Miles of Travel Monitoring Project:

Project/Grant Parent Grantor Share

Project/Grant ChartField GR0000-9-00000

Fund 0150

Organization 9990

Program 0001

Budget Year (BY) 0009

Subclass R999

Account 000600

2009 Project/Grant Total \$81,263

2. Create a Special Revenue Fund - Grant and Aid Projects and the necessary Project/Grant ChartField Values at the Project, Segment, Phase and/or Activity Levels; and to budget to the Project, Segment, Phase or Activity

level the amount required under the grant agreement,

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

1. Expend from the amount budgeted for specific purposes as indicated in the grant budget and incur costs consistent with the award date.
2. Expend from the 2009 grant budget funds for training and out-of-town travel by departmental staff.

**Requestor**

Department of Public Works

**Drafter**

Infrastructure Services Division

RWB: KMW: ns

June 23, 2009

2009-10 VMTMG RESOLUTION-GS

June 23, 2009

To the Honorable, the Common Council

Subject: 2009 and 2010 Vehicle Miles of  
Travel Monitoring Grant

Dear Council Members:

In compliance with requirements of the Clean Air Act Amendment, the Wisconsin Department of Transportation is required to closely monitor traffic levels and changes in traffic patterns on the highway system in the Southeastern Wisconsin Ozone Non-attainment Area. To meet these requirements, Wisconsin Department of Transportation has requested to use City of Milwaukee traffic count data collected under our annual traffic counting program, and to expand the program as needed to meet the stricter data collection standards imposed on them. As part of their request, funding will be provided for all traffic counts beyond those normally collected by the City, as well as all necessary training for City employees involved in the traffic data collection. Similar grants have been provided to the City by Wisconsin Department of Transportation for this purpose on an annual basis since the inception of this program in 1993. Traffic volume counts to be completed in 2009 and 2010 include counts on roadways in the southern and central portions of the City.

The estimated cost of the expanded traffic count program for 2009 and 2010 is \$81,263 which will be funded by Wisconsin Department of Transportation.

We have prepared and recommend adoption of the attached resolution, which authorizes the City Engineer to apply for and accept funding for the 2009 and 2010 Vehicle Miles of Travel Monitoring Grant, and to perform all work outlined in the Grant agreement. The resolution also authorizes and directs the City Comptroller to establish all necessary accounts, and to make appropriations to these accounts in the amounts set forth in the Grant agreement.

Very truly yours,

Jeffrey S. Polenske, P.E.  
City Engineer

Jeffrey J. Mantes  
Commissioner of Public Works

RWB: KW: ns  
Attachment

# CITY OF MILWAUKEE FISCAL NOTE

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

A) DATE: June 21, 2009

FILE NUMBER:

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution relative to Application, Acceptance and Funding of a 2009-2010 Vehicle Miles of Travel Monitoring Grant.

B) SUBMITTED BY: Jeffrey S. Polenske, City Engineer, Dept. of Public Works, Infrastructure Services Division, ext. 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:	Department of Public Works	GR0000900000	\$ 81,263	\$ 81,263	
TOTALS:			\$ 81,263	\$ 81,263	

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	Expenditures \$81,263 - Revenues \$81,263
<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:

None

H) METHOD OF COMPUTATION

CURRENT CITY LABOR COSTS AND ADDITIVE RATES, AND CITY TRAVEL REIMBURSEMENT POLICIES

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

**GRANT ANALYSIS FORM**  
**OPERATING                      &                      CAPITAL                      GRANT                      PROJECTS/PROGRAMS**

Department/Division: Department of Public Works, Infrastructure Services Division

Contact Person & Phone No: Kristina Wierzbinski, 414-286-3229

**Category of Request**

- ☒ New Grant
- ☐ Grant Continuation
- ☐ Change in Previously Approved Grant

Previous Council File No.

Previous Council File No.

Project/Program Title: 2009-10 Vehicle Miles of Travel Grant

Grantor Agency: Wisconsin Department of Transportation

Grant Application Date: October 1, 2009 through September 30, 2010

Anticipated Award Date: October 1, 2009

Please provide the following information:

**1. Description of Grant Project/Program (Include Target Locations and Populations):**

As required by the Clean Air Act Amendment, the Wisconsin Department of Transportation must monitor highway usage in the Southeastern Wisconsin Ozone Non-Attainment Area. As an indicator of reductions in vehicle usage needed to meet emission reduction goals, the DOT must monitor changes in traffic demand on the arterial roadway system in Southeastern Wisconsin. Traffic counts must therefore be taken on each arterial roadway segment, and on a sample of local roadways, to determine current roadway usage levels. To meet these requirements, Wisconsin DOT has requested to use traffic count data obtained by the City of Milwaukee under its annual traffic count program, and to expand the program as necessary to provide coverage of the entire City. Funding for all traffic counts beyond those nonnally completed by the City, as well as training for City employees involved in the collection of traffic count data, will be provided by Wisconsin DOT under this grant project.

**2. Relationship to City-wide Strategic Goals and Departmental Objectives:**

The program funds expansion of the City's traditional traffic count program to more closely monitor travel trends in the City of Milwaukee, which will allow a more complete, concise and timely evaluation of the impact of the City's effort to reduce single occupant vehicle use in the City.

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

The additional funding received under similar Grants provided by Wisconsin DOT during past years has allowed the City to nearly double the number of counts typically completed on an annual basis. While allowing the City and DOT to monitor the impact of vehicle emission reduction efforts, the expanded count program has also provided improvement to the City's traffic data base. Current traffic count data is more readily available for facility design and operational needs, and has consistently reduced the costs of many projects completed by eliminating data collection needs.

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

Not applicable.

**5. Grant Period, Timetable and Program Phase-out Plan:**

The Grant is to cover work beginning October 1, 2009, to be completed by September 30, 2010. Training of City staff in current traffic count procedures and technology will occur in fall of 2009 and in early April of 2010. Traffic count data collection will begin in October 1, 2009 with traffic counts scheduled to be taken in the central portions of the City, and at any remaining locations in the southern portion of the city not completed during the prior year's program. All 2009 counts are to be completed by late October/early November of that calendar year. All 2009 data reduction and analysis required is to be completed by December 31 of that calendar year. In spring of 2010 any traffic counts left from the 2009 season will be completed. Traffic counts had been completed under similar projects beginning in 1993. The traffic data collected in the central portions of the city will be compared by DOT with traffic counts taken in this area in 2006 to determine any changes in traffic patterns in the area. It is anticipated that grant funding will again be available for the Federal fiscal year, beginning in September, 2010.

