



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

**ALD. ASHANTI HAMILTON, CHAIR**

**Ald. Terry Witkowski, Vice-Chair**

**Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert  
Donovan**

**Staff Assistant, Linda Elmer, 286-2232**

**Fax: 286-3456, [lelmer@milwaukee.gov](mailto:lelmer@milwaukee.gov)**

**Legislative Liaison, Richard Withers, 286-8532,  
[rwithe@milwaukee.gov](mailto:rwithe@milwaukee.gov)**

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Monday, December 13, 2010

1:30 PM

Room 301-B, City Hall

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*Meeting convened: 1:37 P.M.*

**Present** 3 - Hamilton, Witkowski, Bohl

**Excused** 2 - Davis, Donovan

**The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, December 13, 2010 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the city is or is likely to become involved and then will go into open session for the regular agenda.**

*Ald. Witkowski moved that the Judiciary and Legislation Committee convene into closed session pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the city is or is likely to become involved and then will go into open session for the regular agenda.*

*Roll call:*

*Ayes: Ald. Bohl, Ald. Witkowski, Ald. Hamilton - 3*

*Excused: Ald. Davis and Ald. Donovan - 2*

*Individuals present:*

*Grant Langley, Linda Burke, Rudy Konrad and Jan Smokowicz - City Attorney's Office*

*Ald. Robert Bauman*

*Kim Montgomery and Leslie Silletti - Mayor's Office*

*Tom Mishefske - Dept. of Neighborhood Services*

*Brenda Wood - Common Council/City Clerk's Office*

*Martha Brown - Dept. of City Development*

1. [100991](#)

An ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Sponsors:** THE CHAIR

*Held as a title-only file.*

**A motion was made by ALD. WITKOWSKI that this Ordinance be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

2. [100810](#) Substitute resolution authorizing the return of real estate located at 4375 N. 15th St., in the 1st Aldermanic District to its former owner. (Stonecrest Income and Opportunity Fund I, LLC)

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

3. [100826](#) Substitute resolution authorizing the return of real estate located at 7311 W. Sheridan Ave., in the 2nd Aldermanic District to its former owner. (John Serwe)

**Sponsors:** THE CHAIR

*Ald. Bohl moved to hold to the call of the chair so the previous owner can meet with the departments to resolve his issues with the city. Prevailed. 3-0*

*Ald. Witkowski moved to reconsider. There were no objections.*

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR PLACING ON FILE. This motion PREVAILED by the following vote:**

**Aye** 2 - Hamilton and Witkowski

**No** 1 - Bohl

**Excused** 2 - Davis and Donovan

4. [100583](#) Substitute resolution authorizing the return of real estate located at 2663 N. 6th St., in the 6th Aldermanic District to its former owner. (Leland Lofton)

**Sponsors:** THE CHAIR

*Must pay \$841.56 in razing charges by noon on December 20th or this matter will be returned to committee.*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

5. [100803](#)

Substitute resolution authorizing the return of real estate located at 3353 N. 22nd St., in the 6th Aldermanic District to its former owner. (Raphael Clayton)

**Sponsors:** THE CHAIR

*Applicant must pay \$3,500 in pending reinspection fees prior to noon on December 20th or this matter will be returned to committee.*

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

6. [100787](#)

Substitute resolution authorizing the return of real estate located at 8801 W. Portage St., in the 9th Aldermanic District to its former owner. (James B. Nutter & Company)

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

7. [100809](#)

Substitute resolution authorizing the return of real estate located at 2037 N. 33rd St., in the 15th Aldermanic District to its former owner. (Rochelle Wells on behalf of Magen Wells)

**Sponsors:** THE CHAIR

*Former owner must pay \$675 in pending recording enforcement fees prior to noon on December 20th or this matter will be returned to committee.*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

8. [100815](#)

Substitute resolution authorizing the return of real estate located at 2740 N. 10th St., in the 15th Aldermanic District to its former owner. (Constance Holman)

**Sponsors:** THE CHAIR

*Former owner must pay \$3,150 in pending reinspection fees prior to noon on December 20th or this matter will be returned to committee.*

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

1:45 P.M.

9. [100967](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 and 2009 tax rolls, plus interest applicable to date of repayment, if appropriate.

**Sponsors:** THE CHAIR

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

10. [100963](#) Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$2,300.22 with a six-year total of the deferred properties being \$13,996.93.

**Sponsors:** THE CHAIR

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

11. [100962](#) Resolution deferring payments of the special assessments and appropriating funds for this purpose.

**Sponsors:** THE CHAIR

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following**

vote:

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

12. [101011](#)

Communication from the Comptroller's Office relating to a report relative to the creation of a City website to report potential fraud, waste and abuse within City government.