**6. Provide a List of Subgrantees:**

**7. If Possible, Complete Grant Budget Form and Attach to Back.**

PROJECT/PROGRAM TITLE: 2009-10 Vehicle Miles of Travel Monitoring Grant  
 CONTACT PERSON: Robert W. Bryson, ext. 3244

PROJECT/PROGRAM YEAR: 2009-10

NUMBER OF POSITIONS		LINE DESCRIPTION	PAY RANGE NO.	GRANTOR SHARE	CASH MATCH A/C #	TOTAL
NEW	EXISTING					
	1 [600 hr.]	PERSONNEL COSTS Engineering Technician IV (600/1800) * \$53,600	620	\$17,867		\$17,867
	1 [1050 hr.]	Electrical Worker (1050/1800) * \$42,800	974	\$24,967		\$24,967
		TOTAL PERSONNEL COSTS		\$42,834		\$42,834
		FRINGE BENEFITS (57.29% of Personnel Costs)		\$24,540		\$24,540
		TOTAL FRINGE BENEFITS		\$24,540		\$24,540
		SUPPLIES AND MATERIALS				
		TOTAL SUPPLIES AND MATERIALS				
		EQUIPMENT AND FACILITY RENT 6221 - Crew Vehicle		\$2,000		\$2,000
		TOTAL EQUIPMENT AND FACILITY RENT		\$2,000		\$2,000

NUMBER OF POSITIONS		LINE DESCRIPTION	PAY RANGE NO.	GRANTOR SHARE	CASH MATCH A/C #	TOTAL
NEW	EXISTING					
		<b>SERVICES</b>  6311 -- Travel Lodging; (4 * \$70) * 2 Trips Meals; (4 * 2 Days @ \$35/day) * 2 Trips Round Trip Auto; (2 Trips @ \$165)		\$560 \$560 \$330		\$560 \$560 \$330
		<b>TOTAL SERVICES</b>		\$1450		\$1450
		<b>EQUIPMENT</b>				
		<b>TOTAL EQUIPMENT</b>				
		<b>INDIRECT COSTS</b>  2437 * \$42,834		\$10,439		\$10,439
		<b>TOTAL INDIRECT COSTS</b>		\$10,439		\$10,439
		<b>TOTAL COSTS</b>		\$81,263		\$81,263

AGREEMENT BETWEEN  
THE WISCONSIN DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS AND TRANSPORTATION SERVICES  
AND  
THE CITY OF MILWAUKEE

PROJECT I.D. 0093-03-12

This Agreement made and entered into by and between the Wisconsin Department of Transportation, hereinafter called the DEPARTMENT, and the City of Milwaukee, Department of Public Works, hereinafter called the CITY, provides for those services described in detail below.

To meet the travel monitoring requirements included in the Federal Clean Air Act Amendments (CAAA) of 1990, the DEPARTMENT, the Wisconsin Department of Natural Resources (DNR), the Federal Highway Administration (FHWA), and the Federal Environmental Protection Agency (EPA), noticed in 1993 that actual vehicle miles of travel (VMT) would be determined in the Southeastern Wisconsin Air Quality Non-Attainment Area, using the Department's established coverage traffic count program, enhanced with a sample of local function roads and an expanded control count program. This resulted in a 50% increase in counting effort by the DEPARTMENT's District 2, not including any counts within the City of Milwaukee.

Because the CITY had a long established traffic count program, the DEPARTMENT deemed it advisable to have the CITY expand its existing program to the enhanced program standards, rather than have the DEPARTMENT duplicate or replace the CITY's efforts.

It is the intent of this Agreement that the CITY provide the enhanced traffic counting services for roadways within jurisdictional boundaries of the City of Milwaukee. The scope of the 2009-10 enhanced traffic counting work to be performed by the CITY is indicated by the following estimates of traffic counting services and costs:

The City of Milwaukee, Department of Public Works, Infrastructure Services Division shall:

1. Perform 48-hour weekday traffic volume counts on all links of routes in the City of Milwaukee functionally classified as arterials and collectors. For purposes of this agreement, a link is defined as a segment of a functionally classified route between intersections with two other routes classified as arterials or collectors.
2. Perform 48-hour weekday traffic counts on a randomly selected sample of local function routes in the City of Milwaukee, with specific count locations to be defined by the DEPARTMENT.

3. Counts to be taken during calendar year 2009 will be in the central, and counts to be taken during calendar year 2010 will be in the northern portions of the City of Milwaukee.
4. Provide 7-day control counts during the four seasonal quarters of the year. Nine counts will be required for each functional classification of roadway (arterial, collector, and local). The City's "Key Count" program will be used as part of this control count program.
5. Provide the necessary vehicle for the transportation of personnel and equipment assigned to the 2009 count program.
6. Provide the DEPARTMENT, within 2 weeks of count completion, one copy of all count data on 3.5" .2DD Diskettes, together with copies of Traffic COMP III Field Reports, for all counts.
7. The counts defined in items 1 and 2 above will be distributed over a 3-year cycle. This agreement is intended to cover work completed during the period October, 2009 through September 30, 2010.

The cost of these services, by billing period, are summarized as follows:

October 1 through December 31, 2009	\$23,088
January 1 through March 31, 2010	\$12,000
April 1 through June 30, 2010	\$23,088
July 1 through September 30, 2010	\$23,087

Work specified and eligible for reimbursement under this Agreement will commence on October 1, 2009. It is expected that all 2009 field data collection covered under this contract will be completed by November 30, 2009, with all data collected to be delivered to the District office by December 31, 2009. All 2010 field data collection covered under this contract will be completed by September 30, 2010 with all data collected to be delivered to the district office by October 31, 2010.

The DEPARTMENT will provide reimbursement of actual costs for services and items provided by the City for the enhanced traffic count program. However, total reimbursement to the CITY shall not exceed \$81,263 without prior agreement and approval of both parties for any additional services provided. Cost reimbursement shall be full compensation for all wages, fringe benefits, proratables and incidentals included in the work, and shall include training and training related travel for a maximum of 4 CITY workers in traffic data collection policies, procedures and recommended practices of the DEPARTMENT as necessary for successful project completion. The costs included in this contract reflect costs that exceed the CITY's normal traffic count program.

The DEPARTMENT will supplement, on a loan basis, the CITY's present 13 portable traffic count machines, to a combined total of 30 to 34 machines. The DEPARTMENT will be responsible for the repair of the supplemental machines. The DEPARTMENT will provide the peripheral equipment, hardware and software needed to operate the machines, and a compatible lap-top personal computer for the downloading of data.

The use of CITY forces is considered to be in the public interest because the CITY currently operates a traffic count program, is familiar with the conditions and characteristics of the area to be counted, and have trained staff available to perform all necessary work.

The City will charge actual costs incurred and attributable to the aforementioned services as follows:

October 1 through December 31, 2009	I.D. 0093-03-12
January 1 through March 31, 2010	I.D. 0093-03-12
April 1 through June 30, 2010	I.D. 0093-03-12
July 1 through September 30, 2010	I.D. 0093-03-12

Billings to the DEPARTMENT shall consist of a statement of charges, supported by a description of items and services provided. Bills will be submitted quarterly, beginning December 31, 2009, within 14 calendar days of the end of the periods described above.

APPROVED \_\_\_\_\_  
Commissioner of Public Works, City of Milwaukee Date

APPROVED \_\_\_\_\_  
Comptroller, City of Milwaukee Date

APPROVED \_\_\_\_\_  
Wisconsin Department of Transportation Date

APPROVED \_\_\_\_\_  
Audit Supervisor, BFS/DBM Date

APPROVED \_\_\_\_\_  
Governor, State of Wisconsin Date

KMW  
6/21/09

**Capital Grant Resolution Certification from the**  
**Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. \_\_\_\_\_ for the 2009 and 2010 vehicle miles of travel monitoring grant (Grantor \$81,263 City 0) 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:

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The resolution should be corrected and returned to the Comptroller's Office for review.

Signature:           *C. Winick*          

Date:           6/23/09

## PW FILE NUMBER: 090295

[illegible]



## Legislation Details (With Text)

**File #:** 090161 **Version:** 1

**Type:** Resolution **Status:** In Committee

**File created:** 5/27/2009 **In control:** PUBLIC WORKS COMMITTEE

**On agenda:** **Final action:**

**Effective date:**

**Title:** Substitute resolution directing the City Engineer to submit applications to the Wisconsin Department of Transportation for programming for the construction of freeway noise barriers at locations along I-94 as identified in the Wisconsin Department of Transportation's I-94 North-South Freeway Project Noise Barrier study for which no local cost participation is required.

**Sponsors:** ALD. WITKOWSKI

**Indexes:** EXPRESSWAY, NOISE CONTROL, STATE GRANTS, WISCONSIN DEPARTMENT OF TRANSPORTATION

**Attachments:** Fiscal Note, List of I-94 North-South Freeway Noise Barriers, Maps, Pattern Options, 7-7-09 Petition, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/27/2009	0	COMMON COUNCIL	ASSIGNED TO		
5/29/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/29/2009	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/3/2009	0	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
6/17/2009	1	CITY CLERK	DRAFT SUBMITTED		
6/18/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/19/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/24/2009	1	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
7/10/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/10/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

Number

090161

Version

SUBSTITUTE 1

Reference

Sponsor

ALD. WITKOWSKI

Title

Substitute resolution directing the City Engineer to submit applications to the Wisconsin Department of Transportation for programming for the construction of freeway noise barriers at locations along I-94 as identified in the Wisconsin Department of Transportation's I-94 North-South Freeway Project Noise Barrier study for which no local cost participation is required.

Analysis

This resolution directs the City Engineer to submit applications to the Wisconsin Department of Transportation for programming for the construction of freeway noise barriers at the 16 locations along I-94 in the City of Milwaukee which are identified in the Wisconsin Department of Transportation's I-94 North-South Freeway Project Noise Barrier study as qualified locations. The locations in the city for which applications will be submitted do not require any local cost participation. The majority of the barriers are scheduled for construction during the 2010 program year, with the remaining scheduled for the 2011 - 2012 program years. In order to be considered for programming in 2010, the applications must be submitted by September 1, 2009.

...Body

Whereas, Chapter TRANS 405, Wis. Adm. Code, created in 1989, established procedures to be used by the Wisconsin Department of Transportation (WISDOT) to evaluate and select site locations for freeway noise barriers; and

Whereas, WISDOT contracted with the consulting firm of Milwaukee Transportation Partners, LLC to evaluate freeway noise levels within the I-94 North-South Freeway Project area and, using ch. TRANS 405, establish a list of locations warranting freeway noise barriers; and

Whereas, Sixteen locations in the City of Milwaukee are identified as eligible for noise barriers; and

Whereas, Chapter TRANS 405, Wis. Adm. Code, specifies that the WISDOT share of the total cost of a noise barrier may not exceed \$30,000 per abutting residence, with local units of government responsible for any additional costs; and

Whereas, Of the 16 locations in the city which qualify for noise barriers, all meet the \$30,000 cost criterion and could be constructed without any City funding participation; and

Whereas, Noise barrier project requests must originate with the local units of government and WISDOT has indicated that applications for noise barrier projects which are included in the 2010 program year must be received by September 1, 2009; and

Whereas, The City supports the concept of freeway noise barrier construction and is desirous of requesting WISDOT's actions on barrier implementation to benefit City residents; and

Whereas, The majority of residents affected by the proposed noise barriers that responded to the WISDOT survey have expressed support for the barriers, and the majority of residents at the public meetings expressed a preference for the lannon stone block appearance finish on the residential facing of the barriers; and

Whereas, Further Common Council action will be necessary to permit preparation of final plans and construction of the noise barriers; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City supports the concept of freeway noise barrier construction in the City of Milwaukee; and, be it

Further Resolved, That the City Engineer is directed to submit applications to WISDOT for programming for the construction of freeway noise barriers at the locations identified within the I-94 North-South Freeway Project Noise Barrier study as qualified locations, a list of which is attached to this file, and is incorporated in this resolution by references as though set forth in full, which are located in the city of Milwaukee and require no local cost participation.

Requestor

Drafter  
LRB09219-2  
RTW  
5/28/2009

## CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: June 23, 2009

FILE NUMBER 090161  
Original Fiscal Note ☒ Substitute ☐

**SUBJECT:** Substitute resolution directing the City Engineer to submit applications to the Wisconsin Department of Transportation for programming for the construction of freeway noise barriers at locations along I-94 as identified in the Wisconsin Department of Transportation I-94 North-South Freeway Noise Barrier study for which no local cost participation is required.