**Sponsors:** THE CHAIR

*Individuals present: Craig Kammholz and Jim Michalski - Comptroller's Office*

**A motion was made by ALD. WITKOWSKI that this Communication-Report be RECOMMENDED FOR PLACING ON FILE. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

13. [100620](#)

Communication from the Comptroller's Office relating to the Annual Outstanding Receivables report.

**Sponsors:** THE CHAIR

*Individuals present:  
Craig Kammholz - Comptroller's Office  
Shirley Krug - Dept. of Public Works*

**A motion was made by ALD. WITKOWSKI that this Communication-Report be RECOMMENDED FOR PLACING ON FILE. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

2:00 P.M.

14. [100919](#)

Resolution relating to the claim of Atty. Mark Thomsen on behalf of Vicky and Kenneth Bontempo for personal injuries. (13th Aldermanic District)

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

15. [100941](#)

Resolution relating to an appeal from Leonel Ortiz for property damage. (8th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

16. [100901](#)

Resolution relating to an appeal from Miguel Sandoval for property damage. (14th Aldermanic District)

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

17. [100906](#)

Resolution relating to the claim of Starmoneeka Evans for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

*Hold so the owner can obtain two estimates and the claimant will also provide photos of the damage and the city will provide signage relating to its being a restricted area. One estimate can be for paint and one for body work.*

**A motion was made by ALD. BOHL that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

18. [100924](#)

Substitute resolution relating to an appeal from LoRoy Turner for property damage.

**Sponsors:** THE CHAIR

*Settle in the amount of \$581.94.*

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

**Aye** 2 - Hamilton and Bohl

**No** 1 - Witkowski

**Excused** 2 - Davis and Donovan

**100924**

Substitute resolution relating to an appeal from LoRoy Turner for property damage.

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED  
FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 2 - Hamilton and Bohl

**No** 1 - Witkowski

**Excused** 2 - Davis and Donovan

**19. 100898**

Resolution relating to an appeal from Kelly Kincaid for property damage. (2nd Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED  
FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED  
by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

**20. 100998**

Resolution relating to an appeal from Daniel Sweeney for property damage. (15th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by ALD. WITKOWSKI that this Resolution be  
RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This  
motion PREVAILED by the following vote:**

**Aye** 2 - Hamilton and Witkowski

**No** 1 - Bohl

**Excused** 2 - Davis and Donovan

**21. 100907**

Resolution relating to the claim of Karen Schellenger, Agent for AFNI Insurance Services on behalf of American Family Insurance and Sarah Winkler for property

damage.

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

**22.** [100918](#)

Resolution relating to the claim of Beth Jensen, Agent for Park Terrace, LLC for property damage. (12th Aldermanic District)

**Sponsors:** THE CHAIR

*Kelly Denk, Managing member of Park Terrace, LLC, appearing.*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

**23.** [100920](#)

Resolution relating to the claim of Linda Charles for property damage. (1st Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

**Meeting recessed at 4:56 p.m.**

**Meeting reconvened at 5:03 p.m.**

**24.** [100836](#)

Resolution relating to the claim of Susan Fink for personal injuries.

**Sponsors:** THE CHAIR

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This**



**motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

**2:30 P.M.**

25. [100912](#) Resolution expressing the City of Milwaukee's support for development of a high-speed passenger rail network in the Midwest, including an extension of Amtrak's Hiawatha service from Milwaukee to Madison.

**Sponsors:** Ald. Coggs, Ald. Bauman, Ald. Hines Jr., Ald. Kovac and Ald. Hamilton

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR PLACING ON FILE. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

26. [101004](#) Substitute resolution endorsing the 2011 City of Milwaukee Federal Legislative Package.

**Sponsors:** THE CHAIR

*Individual appearing: Audra Brennan, Intergovernmental Relations Director*

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

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

27. [101005](#) Substitute resolution authorizing alternative executive representation on the League of Wisconsin Municipalities' Urban Alliance.

**Sponsors:** Ald. Witkowski

*Individual appearing: Audra Brennan, Intergovernmental Relations Director*

A motion was made by ALD. WITKOWSKI that this Resolution be  
**RECOMMENDED FOR ADOPTION.** This motion **PREVAILED** by the following  
vote:

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

28. [091347](#)

Communication relating to the 2010 activities of the Administrative Review Appeals  
Board.

**Sponsors:** THE CHAIR

A motion was made by ALD. WITKOWSKI that this Communication-Report be  
**RECOMMENDED FOR PLACING ON FILE.** This motion **PREVAILED** by the  
following vote:

**Aye** 3 - Hamilton, Witkowski and Bohl

**No** 0

**Excused** 2 - Davis and Donovan

*Meeting adjourned: 5:13 P.M.  
Linda M. Elmer and Tobie Black  
Staff Assistants*

*This meeting can be viewed in its entirety through the City's Legislative Research  
Center at <http://milwaukee.legistar.com/calendar>.*