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:					
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 checked="" 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:

None

H COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

**WISDOT I-94 North-South Freeway Project Recommended Noise Barriers**  
**City of Milwaukee**

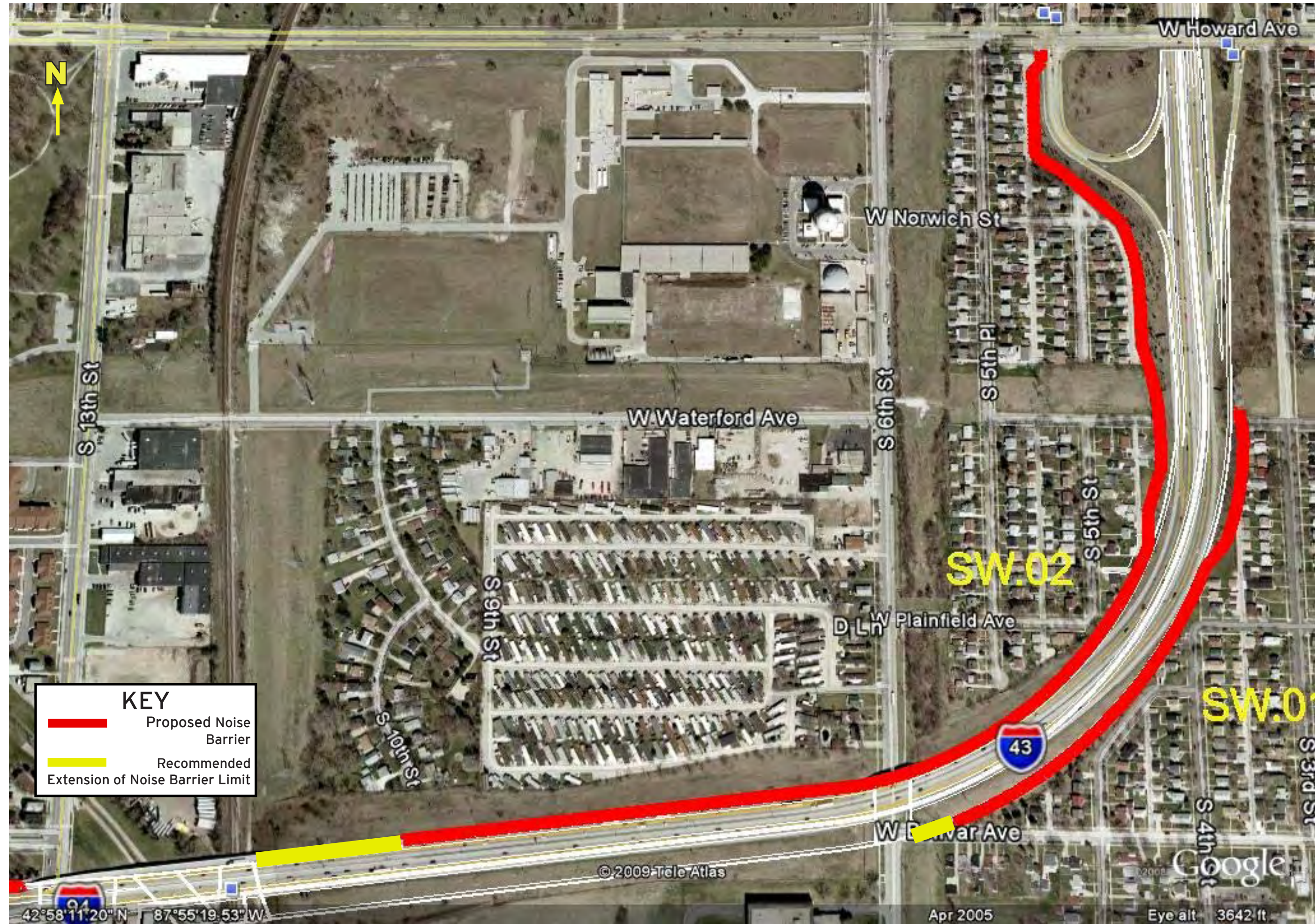
See attached maps for location details

- SW.01: Northbound from W. Bolivar Avenue to W. Waterford Avenue
- SW.02: Southbound from Howard Avenue to 13<sup>th</sup> Street
- SW.03: Southbound from 13<sup>th</sup> Street to S. 18<sup>th</sup> St.
- SW.04: Northbound from Layton Avenue to S. 13<sup>th</sup> Street (earthen berm / noise barrier)
- SW.05: Westbound from S. 20<sup>th</sup> Street to S. Louisiana Avenue
- SW.07: Southbound from Layton Avenue to Grange Avenue (earthen berm south of existing on ramp connecting to the noise barrier)
- SW.08: Northbound from Grange Avenue to Layton Avenue (noise barrier connecting to an earthen berm near Layton south of the existing off ramp)
- SW.09: Southbound from Edgerton Avenue to Grange Avenue
- SW.10: Northbound from Grange Avenue to Edgerton Avenue
- SW.11: Southbound from Grange Avenue to Airport Spur
- SW.12: Northbound from Airport Spur to Grange Avenue
- SW.13: Southbound from Airport Spur to College Avenue with recommended reduction north of College Ave.
- SW.14: Northbound from Ramsey Avenue to S. 14<sup>th</sup> St with recommended extension south of Ramsey Ave.
- SW.15: Northbound from College Avenue to Maitland Park
- SW.20: Eastbound from S. 24<sup>th</sup> Street to S. 20<sup>th</sup> Street
- SW.21: Eastbound from S. 20<sup>th</sup> Street to Layton Avenue

# SW.01: Northbound from W. Bolivar Avenue to W. Waterford Avenue



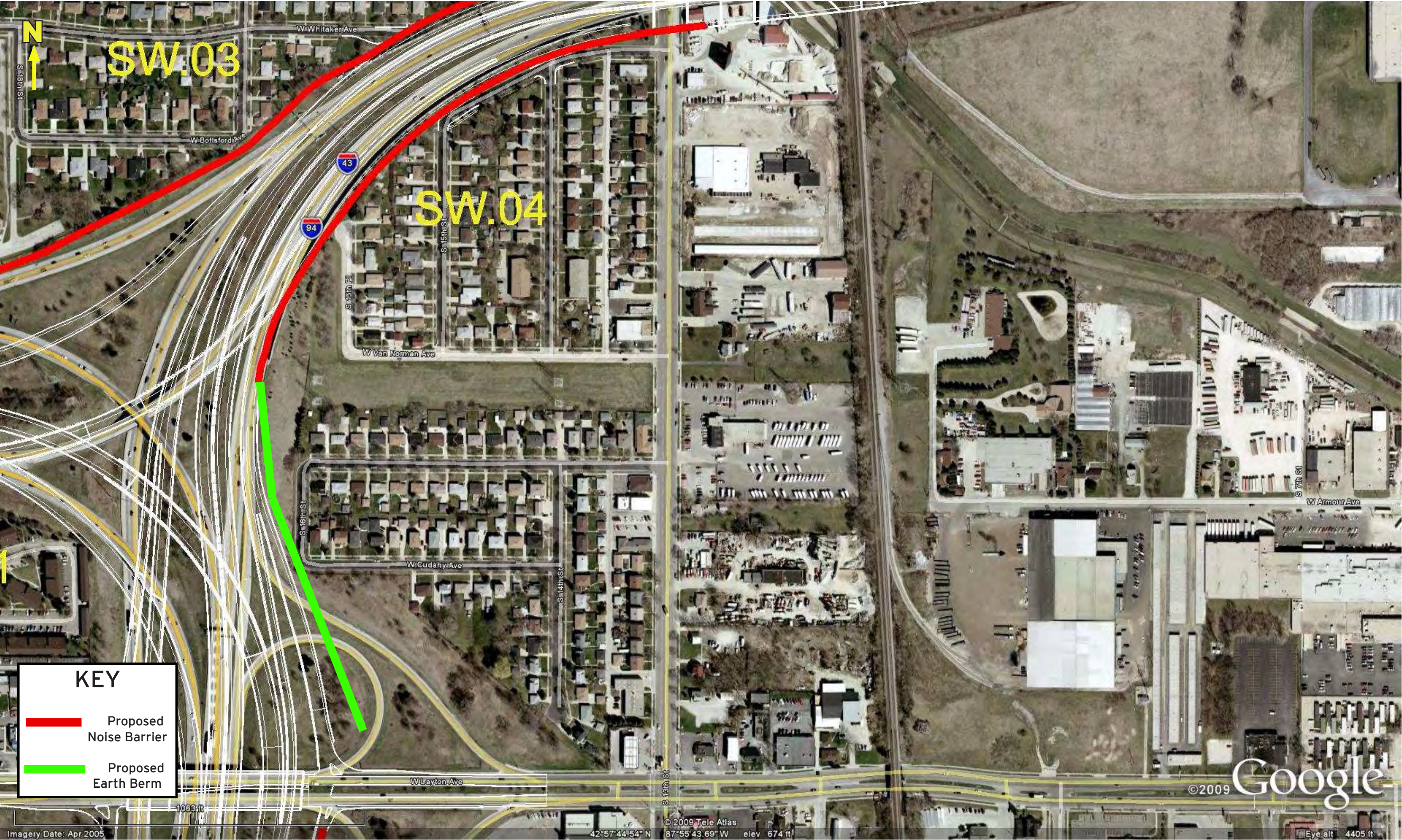
SW.02: Southbound from Howard Avenue to 13<sup>th</sup> Street



SW.03: Southbound from S. 13<sup>th</sup> Street to Bottsford Avenue



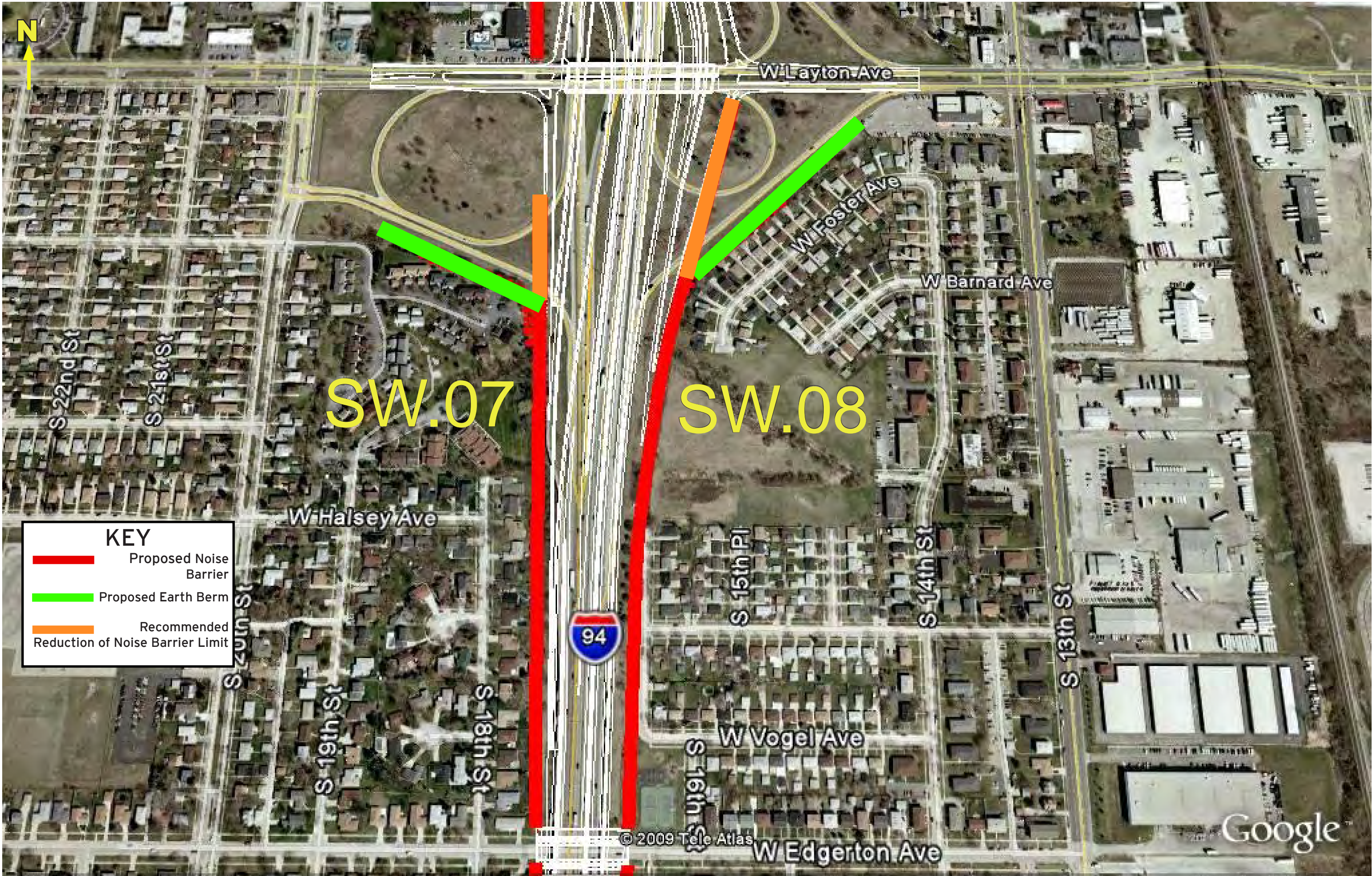
SW.04: Northbound from Cudahy Ave. to S. 13<sup>th</sup> St.



SW.05: Westbound from S. 20<sup>th</sup> Street to S. Louisiana Avenue



SW.07: Southbound from Layton Ave. to Grange Ave. & SW.08: Northbound from Grange Ave. to Layton Ave.



SW.09 & SW.10: Southbound & Northbound from Edgerton Avenue to Grange Avenue



# SW.11: Southbound from Grange Avenue to Airport Spur



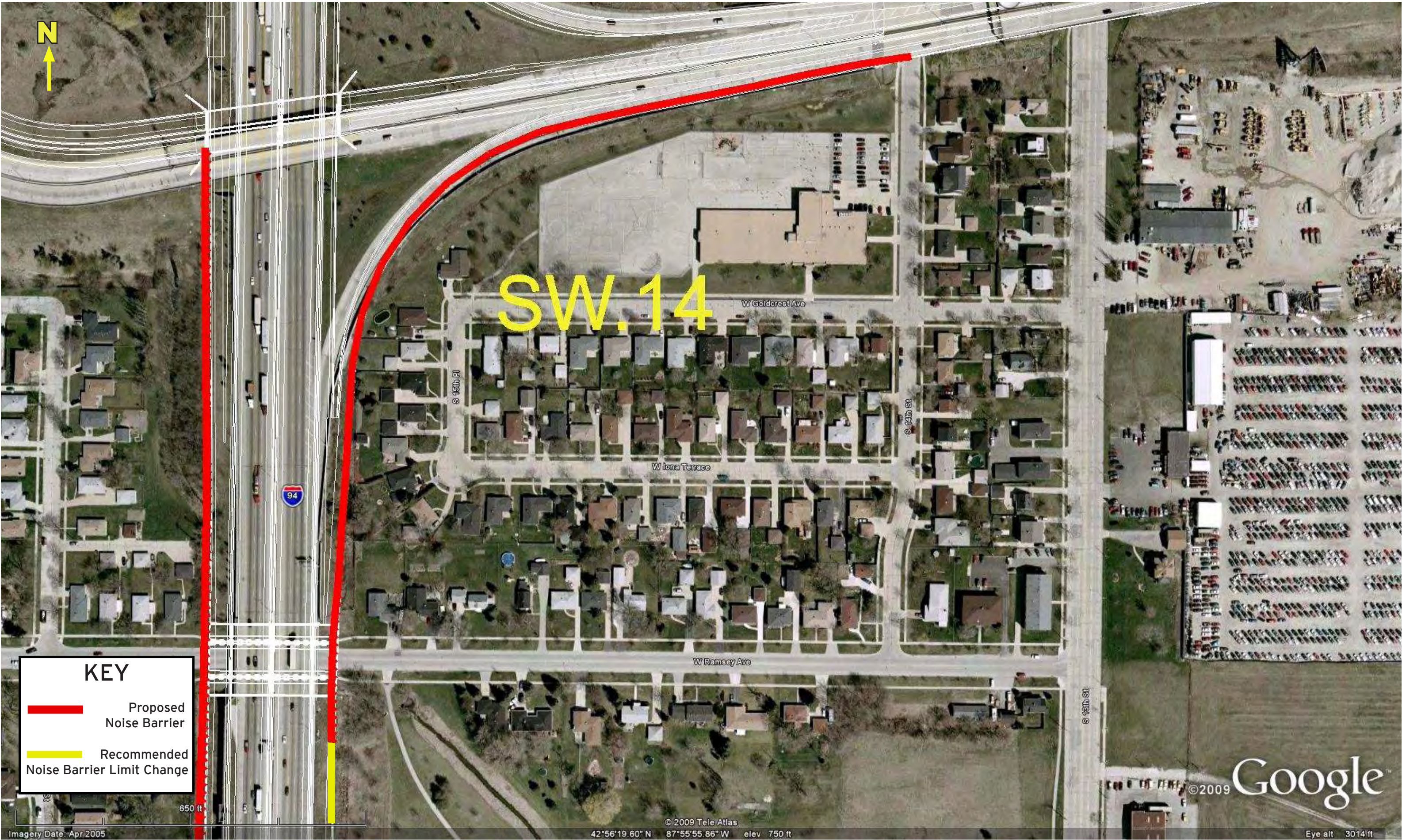
# SW.12: Northbound from Airport Spur to Grange Avenue



# SW.13: Southbound from Airport Spur to College Avenue



# SW.14: Northbound from Ramsey Avenue to Garland School



**KEY**

Proposed Noise Barrier

SW.15

©2009 Google

Imagery Date: Apr 2005

©2009 Tele Atlas

42°55'56.93"N 87°55'58.32"W elev 747 ft

Eye alt 3268 ft

**KEY**

 Proposed Noise Barrier

 Proposed Noise Barrier

SW.15



Google

©2009

Eye alt 3268 ft

SW.20: Eastbound from S. 24<sup>th</sup> St. to S. 20<sup>th</sup> St.



SW.21: Eastbound from S. 20<sup>th</sup> St. to Layton Ave.



SW.20

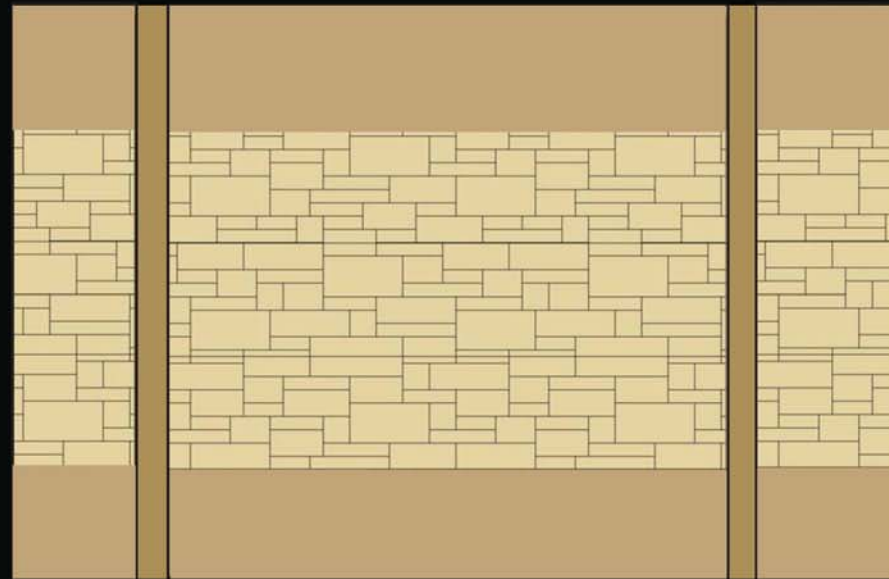
SW.21

KEY

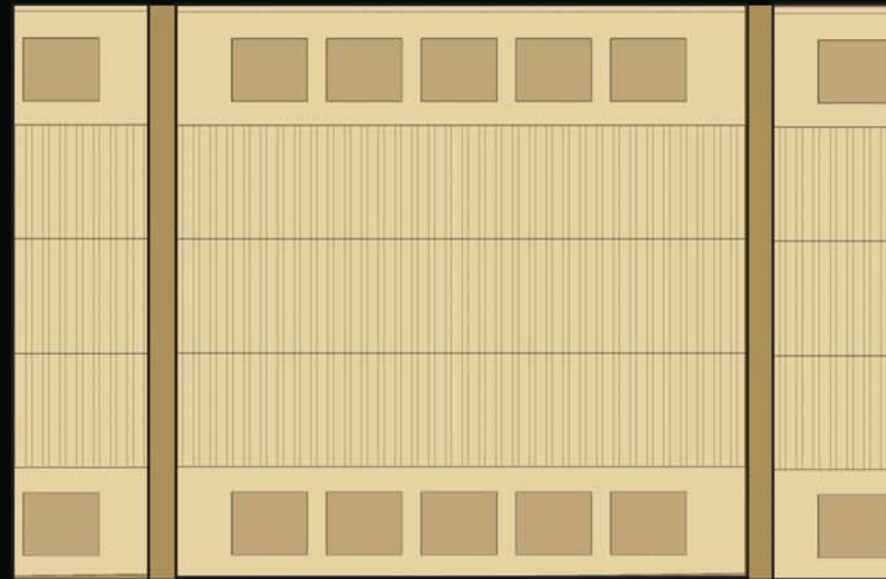
Proposed Noise Barrier

# Pattern Options

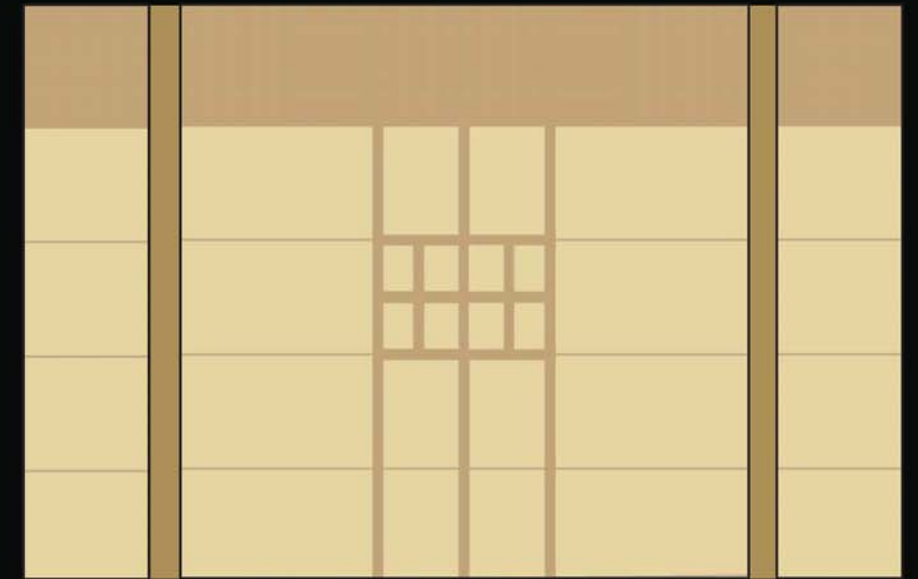
**Pattern A**



**Pattern B**



**Pattern C**



July 7, 2009

Re: Proposed Sound Barrier Wall along the 16<sup>th</sup> Street and Bottsford Ave. area.

Alderman Robert Bauman  
Public Works Committee Members  
City Hall Room 205  
200 E. Wells St.  
Milwaukee WI 53202

Dear Alderman Bauman and Members of the Public Works Committee,

We are writing this letter as a follow up to the Public Works Committee Meeting held on June 24, 2009.

At this meeting the Board decided to hold over any action on the Sound Barrier Wall at the S 16<sup>th</sup> St. and Bottsford Ave. along the I94 and 894 locations until the August meeting. This is not a city project but one being done by the State of Wisconsin as part of the I 94 rebuild from Milwaukee to the State line. Since we did not receive a specific date as to the next meeting we would like to pass on some information to you and your committee members at this time. We ask that all members of your committee get a chance to see this letter since we did not have all of their names so we could send copies to them. Feel free to discuss this matter and come to the neighborhood and see our concerns first hand.

The Wisconsin Department of Transportation held a meeting sometime back at the Hospitality Inn on S. 27<sup>th</sup> St. to inform the public of the wall placements and styles. They asked that you take the paper specific to your neighborhood and choose if you wanted a wall and what type of wall you would prefer or if you didn't want a wall. Those of us who were unable to attend the meeting were asked to take the Blue paper and fill out the information for our area and mail it back to the Department Of Transportation I 94 Project. The tally of these papers would be provided to Alderman Witkowski. The results of that tally were 13 people not in favor of the wall and 9 people in favor of the wall. This is now the 3<sup>rd</sup> time a vote has been taken in the last 19 years and each time the public has said no to the wall. Alderman Witkowski has decided that we should have the wall built, against what the majority of the people asked for. It is our understanding the majority should rule and be followed after all this is a democracy.

After our meeting at City Hall a number of the neighbors came by to ask how things went and they were told of what Alderman Witkowski proposed and that the next meeting would be sometime in August. One of the individuals asked if a petition could be sent to you and the committee and so one neighbor went door to door asking the neighbors of S 16<sup>th</sup> St. and W Bottsford Ave if they would be willing to sign it. That petition did not ask if a wall should be installed or not, just if the results from the Wisconsin Department of Transportation survey should be followed and that your committee honor those results. Twenty-seven individuals along S 16th and W Bottsford Ave. signed that petition asking for that consideration. To the best of my knowledge only one individual refused to sign that petition. I have enclosed a copy of that petition and will bring the original to the next meeting.

All we ask is to honor the will of the people and do not allow the wall to be built. We all thank you and the committee members for your time and consideration on this matter and look forward to the next meeting.

Sincerely,



Timothy Satorius  
[gus200302@yahoo.com](mailto:gus200302@yahoo.com)

ars/tjs

enclosures 2

cc: Terry Witkowski  
Alvar Gellings  
Robert Paul

# Petition to the Public Works Committee City of Milwaukee

To the Public Works Committee City of Milwaukee

We the undersigned residents of the 4300 block of South 16<sup>th</sup> Street and the 1600 to 1800 blocks of West Bottsford Avenue petition the Public Works Committee to honor the finalized results of the survey submitted to you by the Wisconsin Department of Transportation for the I94 North-South Freeway Project Noise Barrier.

Name	Address	Phone #	Date
Oliver Bellings	1622 W. Bottsford	(414) 282-7397	6-28-09
ANDREW Bellings	1622 W Bottsford Ave	414-315-4719	6/28/09
Maria L. Sosa	1612 W Bottsford Ave.	414-817-6798	6-26-09
Carlene Leisnerich	1631 W. BOTTSFORD	281-4289	6-26-09
Beatrice J. Anderson	1638 W. Bottsford Ave	6-27-09	
Marilyn Lindner	4349 S 16 <sup>th</sup> St		6-28-09
Plamen J. Ganti	(414) 828-3511 4359 S. 16. St.		6-28-09
Rita M. Paul	(414) 281-2504 1639 S. Bottsford St		6/28/09
Justing B. Bielewicz	251-8415 1711 W Bottsford Ave		6/28/09
JM	282-6070 1722 W Bottsford		6/28/09
Granita G. Gajda	281-8994-1718 W Bottsford		6/28/09
Rogan G. Gajda	281-8994 1718 W BOTTSFORD		6-28-09
Kelly Gibson	1710 W Bottsford Ave	414 483-5212	6-28-09
Joe W. Wynn	1616 W. BOTTSFORD AVE.	414-817-9534	6-28-09
Carlos Evans	4372 S. 16 <sup>th</sup> ST	414) 231-9272	
Maria A. Zone	4372 S 16TH ST.	(414) 231-9272	
John L. Ames	4364 S. 16 <sup>th</sup> ST.	(414) 282-3207	
Mary Ann Speckha	1619 W. Whitaker		

414-282-8309

# Petition to the Public Works Committee City of Milwaukee

To the Public Works Committee City of Milwaukee

We the undersigned residents of the 4300 block of South 16<sup>th</sup> Street and the 1600 to 1800 blocks of West Bottsford Avenue petition the Public Works Committee to honor the finalized results of the survey submitted to you by the Wisconsin Department of Transportation for the I94 North-South Freeway Project Noise Barrier.

Name

Address

Phone #

Date

Joene Stempert 1647 W. Bottsford Ave 414-282-6492 6-28-09

Jackie Adam 1711 W. Bottsford Ave 414-281-8915 6/28/09

Judy Scauss 1637 W. Whitaker Ave. 414-281-6694 6/28/09

Myron Sshowoli 1637 W. Whitaker Ave 414-281-6694 6/28/09

James A Hawak 1727 W. Bottsford Ave 414-281-5463 6/28/09

Linda M Housh 1727 W. Bottsford Ave 414-791-1727

Georgia A Paul 1639 W. Bottsford Ave 414-281-2504

Jennifer Satorius 1630 W. Bottsford Ave 414-281-3971 7-4-09

Anne R Satorius 1630 W Bottsford Av 414 281 3971 7-5-09

**PW FILE NUMBER: 090161**

[illegible]

CURRENT OCCUPANT  
1612 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2340

CURRENT OCCUPANT  
1622 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2340

CURRENT OCCUPANT  
1623 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2339

CURRENT OCCUPANT  
1630 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2340

CURRENT OCCUPANT  
1631 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2339

CURRENT OCCUPANT  
1638 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2340

CURRENT OCCUPANT  
1639 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2339

CURRENT OCCUPANT  
1646 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2340

CURRENT OCCUPANT  
1647 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2339

CURRENT OCCUPANT  
1702 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2342

CURRENT OCCUPANT  
1703 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2341

CURRENT OCCUPANT  
1710 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2342

CURRENT OCCUPANT  
1711 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2341

CURRENT OCCUPANT  
1718 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2342

CURRENT OCCUPANT  
1719 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2341

CURRENT OCCUPANT  
1726 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2342

CURRENT OCCUPANT  
1727 W BOTTSFORD AVE  
MILWAUKEE, WI 53221-2341

CURRENT OCCUPANT  
4372 S 16TH ST  
MILWAUKEE, WI 53221-2360

CURRENT OCCUPANT  
4348 S 16TH ST  
MILWAUKEE, WI 53221-2360

CURRENT OCCUPANT  
4349 S 16TH ST  
MILWAUKEE, WI 53221-2359

CURRENT OCCUPANT  
4356 S 16TH ST  
MILWAUKEE, WI 53221-2360

CURRENT OCCUPANT  
4359 S 16TH ST  
MILWAUKEE, WI 53221-2359

CURRENT OCCUPANT  
4364 S 16TH ST  
MILWAUKEE, WI 53221-2360

CURRENT OCCUPANT  
4372 S 16TH ST  
MILWAUKEE, WI 53221-2360